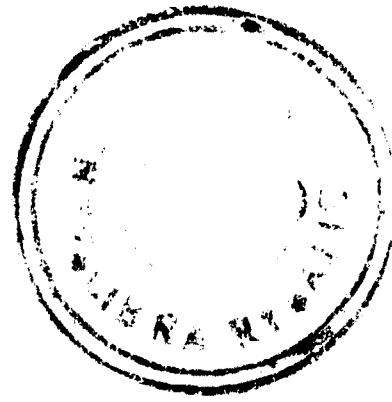


# THE PARTITION OF THE PUNJAB

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PREFACE

In the sub-continent of India the Punjab occupied a position of unique importance. It was on the high way between the nomad breeding grounds of Central Asia and rich and fertile valley of the Ganges. It had, therefore, been the arena of religious, racial and political conflicts like Palestine in Middle East and Belgium in Europe. Its climate bred a hardy martial people whom the British found equally capable of enduring winter in the muds of Flanders and summer amid the sands of Mesopotamia. In the field of politics the Punjab was a key province for the solution of the communal tangle because it had a three-fold communal problem viz. Muslims, Hindus and Sikhs, whereas the rest of India had only a Hindu-Muslim problem. At the time of transfer of power to Indian hands, it was the only province which was ruled by the Governor under the emergent condition and Section 93 of the Act of 1935 had been imposed there. Again only in the Punjab was the transfer of power followed by blood-shed and mass migrations. It was this unique phenomenon which attracted me. Coincidentally I was asked by the authorities of Khalsa College where I have been working since 1950 to compile an account of happenings to the Sikh refugees from the West Punjab and the part played by the Sikhs during the Calcutta riots of 1946. After completing this assignment in 1957 I turned towards the Partition of the Punjab.

The scope of the present work is to analyse the factors leading to the partition of the Punjab, study the .

partition machinery and discuss the causes of subsequent mass migration and the consequences in general. It has eleven chapters. An introduction gives an idea of the formation of the British Punjab. The second and third chapters analyse and arrange the historical forces that culminated in the idea of partition and the subsequent partition plan. The fourth, fifth, sixth and seventh chapters portray the salient features and working of various organisations established for the partitioning of the province. The eighth and ninth chapters enumerate the causes of cross mass migration and study the working of the Liaison Agency and other allied organisations. The tenth, gives the after-effects of partition on the two Punjabs. The last gives some conclusions.

Until now there have been three kinds of publications allied with this subject. Most of the books deal with the Punjab communal riots in 1947 because the riots gained international importance when the Pakistan Government raised a question of 'genocide' in the Security Council, United Nations Organisation. Books published in Pakistan and India like "East Punjab's Blood Bath" by Ziaul-Islam (Pakistan) "Muslim League's Attack on the Sikhs and the Hindus", by Shromani Gurdwara Parbandhak Committee, Amritsar, "Inside Pakistan" by K.L. Gauba (Bombay) and "Stern Reckoning" by G.D. Khosla (New Delhi) deal with the Punjab communal riots in detail. Secondly the West Punjab Government publications like "Sikh Plan", "Sikh Plan in Action" illustrate the Pakistan Government's view regarding the communal riots in the Punjab. Similarly booklets issued by the Public Relations Department, East Punjab

give an account of the resettlement of the refugees. Thirdly, there appeared a number of booklets and pamphlets written by evacuees after their migration like " Ah! Amritsar", (Urdu), Lahore, "Mehsharistan-i-Kapurthala", (Urdu), Pakpattan, "Ah. Jullundur", Urdu, Lahore (West Punjab), "Saka Bhuller", (Punjabi) Amritsar, "Roday de Shahid", (Punjabi), Ambala, "Makhdumpur Ke Khuni Halat", (Urdu), Rohtak. All these booklets were based on the personal experiences of the writers who were affected by adverse circumstances and could not make an objective approach. The present work is the first of its kind wherein all aspects of the partition of the Punjab viz. political, constitutional, administrative, economic social, etc. have been examined from a dispassionate point of view.

Every effort has been made to ascertain the facts and verify the statements by various persons. No time or money has been spared for this purpose. However an objective version of the controversial issues will not be possible unless all records are open for consultation. I had access to the relevant files in the East Punjab Government Secretariat and the Record Office and also to the voluminous record of Partition Proceedings in the Central Secretariat Government of India. The six chapters of this work viz. from the IV chapter to the IX chapter are mostly based on the records of the Partition Branch, Punjab Government, East Punjab Liaison Agency, Punjab Partition Committee, Awards of the Arbitral Tribunal and Partition Proceedings, Government of India. Almost all the records in India except those in the National Archives, New Delhi have been utilized. I could not get access to the records of the West Punjab Government though I visited Pakistan twice to

consult the Punjab University Library and the Punjab Public Library, Lahore. During my six months research tour of England in 1964 I worked in the India Office Library and the British Museum. The records of this period were not open for consultation. Lord Mountbatten wrote in a reply, "Such papers as I have are mostly duplicates of those in the old India Office now part of Commonwealth Relations Office. I imagine that many of these are subject to the 50 years' rule."

In addition to utilizing recently published memoirs like "Mission with Mountbatten", "Memoirs of Lord Ismay", "India Wins Freedom" by Maulana Azad and various journals both Indian and foreign, I have had the privilege of discussing one aspect or another of the problems treated in these pages with the following. I am particularly grateful to the British dignitaries who, keeping in view my short stay in England, gave me time and answered my queries:-

Lord Attlee, the British Prime Minister in 1947.

Lord Ismay, Chief of Viceroy's Staff in 1947.

Mr. Alan Campbell Johnson, Press Attache to Lord Mountbatten in 1947 and author of Mission with Mountbatten.

Sir Cyril (Later Lord Radcliffe), Chairman of the Punjab Boundary Commission in 1947.

Sir Patrick Spens, Chairman of Arbitral Tribunal, 1947.

Major J.M. Short, who was on the staff of Lord Mountbatten, had been specially appointed to keep in contact with the Sikhs.

Sir Evan Jenkins, Governor, British Punjab in 1947.

Sir Francis Mudie, Governor, West Punjab in 1947.

Dr. Morris Jones, Constitutional Adviser to the Viceroy in 1947.

Sir Khizar Hyat Khan, Prime Minister of the Punjab in 1947.

Sir Zafarullah Khan, who appeared before the Punjab Boundary Commission on behalf of Muslim League in 1947.

S. Baldev Singh, Defence Member of the Interim Government, 1947.

Justice Mehar Chand Mahajan, Member Punjab Boundary Commission.

Justice Teja Singh, Member Punjab Boundary Commission.

Justice Harnam Singh, who appeared before Punjab Boundary Commission on behalf of the Sikhs.

S. Swaran Singh - the Leader of the Panthic Party and Home Minister, the East Punjab 1947.

Dr. Gopi Chand Bhargava, Chief Minister, the East Punjab, 1947.

S. H.S. Malik, Prime Minister of Patiala State in 1947.

Sardar Sant Parkash Singh, I.G. Police, East Punjab, 1947.

Master Tara Singh, a veteran Akali leader.

Giani Kartar Singh, President Shromani Akali Dal in 1947.

For substantial help of one kind or another I am thankful to S. Ujjal Singh ex-Finance Minister, Punjab (India), Mr. P.N. Kirpal, Secretary Ministry of Education, Government of India, Shri V.S. Suri, Keeper of Records, Punjab Government, Raja Ghanzafar Ali Khan, ex-High Commissioner for Pakistan in India, Shri Kewal Singh, Deputy High Commissioner for India in U.K. I am indebted to the Punjab Government for sanctioning my six months' research tour to England and also to my College authorities for providing me facilities to accomplish this work. My thanks are due to my Supervisor Dr. Anup Chand Kapur and my



friend Dr. K.A. Ballhatchet, Oriental Institute, Oxford, who have gone through major portion of this manuscript and given me useful suggestions.

KIRPAL SINGH.

ABBREVIATIONS.

A.A.T.	Awards of Arbitral Tribunal on cases referred by the Punjab Partition Committee.
A.P.P.C.	Agenda for meetings of the Punjab Partition Committee.
C & M.	The Daily Civil and Military Gazette, Lahore.
C.L.O.	Chief Liaison Officer.
D.L.O.	District Liaison Officer.
D.P.P.C.	Decisions of the Punjab Partition Committee.
HANSARD	Parliament Debates, House of Commons, London.
H.I.N.C.	History of Indian National Congress, Pathabai Sitaramya.
L.A.R.	Liaison Agency Records, East Punjab Government.
M.E.O.	Military Evacuee Organisation (India).
P.B.R.	Partition Branch Records, Punjab Government, Chandigarh.
P.P.	Partition Proceedings, Government of India.
S.D.I.C.	Speeches and Documents on Indian Constitution by Sir Maurice Gwyer and A. Appadorai.
S.H.R.	Sikh History Research Department, Khalsa College, Amritsar.

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CHAPTER I

Introduction

The tract of territory now divided into the Punjab (India) and the Punjab (Pakistan) had been known by different names since time immemorial. In the Rig Veda it was called "Sapta Sindhu" or "Sapta Sindhwah", the (land of seven rivers. This is identical with the "Hupta Hindu" of the Iranians as has been mentioned in the famous geographical chapter of the Zand Avesta among the earliest creations of Ahura Mazda and also in the Rock Inscription on the tomb of Darius I in the list of the Persian Empire's tributary provinces."

The exact Sanskrit equalent of the modern Punjab is "Panchnada" which has been mentioned in the Mahabhartata and Agni Purana. In Brahmana Purana 'Panchnada' has been mentioned to signify the place where five rivers meet the Indus - the place is still known by the same name. According to the Dictionary of Ancient and Medieval India "Panchnada" is a name specially applied to the region watered by the collective streams of Ghara (the united stream of the Sutlej and the Beas) Trinab (the united stream of Ravi, Chenab and Jhelum) from

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1. Book (Mandal) VIII, Hymn (Sukat) XXIV and verse (Manter) XXVII  
Ya Cikshadae haso muchad yo varyat Sapt Sindhhs-hu. Who will set free from ruinous or Arya on the seven streams.  
The Hymns of Rig Veda, Vol. II, page 159.
  2. In Sanskrit "s" sound often changed with "h" like "gras", "grah", etc. etc.
  3. Z.A. Ragozin, Vedic India, page 107.
  4. Hobson Jobson, 1st Edition, page 561.

their confluence to Netnankote near which the united water  
 (5) joins Indus." Significantly enough this tract was inhabited  
 by the five powerful Aryan tribes - viz. Purus (Or Bhartas  
 afterward called Kurus) who lived on the north of the Ravi,  
 the Tritsus (called Panchalas) who lived on the north and south  
 (6) of the Sutlej, Anus, Yadvas and Turvasus. It has been  
 asserted by a German Orientalist Lassen (1800-1856) in his  
 Latin disassertation, PENTAPOTAMIA that the Greek geographers  
 knew the term 'Panchnada' just as they knew all rivers but  
 they never used this term for the whole region which later on  
 (7) came to be known as the Punjab.

Hiuen Tsang, the Chinese traveller who remained in  
 India for fifteen years (629-644 A.D.) in the seventh century  
 neither mentioned "Sapt Sindhu" nor 'Panchnada' in his account.  
 He gives entirely a new name to this tract and called it "Takia"  
 which according to Sir Alexander Cunningham embraced the whole  
 plains of the Punjab from the Indus to Beas and from the foot  
 (8) of the mountains to the junction of five rivers below Multan.

Whatever the earlier nomenclature of this region, it  
 is certain that the word 'Punjab', which is a combination of  
 two Persian words Panj (five) ab (river) was first used during  
 the Muslim rule. According to the author of Farhang-i-Jehangiri -  
 a Persian work, compiled during the reign of Jehangir (1606-1627),

5. Nandu Lal, The Geographical Dictionary of Ancient and Medieval India, page 179.

6. Z.A. Ragozin, Vedic India, page 323.

7. Hobson Jobson, page 561.

8. Cunningham's Ancient Geography of India, Calcutta (1924)  
 pages 170, 177 and 251.

the first person who used this word was Jamal-ud-din Abdul Razaq (died in 1192 A.D.) . He wrote that "my eyes wandered over your face in India and on account of tears from my eyes, my face became bed of five rivers." (9) Evidently the word was first used in a poetic sense and not signifying a tract of territory.

It is very significant to note that Ayeen Akbery the most important work of Akbar's reign (1587-1605) does not mention the word 'Punjab'. Like Hiuen Tsang its author Abdul Fazal has divided this region into two parts - the upper and the lower. The upper part he calls the Lahore province and the lower he calls the Multan province. He gives the following description of these provinces:-

Lahore Province:- "The length from the river Sutlej to the Indus is 180 cose and the breadth from Bhember to Chowkundy measures 86 cose. On the east lies Sirhind, on the north Cashmeer, on the south Beykaneer and Ajmeer and Multan bounds it on the west. This Soobah has six rivers issuing from the northern mountains."

Multan Province:- "On its east lies Sircar Sirhind, the Pergunnah of Shoor joins it on the north, on the south it is bounded by the Soobah of Ajmeer and on the west are situated Kutch and Mekran both of which are independent territories. The six rivers which have been described in Lahore pass also (10) through this Soobah."

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9. Furhang-i-Jehangiri, Persian MS., Language Department, Punjab Government, Patiala MSS No. 269, Appendix.

10. Ayeen Akbery, Translated by Francis Gladwin (1783), page 394.

The author of the Ayeen states that the province of Lahore was watered by six rivers and it is perhaps on this account that he does not use the term Punjab which means the land of five rivers for this region. M'Gregor who wrote the history of the Sikhs during 19th century has rightly pointed out that in the old times the term 'Punjab' was applied to the country below the confluence of the rivers Beas and Sutlej and their united stream Ghara was counted as one river instead of (11) two. This was the reason which led the subsequent writers to identify the province of Lahore with the Punjab. Sujan Rai Bhandari, the author of Khulasatu-T-Twarikh which was compiled during Aurangzeb's reign (1657-17707) has used the term 'Punjab' (12) for the Mughal province of Lahore. This practice was followed by several authors. Ghulam Mohyuddin, surnamed Bute Shah, the author of Twarikh-i-Punjab who compiled his work in the first (13) half of 19th century gives the same dimension of the Punjab (14) which has been given in the Ayeen for the province of Lahore.

During the 18th Century, the provinces of Lahore and Multan were divided into a number of small principalities following the decline of Mughal Empire and death of Ahmed Shah Abdali, the Afghan Emperor, who had annexed these provinces to (15) Afghanistan. Lahore, the capital was held by three Sikh chieftains. The constituent areas of the province of Lahore .

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11. W.L. M'Gregor, History of the Sikhs, Volume I, page 1.
  12. Khulasatu-T-Twarikh (Persian), edited by M. Zafar Hasan, p.67; . also Sir J.N. Sarkar, India of Aurangzeb, page 80.
  13. Writer's Book A Catalogue of Persian & Sanskrit Manuscripts, page 49.
  14. Bute Shah, Twarikh-i-Punjab, Persian MS, S.H.R. No.1288, page 4.
  15. Vide Writer's book, Maharaja Ala Singh and His Times, page 124.



viz. Jullundar, Amritsar, Batala, Wazirabad, Gujranwala, Gujrat etc. were held by different chiefs. The Multan was ruled by an Afghan chief, Muzafar Khan who owed allegiance to the Afghan emperor and subsequently became an independent ruler. Similarly the trans-Indus areas which were once a part of the Kabul province during the Akbar's rule, seceded from the Afghan Kingdom. The Peshawar valley and Derajat were held by different chiefs. Thus the entire territories between the Sutlej and the Indus and some trans-Indus areas were divided into a number of small states. Maharaja Ranjit Singh (1799-1839 A.D.) unified these warring petty states and established a Sikh Kingdom. It was perhaps on this account that some of the British contemporaries of Maharaja Ranjit Singh, like Captain Murray, used the term Punjab synonymous with the Sikh Kingdom. He wrote, "The region of the north western India known in the modern times under the name of the Punjab, is remarkably well-defined by the geographical limits. On the north it has the Pir Panjal range of the vast Himalaya mountains; on the west the Khybur and Soliman ranges and the great river Indus which runs almost due south to the Indian ocean whilst on the south and east the river Sutlej separates it from the territories of what is now British India."<sup>(16)</sup>

Col. Steinbach has, however, drawn distinction in the geographical and the political limits of the Punjab. He states, "The political limits of the country (Punjab), however, extended somewhat beyond the banks of two principal rivers

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16. History of the Punjab (1846), page 1.

and may be reckoned including Peshawar and countries west of the Indus. Iskardo Ladakh and other hill states north at 600 miles in length and from east to west and 350 miles in breadth from north to south.<sup>(17)</sup>

Formation of the British Punjab in 1849 -

According to the Administrative Report 1849-51 A.D. the British Punjab was formed with the following:-

(i) Punjab proper and Trans-Sutlej territories :-

The Sikh Kingdom was split after the First Sikh War (1846) . Kashmir was severed from the Lahore Kingdom. The area between the Sutlej and the Beas was annexed to the British territory. The rest of the territory of the Lahore Kingdom which was annexed after the Second Sikh War in 1849 was termed "The Punjab Proper" in the Report. It was stated there, "Since the annexation, the country has borne the territorial title of the "Punjab Proper" in contradistinction to those Provinces of the Kingdom which had been previously lost to the Sikh nation. Of these province , one namely, the Jullundur Doab or Trans-Sutlej States together with Alpine district of Kangra had once formed an integral portion of the old Punjab."<sup>(18)</sup>

(ii) Cis-Sutlej Territories:-

•• The cis-Sutlej territory viz the territory between  
• the Sutlej and the Jumna had never been included in

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17. The Punjaub (1845), page 1.

18. Report on the Administration of the Punjab, for the year 1849-50, 1850-51, Calcutta (1853), page 1.

the Punjab. The Sutlej had been a traditional barrier between the Mughal provinces of Delhi and Lahore as the length of Delhi province has been stated in the Ayeen 165 Cos from Palwal to Ludhiana. It was perhaps on this account that the British recognised the Sutlej as the eastern boundary line of the Kingdom of Maharaja Ranjit Singh (1799-1839 A.D.) by the terms of the Treaty of Amritsar 1809 A.D. The cis-Sutlej territory especially the modern districts of Ambala, Ferozepur, Ludhiana were acquired by the British before the outbreak of the first Sikh War. The modern districts of Gurgaon, Rohtak, Hissar, Karnal and Delhi State were conquered in 1803 and these areas formed a part of North Western Province of then British India.

After the annexation three district areas viz. cis-Sutlej territory, Trans-Sutlej territory and the Lahore Kingdom (viz. Punjab proper ) were merged together and constituted into one unit and placed under one administration. According to the Administrative Report 1868-69 the British Punjab was "bounded on the north and north east Himalyan mountains, on the east by river Jumna; on the south by district of Mathra in the north western Province, the States of Rajputana and the river Sutlej; and on the west by Suleiman hills and Afghanistan." (19)

It is very important to note that Lord Dalhousie recommended even the amalgamation of Sindh with the Punjab. He wrote in his minute dated Feb. 25, 1856:- "If it should be

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19. Report on the Administration of the Punjab and its Dependencies for the year 1868-69, page 2.



thought that the Punjab by itself would constitute too small a jurisdiction for a Lieutenant Governorship I would then propose that Lieutenant Governorship should also include the province of Scinde. The addition of Scinde would not materially add to the extent of financial charge but it would augment the territorial charge very considerably.<sup>(20)</sup> Even without Sindh the British Punjab was composed of the territories of four Mughal provinces - major portions of Delhi and Kabul provinces on the east and west respectively and two entire provinces of Lahore and Multan. With regard to territorial expansion the British Punjab reached its climax.

Soon after it was found that the Punjab had become too unwieldy a province especially to deal with the problems of north western frontier. Consequently five frontier districts of the Punjab viz. Peshawar, Hazara, Kohat, Bannu and Dera Ismail Khan were separated from the Punjab and North West Frontier Province was constituted with headquarter at Peshawar in 1901.<sup>(21)</sup> The district of Delhi was separated from the Punjab in 1911 when the Indian Government transferred its office from Calcutta to Delhi.

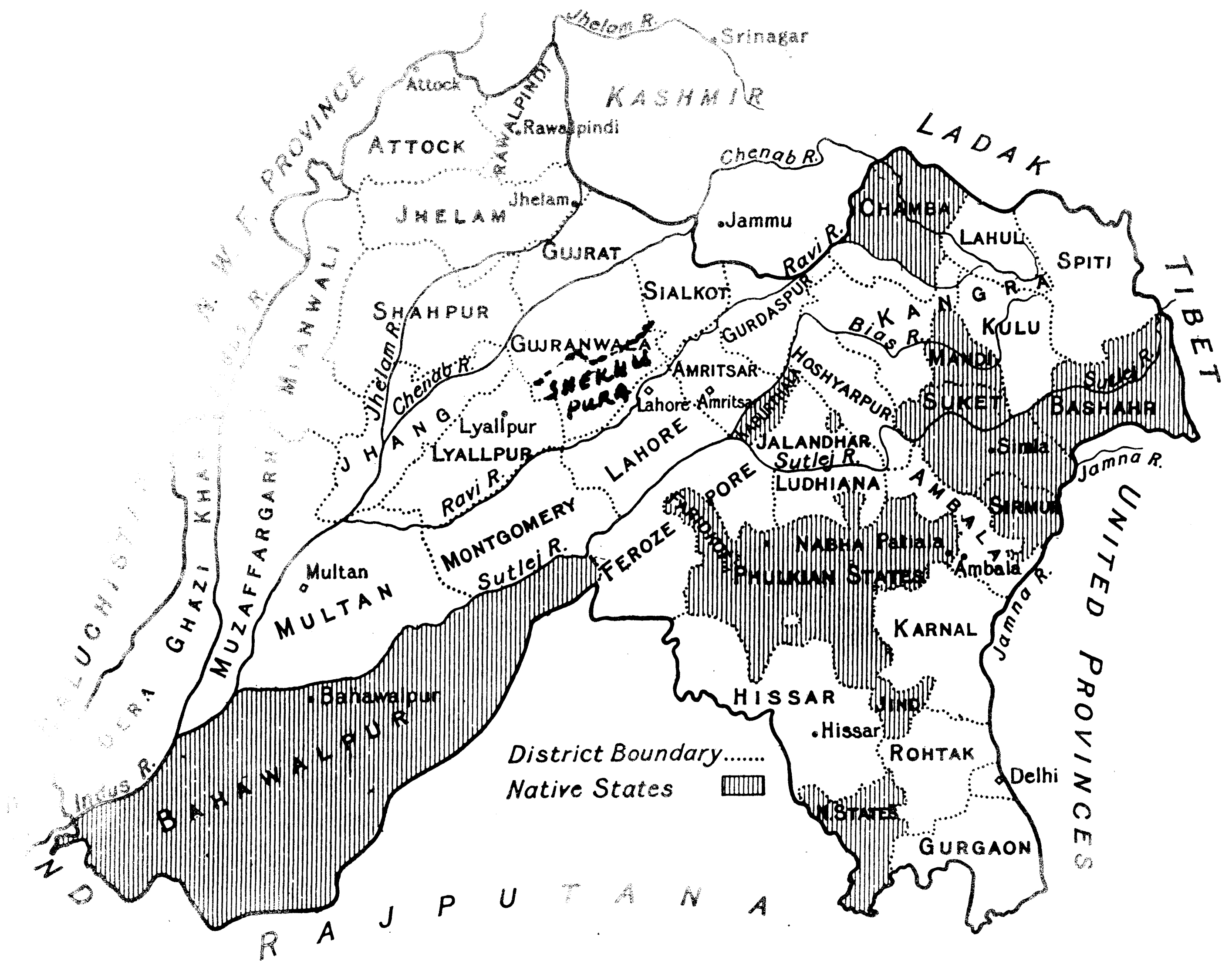
The Punjab before partition in 1947 comprised twenty nine districts, every district with 1000 to 2000 villages and with three or four sub-divisions known as tehsils. For the sake of administration all the districts were grouped into five Divisions as follows:-

1. Ambala Division included four districts of South-

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20. R. Bosworth Smith, Life of Lord Lawrence, Vol. I, page 393.

21. Sir James Douie, Punjab, North West Frontier Province and Kashmir, page 197.



Skeleton District Map of Panjáb.

Eastern plains viz Gurgaon, Rohtak, Karnal, Hissar, sub-mountainous district of Ambala and hill district of Simla.

2. Jullundar Division included hilly district of Kangra which stretched from the plains to the lofty snowy ranges on the borders of Tibet and which covered almost half of the area of the Jullundar Division. The other districts were Hoshiarpur in the sub-mountainous zone, Jullundar and Ludhiana which belonged to the Central Plains and Ferozepur which was a part of south eastern Punjab.
3. Lahore Division was the smallest but the most important Division of the Punjab. It included Lahore, the capital of the province and Amritsar, the commercial centre of the province and religious city of the Sikhs. It contained six districts viz Gujranwala, Sheikhupura, Sialkot, Gurdaspur, Lahore and Amritsar.
4. Rawalpindi Division was in the north-west of the Punjab. It was in area the second largest Division but in population the smallest. It included six districts viz. Gujrat, Jhelum, Rawalpindi, Attock, Mianwali and Shahpur.
5. Multan Division consists of six districts of south west Punjab viz. Montgomery, Lyallpur, Jhang, Multan, Muzafargarh and Dera Ghazi Khan. It was the biggest Division in area.

## Chapter II

Genesis of Partition.

The right of communal representation granted to the Muslim in 1909 A.D. and extended to other communities in 1919 gave rise to communal consciousness. The Muslims who constituted about 55 per cent of the population of the Punjab according to the census report of 1921 and 57 per cent according to the census report of 1941 had apparently a very narrow majority over the Sikhs and the Hindus. That made the communal problem tense. Sir Malcolm Darling wrote, "Nowhere is communal feeling potentially so dangerous and so complicated as in the Punjab.- it is dangerous because of the Punjab's virile hot headed people and complicated because there is a third and not less obstinate party - the Sikhs who were more closely knit together than either Hindus or the Muslims, fiercer too and prouder and more dynamic - they never forget that it was from them we conquered the Punjab." (1) The Nehru Report rightly recognised the magnitude of the communal problem in the Punjab when it recorded in 1928. "..... a very potent factor to be taken into account is the presence of strong Hindu minority side by side with the Muslim majority and Sikh minority. The Punjab problem has assumed an all India importance and we cannot look at it as an isolated case arising in a single province." (2)

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1. Sir Malcolm Darling, At Freedom's Door London, 1949, page XII

2. All Parties Conference 1928, page 57.

Separate Representation for Muslims -

In the Punjab the Muslims were in a majority. It was the only province where the majority community had been granted the right of separate representation. The Report of Franchise Committee of Indian Constitutional Reforms of 1919 stated, "..... special electorates for the Mohammedans could be admitted only in provinces where they were in minority of votes. As regards Punjab, our calculation goes to show that Mohammedan voters are in a ~~x~~ slight majority over combined strength of the Hindu and Sikh voters. The margin is not great and it is even possible that actual enumeration might convert it into a minority. As the Sikhs' claim to separate representation has been conceded it is clearly consideration of expediency rather than logic that would place the large majority of residuary voters in separate constituencies."<sup>(3)</sup>

The main causes of this special and extraordinary treatment for the majority community in the Punjab were their narrow majority and their economic backwardness. The Hindus and the Sikhs dominated in the fields of industry, commerce, trade and banking. In the provincial capital viz. Lahore the non-Muslims owned 108 registered factories out of 186. They paid eight times as much sales tax as Muslim traders and owned more than 75 per cent of commerce and trade. The banks, commercial institutions, insurance companies and industrial concerns were mostly in their hands. The urban property tax, income tax and other taxes paid by the non-Muslims were far

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3. Report of Franchise Committee, Indian Constitutional Reforms, page 371.



greater than those of the Muslims. Even in the Muslim majority districts the trade and industry were in the hands of the Hindus and the Sikhs who lived in the towns and cities. In the West Punjab districts of Rawalpindi, Jhelum, Sialkot, Gujrat, Gujranwala, Shahpur, Lyallpur, Mianwali, Multan, Muzaffargarh, Montgomery and Jhang more than 5 % of population was engaged in trade. In the rest of the province where Hindus and the Sikhs were more numerous than the Muslims the trading enterprise of the Hindus was of smaller commercial value. The non-Muslims owned more than half of the total number of industrial establishments in the whole of the Punjab. In the Central districts the Sikhs were the biggest land owners. In the Lahore Division the Sikhs paid 46% of the land revenue. The Jat Sikhs from the Central districts of the Punjab were mainly responsible for building up the colony areas of Lyallpur and Montgomery.

Next to agriculture money lending was the most important trade in the province. Money lending was entirely done by the Hindus and the Sikhs as usury was a taboo for the Muslims. According to Sir Malcolm Darling the total agricultural debt of the Punjab was about nineteen times of the land revenue and the Punjab agriculturist was more indebted than any other agriculturist in India and more than half of the debt was incurred by the Muslim rural population. The Muslim peasants

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4., P.P. Vol. VI, page 186.

5. Census of India 1921 Vol. XV Part I, page 358.

6. Idem.

7. Sikh Memorandum to the Punjab Boundary Commission, page 27.

8. Sir Malcolm Darling, Punjab Peasant in Prosperity and Debt page 154.

of the west Punjab were as a body heavily under debt to the Hindu and Sikh money lenders of the Multan and Rawalpindi Divisions. When on account of severe epidemic of plague in the Multan Division in September 1922 most of the Hindus left the town, the Muslim peasants who were in debt looted their grains and burnt their account books which recorded their debts. The trouble spread to such an extent that military had to be called from Multan to restore order. (9)

This economic domination of the non-Muslims over the Muslims gave a force to the Muslim contention that the Muslims were in danger of economic exploitation at the hands of the Hindus and the Sikhs. It was on this ground that the Punjab Committee constituted in 1928 by the Punjab Legislative Council to confer with Indian Statutory Commission, recommended, "the interests of an economically and educationally backward community cannot be safeguarded unless it is allowed a free choice in the selection of its representatives. If common electorates are introduced, the money lenders and financially stronger community will be able to influence the voters of the backward and poor communities and get their own nominees elected which will practically mean the backward communities being left unrepresented in the Legislature." (10)

#### Muslim Domination Opposed.

The Sikhs and the Hindus opposed the communal

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9. The Punjab Administrative Report 1922-23, page 3.  
 Hugh Kennedy Travaskis, Punjab To-day Vol. I, page 30
10. Report of the Punjab Committee, constituted to confer with Indian Statutory Commission.  
Report of Indian Statutory Commission, Vol. III, page 455.

representation and reservation of seats which had been granted by the Communal Award to the Muslims because it gave them statutory majority of 51 per cent in the legislature. The Hindus who were about 30% argued that there must not be any reservation of seats for majority community, a minority community must not be given less representation as compared to their population, and weightage must not be given to another minority at the expense of one minority. The Sikhs who were about 15 per cent, paid about 40 per cent of land revenue and water rates combined and supplied a gallant and <sup>(11)</sup> valuable element in Indian Army demanded that they must have substantial weightage as enjoyed by the Muslims in the provinces where they were in a minority. Secondly the Muslim representation must be less than 50 per cent so that no one community should be able to rule over the other. The Sikh delegates to the Round Table Conference London argued that, "The Muslim demand for this majority is made a basis of separate electorates which means that other two communities could not influence the permanent majority chosen as it would be by constituents swayed by none but communal motives and aims." <sup>(12)</sup>

It is very significant to note that the claim put forward by every community had its justification, but it could not be met without doing injustice to another community. In case the Sikhs were granted sufficient weightage, the

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11. S. Ujjal Singh and S. Sampuran Singh's Memorandum, Indian Round Table Conference Vol. III, Appendix H, page 1400

12. Ibid., page 1400.



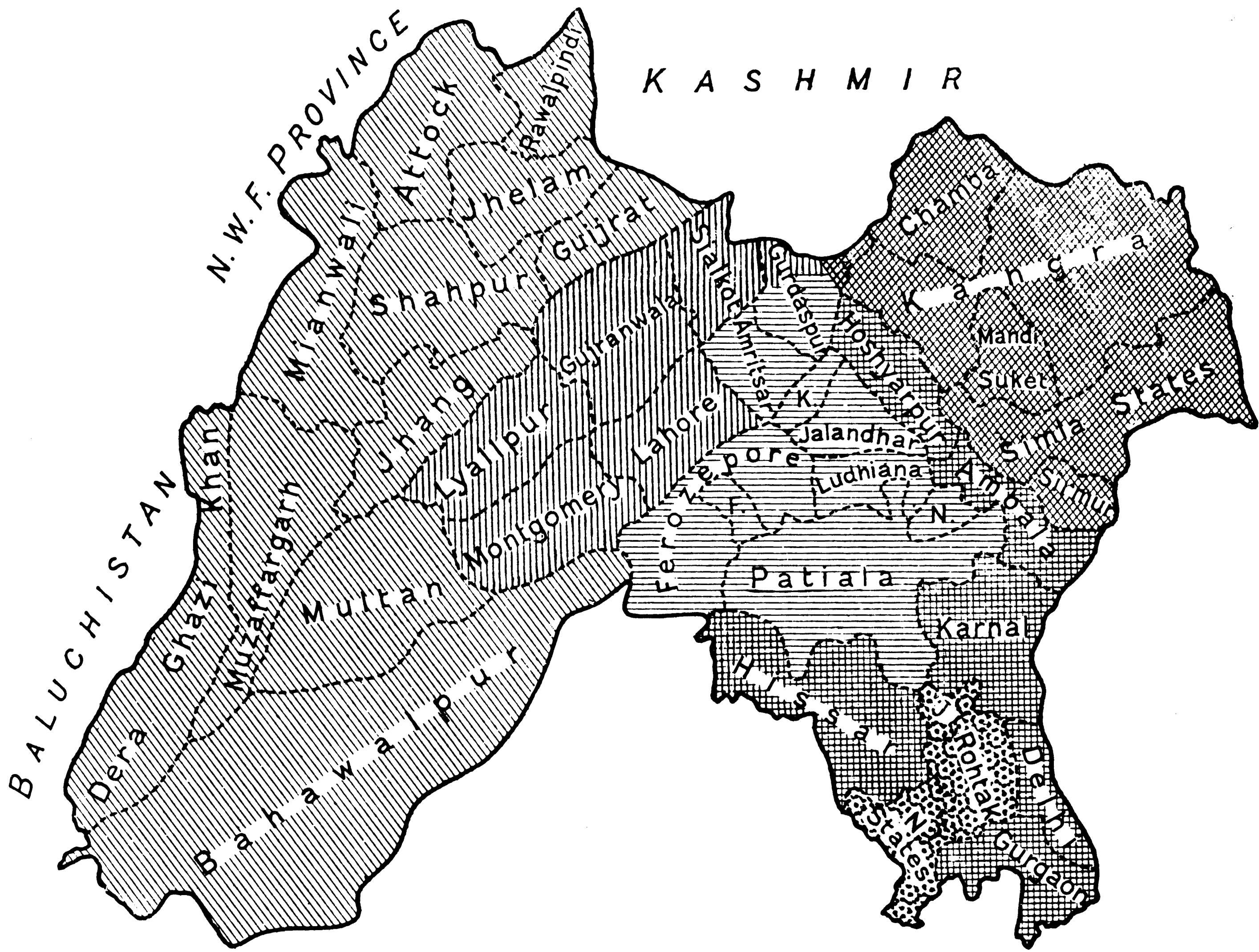
Muslims were to be deprived of their narrow majority in Legislature. If the weightage to the Sikhs was granted out of the portion of the Hindus it would have been injustice to another minority community. If no weightage was given to the Sikhs it would have been injustice as similar privileges were enjoyed by the Muslims in other provinces. In this way the communities in the Punjab were so distributed that their legitimate claims were mutually irreconcilable and the solution of the problem seemed impossible. Nehru Report rightly stated that, "It is this circumstance in the Punjab which apart from general consideration has so far defied all attempts at a satisfactory adjustment."<sup>(13)</sup>





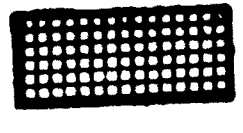
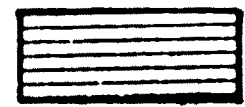
Proposals for Partition of the Punjab -

One of the basic factors which nourished the idea of the partition of the Punjab was the fact that the Muslims predominated in the western Punjab and the non-Muslims in the eastern Punjab. In the extreme western most district of Attock the Muslims formed 91 per cent of the population and were 88 per cent in the districts of Jhelum and Dehra Ghazi Khan. In the remaining districts, coming from the west to the east their population decreased. In the central districts of the Punjab their relative strength varied from 40 per cent to 80 per cent. The Muslims in the districts of Kangra and hill states were left only 1 per cent. The Hindus dominated in the population of the hilly territories where they were about 94 per cent. They formed fairly large majority in the southern districts. In Rohtak district the

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13. All Parties Conference 1928, page 57.



MUHAMMADAN. Above 80 p.c.  60-80 p.c.   
HINDU. Above 90 p.c.  75-90 p.c.  50-75 p.c.   
SIKH. 20-43 p.c. 

Map showing distribution of religions.

Hindus were 82 per cent. In the central districts of the Punjab and in the Princely States their population varied from 10 per cent to 49 per cent. The Sikhs were mostly concentrated in the central Punjab. The four chief centres of Sikh population were Ludhiana and Amritsar in the British territory, Faridkot and Patiala among the Punjab States. The highest percentage of the Sikh population was in Faridkot State where they were 44.5 per cent. <sup>(14)</sup>

As a result of growing communal consciousness there occurred a number of communal riots at various places in India during 1923 and 1924. One of the most appalling was a Hindu-Muslim riot at Kohat in North West Frontier Province. On September 10, 1924, a Muslim mob from the surrounding villages resorted to all sort of brutalities on the Hindu population. Such was the ferocity of rioting that the police and military felt helpless to protect the non-Muslim population, the whole of which was evacuated to Rawalpindi. This communal outburst gave a rude shock to the politicians of India and set them thinking about the communal problem with all seriousness. According to Lala Lajpat Rai, the Kohat tragedy was a unique incident of its own kind. <sup>(15)</sup> He, therefore, wrote a series of articles on the communal riots and in the last article he suggested some remedies. As a remedy for the communal conflict he suggested the division of the Punjab into East Punjab and West Punjab because eastern part of the Punjab was predominantly non-Muslim and western predominantly Muslim. He argued that

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14. Census of India 1921 Vol. XV. Part I, page 258.

15. Indian Annual Register 1924 Vol. II, pages 26 and 422.

if democracy was to work successfully, and effectively under the system of communal electorates, the partition of the Punjab was essential. Lala Lajpat Rai was perfectly correct in his estimate. Subsequently Chowdhury Rahmat Ali wrote, "the Lala's proposal was a decisive step in the right direction."

In order to solve the communal tangle in the Punjab, Sir Geoffrey Corbett who had served in the Punjab as Financial Commissioner and was Secretary of Indian Delegation to the Round Table Conference, London; brought out another scheme. He advocated the separation of Ambala Division from the Punjab to make one community predominant. He argued, "Historically Ambala Division is a part of Hindustan and its inclusion in the provinces of the Punjab was an incident of British rule. Its language is Hindustani, not Punjabi and its people are akin to the people of adjoining Meerath and Agra Divisions. Ambala Division is not irrigated from the five rivers but from the Jumna system on which the adjoining districts of United Provinces (of Agra and Oudh) also depend. It is, therefore, fair to assume that in any rational scheme for the redistribution of Provinces Ambala Division less Simla district and north west corner of the Ambala district would be separated from the Punjab."

The scheme sponsored by Sir Geoffrey greatly attracted the public attention. Mahatma Gandhi during his deliberations

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16., Lala Lajpat Rai, the Communal Problem, The Tribune, Lahore.  
dated 21st December 1924.

17. Pakistan - The Fatherland of Pak. Nations 3rd Edition 1946, page 217. Chowdhury Rahmat Ali's references in this book at pages 217, 218 and 233 indicate that Lala Lajpat Rai had first suggested partition of India which appears to be wrong as nowhere else we find Lala Lajpat Rai referring to the partition of Punjab or India.

18. Sir Geoffrey Corbett, the Communal Problem in the Punjab, Indian Round Table Conference Vol.III, Appendix No.VI, p.1431.



in the Round Table Conference, London got this scheme circulated to all members. The proposed exclusion of Ambala Division meant the exclusion of 3099000 Hindus, 240,296 Sikhs and 1418136 (19) Muslim which would have raised the Muslim majority to about 63 per cent. This would have solved the communal problem in Punjab by making one community predominant over the others. But this line of argument did not find favour with the Punjab Committee appointed to confer with the Statutory Commission because if Ambala Division were to be taken away from the Punjab, it was to reduce the Hindu minority into a small minority and upset the balance between various communities. The Committee, therefore, recommended that "any large disparity between the communities in the present circumstances is undesirable in the interest of the province and good government. As the communities are at present balanced there is not even remote chance for any one community to form Cabinet on communal (20) lines."

In order to counteract Sir Geoffrey's scheme the Sikh delegates to the Round Table Conference brought out another proposal for the division of the Punjab. It was stated in their memorandum, that "If the Muslims refuse to accept in this province where they are in a slight majority in population, anything but their present demand of reserved majority, we ask for a territorial rearrangement which would take from the Punjab the Rawalpindi and Multan Divisions (excluding Montgomery and Lyallpur districts). These Divisions

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19. Census of India 1941 Vol. VI Punjab, pages 43-44

20. The Report of the Punjab Committee Indian Statutory Commission Vol. III, page 410-11.

are overwhelmingly Muslim as well as racially akin to the North West Frontier Province. These overwhelmingly Muslim districts with population of seven millions can either form a separate province or be amalgamated with North West Frontier Province.<sup>(21)</sup> The exclusion of Rawalpindi and Multan Divisions would have made the Hindus and Sikhs in majority in the remaining Punjab. It may be noted that this demand has been partially fulfilled by the partition of the Punjab in 1947.

It is very important to note that the various schemes sponsored by the Muslim intellectuals aimed at disintegration of the Punjab in one way or other. Sir Mohammad Iqbal, the great Muslim poet and statesman of the Punjab who is considered to be the father of the idea of a "single state for the Muslims after amalgamation of the Punjab, North West Frontier Province and Sindh" clearly foresaw that in his political arrangement, Ambala Division and some other districts would have to be separated from the Punjab. He stated in his famous address at Muslim Conference in 1929 that, "The exclusion of Ambala Division and perhaps some districts ~~was~~ where non-Muslims predominate will make it (the Muslim State) less extensive and more Muslim in population."<sup>(22)</sup> The author of Confederacy of India split the Punjab in two zones. According to him "Eastern Hindu tracts comprising of Ambala Division and Kangra District were to join Hindu India Federation whereas the rest of the Punjab was to join

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21. Memorandum of S. Ujjal Singh & S. Sampuran Singh, India-Round Table Conference Vol. III, page 1400.

22. Speeches and Statements of Iqbal, page 13.

Indus Region Federation.' Dr. Syed Abdul Latif of Usmania University while discussing the position of the Hindus and the Sikhs of the Punjab in his "Cultural Zones Scheme" wrote, "A similar zone will have to be provided to the Hindus and the Sikhs of the Muslim block in the North West..... a zone may be formed of all non-Muslim States at present under the Punjab States Agency to be occupied entirely by the Hindus and the Sikhs. The Hindu State of Kashmir will be included in this Hindu Sikh zone. The districts occupied by Muslims may by mutual agreement be transferred to the Punjab proper and in return of the North East of the present Punjab comprising Kangra valley be added to the jurisdiction of the Maharaja (of Jammu Kashmir)"

The terms of the Lahore resolution of Muslim League (1940) which is synonymous of Pakistan resolution clearly stated that the Muslim State (Pakistan) was to consist of "geographically contiguous units, demarcated into regions with such a territorial readjustment as may be necessary." According to Professor R. Coupland the words "territorial readjustment" were particularly mentioned for the splitting of the Punjab and to exclude Ambala Division because the whole of the Punjab could not be included in Pakistan as there were areas where Muslims were not in majority nor there was any geographical contiguity with Muslim majority areas. This point has also been made more clear from the letter of Dr. Syed Abdul Latif,

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23. A Punjabi, Confederacy of India, page 243.

24. Dr. Rajindra Prasad, India Divided, page 189.

25. Prof. R. Coupland, The Future of India, Report on the Constitutional Problem in India Vol.III, page 8

member of the Muslim League Constitution Committee formed to work out details of Pakistan. He wrote to Sir Abdullah Haroon, the Chairman of the Committee:- "The Lahore Resolution aims at homogeneous compact blocks or states with an overwhelming Muslim majority. But the Punjab and Aligarh members of your Committee through their imperialistic designs over essentially non-Muslim areas would like to have larger Punjab extending even to Aligarh covering all non-Muslim States from Kashmir to Jaisalmir which reduced Muslim per centage to 55%. This zone cannot be called a Muslim zone as it contained 45 % non-Muslims in it." (26)

The Demand for the Partition of the Punjab -

Sir Sunder Singh Majithia, the founder of the Chief Khalsa Dewan, Amritsar, a Minister in the Unionist Government and a veteran Sikh leader (died in 1941) was the first Sikh to realise that ultimately Pakistan would mean for the Sikhs parting of ways with the Muslims. The Khalsa National Party of which he was the leader passed a resolution just a week after the Muslim League's Pakistan resolution prophesying that "the Muslim League has created a situation which may mean parting of ways for the Sikhs and the Muslims with whom the Khalsa National party has been cooperating in the Provincial autonomy regime in the best interests of the Province and the Sikh community..... It would be height of audacity for any one to imagine that the Sikhs would tolerate for a single day the undiluted communal Raj of any community in the Punjab which

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26. Dr. Syed Abdul Latif's letter dated 8th March, 1941.  
Pakistan Issue, page 98.



is not only their home land but also their holy land." (27)

The Draft Declaration issued by Sir Stafford Cripps in 1942 gave impetus to the demand for the partition of the Punjab as one of its main features was to give right to the provinces to secede from the Centre. And "with such non acceding provinces should they so desire" were to be given new constitution giving the same full status as Indian Union." (28)

According to Brecher the Draft Declaration "implied acceptance of Pakistan demand" by the British. (29) "This clearly envisaged Pakistan and afforded us a clear chance to get full Pakistan of our conception without danger of a claim for partition of the Provinces of Punjab and Bengal," (30) subsequently wrote Choudhary Khaliquzzaman, a prominent member of the Muslim League working Committee. Sir Stafford Cripps wrote to Mr. Jinnah that any province which should secure 60 per cent votes in Assembly for accession to India would have the right to do so. In case of its failure to secure the required percentage a party could claim a plebiscite of the whole population of the province. (31) It meant that the Sikhs and the Hindus of the Punjab could never secure 60% of votes for accession of the Punjab to Indian Union as the population of the non-Muslims in the Punjab was about 44%. The Draft Declaration greatly alarmed the Sikhs in the Punjab because it meant that Punjab being a Muslim

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27. Indian Annual Register 1940, page 357.

28. S.D.I.C. Vol. II, page 520

29. Brecher, Nehru A Political Biography, page 278.

30. Choudhary Khaliquzzaman, Pathways to Pakistan, page 277.

31. Ibid, page 277.

majority province could secede from the Centre and could acquire the same status as Indian Union. In that case the Sikhs and the Hindus were to be under the perpetual Muslim domination. In a memorandum to Sir Stafford Cripps the Sikhs, therefore, lodged a vigorous protest by stating that "their position in the Punjab has been finally liquidated."<sup>(32)</sup> They demanded, "why should not the population of any area opposed to separation (from the Centre) be given the right to record its verdict and to form an autonomous unit."<sup>(33)</sup> It was argued in the memorandum, that "the Sikhs cannot attain their rightful position or can effectively protect their interests unless the Punjab is redistributed into two provinces with River Ravi as forming the boundary between them." It was asserted that "By delimiting the present provincial boundaries of the Punjab, a new province comprising of Ambala and Jullundur Divisions with three districts of Amritsar, Gurdaspur and Lahore be constituted."<sup>(34)</sup> It is very significant to note how this demand of demarcation of boundary with districts of Amritsar, Gurdaspur and Lahore has been partially fulfilled by Radcliffe Award. Again Master Tara Singh, the Akali leader stressed the idea of partition of the Punjab in his letter to Sir Stafford Cripps dated 1st May, 1942:- "I thought I had convinced you at Delhi that you could give Sikhs substantial protection by dividing the present Punjab in two parts and giving right of non-accession to each part. The Sikhs and the Hindus do not want

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32. Memorandum handed over to Sir Stafford Cripps by Shromani Akali Dal on March 31, 1942 vide Appendix.

33. Ibid.

34. Ibid.

to go out of India. Why should the non-Muslim majority of the central and eastern Punjab be forced to go of India against their wishes.... If you can separate provinces from India for the domination of the Muslims why can you refuse to separate a big area for the protection of the Sikhs from the rule of a single community." In his press statement published on December 2, 1942 Master Tara Singh advocated the partition of the Punjab into two provinces one predominated by the Hindus and the Sikhs and other by the Muslims. He quoted "the example of Orissa, Bihar and Singh which had been made separate units without in any way destroying the integrity of the country." (35)

In order to counteract the Muslim League demand of sovereign Muslim State Shromani Akali Dal put forth the demand of a Sikh State. The main aim and the most prominent feature of this demand was to insist upon the partition of the Punjab. It was based on the argument that "the Panth demands the splitting up of the existing province of the Punjab with its unnatural boundaries so as to constitute a separate autonomous Sikh State in these areas of the central, north, eastern and south-eastern Punjab in which the overwhelming part of the Sikh population is concentrated and which because of the proprietors in it being mostly Sikhs and its general character being distinctly Sikh, is the de facto Sikh Home land." The proposed Sikh State was to consist of the territories of (36)

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35. The copy of the Letter of Master Tara Singh. S.H.R. No.1815

36. The Tribune dated Dec. 2, 1942.

37. Literally Panth means path but the term is applied to the Sikhs collectively.

"Central Punjab with Divisions of Lahore, Jullundur, parts of Ambala and Multan Divisions with the area comprised of Sikh States and Maler Kotla with certain hills in the North and North East."<sup>(38)</sup>

Whatever may be the merits and demerits of this scheme it proved to be very realistic and farsighted in advocating exchange of population. The Sikh statesmen clearly saw that it would be impossible for the Sikhs in general to live in a purely Islamic State. The demand of Sikh homeland rested on an implied resumption of exchange of population. The Sikh States were to provide the facilities for such exchange. It was stated that a State Commissioner or Board was to be constituted to evaluate and purchase the property of emigrant population on reasonable terms."<sup>(39)</sup>

Rajagopalachari's formula conceded the principle of the partition of the Punjab as he agreed to separate the "contiguous" Muslim majority districts". The Raja Ji formula stated, ".... a Commission shall be appointed for demarcating contiguous ~~at~~ districts in the North West and East of India wherein Muslim population is in absolute majority."<sup>(40)</sup> The Congress agreed to the principle that Muslim majority areas were to be given the right of self-determination and they were not to be compelled to join the Centre. This new development according to Master Tara Singh vitally affected the Sikhs.

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38. Justice Harnam Singh - The Idea of Sikh State, pages 27 & 46

39. The Sikhs Demand Their Home Land, pages 71-73.

40. S.D.I.C. Vol. II, page 549.

There was no clarification by the Congress about the position of the Sikhs. In order to make their position clear the Shromani Akali Dal put forward the Azad Punjab Scheme. (41)

According to this scheme a new Punjab was to be carved out after separating the overwhelming Muslim majority areas. It was argued that it was to be an ideal province with about equal proportion of Hindus, Muslims and Sikhs. In case of partition of the country it was to remain in the Indian Union. (42) Master Tara Singh explained the basis of this province in his letter to Sir Stafford Cripps, "The Sikhs certainly cannot dominate in any decently large portion of the country and hence they do not demand domination. But a big province much bigger than many of the existing provinces in area, population and wealth can certainly be carved out in which the Sikhs are dominated by no single community." (43)

Mr. Jinnah's Rejection of Partition Proposals -

Mahatma Gandhi accepted the principle of partition of the Punjab when he wrote to Mr. Jinnah, the President of the Muslim ~~League~~ League that, "I proceed on the assumption that India is not to be regarded as two or more nations but as one family consisting of many members of whom the Muslims living in North-West zone i.e. Baluchistan, Sindh, North West Frontier Province and that part of the Punjab where they are in absolute majority over all other elements and in parts of Bengal and

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41. "Congress te Sikh" (Punjabi) by Master Tara Singh (1945), pages 3-4.

42. Swagati Address Azad Punjab Conference, Amritsar (Punjabi) 28th February, 1944.

43. The letter of Master Tara Singh dated 1.5.42. S.H.R. 1815.



Assam where they are in absolute majority, desire to live in separation from the rest of India. The areas should be demarcated by a Commission approved by the Congress and the League. The wishes of the inhabitants of the areas demarcated should be ascertained through votes of adult population of the areas or through some equivalent method. If the vote is in favour of separation, it shall be agreed that these areas shall form a separate State as soon as possible after India is free from foreign domination.<sup>(44)</sup> Mr. Jinnah, did not agree with Gandhi Ji because he opposed the partition of provinces. In a reply he argued, that he did not want separation on the basis of plebiscite in which all inhabitants could participate but he wanted the issue to be decided on the basis of "self-determination confined to the Muslims alone." He wrote to Gandhi Ji, "We claim the right of self-determination as a nation..... You are labouring under the wrong idea that "self-determination" means only of a "territorial unit"..... Ours is a case of division and carving out two independent sovereign states by way of settlement between two major nations, Hindus and Muslims and not of severance or secession from any existing union."<sup>(45)</sup> On September 25, 1944 Mr. Jinnah again wrote to Gandhi Ji "If his terms were accepted and given effect to, the present boundaries of these provinces would be maimed and mutilated beyond redemption and leave us only with husk."<sup>(46)</sup> After the failure of the talks with Gandhi Ji, Mr. Jinnah said to the

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44. Gandhi Ji's letter dated 24th Sept. 1944, To the Protagonist of Pakistan, page 132-33.

45. Mr. Jinnah's letter dated 21st Sept. 1944. Mahatma Gandhi, Last Phase Vol.I, page 95.

46. Mr. Jinnah's letter dated 25th Sept. 1944. S.D.I.C. Vol. II, page 551.

representative of the News Chronicle, London that "There is only one practical realistic way of resolving the Muslim Hindu differences. This is to divide India into two sovereign parts - Pakistan and Hindustan by recognising whole of North West Frontier Province, Baluchistan, Sindh, Punjab, Bengal, and Assam as sovereign Muslim territories as they now stand."<sup>(47)</sup> It is significant to note that Mr. Jinnah accepted in 1947 almost the same terms and conditions regarding the Punjab and Bengal as were offered to him by Raja Ji formula, and Gandhi Ji. "The Conspicuous Part" by Dr. Mohammad Iqbal:-

According to Mr. Jinnah Dr. Mohammad Iqbal, the great poet of the Punjab, "played a conspicuous part though it was not revealed at that time"<sup>(48)</sup> in consolidating the Muslim League influence in the Punjab. Not only he convinced Mr. Jinnah of "a separate federation of Muslim provinces"<sup>(49)</sup> as early as 1937 but he also took effective steps to realise this objective. Dr. Iqbal had been persuading the Muslim members of the Unionist Party to join the Muslim League since 1936. He wrote to Mr. Jinnah in 1936 that the Muslim members of the Unionist Party were prepared to make following declaration:- "That in all matters specific to the Muslim community on an all India minority they will be bound by the decision of the League."<sup>(50)</sup> He again wrote to Mr. Jinnah when Sir Sikander joined the Muslim League, "A strong contingent from the Punjab is expected

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47. Hector Balitho. Creator of Pakistan, page 161.

48. Our Struggle 1857-1947, Appendix II, Introduction.

49. Ibid; Letter of Dr. Iqbal dated June 21, 1937.

50. Ibid; the Letter dated June 25, 1936.

to attend Lucknow session of the League. The Unionist Muslims are also making preparations to attend under the leadership of Sir Sikandar Hyat Khan.<sup>(51)</sup>"

Joining Muslim League by Sir Sikandar particularly at a time when he had a solid majority of 119 members (95 Unionist including 74 Muslims - 13 Khalsa National Board and 13 National Progressive Party) in the House of 175 proved to be a blunder. By this action Sir Sikandar sounded the death knell of the Unionist Party of which he was the leader as he made the Muslim members of his party subject to the discipline of the Muslim League whose aims and objects were not identical with those of the Unionist Party. The Unionist Party was devoted to inter-communal harmony while the Muslim League's objectives were "safeguarding the Muslim political rights" and "~~wk~~ welfare of Indian Muslims" with the intention of acquiring Muslim ascendancy and Muslim domination. Sir Fazle Hussain, the founder of Unionist Party, had firm belief that any communal approach to the political tangle of the Punjab was likely to disintegrate the Unionist Party which was based on economic programme and mutual cooperation of all communities.<sup>(53)</sup> It was on this account that Sir Fazle Hussain refused Mr. Jinnah to join Muslim League in 1936.<sup>(54)</sup> Sir Sikandar's joining Muslim League greatly enhanced the power and Prestige of that party.

The political alliance, it has been significantly

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51. Ibid; the Letter dated Oct. 7, 1937.

52. Press Information Bureau Series No. 21 dated March 5, 1946, page 1.

53. Azam Hussain, Fazle Hussain, page 345.

54. Mohammad Noman, Muslim India, page 330.

remarked, is always a case of a rider and a horse. Mr. Jinnah ultimately played rider and put the saddle on Sir Sikandar's back and reins in his mouth, howsoever, inwardly he might chafe. Sir Sikandar had fundamental differences with Mr. Jinnah on the future constitution of India. Sir Sikandar had framed a scheme for an Indian Federation. According to his scheme India was to be divided into seven zones and each zone was to have its Regional Assembly<sup>(55)</sup>. The Central Government accordingly was to have limited powers. In the meeting of the Working Committee of the Muslim League on the 4th February 1940, Sir Sikandar pleaded for two hours for the acceptance of this scheme but Mr. Jinnah rejected it on the ground that the Muslim League should confine its demands to the Muslim zones only and not to the whole of India<sup>(56)</sup>. This resulted in the Muslim League's resolution of March 1940 which is known as Pakistan resolution. Sir Sikandar disliked the idea of Pakistan and he irreverently called it "Jinnahistan" as he was convinced that Pakistan would mean massacre in the Punjab<sup>(57)</sup>. In this respect his estimate has proved correct to a large extent. Perhaps on account of the trouble created by the Khaksar movement and owing to the leanings of some of his party men towards the Muslim League, Sir Sikandar was always apprehensive that unless he walked warily and kept on the right side of Mr. Jinnah he was to be swept away by a wave of fanaticism and was likely to be greeted with black flags wherever he went. Despite all this he never reconciled himself

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55. S.D.I.C. Vol. II, page 455-56.

56. Khaliquzzaman, Pathways of Pakistan, page 234.

57. Penderal Moon, India Divided, page 20.



with the Muslim League objective of Pakistan. He stated in the Punjab Legislative Assembly on March 11, 1941:- "We do not ask for that freedom where there may be Muslim Raj here and Hindu Raj elsewhere. If that is what Pakistan means I will have nothing to do with it. I have said so before and I repeat it once again here on the floor of this House"<sup>(58)</sup>. Subsequently he was so much disgusted with the policy of the Muslim League and their tactics that he asserted in a fighting mood in the Punjab Assembly. "Let us above all show to the rest of the world that we in the Punjab stand united and will not brook any interference from whatever quarter it may be attempted. Then and then alone we will be able to tell meddling busy bodies from outside 'hands off the Punjab."<sup>(59)</sup> Sir Sikandar perhaps did not want to risk his political career by quitting the Muslim League as it appeared to him very difficult to withdraw his followers from the League camp where he himself had taken them. He, however, resigned from the Muslim League Working Committee in 1942.<sup>(60)</sup>

Muslim League Influence consolidated -

After the death of Sir Sikandar in 1942 the Muslim League adopted a very firm attitude towards the Unionist Party. Mr. Jinnah asserted that the Ministry in the Punjab should be named the Muslim League Coalition Ministry instead of Unionist Ministry as all the Muslim members who constituted majority in the Unionist Party were members of the Muslim League. Sir Khizar who had succeeded Sir Sikandar, did not agree to this,

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58. Punjab Legislative Assembly Debates, dated March 11, 1941.

59. Ibid.

60. Pathway to Pakistan, page 280.



as he wanted the regime of the Unionist Party to continue as had been agreed under the terms of the Sikandar- Jinnah Pact. Since Mr. Jinnah was very keen to have a Muslim League Ministry in the Punjab, he personally went to Lahore on the 20th March 1944 and asked Sir Khizar to persuade his non-Muslim colleagues to join the Muslim League Coalition. (61) The Sikh and the Hindu colleagues of Sir Khizar offered to cooperate with the Muslim League primarily on the condition that "the idea of Pakistan is abandoned for the period of war and in order to enable all concerned to judge the merits of the scheme, its precise political and constitutional implications are fully explained and the geographical boundaries of the Punjab under the scheme of Pakistan as well as the principles to be adopted for fixation of such boundaries are indicated as clearly as practical." This was not acceptable to Mr. Jinnah who was of the opinion "that minorities in the Punjab had no right to urge upon the League a compromise on the issues of all India character as these matters did not come within their rights as a provincial minorities." (62)

This attitude of Mr. Jinnah towards the Punjab minorities especially the Sikhs was fundamentally different from that of the Congress. The Congress considered the Sikhs an important minority of India as is clear from the Nehru Report whereas Mr. Jinnah always considered the Sikhs a provincial minority. This was one of the reasons why the

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61. Pathways to Pakistan, page 322.

62. Ibid, page 323.

Congress was able to win over the Sikhs whereas the League could not.

Soon after Mr. Jinnah took over a very firm attitude towards the Unionist Party and intimated the following terms of alliance to Sir Khizar Hyat Khan:-

1. That every member of the Muslim League party in the Punjab Assembly should declare that he owed his allegiance solely to the Muslim League party in the Assembly and not to the Unionist Party or any other party.
2. That the present label of the Coalition should be dropped namely the Unionist party.
3. The name of the proposed coalition should be  
(63)  
Muslim League Coalition Party.

The leader of the Unionist Party could not agree to such terms as it would have dealt a death blow to the Unionist Party. Consequently the Muslim League members of the Punjab Assembly whose strength had risen from 1 to 22 crossed over to the opposite benches just before dissolution of the Assembly for the elections of 1946.  
(64)

#### Muslim League Victory in Elections -

The elections of 1946 proved a turning point in the history of the Punjab. The Muslim League secured 73 seats of the Punjab Legislative Assembly out of 85 seats contested whereas the Unionist Party won only 19 seats out of about 99 seats contested. The Muslim League polled 75.26 per cent votes

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63. Press Information Bureau, Government of India Series No.21, dated 5th March, 1946, page 5.

64. Idem.

whereas the Unionist Party polled 25.51 per cent votes. The League emerged as the largest single party in the Punjab Legislative Assembly. <sup>(65)</sup> Despite the Muslim League's victory in the election Sir Khizar Hyat Khan formed Coalition Ministry <sup>(66)</sup> with the support of the Akali party and the Congress party. He was right, to some extent, in foreseeing that the Muslim League with all their zest for Pakistan were not likely to come to terms with the non-Muslim political parties. He, therefore, formed ministry as a <sup>matter</sup> of political expediency. But this had a very adverse effect on the Muslims of the Punjab who had been playing a leading role in the Punjab politics as their numbers entitled them. Now for the first time their biggest party found itself totally excluded by an undreamed combination of the Congress, Unionists and Akalies. If Sir Khizar had not formed the ministry and the League leaders had been left with some hope of office, they would have been compelled, just in order to gain power, to adopt more conciliatory attitude towards the minorities. In that case they would have been less tempted to stir up strife.

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65. Press Information Bureau Series No.22, dated March 5, 1946, pages 5, 10 and 12. The relative strength of various parties just after elections of 1945-46 was:-

Muslim League	...	73	seats
Unionist	...	19	"
Congress	....	51	"
Akalis	.....	21	"
Independents	.....	11	"
		<u>Total seats 175 seats.</u>	

66. The Akali Party was formed of the reformist Sikhs who wanted to reform their religious shrines. After the enactment of the Gurdwara Act 1926 the Akali Party entered politics. In elections of 1937, the Akalis party won 10 Sikh seats. In the elections of 1945-46 it secured 21 seats.  
Ibid.

The election results in 1946 had clearly indicated that the Muslims of the Punjab were solidly behind the Muslim League and were aspiring to establish Pakistan with the Punjab as one of its provinces. In that case the Sikh and the Hindu minorities of the Punjab would have been left in Pakistan. In order to avoid this, the Sikhs and the Hindus of the Punjab insisted on the partition of the Punjab. They demanded the creation of a "Sikh-Hindu Province". Giani Kartar Singh stated in "A case of a New Sikh Hindu Province in the Punjab":- "If this demand is not conceded, it will mean ruin of Hindu martial as well as commercial classes under the permanent domination of those who believe in their being a separate nation. Similarly the Sikhs, 95% of whose world population resides in the Punjab will become politically extinct. A people, who even not hundred years ago, were rulers of this land would become subservient to those whom they had conquered and ruled. This is unjust, unfair and preposterous and shall not be permitted. Therefore, by right of self-determination, by right of majority and by inherent right of a culturally homogeneous people to live in their own life, the division of the Punjab is absolutely essential."<sup>(67)</sup>

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67. Giani Kartar Singh, The case of a New Sikh-Hindu Province in the Punjab, page 9.

APPENDIX

MEMORANDUM HANDED OVER TO SIR STAFFORD CRIPPS ON 1ST MARCH 194

After giving careful consideration to the proposals which have now been published from the point of view of India's integrity and the Sikh position, we find them unacceptable because:-

1. Instead of maintaining and strengthening the integrity of India, specific provision has been made for separation of provinces and constitution of Pakistan and

2. The cause of the Sikh community has been lamentably betrayed. Ever since the British Advent our Community has fought for England in every battlefield of the Empire, and this is our reward that our position in the Punjab, which England promised to hold in trust, and in which we occupied a predominant position, has been finally liquidated.

Why should a province that fails to secure a three-fifths majority of its legislature, in which a community enjoys a statutory majority be allowed to hold a plebiscite and given the benefit of a bare majority? In fairness this right should have been conceded to communities who are in a permanent minority in the legislature.

Further why should not the population of any area opposed to separation be given the right to record its verdict and to form an autonomous unit.

We are sure you know that the Punjab proper extended up to the banks of the Jhelum, excluding the Jhang and Multan Districts, and the trans-Jhelum area was added by the conquest of Maharaja Ranjit Singh and retained by the British for administrative convenience. It would be altogether unjust



to allow the extraneous trans-Jhelum population, which only accidentally came into the province, to dominate the future of the Punjab proper.

We give below figures which abundantly prove our contention:-

From the boundary of Delhi to the banks of the Ravi river the population is divided as follows:-

Moslems	4,505,000
Sikhs and other non-Moslems	7,646,000

From the Delhi boundary to the banks of the Jhelum river, excluding Multan and Jhang districts the population figures are:-

Moslems	8,288,000
Sikhs and other non-Moslems	9,348,000

To this may be added the population of the Sikh States of Patiala, Nabha, Jind, Kapurthala and Faridkot, which is about 2,600,000. Of this the Moslems constitute barely 20 per cent and this reduces the ratio of Moslem population still further.

We do not wish to labour the point any more. We have lost all hope of receiving any consideration. We shall resist however by all possible means the separation of the Punjab from the All-India Union. We shall never permit our motherland to be at the mercy of those who disown it.

We append a note on Sikh's position with this memorandum.

NOTE ON SIKHS POSITION

On behalf of the Sikhs we wish to place the claims of the Sikh Community in the proposed Scheme of His Majesty's Government for the governance of India. We begin by giving a historical background of our case.

The Sikhs are an important and distinct community mainly concentrated in the Punjab of which they were the rulers until 1849. Sikhism recognises no caste and strictly enjoins upon those who profess it to treat all human beings as equal.

Sikhs play an important role in the economic and civic life of the country and a leading part in its defence. In the British Punjab with their  $3\frac{1}{2}$  million population (13.5% of the whole) the Sikhs pay 25% of the land revenue and 40% of the land revenue and water rates combined, the main source of the Provincial exchequer. They maintain at their own expense over 400 schools and four colleges open to all communities and classes without distinction. The percentage of literacy among the Sikhs is higher than in any other Community in the Punjab.

They have got a large number of Sikh shrines with big landed estates attached to them which are the centres of the Sikh culture and tradition.

The authors of Montford Report recognised the importance of the Sikhs and "the difficulty of denying to the Sikhs in the Punjab a concession which is granted to Mohammedans" (para 163).

The Simon Commission states; "Sikhism remained a pacific cult until the political tyranny of the Mussalmans and

the social tyranny of the Hindus converted it into a Military creed. It is a striking circumstance that this small community contributed no less than eighty thousand men" (actually 89,000 combatant recruits in addition to 32,500 already serving when the war broke out") to serve in the Great War, a larger portion than any other community in India."

With a population of over six million in India the share of Sikhs in the Defence forces of the country has always been out of all proportion to their population. The Sikhs are perhaps the only community which is making an organised war effort by the establishment of the "Khalsa Defence of India League" to maintain its glorious traditions in the Army.

We do realise that with our past traditions and the excellent fighting material that can be found in the Sikh districts, we should have done still better in mobilising our man power, but we are constrained to remark that nothing has been done by Government to rouse the enthusiasm of the Sikh Community in the way of recognition of its status in the sphere of the Central Government of providing effective safeguards for it in the Punjab to which it was entitled on its unrivalled position—historical, political and economic.

The Sikhs were deeply disappointed at the differential treatment meted out to them under so-called 'Communal Award' of 1932. In spite of their unique position in the Punjab they were not given the same weightage in the legislature as the Muslem minorities were given in other provinces. By way of illustration it may be stated that Muslims with 14.8% population in U.P. were given 30% seats in the Provincial Assembly as against 18.8% seats to the Sikhs in the Punjab

with their 13.5% population. Their influence in the administration and political life of the Punjab was further weakened in the formation of the Provincial Cabinet.

Whereas in the days of dyarchy out of three Punjabis appointed as ministers and members of the Governor's Council, there was one Sikh from 1921 to 1926 and one Sikh out of four Punjabis from 1926 to 1937, since the advent of the Provincial autonomy there has been only one Sikh out of total of six ministers. It will thus be observed that in the sphere of the supreme executive of the Province, the representation of the Sikhs was reduced from 33% to 25% in 1926 and to 16% in 1937. This progressive deterioration of the share of Sikhs in the Punjab Cabinet is strongly resented by the Community as it has led to encroachment on their religious and cultural rights and the waning of their influence on the political and economic life of the Country.

We submit that under the existing constitution the strength of the Sikhs in the Punjab Cabinet should be maintained normally at 33% and in no case below 25% so that there may always be atleast two Sikh ministers in the Cabinet. We also feel that so long communal electorates continue to be the method of representation in the legislature, cabinet should be formed on a coalition basis in the true sense of the word. We may here point out that when Ministries were functioning in all Provinces <sup>like</sup> in U.P. where the percentage of the Moslem population is nearly the same as that of Sikhs in the Punjab, there were two Moslem ministers in a Cabinet of 6.

In the sphere of the Central Government, the Sikh

community inspite of its important status in the country, its sacred shrines scattered all over India and the valuable services that the Sikh soldiers and technicians are rendering, has been unjustly treated. The Sikhs have suffered a great disillusionment by the deliberate neglect of their claims and omission of any reference to the Sikh minority by British statesmen and the Viceroy of India in their statements made from time to time during the last ten years on the Indian question. It seems as if in their opinion, Muslims alone or the Depressed Classes some times, constitute the important minorities of India.

Although for seventeen years a Punjabee has been appointed on the Viceroy's Council, no Sikh has ever been considered for such an appointment. Even at the time of the last expansion of the Executive Council, the claims of the Sikhs were entirely ignored.

In this connection we would like to invite attention to the decisions of the Allahabad Unity Conference which were arrived at between Hindus, Muslims and Sikhs in November 1932. Resolution No. 4 regarding Cabinets reads as follows:-

1. "In the formation of the cabinet of the Central Government so far as possible members belonging to the Muslim, Sikh and other minority communities of considerable numbers forming the Indian Nation shall be included by convention".

2. "Further during the first ten years in the formation of the Central Government, a seat shall be offered to a member of the Sikh Community".

Resolution No. 7 reads as under:-

(ii)"It is agreed that in the Central Legislature out



of the total elected seats allotted to British India 33% shall be reserved for Muslims and  $4 \frac{2}{3}$  % or 14 seats out of 300 for Sikhs".

It will thus be observed that leading Indians of different communities recognised the importance of the Sikh minority and agreed to accommodate it in the Central Cabinet, and also to give it nearly 5% representation in the Central Legislature.

We favour immediate transfer of power to Indian hands, entrusting all portfolios including Defence to Indians with experience of public life. We feel that in this way alone the moral and material resources of India can be tapped to the fullest extent and Indians can participate in the war with full vigour and enthusiasm.

The Sikhs stand for National Unity and the integrity of India. They would like the Provinces to enjoy as wide a measure of autonomy as may be compatible with good Government in the country as a whole but they also feel that any weakness at the centre will expose India to internal and external danger.

They are strongly opposed to the vivesection of India into two or three rival Dominions or sovereign states as is contemplated in the British proposals. They feel that such a step would lead to a state of perpetual strife and civil war in the country.

If the object is to give self-determination to the Provinces in the matter of accession to the "Union of India" the right to stand out and break the unity of India should not be exercised by a bare majority but by at least, 65% of Indian members present at the meeting of the Provincial

Assembly when the Resolution is considered. A plebiscite on the issue of secession is certain to lead to intercommunal riots of a most serious character and magnitude and should in no case be resorted to.

We are constrained to remark that the proposed scheme does not make any provisions for safe guarding the interests of the Sikh minority. The decisions of the constitution making body are to be by a bare majority and no provision is made for recourse to arbitration by the aggrieved party as was even assured by Mahatma Gandhi in his statement on the Congress scheme of constituent assembly. The treaty which is proposed to be negotiated between the constitution making body and His Majesty's Government for protecting the religious and racial minorities in accordance with undertakings given by the British Government will have no sanction behind it. Besides, we are not sure how political rights which relate mainly to a share in the Legislature and the administration of the country will be incorporated in the treaty. The treaty might cover the cultural religious and linguistic rights of minorities as such treaties in European countries after the last Great War did. But the undertakings given to the Sikhs by His Majesty's Government from time to time relate to the position and status of the Sikhs in the governance of the country and not merely regarding the exercise of their religious or cultural rights.

The Sikhs, therefore, feel that they cannot attain their rightful position or can effectively protect their interests unless the Punjab is redistributed into two provinces with river Ravi as forming the boundary between them.

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We might invite attention to the All India Moselm League Resolution of the Lahore Session held in March, 1940 which is popularly known as the Pakistan Resolution.

" That no constitution would be workable in this country or acceptable to the Muslims unless it is designed on the following basis principle viz, that geographically contiguous units are demarcated into regions which should be so constituted with such territorial readjustments as may be necessary that the areas in which the Muslims are numerically in a majority, as in the North Western and Eastern zones of India, should be grouped to constitute independent States in which the Constituent units shall be autonomous and sovereign."

A careful reading of the resolution discloses the the fact that the Moslem League itself visualised the readjustments of areas and the inclusion in their separate state of only those areas in which the Moslems were in a majority.

The population of the Punjab is so distributed that the two western divisions of Rawalpindi and Multan are predominantly Moslems and the two Eastern Divisions of Ambala and Jullundur are predominantly non-Muslims. The three Central Districts of Amritsar, Gurdaspur and Lahore have a balanced population. The separate figures of population for each district of the Punjab are attached as appendix to this statement. If a new province of a contiguous area of the two divisions of Ambala and Jullundur plus the three districts of Lahore, Gurdaspur and Amritsar is carved out, it will have a total population of 12,151,000 (according to 1951 Census) with non-Muslims forming 65% and

Muslims 37 % of the population. The other province to the west of river Ravi comprising of Multan and Rawalpindi Divisions plus the three Districts Sheikhupura, Sialkot and Gujranwala will have a total population of 11,429000, with Muslims forming 77.3% and non-Muslims 22.7 % of the population.

The Sikhs do not want to dominate but they would certainly not submit to the domination of a community which is bent upon breaking the unity of India and imposing its personal laws and culture on the other sections of the population.

We submit that in any interim arrangement or in the permanent scheme the following safeguards should be provided either in the treaty which might be enforceable or in the constitution itself:-

1. By delimiting the present Provincial boundaries of the Punjab, a new Province comprising of Ambala and Jullundur divisions with the three districts of Amritsar, Gurdaspur and Lahore be constituted.

2. The Sikh minority in the provinces be given the same weightage and measure of protection as the Muslim minority.

3. So long as communal electorates exist, provincial cabinets should be formed on coalition basis.

4. The Sikhs should always be given 5% representation in the Central Legislature.

5. A Sikh should always be given a seat in the cabinet of the Central Government.

6. A Defence Advisory Committee should be set up for

advising the Indian Defence Minister and a Sikh should be given a seat on that Committee.

7. The position of the Sikhs in the Defence forces of India should be maintained in keeping with their past tradition and strength in those forces.

8. The share of the Sikhs should be fixed in provincial and all India services on the lines it has already been provided or may be provided for the Muslims.

9. Religious laws of Sikhs enacted, may only be amended by the votes of the majority of the Sikh members in the Legislature.

10. No restrictions should be imposed by State in the exercise of the religious rights of the Sikhs in the matter of eatables and religious performances.

11. The State should provide for the teaching of Punjabi in Gurmukhi script where a certain fixed number of scholars is forthcoming.

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APPENDIX

Muslims % in  
Population(1931)

Districts

Jullundur Division:-

1. Kangra	}	5.5
2. Simla		
3. Hoshiarpur		31.8
4. Jullundur		44.5
5. Ludhiana		35.1
6. Ferozepore		44.6



Ambala Division

7.	Hissar	28.3
8.	Rohtak	17.1
9.	Gurgaon	32.7
10.	Karnal	30.5
11.	Ambala	31.0

Lahore Division

12.	Amritsar	47.0
13.	Gurdaspur	50.8
14.	Lahore	59.2
15.	Sialkot	62.2
16.	Gujranwala	70.8
17.	Sheikhupura	64.1

Multan Division

18.	Montgomery	69.8
19.	Iyallpur	62.6
20.	Jhang	83.2
21.	Multan	80.3
22.	Muzaffargarh	86.8
23.	Dera Ghazi Khan	88.7

Rawalpindi Division

24.	Gujrat	85.4
25.	Shahpur	82.7
26.	Jhelum	89.1
27.	Rawalpindi	82.8
28.	Attock	90.9
29.	Mianwali	86.9.

CHAPTER IIIThe Partition Plan.

After the termination of the World War/1945, the circumstances took favourable turn for the independence of India. The Labour Party in England, having independence of India as one item in its election manifesto entitled "Let us face the future"<sup>(1)</sup> won the elections. Thus the question of granting independence to India came to the forefront. Moreover Mr. C.R. Attlee, (who subsequently became Lord Attlee), the leader of the Labour Party was himself interested in the constitutional development of India. He had toured India as one of the members of the Simon Commission and subsequently had been one of the architects of the Government of India Act,<sup>(2)</sup> 1935. As a British Prime Minister he took personal interest in the various plans for transfer of power to India.

Failure of the Cabinet Mission Plan -

The proposals of the Cabinet Mission constituted a serious attempt to meet the Muslim League point of view and thus preserve the unity of India. It provided limited powers for the Centre. The Constituent Assembly to be set up was to have following compulsory grouping of the provinces for making the constitution of free India:-

Section A:- Consisting of Madras, Bombay, U.P., Bihar, Central Provinces and Orissa.

Section B:- Consisting of Punjab, North Western Frontier Province, Sindh and British Baluchistan.

Section C:- Consisting of Bengal and Assam.<sup>(3)</sup>

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1. Herbert Morrison, Government & Parliament, page 222.
  2. C.R. Attlee, As it Happened, page 78-79.
  3. S.D.I.C. Vol. II, page 582.

In the Section B the Muslim representatives were 22, Hindus 9 and the Sikhs 4. The Sikhs protested against the compulsory grouping and in a letter dated May 25, 1946 to the Secretary of State Master Tara Singh, the Akali leader wrote that " a wave of dejection, resentment and indignation has run throughout the Sikh community. The Sikhs have been thrown at the mercy of the Muslims." S. Baldev Singh, the Defence Member of the Interim Government, wrote to the Prime Minister of Britain seeking his intervention to remedy the wrong done to the Sikh community. In a memorandum submitted to the Cabinet Mission the Shromani Akali Dal stated, " In the alternative of existing province of the Punjab, a new province may be carved out as an additional provincial unit in the united India of future in a such a way that all the important Sikh shrines (Gurdwaras) be included in it as also a substantial majority of the Sikh population of the existing province of the Punjab."

The Indian National Congress was opposed to the compulsory grouping of provinces and suggested splitting of the Punjab as is clear from their resolution which ran:- " there must be no compulsion of any province or a part of province by another province. The Congress cannot be a party to any such compulsion or imposition against the will of the people concerned .... the rights of the Sikhs in the Punjab should not be jeopardised. In the event of any compulsion a province or a part of a province has the right to take such action as may be

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4. Papers relating to the Cabinet Mission Plan in India, page 61.

5. V.P. Menon, Transfer of Power in India, page 291.

6. Memorandum submitted to Cabinet Mission, S.H.R. No. 1815.

(7) deemed necessary." This greatly irritated the Muslim League who soon after condemned this resolution in vigorous terms viz "these qualifying clauses confer the right of veto within a section on a province and what is more absurd on a part of province and on the Sikhs in the Punjab."<sup>(8)</sup>

There were vital differences between the Congress and the Muslim League regarding the Constituent Assembly. When after the elections of the Constituent Assembly, the Congress insisted on its functioning, Mr. Jinnah described it as "a blunder of very grave and serious character."<sup>(9)</sup> The Constituent Assembly started its working on December 9, 1946. The Muslim League boycotted it and stated that "the elections to and thereafter summoning of the Constituent Assembly inspite of strong protests and most emphatic objections on the part of the League, were ab initio void, invalid and illegal."<sup>(10)</sup>

Conflict in the Interim Government:-

Apart from fundamental differences regarding the long term arrangement there had never been smooth working of the Interim Government. The object of the Congress members in the Interim Government was to bring into existance healthy convention of non-interference by the Viceroy and Interim Government working as a team so that it may be replaced by the National Government in the long run. The Muslim League members had entered the Government with an avowed object of holding Congress in check lest anything should be done which might prejudice the settlement of long term issues. In this campaign their chief weapon was

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7. H.I.N.C. Vol. II, page 823.

8. S.D.I.C. Vol. II, page 660-61.

9. Ibid, page 657.

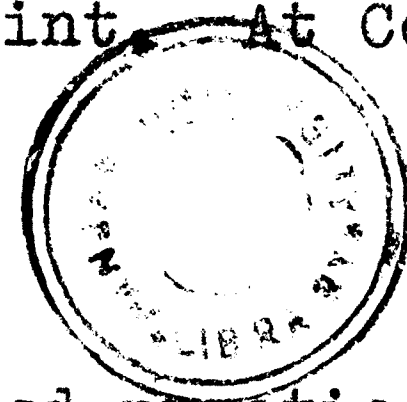
10. Ibid, page 666.

the emphasis on legality "preventing the Government from functioning as a cabinet and to increase the power and influence of Viceroy in order to save themselves from being over ridden by Congress majority." Mr. Jinnah held that the "Interim Government has been formed under the present Constitution, the Act of 1919 which is in operation .... It is sheer flight of imagination to call it a Cabinet, a National Government or even a Coalition.... It can, therefore, only function in the terms of the Government of India Act of 1919, so far as day to day administration is concerned." To the Congress members such an attitude was reactionary as it did not allow them to proceed to their goal of independence. The chain of communal riots starting from August 16, 1946, when the Muslim League observed its Direct Action Day in Calcutta, with their effect at Neokhali and Tripura, their retaliation in Bihar and the Bihar riots retaliation in Hazara district of N.W.F.P. caused strain and exasperation which materially contributed to the friction between the League and the Congress blocs in the Interim Government. Liaqat Ali Khan, who was a Finance Member of the Interim Government, seldom agreed with the proposals coming from the Congress members. Lord Clydesmuir who officiated as a Governor General during the absence of Lord Mountbatten in May 1947, observed "at that time relations between the Hindus and the Muslims had almost reached the breaking point. At Centre there was a joint Cabinet in name only."

The New Approach -

Since the Cabinet Mission plan had practically failed,

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11. E.W.R. Lumby, Transfer of Power in India, page 123.
  12. Mr. Jinnah's statement dated Nov. 26, 1946, S.D.I.C. Vol. II, page 485-86.
  13. Maulana Abul Kalam Azad, India Wins Freedom, page 16.
  14. Lord Clydesmuir, Transference of Power in India, Asiatic Review Oct. 1948.



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the Viceroy suggested another scheme about which Lord Attlee writes, "Wavel and his chief Service Advisers were despondent and could only suggest progressive retirement from India province by province which was in my view a counsel of despair - ---- Well I thought that was what Winston could certainly quite properly describe as ignoble and sordid scuffle and I would not look at it." (15) By this plan the Viceroy was judged "pretty defeatist" and the change of Viceroy was considered necessary. The British Prime Minister writes, "I had great admiration for Lord Wavel both as a soldier and as a man; but I did not think he was likely to find a solution. I did think that he and Indians could really understand each other. New men were (16) needed for new policy.

With the appointment of Lord Mountbatten as Viceroy of India the British Prime Minister made a very significant speech in the Parliament. He said, "His Majesty's Government wish to make it clear that it is their definite intention to take the necessary steps to effect the transference of power into responsible Indian hands by a date not later than June 1948 ..... His Majesty's Government will have to consider to whom the powers of the Central Government in British India should be handed over, on the due date, whether as a whole to some form of Central Government for British India or some areas to the existing Provincial Governments or in such other way as may seem most reasonable and in the best interests of the Indian (17) people." This statement, according to Andrew Mellor, "altered

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15. Lord Attlee, As it Happened, page 183.

16. Ibid.

17. S.D.I.C. Vol. II, page 668.

the course of history. The echoes of this momentous announce-  
ment reverberated throughout the sub-continent.<sup>(18)</sup> For the first  
time Indians felt that the British irrevocably intended to leave.  
According to Brecher Attlee's statement "paved the way for  
partition and even represented an indirect concession to the  
League demand for Pakistan."<sup>(19)</sup> Gandhi Ji rightly perceived its  
meaning when he wrote to Nehru "This may lead to Pakistan for  
those provinces or portions which may want them."<sup>(20)</sup> This  
statement together with Muslim League's policy of obstruction  
prepared the Congress leaders to accept partition as they were  
fed up with the Muslim League's tactics. Pandit Nehru  
subsequently said, "There was an overwhelming sense of conflict  
during the Interim Government days by pulls in different  
directions by Muslim League. It was felt that even if some  
arrangement could be arrived at to prevent partition, these  
conflicts and disruptions would continue and might come in a  
way of any marked progress in the economic and other planning  
later. It would have left the Federal Government weak."<sup>(21)</sup>

The Congress Demand - Partition of the Punjab.

The appointment of new Viceroy and fixation of date  
for transfer of power to Indian hands had significant impact  
in the Punjab politics. Soon after Attlee's statement Sir  
Khizar yielded to the pressure tactics of Muslim League and  
resigned. Justifying his resignation he said, "If I were now

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18. Andrew Mellor, India Since Partition, page 9.

19. Nehru - A Political Biography, page 336.

20. Pyare Lal, Last Phase Vol II, page 566.

21. Nehru's Press statement on "India Wins Freedom."  
The Tribune Ambala dated Feb. 8, 1959.

to continue to lead a Coalition in which Muslim League is not represented this might put in serious jeopardy such chances as might otherwise exist of a settlement being arrived at between the communities in the province." But instead of any communal settlement there broke out communal riots in the districts of Rawalpindi, Attock and Multan, which vitiated the political atmosphere. Pandit Nehru said in a Press conference at Lahore after visiting the riot affected areas, "obviously all that has happened is intimately connected with political affairs. I propose to say nothing about that aspect except this that if politics are to be conducted in this way then they cease to be politics and become some kind of jungle warfare which reduces human habitation to the state of desert." These terrible communal riots which resulted in extermination of population of the Sikhs and the Hindus in several villages convinced the Congress members in the Interim Government that partition of the Punjab was the only remedy. The Congress, therefore, passed the following resolution on the 8th April 1947 stressing the partition of the Punjab:- "..... these tragic events (the communal riots in the Punjab) have demonstrated that there can be no settlement of the problem of the Punjab by violence and coercion and no arrangement based on coercion can last. Therefore it is necessary to find a way out which involves least amount of compulsion. This would necessitate division of the Punjab in two provinces so that predominantly Muslim parts may be separated from predominantly non-Muslim parts."

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22. The Tribune, Lahore, dated March 4, 1949.

23. D.R. Bose, New India Speaks, page 133.

24. Indian Annual Register 1947, Vol. I, page 118-19.

For the first time this resolution adopted a new stand which was quite akin to the line of argument pursued by the Muslim League. It implied that the solution of the communal disorders and the constitutional deadlock in the Punjab was the partition of the Punjab into Muslim dominated Punjab and non-Muslim dominated Punjab. If we substitute India in place of the Punjab it appears as if the resolution had been passed by the Muslim League. This resolution paved the way for the Partition Plan. Following the lead given by the Congress, the Hindu and the Sikh members of the Central Legislature belonging to the Punjab addressed a letter to Shri Jawahar Lal Nehru with the request that their submission be endorsed by him and communicated both to the Viceroy and His Majesty's Government. The letter ran:- "The Muslims and non-Muslims are equally balanced and no Government can carry on without the support of these communities. Fortunately the population of the Province is so divided that there are districts and contiguous areas where Muslims and non-Muslims predominate. We have given anxious and deep thought to this problem. After considering all its pros and cons, we have come to the conclusion that the only way out of the present deadlock is to partition the Punjab into two provinces.<sup>(25)</sup>" The Sikh leaders jointly with the Hindus as well as separately insisted upon the division of the Punjab and the Shiromani Akali Dal asserted that partition of the Punjab was "the only remedy to end communal strife."<sup>(26)</sup> Master Tara Singh, Sardar Baldev Singh and Giani Kartar Singh expressed similar views during their interviews with the

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25. P.P. Vol. VI, page 234.

26. Indian Annual Register 1947, Vol. I, page 244.



Viceroy on the 18th of April, 1947.<sup>(27)</sup>

The communal riots of the Punjab got much publicity in England. "The Times" London described the Punjab situation as "most critical." On the 11th March in an article "Lesson from the Punjab" it stated that "the Sikhs' complain with justice that the Muslim League seeks to deny to them in the Punjab the position which it claims in the rest of India." It reverted again to the Punjab communal riots on the 18th March and observed editorially "Prolonged agitation directed by the Muslim League against the Unionist Coalition Government of the Province paved the way for the present outbreak of communal violence." When Lord Mountbatten took over from Lord Wavell in the last week of March 1947 he faced with the most urgent and critical problem in the Punjab as Alan Campbell Johnson wrote, "We have inherited 'inter alia' communal rioting and the key province of the Punjab with three-fold Hindu, Moslem and Sikh communal problem governed by emergency degree."<sup>(28)</sup>

#### The Partition Plan -

After discussing the Indian Constitutional problem with different leaders, Lord Mountbatten came to the following conclusions:-

1. "On the assumption that Mr. Jinnah's power and purpose were sustained partition would have to be provided for."
2. "Partitioning of Centre involved similar treatment for those provinces where two communities were evenly balanced."<sup>(29)</sup>

The next problem, as Lord Mountbatten himself stated "was to see if the Congress party who had always stood for united

27. Ibid.

28. Mission with Mountbatten, page 40.

29. Ibid., page 55.



India, would be prepared to consider partition as a price for quick transfer of power and the restoration of peace. The Congress have always stood for non-coercion, and they said that provided no non-Muslim majority community went into partitioned areas against their will, they would raise no objection. It was pointed out that in case of provinces like the Punjab and Bengal partition would undoubtedly be involved. When this was put to Mr. Jinnah he was against the performance of surgical operation on the provinces which had ancient histories of unity." Lord Mountbatten argued, "that the feeling invoked in his heart (Mr. Jinnah's heart) by prospects of partition of these provinces was the feeling invoked in my heart and heart of the Congress against the partition of India itself. And we went, as one might say around the mulberry bush, always coming back to the same point." At last Mr. Jinnah came forward with an enquiry whether the same principle of partition of provinces would be extended beyond the Punjab and Bengal which meant partition of Assam. Lord Mountbatten readily agreed to that also.

#### Punjab Governor's Dissent -

The following points which formed the basis of the partition plan were circulated to the Governors of various provinces:-

1. The provinces generally speaking to have the right of self-determination.
2. The Punjab and Bengal to be notionally divided for voting purposes.

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30. Asiatic Review, London, Oct. 1948. Speech of Lord Mountbatten.

31. Time only to Look Forward, (Speeches of Lord Mountbatten), page 20-21.

- (3) The predominantly Muslim Sylhet district in Assam to be given the option of joining Muslim province created by partitioned Bengal through referendum.
- (4) Referendum to be held in the North West Frontier Province on the issue whether it was to join one group of province or another.

The Governor of the Punjab at that time was Sir Evan M. Jenkins who had spent most of his career in the Punjab and Delhi and could understand the people and problems of the Punjab. He expressed his dissatisfaction with the Plan and argued that it would satisfy none \_\_\_\_\_ Mr. Jinnah or the Sikhs because it would leave for Jinnah a truncated Pakistan and it would cut the Sikhs in almost two equal parts. Mountbatten was, however, very optimistic on these two points. He said that "in the last analysis Jinnah would acquiesce and the only way the Sikhs could improve their position was through negotiation."

By negotiation Lord Mountbatten perhaps meant that the Sikh should come to an understanding with the Muslim League. For that purpose he arranged meetings between Mr. Jinnah and Liaqat Ali Khan and Maharaja Patiala and Sardar Baldev Singh, the Defence Member of the Interim Government. Since the Sikhs had already put forth the demand of a Sikh State, the talks naturally centred around that issue. Mr. Jinnah and Liaqat Ali Khan agreed to the formation of the Sikhs State with its

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32. Asiatic Review , Oct. 1948.

33. Sir Evan Meredith Jenkins was born on Feb. 2, 1896. Joined Indian Civil Service in 1920 and served in the Punjab. He was Chief Commissioner of Delhi in 1937, Secretary ~~ka~~ of the Department of Supply 1940-43, Private Secretary to the Viceroy and Secretary to the Governor General (Personal) 1943-46. He has been Governor of the Punjab since 1946.

34. Mission with Mountbatten, page 85.

separate military within Pakistan, provided the Sikhs did not insist on the partition of the Punjab and agreed to join Pakistan. (35) The Sikhs leaders demanded for the proposed Sikh State the right of opting out of Pakistan to which the Muslim League leaders did not agree. (36) Master Tara Singh told the writer that if Mr. Jinnah had agreed, they would have negotiated with the Congress for better terms, which indicated that the Sikh leaders ultimately wanted to join India. Besides this there were several reasons for this break down. There had never been any understanding between the Akalies and Muslim League before. None of the Muslim Leaguers in the Punjab was of the calibre of Sir Fazle Hussain or Sir Sikander who with foresight and political sagacity, could make necessary adjustments with the Sikhs on the Pakistan issue. An influential Akali leader Giani Kartar Singh attended Muslim League M.L.As' conference in Delhi in April 1947, and he tried to probe into Muslim League's attitude towards the Sikhs in case of establishment of Pakistan. He was told nothing except giving assurance of good treatment. (37) The basic cause for this attitude towards the Sikhs was that the top most Muslim League leaders were not fully conversant with the Punjab communal problems or Sikh problem. It has been rightly stated that Mr. Jinnah "himself knew no more of the Punjab than Neville Chamberlain did of Czechoslovakia." (38)

From the Sikh point of view the Sikh - Muslim accord would have saved them from the mseries of migration, death

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35. "Mr. Jinnah's offer of Sikh State", Maharaja Patiala's article, Tribune Ambala, July 19, 1959.

36. Statement of Master Tara Singh, Tribune Ambala, July 23, 1959.

37. Ian Stephens, Pakistan, page 140.

38. P. Moon, Divide and Quit, page 37.

and destruction caused on account of communal riots. In Pakistan they might have secured some better political status than they could get in the Republic of India. But this could only be possible if the Sikhs could obliterate their past bitter memories of 18th century Muslim domination. No doubt the Sikhs were mono-theistic, and did not believe in the caste system and had faith in equality of man like the Muslims. But to join Pakistan required great boldness on the part of Sikh leaders and sufficient justification for joining Pakistan which was not forthcoming from the Muslim League. One of the major causes of the Sikh-Muslim estrangement was the communal riots of March 1947 in which Sikhs had been killed in large number by the fanatical Muslim mobs. But not a word of regret had been expressed by any of the Muslim League leaders. The passions were so high and tension was so tense that understanding between the Sikhs and the Muslims appeared impossible.

The Sikh leaders, however, made the right choice in the long run. Keeping in view their culture, history and past traditions which were more akin to the Hindus than to the Muslims they permanently linked their destinies with India. Joining Pakistan by the Sikhs was just like joining hands by the Sikhs with Ahmed Shah Abdali to build an Afghan Kingdom in the Punjab which according to Rattan Singh Bhango, the immortal author of the "Panth Parkash", was "mingling fire with water."

#### Provisions for the Partition of the Punjab -

Lord Mountbatten publically announced the Plan on the 3rd June, 1947. It is, therefore, known as 3rd June Plan. The following provisions were made for the partition of the Punjab in the 3rd June Plan:-

1. "The Provincial Legislative Assemblies of Bengal and the



Punjab excluding European members will be asked to meet in two parts - one representing the Muslim majority districts and other rest of the province. For purpose of determining the population of the districts, the 1941 census figures will be taken as authoritative." The Muslim majority districts of the Punjab as given in the appendix were:-

Lahore Division:- Gujranwala, Gurdaspur, Sheikhpura, Sialkot, ~~Rawalpindi~~, Lahore.

Rawalpindi Division: 1/4 Attock, Gujrat, Jhelum, Mianwali, Rawalpindi, Shahpur.

Multan Division:- Dera Ghazi Khan, Jhang, Lyallpur, Montgomery, Multan and Muzaffargarh.

2. "The members of two parts of each Legislative Assembly sitting separately will be empowered to vote whether or not the Province should be partitioned. If a simple majority of either side decides in favour of partition division of the province will take place and arrangements will be made accordingly

3. "In the event of partition decided upon, for the purposes of final partition of these Provinces a detailed investigation of boundary questions will be needed, a Boundary Commission will be set up by the Governor-General." (39)

#### Acceptance of the Plan -

On 3rd June Lord Mountbatten reminded Mr. Jinnah that Nehru, Patel and Kriplani had made an absolute point that they would reject the Plan unless the Muslim League accepted it as a final settlement. (40) The Muslim League, therefore, took the lead in accepting the 3rd June Plan by passing the following resolution on the 9th June:- "The Council resolves to give full authority to the President of All India Muslim League to accept the fundamental principles of the Plan as a compromise -- although it cannot agree to the partition of Bengal and the Punjab

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39. P.P. Vol. VI, page 2.

40. Mission with Mountbatten, page 102.



or give its consent to such partition, it has to consider H.M.G's plan for the transfer of power as a whole.<sup>(41)</sup> In the meeting of All India Congress Committee, held on June 15, 1947 Pandit Jawahar Lal Nehru argued for the acceptance of the Plan and said, "The House will remember Raja Ji's formula on the basis of which Mahatma Gandhi carried on negotiations with Mr. Jinnah..... It must be realised that it is not possible to coerce even with swords unwilling parts to remain under the Indian Dominion."<sup>(42)</sup> The Congress Committee therefore passed the following resolution on the 15th June 1947:- "In view, however, of the refusal of Muslim League to participate in the Constituent Assembly and further in view of the policy of the Congress that it cannot think in ~~the~~ terms of compelling the people in any territorial unit to remain in Indian Union against their declared and established will the All India Congress Committee accepts the proposals embodied in the announcement of June 3, which have laid down a procedure for ascertaining the will of the people concerned."<sup>(43)</sup>

#### Estimate of the Plan -

According to Lord Ismay, the Mountbatten Plan was a case of "Hobson's choice".<sup>(44)</sup> No one in India thought that it was perfect. Lord Mountbatten himself admitted in the radio broadcast on the day of its announcement. He said that "The whole Plan may not be perfect, but like all plans, its success will depend on the spirit of good-will with which it is carried out."<sup>(45)</sup>

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41. P.P. Vol. I, page 6-7.

42. New India Speaks, page 163.

43. P.P. Vol. I, page 6-7.

44. Memoirs of Lord Ismay, page 420.

45. Ibid, page 425

The Plan was essentially a compromise from every point of view. The Congress which had been struggling for independence, no doubt, achieved it but its conception of Indian unity was shattered. The Muslim League won its Pakistan which it so forcefully demanded but much against its wishes the Punjab and Bengal were partitioned leaving Pakistan "truncated." In a way it was an achievement for the Sikhs who had been struggling to get rid of Muslim domination in the Punjab. But partition of the Punjab ultimately proved disastrous for the Sikhs as more than two million of them found themselves to be the citizens of Pakistan along with many of their holy places. There was no provision for their orderly migration to India. Nor was there any provision for the free pilgrimage to their holy shrines in Pakistan.

While drawing up the plan for transfer of power every possible care was taken to meet the points of view of the two major communities. Winston Churchill, then leader of the opposition, had also emphasised that if there were an effective acceptance of the plan by both the Congress and the Muslim League, they (opposition) would do all in their power to expedite the necessary legislation. Subsequent events proved that to meet the point of view of Sikhs, the third community was equally important for peaceful transfer of power. The Cabinet Mission Plan rightly stated, "--- it is sufficient to recognise only three main communities in India, General, Moslems and Sikhs, the General community including all persons who are not Moslems or Sikhs." The third community was equally

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46. Quoted in Memoirs of Lord Ismay, page 422.

47. Para 18, Cabinet Mission Plan, S.D.I.C. Vol.II, page 531.

important as the Viceroy Lord Irwin stated in written reply to a Sikh deputation on 9th July 1931:- "I have read the annals of Sikh history: and, believe me, I am fully alive to the special position your community has occupied in the North West India in the past and occupies today and of the notable contribution it has made to the past and present development of the Punjab... .. I note that your comparatively small community supplied no less than 80,000 men to fight with the colours in the great war; and, to return to the example I have taken as typical of Sikhs as a whole, the famous Sikh regiment..... added La Basse, Armentieres, Givenchy, Neuve, Chapelle, Ypres, Festubert, Helles, Krithia, Suva, Sari Bahr and Gallipoli ----- scenes of gallantry and sacrifice which will outlive the memories of the present generation and the Suez Canal, Palestine and Mesopotamia to their record. These things are  
(48)  
not and cannot be forgotten."

The Plan was not comprehensive as it lacked deep penetration into some of the vital problems of the Punjab. No machinery was devised to make proper and proportionate adjustment in the Indus river system of irrigation, which irrigated about 26 million acres of land and which was source of livelihood  
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for about 46 million people in the Indian sub-continent.

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48. S.H.R. File No. 1804, vide also the Chapter "Conclusions".

49. Vide Chapter "The After Effects".

APPENDIXSTATEMENT OF MAJOR J.M. SHORT.

( In reply to the writer's following queries, Major J.M. Short gave this statement:-

1. What were the circumstances leading to the 3rd June Plan, How would you account for the bloodshed which followed the transfer of power in 1947 ?
2. What is your opinion about the 3rd June Plan especially with regard to the Sikhs?
3. When did you arrive in India and what steps were proposed by you to avert the coming crisis ? )

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You ask me to account for the bloodshed in India soon after it was handed over in 1947. As I see it now, it was inevitable.

A people as a whole feel their way. They do so in their own way and in their own time, slowly and surely, incoherently and imperceptibly, but inevitably. They do so the more safely and soundly as they have it in them to spot the good sense to recognise that no two people or persons and their needs are alike, and that it is imperative to be guided above all by sustained first-hand local practical experience of the humans involved. So history seems surely to warn us.

The Anglo-Indian venture began when the crucial and abiding need of the English for trade was increasingly met by Indians; thanks to the English increasingly meeting the crucial and abiding need of Indians, which was for a paramount power, willing and able to furnish them with protection from themselves and others, together with such attention and forbearance as would otherwise let them be their various selves and leave them to their various devices.

But all this is hindsight. At the time I was as muddled and misled as most of us English were; and more so for having been as such a stay-at home as a man-on-the spot, and therefore that much the more torn as under by experience and inexperience.

So, to come to your second question, although I was not in India when the plan of the 3rd June 1947 was formulated, I approved it, and chiefly because in my aforesaid fuddled state I felt any agreement by then would be better than none.

In which same fuddled state, to turn to your third question I arrived in India on or about the 20th or 21st of July 1947, at the request of Sardar Baldev Singh, and with the consent of the Secretary of State for India and the Viceroy; and soon after my arrival sensed two things; first, that our Hindustani and Pakistani heirs - apparent, and too many of us, were over complacent about Sikh reaction, in the event of the Sikhs disliking the upshot of partition: Second, that the Sikhs generally were all too sure that, somehow or other, we English and in particular the Viceroy, would save them being unduly displaced and displeased by that upshot. But I was too fuddled to sense either of those things with sufficient keenness and clarity to influence events effectually.

But even if any one had sensed the outcome keenly and clearly enough, it would have been of no avail by then. In the light of hindsight, I am now as sure as I can be that only a miracle could have brought the English, and their more - English than - Indian heirs - apparent, to realise that the Indian masses, subconsciously rather than consciously, but none the less firmly, looked upon the agreement of June the 3rd as a promise and proclamation of a renewal in a new form of English paramountcy



in India, and that the Sikhs as a whole, including most of their leaders, and not excepting Sardar Baldev Singh and Master Tara Singh, consciously and subconsciously, felt sure that, in return for their consenting to that agreement, the English would ratify Anglo - Sikh bonds afresh by securing for them, if not a Sikh State, then as 'Imperium in imperio', agreeable to them.

Seeing things then, in that light, it follows I feel ~~that~~ the responsibility for this sorry episode lies with us English and Indian as a whole. It cannot, as I see it, be shuffled off on to this or that section or sect, group or groupings, party or partisan, personage or person, and least of all on to any of the fashionable 'isms' of the day. These were but the servants and instruments, the signs and insignia, of our having allowed ourselves to be all too misled by our lack of sustained first-hand local practical experience of one another.

But that said, the greater responsibility nevertheless lies with us English. 'To whomsoever much is given, of him shall much be required'. We had greater resources for getting such experience. We misused them to escape it, and to indulge increasingly our own escapism, and that of a few more - English - than - the English Indians. We did so despite the warnings of history, and our being better equipped to profit by them. Inevitably the upshot had to be much as it was. Inevitably the responsibility for it lies much more with us.

Sd/- John McLaughlin Short

BIRCHDEN CORNER,  
GROOMBRIDGE,  
TUNBRIDGE WELLS,

October 30, 1964.

The Partition Machinery.

The 3rd June Plan had mentioned that before establishing the partition machinery it was essential to ascertain the wishes of the people concerned. Therefore, according to para No. 9 of the 3rd June Plan the members of the Punjab Legislative Assembly representing the Muslim majority districts, indicated in the Appendix to the Plan, and the members representing non-Muslim majority districts met separately on 23rd June, 1947, to give their decision whether they wanted partition of the Punjab or not and whether they wanted to join the existing Constituent Assembly meant for India or the new Constituent Assembly to be established for Pakistan. The members belonging to the West Punjab gave their verdict in favour of the United Punjab and for joining the new Constituent Assembly meant for Pakistan. The members belonging to the East Punjab gave their decision in favour of partitioning the province and joining the existing Constituent Assembly<sup>(1)</sup>. Since it had been laid down in the Plan that partition of the province was to be effected even if one section was in favour of it, it was decided to implement the decision of the members belonging to the East Punjab. After the announcement of the 3rd <sup>June</sup> Plan, the Viceroy established a Central Partition Committee which was converted into the Partition Council after the Legislative Assemblies of the Punjab and Bengal had decided in favour of partition. It was the central body to decide the various issues connected with

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1. The Tribune, Lahore dated June 24, 1947.

partition. It had a steering Committee which supervised the work of partitioning in the various departments of the Central Government. The Partition Council decided the cases referred to it by the Partition Committees of the provinces to be partitioned.

The Punjab Partition Committee -

According to Section 9 of the Indian Independence Act which had been drafted on the basis of the 3rd June Plan special powers were given to the Governors of the provinces to be partitioned "for bringing the provisions of this Act into effective operation..... for dividing between the new Dominions and between the new Provinces to be constituted under this Act the powers, rights, property and duties and liabilities of the Governor General in Council or as the case may be of the relevant provinces which under this Act are cease to exist." <sup>(2)</sup> This section was in force after the 3rd June, 1947, as it was provided in its para 3 viz. "This section shall be deemed to have had effect as from third day of June Nineteen hundred and forty seven." The Governor of the Punjab, exercising his powers under this Section, established the Punjab Partition Committee in order to implement the decision of the partition of the Punjab. The Punjab Partition Committee consisted of four members - two from the East Punjab, viz. Dr. Gopi Chand Bhargava and Sardar Swaran Singh, and two members from the West Punjab, viz. Mr. Mumtaz Daultana and Mr. Zahid Hussain. The Governor was the President.

The pattern of the functions and working of the

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2. Indian Independence Act, Section 9(b).

Punjab Partition Committee was the same as that of the Central Government's Partition Committee which was converted into Partition Council after 26th June, 1947<sup>(3)</sup>. The main function of this organisation was "to work out machinery for implementing the partition"<sup>(4)</sup>. A number of departmental committees were established to give suggestions for the division of personnel, assets and liabilities. One Steering Committee consisting of one non-Muslim member and one Muslim member, (Shri M.R. Sachdeva and Mr. Syed Yaqub Shah), was established in order to make liaison between the Departmental Committees and the Punjab Partition Committee and "to provide day-to-day guidance, advice and directions"<sup>(5)</sup> to various expert committees. The members of the Steering Committee were to act as the secretaries of the Partition Committee and were to see that the recommendations of various committees were presented to the Partition Committee in a suitable form.

The Punjab Partition Committee was faced with a huge task, when it met for the first time on 1st July, 1947. In order to facilitate the work, the senior most officers, one Muslim and one non-Muslim, were selected from every department to constitute the Departmental Committee which was entrusted with the task of submitting proposals for examining the cadres of the persons of that department and submitting proposals for their allocation. Besides this, a number of Expert Committees viz, Budget Expert Committee, Physical Assets and

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3. P.P. Vol. I, page 33 and P.P. Vol. IV, page 71.
  4. P.P. Vol. IV, page 4.
  5. Ibid, page 19.



Liabilities Expert Committee, etc. were established on the pattern of the Central Expert Committee. (6)

Reorganisation of Secretariats -

The Expert Committee working under the Central Steering Committee of Government of India had issued a directive that "every Government servant should be given the opportunity to select the Government he wishes to serve and cadres be separated accordingly." (7) In the light of the directive, it was decided by the Punjab Partition Committee to give option to every Government official to express his choice whether he was to serve the West Punjab or the East Punjab. It was also decided that no official was to be victimised because of the intention expressed by him of serving a particular Government. For the reorganisation of the East Punjab and the West Punjab Secretariats the Governor of the Punjab appointed Shri Ram Chandra and Mr. Akhtar Hussain for reorganizing their respective Secretariats. This was done (8) with the concurrence of the Punjab Partition Committee.

Punjab University, Lahore -

Since there was a clash of interests between the

6. D.P.P.C., page 1.

7. P.P. Vol. I, page 18.

8. D.P.P.C., page 9. Following programme was to be observed:-

- (a) The offices to be in all offices and departments by the 15th July.
- (b) Separation of gazetted and non-gazetted officers, office furniture, equipment including stationery, duplicating machines, typewriters, cycles etc. etc. to be completed by 20th July, 1947.
- (c) Physical & separation of personnel, furniture and record and other equipment to be completed by 5th August 1947.
- (d) Final separation of each part. Governments will begin to transact business independently by August 10, 1947. Secretariats and Headquarters offices to be closed except for urgent work from 10.8.47 to 14.8.47 afternoon.



representatives of the East Punjab and those of the West Punjab all the issues could not be decided amicably. One of the major points at issue, before 15th August, was the Punjab University, Lahore. The non-Muslim members of the Partition Committee wanted the partition of the University like that of the other provincial institutions, while the Muslim members argued in favour of maintaining the integrity of the University. The matter was ~~referred~~ referred to the Provincial Institutions Committee which stated that the "University being an autonomous body administered under its own Act was not at par with the provincial institutions directly controlled by the Government." It suggested that a special committee should be appointed from the Syndics and Fellows of the University to consider the question. <sup>(9)</sup>

Keeping in view the recommendations of the Provincial Institutions Committee, the Partition Committee appointed an Expert Committee consisting of two judges of the High Court, one Muslim and one non-Muslim, (Justice Sharif and Justice Khosla), to study the legal implications of the Punjab University holding jurisdiction over both the parts of the Punjab or, alternatively, to suggest steps the Government might take to negotiate and give effect to the Partition of th <sup>(10)</sup> University. The representatives of the West Punjab, however, argued that, before the Expert Committee dealt with the legal

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9. A.P.P.C., Item No.8, page 28.

10. D.P.P.C., Item No.8, dated 1st July, 1947.

aspect of the problem, a reference should be made to the Central Steering Committee which worked under the Partition Council as the problem effected not only the Punjab but Bengal also and it was a problem of an all-India character. The case was, therefore, referred to the Central Steering Committee which in reply sent a note for their guidance. This note made out a case against the partition of the University. It stated, " the Punjab University is a body corporate incorporated under Section 2(3) of the Punjab University Act, 1882, and under Section 3 thereof all the property, movable and immovable vests in that Corporation. The seat of the Corporation is unquestionably at Lahore. It is, therefore, the legislature having jurisdiction at Lahore, which can determine the capacity and the dissolution of the Corporation." It was argued that the Punjab University was subject to the Legislative jurisdiction of the West Punjab because according to the notional division Lahore was in that region. The example of Bombay University was cited and it was stated that after the separation of Sindh from the Province of Bombay, the Bombay University continued to carry on its activities in the new Province such as conducting examinations and affiliating institutions in Sindh. It was held that it made no difference whether East Punjab was to be included in a State distinct from the State in which West Punjab was included as there was no bar, legal or constitutional, which precluded a corporation constituted in one State from carrying on its activities in another State

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11. A.P.P.C. Agenda Item No.1, for the meeting dated July, 19, 1947, page 83.

12. Ibid, page 83.

just as a corporation constituted by a Statute of the United States of America might carry on its activities in India. Section 4 A of the Bombay University Act 1928 was quoted as an instance "The territorial limits within which the powers conferred upon the university by this Act shall be exercised, shall comprise the Bombay Presidency (excluding Aden) and such Indian States and other territories as may, from time to time, be notified by the Provincial Government in the official Gazette."<sup>(13)</sup>

In view of the note of the Central Steering Committee, the Governor of the Punjab and the representatives of the West Punjab held that the Punjab University should not be divided because it could exercise its jurisdiction over both the East & Punjab and the West Punjab. This view was not acceptable to the representatives of the East Punjab on account of the following reasons:- 1. A joint university arrangement could be made only by mutual consent of both the provinces. It was argued that this arrangement was bound to fail. 2. Without special legislation to the contrary the present University of the Punjab would stand dissolved on August 15, 1947, because according to the Punjab University Act of 1882 the Governor of the Punjab was to be the Chancellor of the Punjab University and the province of Punjab according to the Indian Independence Act "shall cease to exist and there shall be constituted two new provinces to be known the West Punjab and the East Punjab."<sup>(14)</sup> 3. "The assets of the Punjab University have been created by the Joint

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13. Ibid, page 83.

14. A.P.P.C. G.C. Chatterji's note dated 27.6.47. Agenda Item No.1 August 1, 1947, page 144.

efforts of the people of the entire province, who because of political developments stand divided in two. Each one of these has a legal and moral right to the property now vested in the University of the Punjab.<sup>(15)</sup> It was argued that the Punjab University Senate was the competent body to decide the partition of the University as according to Section 9(1) and (2) of Act of Incorporation 1882 "the Senate consisting of the Chancellor, the Vice Chancellor and Fellows shall have the entire management of and superintendence over the affairs, concerns and property of the university." The Senate had decided in favour of division of the Punjab University. The case of the Punjab University was, therefore, again discussed in the meeting of the Punjab Partition Committee held on the 6th ~~Agus~~ August wherein the representatives of the West Punjab represented that "the Senate being a body with effective non-Muslim majority, its decision in this important matter should not be approved by His Excellency the Governor in his capacity as Chancellor without the concurrence of Partition Committee."<sup>(16)</sup> The Central Steering Committee had already made itself very clear on the question of the Punjab University. In the beginning the representatives of the East Punjab were opposed to the views held by the West Punjab representatives and Central Steering Committee but subsequently they were reconciled with these decisions owing to the changed circumstances.

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15. A.P.P.C. Note of M.G. Singh, Registrar Punjab University, Lahore. Agenda Item No.1, dated August 1947, page 145.

16. D.P.P.C. Item No. 6 August 6, 1947, page 53.

Punjab High Court -

The question of the division of the Punjab High Court, Lahore, was referred to the Central Steering Committee. In its communication dated July 4, 1947 the Committee gave following suggestions which were accepted by the Punjab Partition Committee

1. The jurisdiction of Lahore High Court should from the date of partition be limited to West Punjab only.
2. A separate High Court having jurisdiction over East Punjab and the province of Delhi should be constituted.
3. Appointments to the new High Court should, as for existing High Courts, be made by His Majesty after consulting the Central Government of the Dominion.
4. It would be necessary to give an opportunity to the Judges, officers and the staff of the Lahore High Court to choose which of the two High Courts they wished to serve.
5. Both the East Punjab and the West Punjab High Courts should have their seats at Lahore and function in the buildings occupied by the Lahore High Court.

This temporary arrangement should cease by 1st March  
(17)  
1948.

Administrative Set up in the disputed Districts -

Regarding the posting of officers and location of the East Punjab and the West Punjab Secretariats Sardar Swaran Singh raised the following points in the Punjab Partition Committee meeting held on July 7:- " Some sort of agreement



was necessary for the posting of officers in the districts until the declaration of the award of the Punjab Boundary Commission. It was necessary to reach an agreement on the continuance of the two sets of offices of the Governments of the West Punjab and the East Punjab at Lahore pending the award of the Punjab Boundary Commission.<sup>(18)</sup>"

On July 9, M. Mumtaz Daultana raised an issue as to what arrangements was to be made for the administration of disputed districts and institutions situated therein. These districts were Ferozepur, Hoshiarpur, Jullundur, Ludhiana, Gurdaspur, Lahore, Sheikhupura, Gujranwala, Amritsar, Montgomery,<sup>(19)</sup> Lyallpur, Multan, Sialkot and Hissar.

The Punjab Partition Committee could not settle the points as these could be decided only after the announcement of the award of the Punjab Boundary Commission. This issue was, therefore, referred to the Partition Council where it was discussed on July 17, 1947. Sir George Abell, who had visited the Punjab in order to watch the law and order situation and supervise the work of the Punjab Partition Committee, was specially invited to attend this meeting. In course of discussion, Lord Mountbatten expressed his desire to visit Lahore in order to study the issues for himself.<sup>(20)</sup> He, therefore, visited Lahore on the 20th July ~~and~~ and the following decisions were taken at his instance:-

1. The Government of West Punjab should prepare a paper

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18. Ibid, page 15.      19. Ibid.

20. P.P. Vol. IV. Case No. PC/56/6/47 - Minutes of the Partition Council's meeting held on 17th July, page 186-87.

plan to leave Lahore in case Lahore was allotted to the East Punjab. The East Punjab Government in any case should move to Simla. When it was told in the meeting that the Punjab Government Secretariat was to be closed on August 10, and was to reopen in two separated halves, the Viceroy suggested that 10th August would be a suitable date for the Government of the East Punjab to start functioning in Simla.

2. The Viceroy asked the Punjab Partition Committee to continue planning on the basis of the notional division as contained in the 3rd June Plan and the postings should be made accordingly except in the case of Deputy Commissioners and Superintendents of Police in the districts of Gurdaspur, Amritsar and Lahore.
3. In these three districts there were British Deputy Commissioners and Superintendents of Police. It was agreed that these should remain in control until the 15th August. Each side should be entitled to nominate personnel ready to take over from them. After the declaration of the Punjab Boundary Award, the personnel of the Government not entitled by the Award should be withdrawn.<sup>(21)</sup>

The bold step taken by the Viceroy by his personal visit to Lahore cleared so many administrative hurdles of the Punjab Partition Committee and paved the way for its smooth working. One of the important decisions was to limit~~ing~~ the disputed area to three districts, viz. Lahore, Amritsar and

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21. D.P.P.C. page 35-36 and P.P. Vol. IV, Item No.2  
Viceroy's note, page 232.

Gurdaspur. In all other districts the work of transfer and posting was to continue according to the notional division.

Current Administration -

In order to execute the decisions of the Punjab Partition Committee regarding day-to-day administration a number of orders were issued by the Governor of the Punjab under Section 9 of the Indian Independence Act. These orders were gazetted on the 13th August, 1947 and they dealt with a wide range of subjects, such as the adoption of the laws in the East Punjab and the West Punjab; division of the contracts, deeds and covenants, transitory financial provisions for both the successor Governments, use of the Public Service Commission, admission of students belonging to other province in the Government training, research and educational institutions, payment of the salaries of civil officials who were to continue their services in either of the newly created provinces. An order was separately issued for the operation of Mandi Hydro-Electric Scheme by which supply of electricity was to continue as on the 15th August upto 15th November 1947 and all expenditure was to be pooled together for the adjustment between the East Punjab and the West Punjab.

Since some of the very important items of financial adjustment could not be settled before 15th August, 1947, the

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22. The Punjab Partition (Adaptation of Laws) Order 1947.
  23. The Punjab Partition (Contract) Order 1947.
  24. The Punjab Partition (Transitory Financial Provisions) Order 1947.
  25. The Punjab Partition (Public Service Commission) Order 1947.
  26. The Punjab Partition (Training Research & Educational Institutions) Order 1947.
  27. The Punjab Partition (Mandi Hydro Electric System Operation) Order 1947.

All these orders were published by Extraordinary Issue of the Punjab Government Gazette dated August 13, 1947.

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Governor-General prolonged the life of the Punjab Partition Committee by issuing Indian Independence Partition Council Order on August 12, 1947. According to this order the following procedure was to be followed:-

1. The representatives of the Partition Committee were to be nominated by the Governor of the Province concerned. Different persons could be nominated for different meetings.
2. The meetings of the Partition Committee were to be held alternately in the capital towns of two provinces.
3. The Governor of that province in which the meeting to be held to act as Chairman of the Partition Committee.  
(28)

The Arbitral Tribunal -

In order to settle the disputed issues which various provincial partition committees could not decide, the Governor General established an Arbitral Tribunal. Sir Patrick Spens, who was the Chief Justice of Federal Court, was appointed its Chairman. Arbitral Tribunal Order was issued on August 12, 1947. Justice Kania and Justice Mohammad Ismail were appointed representing India and Pakistan respectively. According to Section 4(1) of the Arbitral Tribunal Order the Tribunal was to decide cases referred to it before December 1, 1947 or with

28. Indian Independence Partition Council Order  
S.D.I.C. Vol. II, page 702-3. During the post partition period the Punjab Partition Committee has been meeting and discussing outstanding issues.

29. P.P. Vol. IV. Case No. PC/55/6/47, page 186.

30. S.D.I.C. Vol. II, Foot note, page 703.

the permission of the Chairman before January 1, 1948. The following decisions were made by the Partition Council regarding Arbitral Tribunal:-

1. The Tribunal was to be located at Delhi or could shift its office elsewhere with the concurrence of both the Governments.
2. The Tribunal could appoint its own staff.
3. The parties on either side of the dispute would be represented by counsel.
4. The target date for completion of the work of the Tribunal was fixed to be March 31, 1948.<sup>(31)</sup>

The Punjab Partition Committee referred to the Arbitral Tribunal thirtythree cases in all - seven cases were referred first and the twenty-six cases later.<sup>(32)</sup> Besides these cases, the Arbitral Tribunal had to consider a number of orders issued by the Governor of the Punjab under Section 9 of Indian Independence Act. Similar orders had not been issued by the Governor of Bengal or Assam. In these orders certain assets and liabilities were apportioned or dealt with not provisionally as Governor General's Right of Properties Order indicated but in permanent nature. For instance The Punjab Partition (Training Research and Educational Institutions) Order 1947 issued by the Governor laid down a procedure for sharing of educational or training establishments by the two new

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31. P.P. Vol. IV, Case No. PC/55/6/47, page 186.

32. Arbitral Tribunal in India by Lord Spens, Problems of Public & Private, International Law - 1951, page 67.



provinces. It necessarily required modification as willingness to share these institutions had disappeared. According to Sir Patrick (now Lord Spens) the Tribunal had the legal powers to override the provisions of these orders. But in the circumstances and particularly keeping in view the fact that these orders were in operation for several months when the Tribunal dealt with them, the Tribunal adopted the decisions or principles implied in these orders. (33)

The Arbitral Tribunal decided the following important cases relating to the Punjab.

Division of Assets and Liabilities -

Apportionment of the assets and liabilities to the West Punjab ~~the~~ and the East Punjab proved to be one of the most complicated problems. In the case of Bengal the parties had agreed that population alone should be the basis of the ratio for apportionment of assets and liabilities. Since both the East Punjab Government and the West Punjab Government had vital differences the case was referred to the Arbitral Tribunal where both the parties argued their cases. The representatives of the West Punjab argued that each part should get a share equal to its respective contributions to the general revenue. They argued that the East Punjab got only thirty-eight per cent of area and contributed only thirtyone per cent to the general revenue of the united Punjab and hence the East Punjab was only entitled to thirty-one percent of the assets. The representatives of the East Punjab contended that every citizen of the State should have the right to claim the equal share of the assets of the mother

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33. Ibid, page 66.

land and ration for the division of assets should be based on the respective population of their parent province in the ratio of 44.4 and 55.6 per cents respectively, which should be made the basis for division of assets. <sup>(34)</sup> As regards liabilities, it was decided that the same ratio should be applied to both assets and liabilities. The following award was given by the Arbitral Tribunal:- "The Tribunal considered that there was no reason to adopt exclusively either of these contended for by the parties but preferred to adopt figures based on average of figures for the population, the area and the contribution to revenue after such figures had been adjusted in view of final boundary award. The Tribunal accordingly awards that assets and liabilities of old united Punjab shall be adjusted for purpose of financial settlement in the ratio of 60 per cent <sup>(35)</sup> for the West Punjab and 40 per cent for the East Punjab."

#### Financial Adjustment of Irrigation System -

There arose serious differences regarding the evaluation of irrigation systems established during the British regime and financial adjustments regarding the profits gained therefrom. The West Punjab Government argued that there were adjustments of specific loans attributable to particular assets and hence the payment of loans would be liability of the West Punjab Government against those assets. It was asserted that the capitalization of profit was not only improper but irrelevant according to paragraph 38 of Report of the Amery Tribunal which was appointed on separation of Burma from India. The East Punjab Government, on the other hand, contended that

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34. East Punjab Legislative Assembly Debates Vol. I, page 9.

35. A.A.T. Reference No. 6, page 13.

the East Punjab was entitled for the financial adjustments on the basis of the capitalized profit from the irrigation system of the united Punjab because the Punjab Government authorised and operated its irrigation system with regard to commercial considerations. The cost of construction of the system was agreed to be Rs. 41,56,19000. It was argued that over a series of years this investment had brought in a steady return of income varying from Rs. 4,95,85346 in 1936-37 to Rs. 6,6305,466<sup>(36)</sup> in 1943-44. In this way the public money spent on irrigation system of the Punjab had been a lucrative investment and the system was a valuable asset of the united Province. Since the matter could not be decided, it was referred to Arbitral Tribunal on 30th November 1947 and argued on February 4, 1948. The East Punjab Government was represented by Mr. Harnam Singh, Mr. G.N. Joshi and Mr. Gurdev Singh and the West Punjab Government by Mr. Saleem and Mr. Mansur Qadir. The Chairman of the Arbitral Tribunal gave the following award:-

"The twice the book value of the irrigation system as a whole shall be taken as a value of the system and shall be apportioned between the West Punjab and the East Punjab in general ratio (viz. 60:40). Each Province shall bring into account the portion of the system lying within its area taken at twice its book value."<sup>(37)</sup>

#### Unrealised Balances -

The issue of unrealised balances in respect of the crown land proved another bone of contention. On account of difference of opinion, the members of the Committee could not

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36. Out of this portion of the West Punjab amounted to Rs.329,136000 and the portion in the East Punjab amounted to Rs.86543000.

Ibid Reference No.1, page 2.

37. Ibid. Reference No.1, page 6.

agree on the basic issues involved. The Muslim members (Mr. H.A. Majid and Mr. Abdul Hamid Butt) argued:- "When a purchaser of agricultural land in canal colony elects to pay the 50 per cent balance of the purchase money, he is put in possession in the capacity of a tenants so that the land continues to be owned by State. The result is that the land concerned will be the property of the State and not of the purchasers. The amounts previously deposited may be shared between the two provinces." "Land is a natural asset and if future recoveries of sale prices were claimed as divisible, it would be possible to extend the principle in contracts for quarrying mines which would yield royalties and rent for all years to come."<sup>(38)</sup>

The non-Muslim member contended (Mr. K.S. Malhotra and Mr. Ram Chandra):- "The unrealised balance is an asset of the Punjab and the East Punjab is entitled to a share in it as in other assets. The deposit originally made by the purchaser was credited to extraordinary receipts and became a part of the general balance that will be divided between the two new provinces. Similarly the balance of the purchase amount when recovered should be shared by the East Punjab and the West Punjab. The East Punjab has claimed its share of large amounts of unrealised balances which are due to the Government of the Punjab on account of land sold outright or allotted to grantees prior to 14th August, 1947. Since all such transactions were contracted by the Government of the Punjab before partition,

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38. A.P.P.C., Para 4 of Item No. 6 dated 9th August, 1947.



the claim of the East Punjab is just and equitable.... In fact the amounts not paid are in the nature of advances to purchasers or grantees of land on which interest is also charged but for purpose of adjustment the amount of sale proceeds, exclusive of interest only should be taken into account." (39)

The case of unrealised balances in respect of the crown land was discussed in the Punjab Partition Committee on the 8th August and it was decided to refer this case to the Arbitral Tribunal. (40) The case was accordingly referred to the Tribunal on 30th November 1947 and the Chairman of the Tribunal gave the following award:- "That an appreciated value of Rs. 100 per acre of the crown waste lands subject to long leases and temporary cultivation and of Rs. 50/- per acre of the 767103 acres shall be deemed to be the amount of appreciation on the appointed day due to advent of canal irrigation and total amount so calculated shall be apportioned between the two Provinces in general ratio taken into account in financial settlement accordingly." (41)

#### Seigniorage Charges -

The States of Bikaner, Patiala, Nabha and Jind used to pay seigniorage charges to the Punjab Government for the supply of water. (42) Since these States were geographically on the

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39. A.P.P.C. Note of Agenda Item No.6 dated 9th August, 1947.

40. D.P.P.C., page 62.

41. A.A.T. Reference No.3, page 6.

42. Following amounts were received every year:-

(i) Rs. 161000 under Agreement with Patiala, Nabha and Jind.  
(ii) Rs. 200,000 under Agreement with Bikaner.

Ibid, page 11 and 12.



side of the East Punjab the West Punjab claimed a portion of seigniorage charges to be enjoyed by the East Punjab after the partition on account of following agreements of the united Punjab Government.

1. Chaggar - Agreement with the Government of Bikaner for the supply of water from the Chaggar river and Otu reservoir.
2. Sutlej Agreement with the governments of Patiala, Nabha, Jind and for the supply of water from the Sirhind Canal. These States contributed to the cost of Head Works, the main line and the Patiala Feeder.
3. The Sutlej Valley Project Agreement of 1919 with governments of Bahawalpur and Bikaner. This Agreement allocated to the partner Governments the entire supplies as were surplus to the requirements of irrigation upstream of Ferozepur.

The East Punjab agreed to share the seigniorage with the West Punjab. But there arose difference in the method of payment. The West Punjab suggested that its share should be paid over year by year in a fixed proportion. The East Punjab suggested that these sums should be capitalised. The matter was, therefore, referred to Arbitral Tribunal which gave the following award in favour of capitalisation and stated that "sums received for seigniorage charges shall be capitalised on the basis of twenty years purchase and the total sum of Rs. 72,20,000 shall be apportioned in general financial settlement between the East and the West Punjab according to general  
(43)  
ratio."

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43. Ibid, op. cited, page 11 and 12.

The representatives of the East Punjab and the West Punjab could not agree on the financial adjustment regarding the irrigated forest plantations. More than 80,000 acres were under the Shisham and Mulberry plantation in Changa Manga, Chicha Watni, Khanewal, Daphar, Arifwala, Miranpur. All were situated in the West Punjab. The East Punjab wanted financial adjustments between the East Punjab and the West Punjab on account of these irrigated forest plantations, to which the West Punjab did not agree. This was, therefore, referred to the Arbitral Tribunal and its Chairman gave the following award:- "The portion of the appreciated value on the appointed day of the two areas of 10,864 acres and 11,657 acres recently transferred to the Forest Department due to irrigation shall be taken at Rs. 60/- per acre and the portion of the appreciated value on the appointed day of the remaining 59,533 acres due to irrigation shall be taken at Rs. 75/- per acre. Total figure so calculated shall be apportioned between the two Provinces according to the general ratio and brought into the general financial settlement."<sup>(44)</sup>

Estimate of the Work -

It was a great achievement on the part of the Punjab Partition Committee to accomplish the huge task of partitioning the administrative machinery within a few months. For the speedy settlement of all complicated issues, considerable credit goes to the Governor of the Punjab, Sir Evan Jenkins, who himself looked into the minute details of the issues involved.

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44. Ibid, page 7.

But for the prompt action and decision on certain vital issues by Lord Mountbatten the Punjab Partition Committee could not have worked smoothly. The systematic handling of every problem first by the Departmental Committee or Expert Committee, then by the Steering Committee and finally by the Partition Committee solved most of the problems. Before 15th August, 1947 only two major problems - regarding the Punjab University and the posting of officers in the disputed districts - were referred to the Central Partition Council. The cases in which differences were substantial or vital on account of clash of interests were subsequently referred to the Arbitral Tribunal by 31st December, 1947, and the Arbitral Tribunal decided all those cases by 31st March 1948. It was mainly due to the efficiency of the partition machinery that the East Punjab and the West Punjab were partitioned within such a short time. A striking comparison by Lord Mountbatten himself gives an idea of the speed with which partition was carried out. It had taken three years to separate Burma from India, two years to separate the province of Sindh from Bombay and two years to separate the province of Orissa from Bihar. The division of India, one of the biggest countries in the world was accomplished in two months and a half.

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45. Andrew Mellor, India Since Partition , page 39.

APPENDIXTHE PUNJAB PARTITION (APPORTIONMENT OF ASSETS AND LIABILITIES) ORDER, 1947.

WHEREAS the Punjab Province is to be divided into two new Provinces to be known as West Punjab and East Punjab, respectively, in accordance with Section 4 of the Indian Independence Act, (10 and 11 Geo. 6, Ch. 30);

AND WHEREAS it is necessary to make provision for the apportionment of certain assets and liabilities of the Punjab Province between the two new Provinces;

NOW, THEREFORE, in exercise of the powers conferred by clause (b) of subsection (1) read with subsection (2) of section 9 of the aforesaid Act, and of all other powers enabling him in this behalf, the Governor of the Punjab is pleased to make the following Order, namely:-

1. This Order may be called the Punjab Partition (Apportionment of Assets and Liabilities) Order, 1947.
2. In this Order, unless the context otherwise requires -
  - (a) "the appointed day" means the fifteenth day of August, nineteen hundred and forty-seven;
  - (b) "new Province" means West Punjab or East Punjab or both West Punjab and East Punjab as the context may require.
3. In relation to the undermentioned items of property, namely:-
  - (i) Crown waste lands;
  - (ii) land under irrigated plantations under the control of the Forest Department.
  - (iii) bins and sheds used for the storage of foodgrains held on Government account;
  - (iv) Seigniorage charges levied by the Punjab Province from the States of Bikaner, Patiala, Nabha and Jind, on account of canal water; and
  - (v) canals owned by the Punjab Province;

the respective rights and liabilities of the two new Provinces shall be referred for determination to the arbitral body to which disputes between the Dominions of India and Pakistan are to be referred for arbitration.

4. (1) In relation to unissued stores and all such assets as are immediately moveable, or which can be moved without major structural alteration of immovable assets, wherever they may be situated on the appointed day, either of the new Provinces may present to the other new Province, on or before the 15th September 1947, a claim that physical apportionment should be made of any specified asset or assets, between the two new Provinces.

(2) Where the asset or assets in question are such that physical apportionment is not possible without detailed technical enquiry, each new Province shall nominate a representative, and the two representatives together with a third person acceptable to both parties, who shall be nominated as Chairman by both the new Provinces, shall form a Committee of Enquiry.

(3) The Committee shall enquire and report with all possible speed as to the feasibility of physical apportionment of the asset or assets in question, and in making its report, the Committee shall take particular account of the following factors, namely:-

- (a) in the case of machinery or equipment (i) the capacity required by the new Provinces for direct Government work, such as the maintenance of Public Works required by the new Provinces, and the execution of projects over a period of five years, regard being had to other Government capacity available in the new Provinces; and (ii) the capacity surplus to (i);



- (b) in the case of assets to which (a) cannot conveniently be applied, the direct needs of each new Province and the sources from which such needs can be met other than the asset or assets in question.
- (c) the importance to both Provinces of economy and (in appropriate cases) of balanced working;
- (d) the time and expenditure likely to be required to bring any assets and that may be moved into effective use;
- (e) the time and expenditure likely to be required to buy and bring into effective use similar assets from elsewhere;
- (f) the time and expenditure likely to be required for any rearrangements in the Province in possession; and
- (g) the disadvantages which will be suffered by the Province in possession, including loss and damage arising directly from the removal of the assets, the time and expenditure required for essential rearrangements, and general loss of efficiency.

(4) The report shall be submitted to the Government of the new Provinces with all possible speed, and if they do not accept it, and no other agreed settlement is reached on the matter in dispute, it shall be referred to arbitration in the manner provided in clause 3.

(5) Where the asset or assets admit of apportionment without detailed technical enquiry the provisions of sub-clauses (3) and (4) shall not apply, and the apportionment shall be effected in accordance with such agreement as may be arrived at between the two new Provinces, or if there is no such agreement by arbitration in the manner provided in clause 3.

5. (1) In order to provide financial resources to the two new Provinces sufficient to meet their immediate ~~ux~~ need on and after the appointed day, the Provincial Cash Balance as it stands on the appointed day shall be divided between the two new Provinces so that the share of West Punjab shall be two-fifths, and the share of East Punjab, three-fifths thereof.

(2) The securities specified in column 2 of the second Schedule hereto ~~annexed~~, of the aggregate face-value of rupees ten crores shall be allocated to West Punjab and East Punjab ~~xx~~ provided in columns 4 and 5, respectively, of the said Schedule.

but account shall be taken of such apportionments in the general financial settlement made under clause 6, and the remaining securities shall be retained by the Reserve Bank of India, in trust for the two new Provinces and shall not be endorsed or negotiated otherwise than as part of the said general financial settlement.

6. (1) There shall be a general financial settlement between the two new Provinces, and such settlement shall relate to and include all the assets and liabilities of the Punjab Province, as they stand immediately before the appointed day, excepting assets and liabilities for the apportionment of which express provision is made by any clause other than clauses 3, 4 and 5 of this Order;

Provided that in taking account of the value of the assets of the Punjab Province, the value of the following items shall be excluded from consideration, namely:-

- (a) forests (subject to any award of the arbitral body under clause 3 (ii);
- (b) roads;
- (c) contents of buildings other than buildings specified in the First Schedule hereto annexed;

Provided further that any award of the arbitral body given under clause 3 or clause 4, any allocation of financial liability by agreement between the two new Provinces, and any physical apportionment effected under clause 4, shall be taken into account in making the general financial settlement.

(2) The general financial settlement shall be made by agreement between the two new Provinces, or, failing agreement, by arbitration in the manner provided in clause 3.

7. Subject to the provisions of clause 6, all lands, works, forests, road, buildings and all ~~moveable~~ moveable property of

every type including foodgrains held on Government account, but not including any unissued stores, contents of buildings, or other assets in respect of which a claim for apportionment has been or may be made under clause 4, being the property of the Punjab Province immediately before the appointed day, shall on and after the appointed day, be the property of that new Province in whose territory they are situated on the appointed day.

8. The balance in the State Provident Funds Account shall be divided between the two new Provinces in such manner that the amount held in respect of any employee of the Punjab Province, shall be transferred to that one of the new Provinces in or under which he is serving on and after the appointed day;

Provided that if such employee is serving in one of the new Provinces as a lent official, such amount shall be transferred to the other new Province.

9. The balance of Local Funds Deposits shall be divided between the two new Provinces so that the sum held in deposit on account of any local authority shall be transferred to that one of the new Provinces in the territory of which such local authority is situated.

10. The balance on account of Civil Deposits shall be divided so that each new Province shall take the amounts deposited in any treasury or Court or other office situated within its territory.

11. The balance in the Harijan Welfare Fund shall be divided between the two new Provinces as nearly as may be in the proportion of their respective Schedule Caste populations, as determined at the Census of 1941.

12. The balance in the Motor Transport Reserve Fund shall be divided between the two new Provinces in the same proportion as the Motor Vehicles owned by the Punjab Province are divided between them.

13. In relation to the Depreciation Reserve Funds, maintained for the following undertakings owned and operated by the Punjab Province, namely (a) Electricity Undertakings (b) Motor Transport Undertakings, (c) Printing Presses and (d) the Jallo Rosin Factory, the balance held in respect of each such Undertaking shall be deducted from the book value of such Undertaking, and the diminished value so obtained shall be the value to be placed upon such Undertaking in the computation of the aggregate value of the physical assets of the Punjab Province. The balance of such Funds shall be included in the cash balance to be apportioned between the two new Provinces under clause 6.

#### THE FIRST SCHEDULE

##### I - Industries Department

1. Tanning Institute, Jullundur.
2. Hosiery School, Ludhiana.
3. Punjab Institute of Textile Technology, Amritsar.
4. Mayo School of Arts, Lahore.
5. Industrial Research Laboratory, Lahore.
6. Government Institute of Dyeing and Calico Printing, Shahdara.
7. Government Weaving and Demonstration Factory, Shahdara.
8. Surgical Instruments Centre, Sialkot.

##### II - Forest Department

9. Forest School, Ghoragali.
10. Jallo Rosin and Turpentine Factory, Jallo.



## III - Veterinary Department

11. Live Stock Farm, Hissar.
12. Punjab Veterinary College, Lahore.

## IV - Medical Department.

13. Glancy Medical College, Amritsar.
14. Victoria Jubilee Hospital, Amritsar.
15. King-Edward Medical College, Lahore.
16. Punjab Mental Hospital, Lahore.
17. Chemical Examiner's Laboratory, Lahore.
18. Provincial Bacteriological Laboratory, Lahore.
19. Mayo Hospital, Lahore.
20. Lady Willingdon Hospital, Lahore.
21. Punjab Dental Hospital, Lahore.

## V - Jails Department.

22. Central Jail, Lahore.
23. Borstal Institution, Lahore.
24. Women's Jail, Lahore.
25. New Central Jail, Lahore.
26. Old Central Jail, Lahore.
27. Central Jail, Montgomery.

## VI - Education Department.

28. Central Training College, Lahore.
29. Government College, Lahore.
30. Lady MacLagan Training College, Lahore.
31. Queen Mary's Women College, Lahore.
32. Lawrence School and College, Ghoragali.

## VII - Agricultural Department.

33. Punjab Agricultural College and Research Institute, Lyallpur.



## VIII - Public Health Department.

34. Vaccine Institute, Murree.  
 35. Vaccine Institute, Lahore.  
 36. Punjab Epidemiological Bureau, King-Edward Medical College, Lahore.

## IX - Public Works Department.

37. Government School of Engineering, Punjab, Rasul.  
 38. Punjab College of Engineering and Technology, Lahore.  
 39. Soil Research Laboratory, Lahore.

## X - Printing Department.

40. Government Printing Press.

THE SECOND SCHEDULE

Statement showing the distribution of certain Government of India Securities held by the Punjab Government between the West Punjab and East Punjab.

Serial No.	Particulars of securities.	Face value	(36%)	(64%)
		of securities	East's share	West's share
		Rs.	Rs.	Rs.
1	3% Loan, 1953-55	2,96,44,000	1,06,71,840	1,89,72,160
2	3% Loan, 1957	1,99,38,000	71,77,680	1,27,60,320
3	3% Loan, 1959-61	2,00,00,000	72,00,000	1,28,00,000
4	3% Loan, 1963-65	2,35,00,000	84,60,000	1,50,40,000
5	3% Loan, 1966-68	69,18,000	24,90,480	44,27,520
	Total	10,00,00,000	3,60,00,000	6,40,00,000
		=====	=====	=====

## Chapter V

PUNJAB BOUNDARY COMMISSION

The 3rd June Plan suggested a notional division of the Punjab, which had been included in the Indian Independence Act 1947. It was stated that the "districts specified in the second schedule of this Act shall be treated as the territories to be comprised in the new Province of the West Punjab and the remainder of the territories comprised in the new Province of the East Punjab." But the notional division as the very name indicated was only for a short period and was to be replaced by the Punjab Boundary Commission Award. It had been stated in the 3rd June Plan that notional division was "only a preliminary step of a purely temporary nature as it is evident that for the purpose of a final partition of these Provinces (Assam, Bengal and the Punjab) a detailed investigation of boundary questions will be needed. As soon as a decision involving partition has been taken for either Province, a Boundary Commission will be set up by the Governor General, the membership and the terms of reference of which will be settled in consultation with those concerned."<sup>(1)</sup>

Appointment of the Boundary Commission.

The first and the foremost work connected with the appointment of the Boundary Commission was the appointment of its Chairman. Mr. Jinnah suggested Sir Cyril Radcliffe, the Vice Chairman of the General Council of English Bar to be the Chairman of the Boundary Commission of Assam, Bengal and the Punjab.<sup>(2)</sup> The Secretary of State for India confirmed the choice of

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1. P.P. Vol. VI. Para No. 9 of the 3rd June Plan, page 2.

2. Mission with Mountbatten, page 124.

Sir Cyril Radcliffe whom he described as "a man with high integrity, legal reputation and wide experience."<sup>(3)</sup> The formal proposal for the appointment of Sir Cyril Radcliffe (later on Lord Radcliffe ) was, however, made by Lord Mountbatten in the form of a note dated 26th June which was accepted unanimously in the first meeting of Partition Council on 27th June 1947.<sup>(4)</sup> The previous decision that the members of the Boundary Commission were to elect their own Chairman was modified on the ground that the appointment of a European Chairman would expedite the work which was to be finished by August 15th.<sup>(5)</sup>

According to the announcement of the Governor General on the 30th June, the following were appointed as members of the Punjab Boundary Commission:-

1. Mr. Justice Din Muhammad.
2. Mr. Justice Muhamad Munir.
3. Mr. Justice Mehar Chand Mahajan.
4. Mr. Justice Teja Singh.<sup>(6)</sup>

The Punjab Boundary Commission had just started its work when a significant change occurred in the structure of the Commission. An amendment was introduced in the Indian Independence Bill signifying that "In Section 4 of the expression award in relation to the Boundary Commission means the decision of the Chairman of the Commission, contained his report to the Governor General at the conclusion of the Commission proceedings."<sup>(7)</sup> But

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3. P.P. Vol.VI, Governor General's Note dated 26th June, page 6.
  4. P.P. Vol. VI, case No. QC/2/1/47, page 7.
  5. Ibid, page 6 Governor General's note dated 26th June, 1947.
  6. The Gazette of India Extraordinary Notification dated June 30 1947, Ibid, page 8.
  7. Hansard Vol. No. 440, page 76.

for this amendment the Commission could not work smoothly, because the Muslim members and the non-Muslim members were likely to be equally divided on account of their clash of the communal interests. The chances of any compromise were remote; firstly, because the members had no authority on behalf of their respective communities to strike a bargain with other communities; secondly, because the political atmosphere was too vitiated for any compromise. It, however, cannot be denied that this amendment practically reduced the Punjab Boundary Commission to a one-man Commission.

It was decided to have following terms of reference for the Punjab Boundary Commission:- "The Boundary Commission is instructed to demarcate the boundaries of two parts of the Punjab on the basis of ascertaining the contiguous majority ~~are~~ areas of the Muslims and the non-Muslims. In doing so it will also take into account other factors." (8)

It is very significant to note that the notional division of the Punjab, as incorporated in the Indian Independence Act 1947, had been based on the district boundaries and not on the Doabs or the geographical divisions marked by the rivers of the Punjab. The rivers in the Punjab did not fulfil the requisite conditions to form the boundaries of two distinct States as Dr. O.H.K. Spate writes that "only type of river really satisfactory as a boundary is one flowing through a deep rock-walled canyon or possibly through extensive marshes with fairly constant volume of water, without shifts of course, with few crossing-places,

useless for navigation or rafting, irrigation or hydro-electric  
(9)  
power."

Statement of the Case -

According to the notional division of the Punjab the following districts had been included in the West Punjab:- Rawalpindi, Attock, Gujrat, Jhelum, Mianwali, Muzafargarh, Shahpur, Dera Ghazi Khan, Jhang, Lyallpur, Montgomery, Multan, Gujranwala, Gurdaspur, Lahore, Sheikhupura and Sialkot. All the remaining districts of the British Punjab viz. Rohtak, Gurgaon, Hissar, Karnal, Ambala, Simla, Ferozepore, Ludhiana, Jullundur, Hoshiarpur, Amritsar and Kangra were included in the  
(10)  
East Punjab.

Following the district pattern for division of the Punjab there was no dispute regarding overwhelming Muslim majority districts in the north west or overwhelming Hindu majority districts in the south east. On Western side such districts were Rawalpindi, Attock, Gujrat, Jhelum, Muzafargarh, Mianwali, Shahpur, Dehra Ghazi Khan, Multan, Jhang and Sialkot and on the eastern side such districts were Rohtak, Gurgaon, Hissar, Karnal, Ambala, Simla, Kangra and Ludhiana. The Central Punjab constituted the disputed territory and the most contested area consisted of the following districts or some portions thereof:- Sheikhupura, Lahore, Montgomery, Lyallpur, Gurdaspur, Gujranwala, Amritsar, Jullundur, Hoshiarpur and Ferozepur.

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9. The Partition of the Punjab and Bengal.  
The Geographical Journal of Royal Geographical Society, London,  
April 1948, page 203.

10. Schedule Second of Indian Independence Act 1947.



However for the purpose of administration and posting of officers, the representatives of the East Punjab and the West Punjab in the Punjab Partition Committee had decided the following fourteen districts as disputed districts:- Ferozepur, Hoshiarpur, Jullundur, Ludhiana, Gurdaspur, Lahore, Sheikhpura, Gujranwala, Amritsar, Montgomery, Lyallpur, Multan, Hissar and Sialkot.

Procedure Followed -

The Commission followed a judicial procedure. Its first meeting was held on 14th July under the Chairmanship of Sir Cyril Radcliffe and it was announced that all interested parties should submit their memoranda to the Commission by the 18th July. Sir Radcliffe had planned to attend the meetings of the Bengal Boundary Commission first and he proposed that Justice Din Mohammed and Justice Mehar Chand Mahajan should preside over the meetings of the Commission alternately in his absence. But Justice Mehar Chand Mahajan showed magnanimity by proposing that Justice Din Mohamad should preside in the absence of the Chairman of the Commission as he was the senior most member of the Commission. The Punjab Boundary Commission held public sittings from 21st July to 31st July 1947 wherein eminent lawyers pleaded their cases. Mr. Mohammad Zafar Ullah, Mr. Seetalvad and Mr. Harnam Singh appeared before the Commission in order to argue the cases on behalf of the Muslim League, the Congress and the Shromani Akali Dal respectively. Dr. O.H.K. Spate, Lecturer in Geography, School of Economics, London was

invited by the Ahmadya community of the Punjab to plead the case before the Punjab Boundary Commission and he appeared before the Commission to support the Muslim case.

The Muslim Case -

The counsels for the Muslims viz. Justice Din Mohammad and Justice Mohammad Munir advocated that the boundary line to be drawn between the East Punjab and the West Punjab should be drawn near about the Sutlej. The core of their claim rested on population majority in the disputed areas and it was asserted that the population majority was the major test to be taken into consideration while determining the boundary. It was ~~argued~~ argued that the major political parties in India had agreed on partition of provinces on the basis of "Contiguous Muslim majority areas" because this basis was included in the 3rd June Plan itself. On this basis, it was argued that the disputed districts of Lahore, Gujranwala, Sialkot, Sheikhpura, Lyallpur, Montgomery and Multan could not either in whole or in part be taken away from the West Punjab because these districts were Muslim majority areas with following per centage of Muslim population:-

<u>Name of district</u>	<u>Name of Tehsil</u>	<u>Percentage of Muslims.</u>
District Lahore		60.6%
	Lahore	60.05 %
	Chunia	60.99 %
	Kasur	57.2 %
Gujranwala District		70.4 %
	Gujranwala	61.3 %
	Wazirabad	76.7 %
	Hafizabad	82.9 %

<u>Name of district</u>	<u>Name of Tehsil</u>	<u>Percentage of Mu.</u>
Sialkot District		62 %
	Sialkot	61.4 %
	Pasrur	66.2 %
	Narowal	54.9 %
	Daska	66.09% (12)
Sheikhupura District		63.6 %
	Shekhupura	53.5 %
	Nankana Sahib	74.3 %
	Shahdra	69.1 %
Lyallpur District		62.8 %
	Lyallpur	54.5 %
	Samundri	72.3 %
	Toba Tek Singh	68.4 %
	Jaranwala	57.1 %
Montgomery District		69.1 %
	Montgomery	67.6 %
	Okara	69.5 %
	Dipalpur	76.7 %
	<del>Pakistan</del> Pakpattan	64.5 %
Multan District		78 % (13)

Besides this the following tehsils from the non-Muslim majority districts which according to the notional division were in the East Punjab were demanded for the West Punjab on account

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12. P.P. Vol. VI, page 240

13. P.P. Vol. VI. Report of Justice Din Mohammad, pages 239-243.

of Muslim majority of population:-	<u>Percentage of Muslims.</u>
Ferozepur Tehsil (Distt. Ferozepore)	55.2 %
Zira Tehsil " "	65.2 %
Nakodar Tehsil (Distt. Jullundur)	59.4 %
Jullundur Tehsil " "	51.1 %
Ajnala Tehsil (Distt. Amritsar)	59.4 %

Great emphasis was laid on population factor and it was argued that the district of Gurdaspur should belong to the West Punjab as had been done in the notional division on account of majority of Muslim population:-

District Gurdaspur	...	50.4 %
	Batala	55.06%
	Shakargarh	51.3 %
	Gurdaspur	51.1 %
	Pathankot	38.8 % (14)

In case the line of argument followed by the Muslim members were accepted, there would have been no straight line demarcating the boundary between the East Punjab and the West Punjab and there would have been numerous pockets created in the East Punjab. Amritsar would have been left an island surrounded by Pakistan territory which would have created numerous administrative and international problems. More over ~~any~~ such demarcation would have done grave injustice to the other parties as in that case only ~~no~~ population factor would have been taken into account and not the other factors mentioned in the terms of reference.

Non-Muslim Case -

The counsel for the non-Muslims Justice Mehar Chand

Mahajan advocated that the boundary line should be near the Ravi including Lahore in the East Punjab and Justice Teja Singh advocated that the boundary line should be near the Chenab including parts of the districts of Sheikhupura and Gujranwala, Montgomery and Lyallpur in the East Punjab. The Hindu-Sikh case rested on the economic conditions as the non-Muslims had played major part in the development of the Central Punjab. The Bari Doab and more particularly the districts of Gurdaspur, Amritsar and Lahore had been described by historians and settlement officers as the "home land of the Sikhs", who owned more than two-thirds area and paid more than two-thirds land revenue of this tract. <sup>(15)</sup> This Sikh peasant ~~proprietors'~~ proprietors' tract had been developed as a single unit along the Upper Bari Doab Canal which had been dug to resettle the disbanded Sikh soldiers after the Anglo Sikh wars. The colony districts of Lyallpur and Montgomery had been colonised by the sturdy Sikh Jats of Ambala, Jullundur and Amritsar districts. In a tract known as Shahidi-Bar which was constituted by a part of districts of Gujranwala, Sheikhupura and Lyallpur was mostly owned by the Sikh peasants who paid more than double of the land revenue paid by the Muslims. <sup>(16)</sup> Historically this was the most important tract for the Sikhs as one of their most sacred shrine Nanakana Sahib was situated in this tract.

The Hindus and the Sikhs had played a major role in

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15. P.P. Vol.VI, page 176. The total revenue of these districts was Rs. 5523439. The Sikhs paid Rs. 3231951 and Muslims Rs. 1588293 and others Rs. 702555. The total acreage cultivated was 3755127 acres. Sikhs owned 2012783, Muslims 124804 acres and rest by others.  
Report of Justice Mehar Chand Mahajan.

16. Idem.



development of industry, commerce and trade of Lahore, the metropolis of the Punjab. More than 75% of commerce, banks and commercial institutions were in the hands of the non-Muslims. The survey of Lahore carried out by the Punjab Government Board of Economic Enquiry indicated that 80 per cent registered factories in Lahore belonged to the non-Muslims. Out of total capital investment in Lahore viz. 6.29 crores the non-Muslim share was 5.12 crores. Out of 90 bank branches only 3 belonged to the Muslims. Out of 80 offices of insurance companies only two belonged to the Muslims. Out of 36 High Schools only four (17) were run by the Muslims.

It was argued that about one-third of the Muslim population was not rooted in the soil and was essentially of a floating character and consisting of faqirs, weavers, herdmen, cobblers, potters, carpenters, oilmen, bards, barbers, blacksmiths washermen, butchers and mirasis. According to the census report of 1931 out of total Muslim population of 14,929,896 this class of persons numbered about 45% and were divided as under:-

Faqirs	...	...	=	256533
Jullaha (weavers)	...	...	=	512579
Cobblers	...	...	=	464218
Kumhars (potters)	...	...	=	423617
Mussalis (Chamar converts)	...	...	=	412300
Carpenters	...	...	=	346948
Oilmen	...	...	=	344927
Bards	...	...	=	244320

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17. S. Harnam Singh, Sikh Memorandum to the Punjab Boundary Commission, pages 60-61.

Barbars	...	...	= 196104
Blacksmiths	...	...	= 241972
Washermen	...	...	= 162224
Butchers	...	...	= 127198
Mirasis	...	...	= 243330
Herdsmen	...	...	= 421347 <sup>(18)</sup>

In case the line of argument followed by the Hindu Sikh members were accepted the main consideration in that case would have been economic factors rather than population factor. It would have been contrary to the spirit and terms of the settlement arrived at between two major political parties - the Congress and the League viz. partitioning on the basis of contiguous Muslim majority areas. Justice Din Mohammad asserted that terms of reference followed the settled course decided by the major political parties, so much so that the terms of reference were even included in the 3rd June Plan in para No.9 and to hold otherwise would shake the very foundation of the settlement.<sup>(19)</sup>

Terms of Reference -

The terms of reference were very vague and at places inaccurate phraseology had been used which raised a lot of controversy. The use of word "demarcate" in the terms of reference was not only inaccurate but misleading also. It

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18. Census Report, Punjab 1931 Table XVII, Race, Tribe or Caste.

19. P.P. Vol. VI, page 238. It was stated in para 9 of the 3rd June Plan, "It will be instructed to demarcate the boundaries of two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims."

suggested surveying a line with theodolites and putting in concrete posts whereas the real object of the Commission was to define the areas and fix the boundary line. Mr. Setalvad, while arguing his case, read the meaning of "contiguity" from Murry Oxford Dictionary Vol II and urged that principal meaning of contiguity implied "actual contact in loose use of the term and it was not essential; mere close proximity without actual contact would be enough." On the other hand it was rightly argued that "contiguity" meant "adjacency" and nothing (20) else. The last sentence of the terms of reference was, "In doing so it will take into consideration other factors." It was preceded by the verbs denoting two different actions viz. "demarcating" and "ascertaining". The counsels for the Muslims contended that "in doing so" related "to demarcation" and "nature of those factors would be only such as (21) might some how or other be related to the demarcation process." The counsels for the non-Muslims rightly asserted that "in doing so" was related to ascertaining the contiguous areas" because the main function of the Commission was to determine the areas and not to demarcate the actual line which was to be drawn by the subsequent governments. The word "areas" mentioned in the terms of reference was the subject of a great controversy. The counsels for the Muslims asserted that "contiguous majority areas" should be determined on the basis of a Tehsil, a subdivision of a district whereas the counsels for the non-Muslims

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20. Ibid, page 238, Report of Justice Din Mohammad.

21. Ibid, page 238.

vehemently opposed this ascertainment and argued that collection of villages of a community in a Tehsil was not necessarily contiguous in whole tehsil because "tehsil" was artificially demarcated area for purpose of collection of revenue. As a matter of fact all this controversy about the definition of "areas" was superfluous as the Punjab Boundary Commission like Boundary Commissions of Assam and Bengal was not to follow any set definition of the area which could vary according to the circumstances. Subsequently we find that the Punjab Boundary Commission awarded four police stations of Tehsil Kasur, District Lahore to the East Punjab and Tehsil Shakargarh of District Gurdaspur to the West Punjab. (22)

The other factors as mentioned in the terms of reference raised a lot of controversy. According to David Lloyd George the "other factors" as used in the reports of Peace Conference, held after first world wars to determine the boundaries of new states meant "economic exigencies, historical association and vital strategic considerations." (23) According to Orissa Boundary Commission (1928) "Language, race, the attitude of the people, geographical position, economic interests and administrative convenience all are relevant factors." (24) Generally speaking both set of factors viz. population factor and other factors were to be taken into account and judicious adjustments were to be made for determining the boundary line. The crux of the problem was

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22. Radcliffe Award vide Appendix of Chapter VI.

23. David Lloyd George, The Truth About the Peace Treaties Vol. II, page 912.

24. S. Harnam Singh, Sikh Memorandum to the Punjab Boundary Commission, page 4.

to decide to what extent the population factor was to be allowed to dominate or to what extent other considerations like location of the religious shrines of the Sikhs, disruption of irrigation system and economic factors were to be allowed to play their part.

The Sikh Shrines -

The Sikhs have been agitating for the inclusion of Nanakana Sahib, the birth place of Guru Nanak (1469-1539 A.D.), the founder of Sikhism, in the East Punjab. To stress their point of view they observed the 8th July as Nanakana Sahib Day. The Maharaja of Patiala approached the Viceroy to receive a deputation of the Sikh V.C.O's and Soldiers. The Viceroy agreed and the date and time had been fixed for this purpose. When Mr. Jinnah came to know about this he raised an objection to the Viceroy's meeting a Sikh deputation. He argued in the meeting of the Partition Council held on the 10th July that the question of demarcation of the Punjab boundary was being discussed by the Punjab Boundary Commission and the Viceroy could not discuss this question with the Sikh deputation. The Viceroy agreed and said that in case he met the deputation a special communique would be issued. (25)

This had very adverse effect on the Sikhs, because the Sikhs thought that it was their right to represent their point of view to the Viceroy who could with the concurrence of the party leaders issue some instructions to the Punjab



Boundary Commission regarding the Sikh shrines. The Sikhs had accepted the 3rd June Plan in the hope that some how or other the Viceroy would safeguard their interests. Now they realised the necessity of an interpreter who could represent their point of view to the Viceroy. Shri V.P. Menon, Constitutional Advisor to the Governor General, was in touch with Sardar Patel and Lord Ismay, the Chief of Staff of the Viceroy, with Mr. Jinnah. But S. Baldev Singh or the Sikh leaders had no such channel of communication. S. Baldev Singh, therefore, requested the Viceroy to recall and re-employ Major J.M. Short.

In 1947 Major J.M. Short had earned the reputation of being an expert on the Sikh affairs. He served the XI Sikhs and retired in 1931. He was re-employed in 1940 when the Sikh Squadron of Central Indian Horse refused to embark for the Middle East. He was successful in restoring the loyalty of the Sikh forces. During the war when the pro-Congress activities of the Akali Party were likely to affect adversely the military recruitment, he successfully persuaded the Akali leaders to have favourable attitude towards the recruitment of the Sikhs. He was able to effect understanding between the Akalis and the Unionist Government in the Punjab, which culminated in the Sir Sikander-Baldev Singh Pact. He explained to Prof. Reginald Coupland and Sir Stafford Cripps the Sikh point of view when they visited India in 1942. In 1946 he accompanied Sir Stafford Cripps when the Cabinet Mission visited India. He was attached to S. Baldev Singh when he

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26. Penderel Moon, Divide and Quit, page 32.

visited London in December 1946 along with Pandit Jawahar Lal  
(27)  
Nehru and Mr. Jinnah.

Major J.M. Short was not unknown to Lord Mountbatten who had interviewed him while selecting his staff before coming as Governor General in India. Since the Viceroy was keen to pacify the Sikhs, he recommended Major Short's re-employment to the Secretary of State for India and instructed Lord Ismay who was in England to bring Major Short with him. Major Short reached India on the 22nd July, 1947. He writes about the political situation at that time (in a note to the writer);- "soon after my arrival sensed two things: first, that our Hindustani and Pakistani heirs - apparent, and too many of us, were over complacent about Sikhs disliking the upshot of partition: second that the Sikhs generally were all too sure that, some how or other, we English, and in particular the Viceroy, would save them being unduly displaced and displeased by that upshot. But I was too fuddled to sense either of those things with sufficient keenness and clarity to influence the events effectually." As a matter of fact it had been settled that population was to be the basis of partition and the terms of reference for the demarcation of the boundary line defined. There was no scope for any change because Mr. Jinnah had adopted too strict and rigid attitude to allow any concession to the Sikhs.

However, the Shromani Akali Dal, a representative body of the Sikhs continued to exert for including the Sikh shrines in the East Punjab. One deputation was sent to England to mobilize the British public opinion in favour of the Sikhs.

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27. Major Short's note to the writer.

The local Sikhs went in a procession to Downing Street to present a memorandum to the British Prime Minister regarding (28) the Sikh demands.

On the 14th July Mr. Arthur Henderson, the Under Secretary of State in a reply said in the House of Commons, "The provision that other factors will be taken into account has been made primarily to enable the Commission to have regard to the special circumstances of the Sikh community in the Punjab where considerations such as location of their religious shrines (29) can reasonably be taken into account upto a point." Mr. Jinnah and Liaqat Ali Khan were upset over this statement and argued with the Viceroy that the accepted principle of partition was "contiguous majority areas" and that the "question of religious shrines of any community had never been discussed before." (30) The Viceroy agreed to convey their protest to the Secretary of State. Subsequently the copies of the statement and the Muslim League's protest along with its acknowledgment by the Secretary of State were sent to the Punjab Boundary Commission by telegram No.2329-S (31) dated 16th July 1947. It is true that the question of the Sikh shrines had not been included in the terms of reference nor had it been discussed at any stage before, but it was a vital question

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28. Statement of S. Rawel Singh, President of Central Khalsa Jatha, Britain, 79, Sinclair Road, London (1964) who was one of the deputationists who presented the memorandum.

29. Hansard Vol. 440, page 74.

30. Freedom But Danger Ahead  
Dawn's Leading Article on 20th July, 1947.

31. P.P. Vol. VI., page 203. Report of Justice Teja Singh.

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for the Sikhs. In order to ease the communal tension on this point some sort of arrangement was necessary. Justice Mahajan who was member of the Commission writes, "Lord Radcliffe's Secretary asked me whether I would be willing to treat the town of Qadian as neutral territory if the town of Nanakana was similarly treated. I had personally no objection to this course. It was not, however, acceptable to some of my colleagues." (32) V.P. Menon made the suggestion that Mr. Jinnah should be approached and persuaded to declare Nanakana Sahib, (33) "a sort of Vatican." This concession to the Sikhs might have had wholesome effect on the Sikhs and for Mr. Jinnah it would not have cost much. But the rejection of such a suggestion indicated the mutual tension which existed between the leaders of India and Pakistan.

#### Joint Control of the Canal System -

The States of Bikaner and Bahawalpur had a long standing water dispute over the canals taking off from the Ferozepur headworks. Both the States put forward their rival claims to the Governor General who advised them to present their cases to the Punjab Boundary Commission. (34) Sir Cyril was of the view that some sort of agreement for the control of irrigation system in the Punjab was essential. He discussed this problem with his colleagues on the Punjab Boundary Commission. (35) But no agreement was possible on account of

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32. Justice Mehar Chand Mahajan, Looking Back, page 115.

33. Michael Edwardes, Last Years of British India, page 212.

34. P.P. Vol. VI, page 6.

35. Lord Radcliffe's statement to the writer.

vitiating political atmosphere prevailing at that time. Even if joint control of the Punjab irrigation system would have been forced as has been suggested by some writers, it was bound to fail. Necessary goodwill for running any joint venture was lacking. Everything had been divided and the joint control would not have worked.

The Commission at Simla -

After the 31st July the Commission retired to Simla where Sir Cyril who had gone to Calcutta to attend the meetings of the Bengal Boundary Commission also joined. Justice Mahajan gives a very vivid description of the working of the Commission at Simla:- "Rather anxiously the non-Muslim and Muslim members never met together for consultation or discussion. Mr. Justice Din Mohammad frankly told me at the outset that so far as he was concerned he would write the report conceding the demands of the Muslim League and I could do what I liked. As a result of this all four of us wrote separate reports."<sup>(36)</sup>

Justice Mahajan was the first to submit his report on the August 3, 1947. While discussing various points he suggested the following boundary line:- "In my view the frontier of India and Pakistan should be demarcated on the West of the Ravi and in the neighbourhood of that river as strategically speaking this is the only workable frontier. The frontier line will take the course of the Basantar river leaving the tract of Shakargarh Tehsil on the West side. This line should join the river Ravi at the confluence of the Basantar river with the river Ravi below Narowal. From there it should follow the course of the Ravi upto Shahdra. From Shahdra it should proceed via



Sheikhupura to Nanakana Sahib, include that town in the East Punjab and then it should join the Deg Nala up to its confluence with the river Ravi near Syedwala. From there the course of the Ravi should be followed till and then should adopt the border of Montgomery District with the Multan District and join river Sutlej some distance above Islam  
(37)  
Headworks."

Justice Teja Singh submitted his report on the next day viz August 4, 1947. While emphasising the importance of the Sikhs, Sikh shrines and the contribution of the Sikhs in the development of the land he suggested the following boundary line:- " I would draw the north western boundary of the Eastern Punjab along the river Chenab from where it enters the Punjab go right up to Khanki and from there turn to the right bank of the lower Chenab canal up to Nanwana, then followed the bank of the Rakh Branch up to the place where it enters the Lyallpur District, go along the present boundary between the districts of Shekihupura and Lyallpur right up to the point where Deg Nala joins the Ravi river, then follows the Ravi river and the present boundaries between Lyallpur and Montgomery districts, turn to Chonnu, then following first the present western boundary of the Montgomery district and then up to the banks of the river Sutlej and the present southern boundary of the Montgomery District come to Sulemanki where the districts of Ferozepur and Montgomery and Bahawalpur  
(38)  
State join."

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37. P.P. Vol. VI, page 189-189

38. P.P. Vol. VI, page 214.

Justice Din Mohammad and Justice Mohammad Munir submitted their reports on August 5, and August 6 respectively. Justice Din Mohammad mainly emphasised the importance of population factor. Justice Mohammad Munir replied points raised by the Counsel for the Sikhs. According to O.H.K. Spate " The Muslim case was much better presented technically. It ~~is~~ presented a beautiful and a very comprehensive series of maps, excellently produced and covering all aspects of the problem." <sup>(39)</sup> The counsels for the Muslims did not suggest any specific line but both strongly supported the boundary line suggested by the Muslim League. The boundary line proposed by the Muslim League was to divide Pathankot Tehsil in order to retain Madhupur Headworks in the West Punjab. A few miles it ran along the river Beas, then followed the crest of Swalik for some 80 miles. The line ran south-east, but near Rupar Headworks on the great bend of the Sutlej it turned west, and as far as the Rajputana boundary ran roughly parallel to the Sutlej along the Ludhiana - Ferozepur railway and the Bikaner canal both included within the West Punjab. <sup>(40)</sup>

The last meeting of the Commission was held in the premises of the Services Club, Simla. Sir Cyril Radcliffe presided. Regarding fixation of the boundary line he said, "gentlemen you have disagreed and therefore, the duty falls on me to give the award which I will do later on." <sup>(41)</sup>

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39. The Geographical Journal, Royal Geographical Society, London, April 1948, page 209.

40. Ibid, page 209.

41. Looking Back, page 115.

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APPENDIX - I

MINUTES OF THE FOURTH MEETING OF THE PARTITION COUNCIL  
HELD ON THURSDAY, THE 10TH JULY, 1947 AT 10 A.M.

Case No. PC/31/4/47

DEPUTATION OF SIKH V.C.Os AND SOLDIERS.

Mr. Jinnah pointed out that although he was doing every thing in his power to retain a hold over the Muslim section of the population concerned to honour the undertaking given that the findings of the Boundary Commission , whatever they were, would be accepted, he had noticed that the Sikh leaders were still reported to be inciting their followers to offer active resistance to decisions which they might regard as unfavourable. It was reported that active preparations for resistance were being made and that oaths to resist were being taken. The impression on the Muslim mind was that the Sikhs were carrying on this agitation in order to influence the decisions of the Boundary Commission. In consequence any suggestion that a Sikh deputation was being received to raise the question of boundaries would have a most undesirable effect.

His Excellency reiterated that he had made it abundantly clear to His Highness the Maharaja of Patiala, S. Baldev Singh, Master Tara Singh and all other Sikh leaders, with whom he had had interviews, the consequences of any attempt to offer active resistance. No responsible government would tolerate for a moment such action, which would be met by the immediate employment of the regular armed forces of India. In view of the superiority in aeroplanes, tanks, artillery etc. that the armed forces enjoy, such action would inevitably result in very severe losses being inflicted on those who would only be armed with rifles and out-of-date weapons. He reaffirmed his

hope therefore that the Sikh leaders would be able to restrain their followers. His Excellency said he had been assured by Sir Cyril Radcliffe that he will be able to submit his reports by the 14th August. In conclusion His Excellency said that he would communicate with H.H. the Maharaja of Patiala, and make it clear that if he received the deputation no questions regarding boundaries could be brought up; and if the deputations were received this fact would be made very clear in a press note.

Partition Proceedings Vol. IV, page  
146.

APPENDIX - II

## AGENDA FOR THE EIGHTH MEETING OF THE PARTITION COUNCIL (22ND JULY)

ADDITIONAL ITEM NO. 2 - ISSUES CONNECTED WITH THE  
PARTITION WORK IN THE PUNJAB.

## NOTE BY THE VICEROY

1. I visited Lahore on Sunday, 20th July, and met the Punjab Partition Committee.
2. I put before that Committee the views of the Partition Council on the matters discussed at their meeting on 17th July, as recorded in Case No. PC/56/6/47.
3. It was agreed that the Government of East Punjab should in any case move all unessential personnel to Simla on 10th August.
4. It was further agreed that, if the decision of the Boundary Commission places Lahore in the West Punjab the remnants of the East Punjab Government should leave Lahore by mid-night 14/15th August; and that, if Lahore was placed in the East Punjab, the Government of the West Punjab should leave ~~by~~ Lahore by midnight 14/15th August - and that detailed plans should be made for this contingency before hand.
5. It was agreed that the posting of officers should continue on the basis of the notional partition except in the case of Deputy Commissioners and Superintendents of Police in the districts of Gurdaspur, Amritsar and Lahore.
6. In these three districts there happen now to be British Deputy Commissioners and Superintendents of Police. It was agreed that these should remain in control until the 15th August; but that each side should be entitled to nominate personnel ready to take over from them, and that there would be no objection to these personnel being attached to the



districts in advance of the 15th August, though without any executive authority. On the 15th August the British officials, and on or before that date the personnel of the Government not entitled by the award to assume control, will be withdrawn.

7. I am glad to be able to report that all the members of the Punjab Partition Committee, and particularly the Sikh member, Sardar Swaran Singh, declared that their parties would accept and abide by the decision of the Boundary Commission.

8. I told them that the Central Partition Council had decided to issue a statement assuring minorities and warning against disturbances. I am glad to be able to report that the members of the Punjab Partition Committee agreed to issue a similar statement signed both by themselves and by as many of the influential leaders in the Province as possible.

9. The Punjab Partition Committee was very keen that the decisions of the Boundary Commission should be promulgated at the earliest possible moment; and I am going to ask Sir Cyril Radcliffe if he can produce them by 10th August.

10. The members of the Committee told me that, apart from the two matters which they referred to the Central Partition Council, they had at present no other major points of difference, and things were going well.

## Chapter VI

The Award.

The announcement of the Punjab Boundary Award raised a lot of controversy. Mr. Jinnah, the Governor General of Pakistan, publically condemned the Award in his broadcast speech on the 31st August, 1947. He said, "We have been squeezed in as much as it was possible and the latest blow that we have received was the Award of the Boundary Commission. It is an unjust, incomprehensive and even a perverse award." (1) The Pakistan press was also critical of the Award and the Pakistan Government later quoted the following passage of the "Pakistan Times", Lahore in its widely circulated booklet "The Sikh Plan in Action":- "The blow has been hardest in the Gurdaspur district when the two Muslim tehsils of Gurdaspur and Batala with a Muslim majority of 52.1, percent and 55.06 percent respectively have been thrown into Hindustan along with Pathankot Tehsil taking away from Pakistan the rich Muslim Industrial town of Batala. A part of Lahore district has also been broken off. Radcliffe has taken the trouble of drawing a village to village boundary but Ajnala Tehsil of Amritsar district with 60 percent Muslim majority and contiguous to the district of Lahore has been completely forgotten. The tehsils of Zira and Ferozepur with a clear majority have been dismissed with a talk of disruption of communication." (2) Recently Field Marshal Mohammad Ayub Khan wrote in an article, "Never had the destiny of so many million depended so helplessly on the arbitrary

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1. Sikh Plan in Action, Pakistan Government Publication, typed copy S.H.R. 7518, page 5.

2. Ibid, page 4.

strokes of one man's pencil. It was because Mr. Radcliffe happened to make a small dent on the wrong side of the line that over 4,000,000 inhabitants of Jammu and Kashmir have been locked in a life and death struggle for self-determination for <sup>long(3)</sup> 13 years."

Let us examine these statements one by one.

The Tehsils of Gurdaspur and Batala -

According to Andrew Mellor, "In a award a particular cause of anger to the Muslims was that a large part of the Muslim majority area of Gurdaspur went to the East Punjab, thus giving India an extended frontier with Kashmir." <sup>(4)</sup> K. Sarwar Hassan writes, "Included in the Punjab areas given by Radcliffe to India were two Muslim majority tehsils (sub-districts) of the Gurdaspur district. We have it on the authority of Lord Birdwood, an Indian Army Officer of a long experience that it was Radcliffe's award to India of Gurdaspur and Batala Tehsils with Muslim majorities which rendered possible the maintenance of an Indian force at Jammu based on Pathankot as rail head and which enabled India to consolidate her defences southwards all the way from Uri to the Pakistan border." <sup>(5)</sup> According to Brecher "Muslim League leaders were dismayed for Gurdaspur was of vital significance, it was then the only usable land link between India and princely State of Jammu & Kashmir. A few months later when conflict over Kashmir arose Pakistan leaders blamed what they considered to be manifestly unjust decision <sup>(6)</sup> on Gurdaspur."

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3. Pakistan Perspective, Pakistan Anthology, 1961, pages 3-4.
  4. India since Partition, page 38.
  5. Pakistan and United Nations, page 43.
  6. Nehru, A Political Biography, page 359.

Perhaps the demarcation of the boundary line in the district of Gurdaspur would not have aroused so much criticism from Pakistan, had there been no Indo-Pakistan conflict over Kashmir. It is, therefore, very significant to examine in detail the position of district Gurdaspur. The district of Gurdaspur consisted of four tehsils (sub-districts) with the Muslim population percentage noted against each:-

1.	Tehsil Batala	...	55.06 %	Muslims.
2.	Tehsil Shakargarh	...	51.3 %	"
3.	Tehsil Gurdaspur	...	51.1 %	"
4.	Tehsil Pathankot	...	38.8 %	"

District Gurdaspur had 50.4 % Muslim population as a whole.

In the notional division appended to the 3rd June Plan the district of Gurdaspur was included in the Muslim majority districts. But the reasons for doing so were clearly stated by Lord Mountbatten. He said in the Press conference on the 3rd June, "I put that in for the simple reason that in the district of Gurdaspur in the Punjab the population is 50.4 per cent Muslims, I think, and 49.6 per cent non-Muslims. With a difference of 0.8 per cent you will see that it is unlikely the Boundary Commission will throw the whole district into Muslim majority areas ----- The point is this: We have adopted these districts for one purpose and one purpose only. It is the only simple way by which you can divide the members of the Legislative Assembly." Lord Mountbatten further elucidated this point when he said, "I won't labour this point. And I will be grateful for publicity by the press that it should not be assumed that it is a foregone conclusion that they will be going into the area withi



(7)  
which their community is not in a majority."

It was, therefore, clear from the very beginning that the whole of the district of Gurdaspur could not go to India or Pakistan. If a tehsil be considered as a unit for demarcation as the Muslim Counsel in the Boundary Commission stressed - Pakistan could not claim Pathankot Tehsil which had direct link with Jammu & Kashmir and had the headworks of Upper Bari Doab at Madhopur. It had an over-whelming majority of non-Muslims viz. 61.2 per cent. It was contiguous to the non-Muslim majority districts of Kangra and Jullundur. It would have been a grave injustice to India, had this area been given to Pakistan. Out of the remaining three tehsils one, which was situated beyond the river Ravi towards the West (8) viz. Shakargarh was given to Pakistan by the Radcliffe Award. Regarding the award of Tehsils of Batala and Gurdaspur to India Brecher rightly observes, "The Radcliffe Commission had been instructed to determine the boundary on the criteria of communal composition and other facts. Although unstated there were acknowledged to be economic considerations particularly the effect of demarcation on the canal irrigation systems and the rail and the road communication. In this instance Radcliffe adjudged these "other factors" compelling and awarded (9) Gurdaspur to the East Punjab." According to Justice Din Mohammad, who was a member of the Punjab Boundary Commission and was subsequently appointed Governor of Sindh by the Pakistan Government, the main reason for awarding Batala

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7. Time Only To Look Forward, page 30.

8. Para 1, Annexure A, Radcliffe Award, vide Appendix.

9. Nehru - A Political Biography, page 359.



and Gurdaspur Tehsils to India was that their award to Pakistan would have isolated the important Amritsar district from the surrounding Indian soil.<sup>(10)</sup>

The case of Gurdaspur district was so clear that even two Muslim members of the Punjab Boundary Commission were convinced that Gurdaspur was to go to India. Justice Mohammad Munir, a member of the Punjab Boundary Commission who subsequently became Chief Justice of Pakistan High Court said in his farewell address in Lahore in April 1960, "Today I have no hesitation ~~in~~ in disclosing ..... it was clear to both Mr. Din Mohammad and myself from the very beginning of discussions with Mr. Radcliffe that Gurdaspur was going to India and our apprehensions were communicated at very early stage to those who had been deputed by the Muslim League to help us."<sup>(11)</sup>

The Tehsils of Ferozepur and Zira -

The case of Ferozepur district rendered the entire award of Sir Cyril suspicious in the eyes of Pakistan. Justice Mohammad Munir stated "When I was replying to the Sikh case I was told by Mr. Radcliffe in the most unequivocal terms that three tehsils of Ferozepur probably Ferozepur, Zira and Fazilka were coming to Pakistan and that it was unnecessary for me to discuss that part of the case with them. I still remember the description of the terrain he gave me of their transfer to Pakistan and I communicated my congratulation to the Nawab of Mamdot. (Lord Radcliffe told the writer that his private talk was always leaked in the Muslim press). He was jubilant but

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10. Lord Birdwood, A Continent Decides, page 36.

11. The Tribune, Ambala Cantt, dated April 26, 1960.

was disappointed a few days later, when by the award which came (12) three days after the scheduled time, these tehsils went to India."

The district Ferozepur had five Tehsils of which the following two had Muslim majority population:-

Ferozepur Tehsil	...	55.2 % Muslims.
Zira	"	65.2 % "

The Muslims in the Ferozepur district were 44.6 per cent on the whole.

It is clear that, if the Muslim population on a tehsil basis were considered for demarcating the boundary line as demanded by the counsel for the Muslims and no other factor taken into account, the Pakistan could have Tehsil Zira and Tehsil Ferozepur and not Tehsil Fazilka as afterwards claimed by Justice Mohammad Munir. Tehsil Fazilka was a non-Muslim majority area with about 57 % non-Muslims. For giving these small Muslim majority tracts to India Sir Cyril Radcliffe stated the following reasons in his Award:- " I have hesitated long over those not inconsiderable areas east of the Sutlej river and in the angle of the Beas and the Sutlej rivers in which Muslim majorities are found. But on the whole I have come to the conclusion that it would be in the true interests of neither state to extend the West Punjab to a strip on the far side of the Sutlej and there are factors such as the disruption of railway communication and water systems that ought in this instance to displace the primary claims of contiguous majorities." (13)

It is clear that Sir Cyril Radcliffe admitted the

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12. The Tribune Ambala Cantt. April 26, 1960.

13. Para 10, Radcliffe Award, Vide Appendix.

Muslim majority in a small strip of territory east of the river Sutlej which he transferred to India on account of other factors stated by him. But it did not convince the Pakistan leaders as K. Sarwar Hassan writes, "Disruption of railway line is not irreparable for these could be re-aligned. But so far the water systems were concerned, the effect of the Award was not to save them from disruption but, as we shall see, to disrupt them with disastrous consequences. Radcliffe as a trained lawyer could not but have known what he was doing." (14) Sir Zafar Ullah, who represented Pakistan's case for Kashmir in the Security Council in 1947, told the writer that had the Tehsils of Ferozepur and Zira been given to Pakistan with the Ferozepur canal-head works controlling the Gang canal irrigating the Bikaner State, the ruler of Bikaner would have acceded to Pakistan. But it is doubtful whether the ruler of Bikaner with overwhelming majority of the Hindu subjects would have joined Pakistan in face of the Punjab holocaust and subsequent mass migrations. It is certain that the State of Bikaner would not have joined Pakistan only on account of Ferozepur canal-headworks. Since the Pakistan statesmen have started attributing motives, it is difficult for them to see the force of arguments advanced by Sir Cyril for awarding the Tehsils of Ferozepur and Zira to India.

The Sketch Map Incident -

Before the publication of the Award Sir Evan Jenkins, the Governor of the Punjab contacted the Viceroy's Secretary

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14. Pakistan & United Nations, page 42.

and asked for the advance information about the Punjab Boundary Award. He must have pleaded as he did to the writer, that it had been previous practice of the British administrators to give the advance information to the officials concerned regarding the decisions affecting them so that they might make the necessary arrangements. There were certainly extenuating circumstances. The communal violence was increasing steadily and it was certain that the Punjab Boundary Award was to aggravate the conflict in the border districts. But Sir Evan Jenkins while asking for the advance information forgot that the information required, was relating to an international boundary and it was no longer an internal problem of the province of which he was the head. The changed circumstances required deep insight into the complexities of partition. Thus, unknowingly, he was responsible for creating misunderstanding between India and Bakistan.

The Viceroy's Secretary whom Sir Evan Jenkins contacted on telephone was Sir George Abell, one of the senior most British I.C.S. in India. As a Secretary to the Viceroy he corresponded with the Governors. In the Viceroy's staff he had succeeded Sir Evan Jenkins with whom he had friendly relations. Sir George, therefore, contacted the Secretariat of the Boundary Commission. According to Brecher "Abell got in touch with the Secretary of the Radcliffe Commission and on the basis of telephone conversation drew a sketch-map which was sent to Jenkins." <sup>(15)</sup> About the sketch map it appears certain that it was not prepared at Lahore or at Simla, it was sent

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15. Nehru - A Political Biography, page 360.



from Delhi. Sir Francis Mudie, the Governor of the West Punjab, who succeeded Jenkins, informed the writer that the Sketch map which was left by Jenkins could not have been prepared on the basis of telephone conversation. Sir Cyril Radcliffe appears to be aware of the map being sent to Abell. It appears almost certain that the sketch map was sent to Abell from the Secretariat of the Boundary Commission. Sir Zafar Ullah told the writer that the Pakistan Government sent him the photos of three documents to be presented in the Security Council while discussing the Kashmir case. (1) Forwarding letter in which Abell had stated that the map, he was sending, was supplied to him by Mr. Beaumont, Secretary of Sir Cyril Radcliffe, (2) The Sketch-map which indicated the Punjab Boundary line, (3) Description of the Boundary line like one which was published with the Radcliffe Award. Sir Francis Mudie denies the knowledge of forwarding letter or description of the boundary line indicated in the sketch-map. He only saw the map which was left by Jenkins. The map was subsequently shown to Mr. Jinnah, the Governor General and Mr. Liaqat Ali Khan, the Prime Minister of Pakistan.

This map would have gone unnoticed, had there been no difference between the subsequent award and this sketch-map. According to this map the Tehsils of Ferozepur and Zira were in Pakistan and the Award subsequently published indicated these Tehsils in India. Sir Francis Mudie, the Governor of the West Punjab was the first to note this change and ever since he has been convinced that Sir Cyril Radcliffe had changed his original award. Consequently Pakistan leaders began to view this award with suspicion. They held that the



award had been tampered with in order to make it favourable to India. The Pakistan leaders accused Lord Mountbatten for using his personal influence to alter the Punjab Boundary Award. Commenting on this episode Lord Mountbatten declared that he considered it beneath his dignity to issue a formal denial of the charge.<sup>(16)</sup>

There is no evidence of the Viceroy's interference in the working of the Boundary Commission. On the contrary Alan Campbell Johnson writes, "Mountbatten from the outset had given his staff the most explicit directions that they were to have no contact whatever with Radcliffe while he was engaged on his difficult and delicate arbitral task and has himself kept clear of him after the first welcome."<sup>(17)</sup> Similarly Brecher writes, "the author has been told by various persons that there was no communication between Mountbatten and Radcliffe throughout the Labour of the Commission."<sup>(18)</sup> The Akali leaders, Master Tara Singh and Giani Kartar Singh told the writer that Major Short's pleading for the Sikhs has brought a favourable award to India. This does not appear to be correct because Major Short was not a high ranking personality to influence the course of events as he has himself admitted in a statement to the writer. In the third week of July 1947 he was attached as P.A. to Lord Ismay, Chief of staff of Lord Mountbatten.

A close scrutiny of the Partition Proceedings will

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16. Ibid, page 361.

17. Mission with Lord Mountbatten, page 251-52.

18. Nehru, A Political Biography, Page 361 Foot-note.

convince any impartial observer that the Punjab Boundary Award was in accordance with the decision of the Partition Council. The question of the boundary line in the Punjab was discussed there frequently. Unlike the Bengal and Assam Partition Committees the work of the Punjab Partition Committee was held up on account of extraordinary conditions prevalent there. One of the major problems was the transfer of the officers who had opted either for the East Punjab or for the West Punjab. Out of twenty nine district as many as fourteen districts had been declared disputed districts by the Partition Council. These fourteen districts had been under the control of the Punjab Boundary Force. On July 10, Jenkins, the Governor of the Punjab had reported that "The Sikhs and the Hindus are reluctant to set up any Government at all until August 15 except in Lahore. They consider that a move from Lahore will prejudice their claim to the city." This issue was discussed in the meeting of the Partition Council held on 17th July, it was decided that notional boundary was to be followed except with regard to three districts viz. Gurdaspur, Lahore and Amritsar. It may be noted here that in the final analysis Ferozepur was not counted as a disputed district in the meeting of the Partition Council where Mr. Jinnah was present. It was also decided that the East Punjab Government should be asked to move to Simla before the 15th August, 1947. This statesmanlike decision of the Governor General killed two birds with one stone. By bringing

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19. For details vide Chapter Punjab Boundary Force.

20. Quoted in Last Days of British Raj, page 205.

21. P.P. Vol. IV, pages 187 and 237.

Lahore in the disputed districts he tried to pacify the growing demand of the non-Muslims to include Lahore in the East Punjab while by instructing the East Punjab Government to move from Lahore before the 15th August, he satisfied the Muslim point of view. Lord Mountbatten personally visited Lahore on July 20, 1947 to persuade the East Punjab Government to move to Simla.<sup>(22)</sup>

Separate decisions appear to have been taken regarding these three districts viz Gurdaspur, Lahore and Amritsar. As already stated Governor General had declared on the 3rd June, "In the district of Gurdaspur in the Punjab, the population ratio is 50.4 per cent Muslims and 49.6 per cent non-Muslims. The difference is .8 per cent. You will see at once that it is unlikely that the Boundary Commission will place the whole district in the Muslim majority area." This implied division of Gurdaspur district which was actually done in the Award.

The case of Lahore and Calcutta, the provincial capitals of the Punjab and Bengal, the provinces to be partitioned appears to have been decided much earlier. According to Justice Mahajan, who was a member of the Punjab Boundary Commission, once Sir Cyril Radcliffe remarked "How can you have both Calcutta and Lahore, What can I give to Pakistan."<sup>(23)</sup> Regarding Calcutta, Arthur Henderson had said in the House of Commons that "Calcutta is to be found within that section<sup>(24)</sup> of existing Bengal which contains majority of Hindu population." Similarly on majority population basis the

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22. For details vide Chapter, Partition Machinery.

23. Mehar Chand Mahajan, Looking Back, page 115.

24. Hansard Vol. 440, page 74.

district of Lahore had been allocated to the West Punjab in the notional division. The reference of the Punjab Partition Committee regarding Lahore, viz "should the Government of the East Punjab be permitted to administer the East Punjab from Lahore as headquarters"<sup>(25)</sup>, had been discussed in the Partition Council meeting held on 17th July, 1947 where the Governor General had said that he would secure the agreement of the Punjab Partition Committee to (a) the Government of the East Punjab moving to Simla before 15th August, (b) the postings should be made on the basis of notional division.<sup>(26)</sup> The Hindus and the Sikhs of the Punjab were greatly upset with these decisions. As the last resort they "tried hard to persuade Congress to make an issue of Lahore because their political and economic life had been centred in Lahore."<sup>(27)</sup> But the Congress did not move in this matter.

Professor R. Coupland had pointed out that in the case of division of the Punjab both the prominent cities of the Punjab viz. Lahore and Amritsar could not go to a single state.<sup>(28)</sup> Moreover Amritsar being the sacred city of the Sikhs with numerous historical shrines in it, had a great significance especially in view of Under Secretary of State's statement that other factors meant location of the Sikh shrines. Amritsar had been in the East Punjab according to the notional division.

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25. D.P.P.C., page 12.

26. P.P. Vol. IV, page 186.

27. Maulana Abdul Kalam Azad, India Wins Freedom, page 200.

28. Prof. R. Coupland, Report on Constitutional Problem of India, Vols. III, page 86.



Thus it appears wrong to infer that Lord Mountbatten intervened or Sir Cyril Radcliffe made eleventh hour changes under some political pressure. The Pakistan's suspicion regarding the boundary line in the Ferozepur district <sup>is</sup> based on political reasons. The Nawab of Mamdot who was the President of the Punjab Muslim League in 1947 belonged to Ferozepur District. He had been assured by some Muslim lawyers, as is clear from the statement of Justice Mohammad Munir quoted above, that his estates would stay on in Pakistan. Actually, when this did not happen, they linked up the sketch-map story with the reasons for its going to India. As Lord Radcliffe (he was Sir Cyril in 1947) explained to the writer that he had drawn several lines of demarcation before reaching the final conclusion. While the Award was in the process of finalisation, one such line appears to have been conveyed to the Governor of the Punjab. But that could not be a final one. The line incorporated in the Punjab Boundary Award was the only final one. No suspicion regarding the sketch map would have arisen, had the map, supplied to Jenkins, would have been marked as "provisional" or "tentative" or "not final". It would have been equally effective had Sir George Abell emphasised this point while conveying the map to Jenkins. He would likewise have done the same with Sir Francis Mudie. Minor omissions here and there on the part of one officer or another have created a permanent suspicion.

One of the major factors which confirmed the doubts of the leaders of Pakistan was the delay in announcement of the Punjab Boundary Award. The Punjab Boundary Award was released to the leaders of India and Pakistan on the 16th



August in the afternoon, and announced on the 17th morning. The awards of Bengal and Assam were announced on the 14th August. The award relating to the Punjab was dealt with differently because the demarcation of boundary line in the Punjab was more contested than anywhere else. The entire plan of transfer of power would have failed if the parties had not accepted the boundary award in the Punjab. The frequent references to the boundary line in the Punjab in the Partition Council were clear indications to that effect. Lord Mountbatten, therefore, took the pledges on July 22, 1947 from the representatives of India and Pakistan that they would accept the award of the Commission whatever the award might be. (29) The Viceroy decided to release the award relating to the Punjab after securing its acceptance by the parties concerned just as he did in the case of the 3rd June Plan. This procedure was not considered essential for the awards relating to Bengal and Assam. These awards were, therefore, released earlier.

The meeting of the representatives of India and Pakistan could not be held on the 14th August as it had been declared as Pakistan's Independence Day. The Viceroy spent the whole day in Karachi. The next day viz. 15th August was the India's Independence Day. Since Lord Mountbatten did not want to mar independence celebrations in the whole of Indian sub-continent, he preferred to postpone the Punjab Boundary Award ~~in the~~ by a couple of days. Alan Campbell Johnson notes the reaction of the release of the Punjab Boundary

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29. V.P. Menon, Transfer of Power in India, page 409.

Award in the meeting of the representatives of India and Pakistan on the 16th August afternoon:- "But the rejoicing of the morning were too soon tampered by the depression of the leaders this afternoon when Mountbatten handed over to them the Radcliffe Award ..... Liaquat was there ..... I was present at this sober and sullen gathering where the only unanimity was in denunciation of this or that communal "injustice". The field was thus left clear for Mountbatten to point with well-timed emphasis, the moral that in so far as it was impossible for all parties to be equally satisfied with Radcliffe's verdict, the best evidence of its fairness (30) seemed to rest in the undoubted equality of their displeasure."

Estimate of the Award -

Sir Radcliffe himself has rightly assessed the Punjab Boundary Award when he wrote."...the award cannot go far towards satisfying sentiments and aspirations deeply held on either side but directly in conflict as to their bearing on the placing of boundary." (31) "Whatever had been the Award, it would not have satisfied the both parties as the claims of (32) the respective parties ranged over a wide field of territory."

The Punjab Boundary Award was bitterly resented by the both East Punjab and West Punjab. The West Punjab resented the Award for the loss of Gurdaspur district and Ferozepur canal headworks and the East Punjab resented the Award for the loss of Lahore and the canal colonies of Sheikhupura including Nanakana Sahib, Lyallpur and Montgomery districts.

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30. Mission with Lord Mountbatten, page 167.

31. Para 12, Radcliffe Award, vide Appendix.

32. Para 9, Ibid.



The Radcliffe Award made only minor changes in the notional division provided in the 3rd June Plan and subsequently included in the Indian Independence Act. Four Police Stations of Tehsil Kasur, district Lahore were given to the East Punjab in order "to mitigate the consequences (33) of severance of the Upper Bari Doab Canal." The only exception was of district Gurdaspur which was in the West Punjab according to the notional division. The Award gave its tehsil Shakargarh to the West Punjab and its three tehsils to the East Punjab. For the rest the notional division was confirmed.

The Award allocated to the East Punjab thirteen districts comprising the whole of the Jullundar and Ambala Divisions. In addition to this the East Punjab had the whole of Amritsar district, three tehsils of Gurdaspur district and a portion of Lahore district from the Lahore Division. The Award granted to the West Punjab sixteen districts comprising the whole of the Multan and Rawalpindi Divisions and the major portion of Lahore Division viz districts of Sheikhpura, Gujranwala, Sialkot and Lahore. In addition to this the West Punjab had Tehsil Shakargarh of Gurdaspur district. On the whole the West Punjab got about 62 % area and the East Punjab got about 38 % area of the British Punjab. (34)

The Award splitted the canal irrigation system which was so vital for agriculture in Punjab. Perhaps it was not possible to preserve the integrity of this system. Sir Cyril Radcliffe himself admitted this fact "I have not found possible to preserve undivided the irrigation system of the

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33. Para 11, Ibid.

34. Vide Chapter IV, Partition Machinery.

Upper Bari Doab which extends from Madhopur (in Gurdaspur district) to the western borders of district of Lahore although I have made small adjustments of the Lahore - Amritsar district boundary to mitigate some of the consequences. (35) Similarly the headwork of Depalpur canal which irrigated the West Punjab was left in the East Punjab. Sir Cyril wrote - "I must call attention to the fact that the Depalpur canal which serves areas in the West Punjab takes off from the Ferozepur headworks and I find it difficult to envisage a satisfactory demarcation at this point." (36)

The Award could not keep intact the Mandi Hydro Electric Scheme. It supplied electric power to the districts of Kangra, Gurdaspur, Amritsar, Lahore, Jullundar, Ludhiana, Sheikhpura and Lyallpur. In anticipation of the dislocation and disruption of this system the Governor of the Punjab, under the special powers granted to him by Section 9 of the Indian Independence Act 1947, issued "The Punjab Partition (Mandi Hydro Electric System Operation) Order 1947" by which this system was to continue to serve all the districts in the East Punjab and the West Punjab upto Nov. 15, 1947 without any financial obligation on the part of either Government. (37)

The District or tehsil boundaries which had been demarcated by the settlement officers were made the international boundaries between India and Pakistan. Regarding the boundary line in Gurdaspur district it was stated:- "The boundary shall follow the line of that river down the western

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35. Para 11, Radcliffe Award.

36. Para 10, Ibid. Vide Chapter X, "After Effects".

37. Vide Chapter IV, Partition Machinery.



boundary of the Pathankot Tehsil to the point where Pathankot, Shakargarh and Gurdaspur tehsils meet. The Tehsil boundary and not the actual course of the Ujh river shall constitute the boundary between the East and West Punjab.<sup>(38)</sup> At another place it was stated:- "It continues along the boundary between the districts of Ferozepur and Montgomery to the point where ~~the~~ the boundary meet the Bhawalpur State. The district boundaries and not the actual course of the Sutlej river shall in each case constitute the boundary between the East and the West Punjab."<sup>(39)</sup> Making of the district boundary lines as the international boundary was perhaps the only solution as the rivers of the Punjab were not suitable to form the international boundaries."<sup>(40)</sup>

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38. Para 1, Annexure A of Schedule Attached with the Radcliffe Award - Vide Appendix.

39. Para 4, Ibid.

40. The Geographical Journal, London, April 1948, pages 202-203.

APPENDIX

SIR CYRIL RADCLIFF'S AWARD

To His Excellency the Governor-General,

1. I have the honour to present the decision and award of the Punjab Boundary Commission which, by virtue of Section 4 of the Indian Independence Act, 1947 is represented by my decision as Chairman of that Commission.

2. The Punjab Boundary Commission was constituted by the announcement of the Governor-General, dated the 30th of June 1947, Reference No. D50/7/47R. The members of the Commission thereby appointed were -

Mr. Justice Din Mohammad,  
Mr. Justice Muhammad Munir,  
Mr. Justice Mehr Chand Mahajan, and  
Mr. Justice Teja Singh.

I was subsequently appointed Chairman of this Commission.

3. The terms of reference of the Commission, as set out in the announcement were as follows:-

" The Boundary Commission is instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so, it will also take into account other factors."

We were desired to arrive at a decision as soon as possible before the 15th August.

4. After preliminary meetings, the Commission invited the submission of memoranda and representations by interested parties. Numerous memoranda and representations were received.

5. The public sittings of the Commission took place at

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Lahore, and extended from Monday the 21st of July 1947, to Thursday, the 31st of July 1947, inclusive, with the exception of Sunday, the 27th of July. The main arguments were conducted by counsel on behalf of the Indian National Congress, the Muslim League, and the Sikh members of the Punjab Legislative Assembly; but a number of other interested parties appeared and argued before the Commission. In view of the fact that I was acting also as Chairman of the Bengal Boundary Commission, whose proceedings were taking place simultaneously with the proceedings of the Punjab Boundary Commission, I did not attend the public sittings in person, but made arrangements to study daily the record of the proceedings and of all material submitted for our consideration.

6. After the close of the public sittings, the Commission adjourned to Simla where I joined my colleagues, and we entered upon discussions in the hope of being able to present an agreed decision as to the demarcation of the boundaries. I am greatly indebted to my colleagues for indispensable assistance in the clarification of the issues and the marshalling of the arguments for different views, but it became evident in the course of our discussions that the divergence of opinion between my colleagues was so wide that an agreed solution of the boundary problem was not to be obtained. I do not intend to convey by this that there were not large areas of the Punjab on the West and on the East respectively which provoked no controversy as to which State they should be assigned to; but when it came to the extensive but disputed areas in which the boundary must be drawn, differences of opinion as to the significance of the term "other factors", which we were directed by our terms of reference to take into account, and as to the weight and value

to be attached to those factors, made it impossible to arrive at any agreed line. In those circumstances my colleagues, at the close of our discussions, assented to the conclusion that I must proceed to give my own decision.

7. This I now proceed to do. The demarcation of the boundary line is described in detail in the schedule which forms Annexure A to this award, and in the map attached thereto, Annexure B. The map is annexed for purposes of illustration, and if there should be any divergence between the boundary as described Annexure A and as delineated on the map in Annexure B, the description Annexure A is to prevail.

8. Certain representations were addressed to the Commission on behalf of the States of Bikaner and Bahawalpur both of which States interested in canals whose headworks were situated in the Punjab Province. I have taken the view that an interest of this sort cannot weigh directly in the question before us as to the division of the Punjab between the Indian Union and Pakistan since the territorial division of the province does not affect rights of private property, and I think that I am entitled to assume with confidence that any agreement that either of those States has made with the Provincial Government as to the sharing of water from these canals or otherwise will be respected by whatever Government hereafter assumes jurisdiction over the headworks concerned. I wish also to make it plain that no decision that is made by this Commission is intended to affect whatever territorial claim the State of Bahawalpur may have in respect of a number of villages lying between Sulemanke Weir and Gurka Ferry.

9. The task of delimiting a boundary in the Punjab is

difficult one. The claims of the respective parties ranged over a wide field of territory, but in my judgment the truly debatable ground in the end proved to lie in and around the area between the Beas and Sutlej rivers on the one hand and the river Ravi on the other. The fixing of a boundary in this area was further complicated by the existence of canal systems, so vital to the life of the Punjab but developed only under the conception of a single administration, and of systems of road and rail communication, which have been planned in the same way. There was also the stubborn geographical fact of the respective situations of Lahore and Amritsar, and the claims to each or both of these cities which each side vigorously maintained. After weighing to the best of my ability such other factors as appeared to me relevant as affecting the fundamental basis of contiguous majority areas, I have come to the decision set out in the Schedule which thus becomes the award of the Commission. I am conscious that there are legitimate criticisms to be made of it; as there are, I think, of any other line that might be chosen.

10. I have hesitated long over those not inconsiderable areas East of the Sutlej river and in the angle of the Beas and the Sutlej Rivers in which Muslim majorities are found. But on the whole I have come to the conclusion that it would be in the true interests of neither State to extend the West Punjab to a strip on the far side of the Sutlej and that there are factors such as the disruption of railway communications and water systems that ought in this instance to displace the primary claims of contiguous majorities. But I must call attention to the fact that the Depalpur Canal, which serves



areas in the West Punjab, takes off from the Ferozepore headworks and I find it difficult to envisage a satisfactory demarcation of boundary at this point that is not accompanied by some arrangement for joint control of the intake of the different canals dependent on these headworks.

11. I have not found it possible to preserve undivided the irrigation system of the Upper Bari Doab Canal, which extends from Madhopur in the Pathankot Tehsil to the Western border of the district of Lahore, although I have made small adjustments of the Lahore - Amritsar district boundary to mitigate some of the consequences of this severance; nor can I see any means of preserving under one territorial jurisdiction the Mandi Hydro-electric Scheme which supplies power in the districts of Kangra, Gurdaspur, Amritsar, Lahore, Jullundur, Ludhiana, Ferozepore, Sheikhupura and Lyallpur. I think it only right to express the hope that, where the drawing of a boundary line cannot avoid disrupting such unitary services as canal irrigation, railways, and electric power transmission, a solution may be found by agreement between the two States for some joint control of what has hitherto been a valuable common service.

12. I am conscious too that the award cannot go far towards satisfying sentiments and aspirations deeply held on either side but directly in conflict as to their bearing on the placing of the boundary. If means to be found to gratify to the full these sentiments and aspirations, I think that they must be found in political arrangements with which I am not concerned, and not in the decision of a boundary line drawn under the terms of reference of this Commission.

CYRIL RADCLIFFE

New Delhi,  
The 12th August, 1947.

The Schedule.Annexure A

1. The boundary between the East and West Punjab shall commence on the north at the point where the West branch of the Ujh river enters the Punjab Province from the State of Kashmir. The boundary shall follow the line of that river down the Western boundary of the Pathankot Tehsil to the point where the Pathankot, Shakargarh and Gurdaspur tehsils meet. The tehsil boundary and not the actual course of the Ujh river shall constitute the boundary between the East and West Punjab.

2. From the point of meeting of the three tehsils above mentioned, the boundary (line) between the East and West Punjab shall follow the line of the Ujh river to its junction with the river Ravi and thereafter the line of the river Ravi along the boundary between the tehsils of Gurdaspur and Shakargarh, the boundary between the tehsils of Batala and Narowal, the boundary between the tehsils of Ajnala and Narowal, and the boundary between the tehsils of Ajnala and Shadara, to the point on the river Ravi where the district of Amritsar is divided from the district of Lahore. The tehsil boundaries referred to, and the actual course of the river Ujh or the river Ravi, shall constitute the boundary between the East and West Punjab.

3. From the point on the river Ravi where the district is divided from the district of Lahore, the boundary between the East and West Punjab shall turn southwards following the boundary between the tehsils of Ajnala and Lahore and then the tehsils of Tarn Taran and Lahore, to the point where the tehsils of Kasur, Lahore and Tarn Taran meet. The line will

then turn south-westward along the boundary between the tehsils of Lahore and Kasur to the point where that boundary meets the north-east corner of village Theh Jharollian. It will then run along the eastern boundary of that village to its junction with village Chathianwala, turn along the northern boundary of village, and then run down its eastern boundary to its junction with village Waigal. It will then run along the eastern boundary of village Waigal to its junction with village Kalia, and then along the southern boundary of village Waigal to its junction with village Pajhuwan. The line will then run down the eastern boundary of village Panjuwan to its junction within village Gaddoke. The line will then run down the eastern border of village Gaddoke to its junction with village Nurwala. It will then turn along the southern boundary of village Gaddoke to its junction with village Katluni Kalan. The line will then run down the eastern boundary of village Katluni Kalan to its junction with villages Kals and Mastgarh. It will then run along the southern boundary of village Katluni Kalan to the north-west corner of village Kals. It will then then run along the western boundary of village Kals to its junction with village Khem Karan. The line will then run along the western and southern boundaries of village Khem Karan to its junction with village Maewala. It will then run down the western and southern boundaries of village Maewala, proceeding eastward along the boundaries between village Mahaidepur on the north and village Sheikhupura Kuhna, Kamalpuran, Fatehwala and Mahewala. The line will then turn northward along the western boundary of village Sahjra to its junction with villages Mahidepur and Machhike. It will then

turn north-eastward along the boundaries between village Machhike and Sahjra and then proceed along the boundary between villages Rattoke and Sahjra to the junction between villages Rattoke, Sahjra and Mahbuke. The line will then run north-east between the villages Rattoke and Mahbuke to the junction of villages Rattoke, Mahbuke and Gajjal. From that point the line will follow the boundary between villages Mahbuke and Gajjal, and then turn south along the eastern boundary of village Mahbuke to its junction with village Nagar Aimanpur. It will then turn along the north-eastern boundary of village Nagar Aimanpur, and run along its eastern boundary to its junction with village Masteke. From there it will run along the eastern boundary of village Masteke to where it meets the boundary between the tehsils of Kasur and Ferozepore.

For the purpose of identifying the villages referred to in this paragraph, I attach a map authorised by the then Settlement Officer, Lahore District, which was supplied to the Commission by the Provincial Government.

4. The line will then run in a south-westerly direction down the Sutlej River on the boundary between the districts of Lahore and Ferozepore to the point where the districts of Ferozepore, Lahore and Montgomery meet. It continues along the boundary between the districts of Ferozepore and Montgomery to the point where this boundary meets the border of Bahawalpur State. The district boundaries, and not the actual course of the Sutlej River, shall in each case constitute the boundary between the East and West Punjab.

5. It is my intention that this boundary line should ensure that the canal headworks at Sulemanke will fall within the territorial jurisdiction of the West Punjab. If the existing delimitation of the boundaries of Montgomery district

does not ensure this, I award to the West Punjab so much of the territory concerned as covers the headworks and the boundary shall be adjusted accordingly.

7. So much of the Punjab as lies to the west of the line demarcated in the preceding paragraphs shall be the territory of the West Punjab. So much of the territory of the Punjab Province as lies to the east of that line shall be the territory of the East Punjab.

K.V.K. SUNDARAM,  
Officer on Special Duty.



## Chapter VII

The Punjab Boundary Force.

The communal riots in the Punjab have been differently described. Stephens gives them the name of civil war and writes, "if non-military carnage and commotion estimated to have caused about 500,000 deaths . . . . cannot be called civil war, it is hard to guess what it could be." Brecher terms them "the war of succession" and explains in a foot note, "The term was coined by Sir Evan Jenkins, the last Governor of the undivided Punjab, to designate the communal riots in the Punjab." According to Tinker a large number of people were involved in these riots and he terms these riots as "people's war." Whatever we may call these civil disturbances, no body can deny that the Punjab had been in the grip of communal riots since March 1947. The Punjab Disturbed Area Act and the Punjab Public Safety Ordinance had been in force ever since. Military had been called several times to quell the disturbances. The Home Secretary of the Punjab Government gave the following figures of casualties in the districts of Multan and Rawalpindi in his communication No. 9418 dated 26th July 1947:-

<u>District</u>	<u>No. of persons killed or burnt alive.</u>				
	<u>Hindus</u>	<u>Sikhs</u>	<u>Muslims</u>	<u>Other</u>	<u>Total</u>
Multan	171	1	14	-	186
Rawalpindi	<hr/>		38	-	2301
	2263				

1. Ian Stephens, Pakistan, page 80
2. Nehru, A Political Biography, Foot-note 318-319
3. Hugh Tinker, India & Pakistan, page 107
4. Punjab Government communique dated March 19, 1947. Tribune dated 20th March 1947.
5. Northern Command communique, The Tribune, 23rd March, 1947.

	164				<u>Total</u>
	<u>No. of persons injured</u>				
	<u>Hindus</u>	<u>Sikhs</u>	<u>Muslims</u>	<u>others</u>	
Multan	87	2	59	19	167
Rawalpindi	<u>234</u>		126	-	360

Value of property burnt

Multan	Rs. 20,00,000 (Hindu property approx.)
Rawalpindi	Rs. 14,00,000 - do - (6)

Regarding these figures the Deputy Commissioner of Rawalpindi stated, "greater accuracy is not possible owing to the wide spread nature of disturbances and breakdown of normal administrative machinery. The figures of lives lost are believed to be the minimum and information has been obtained from the cases registered with the police. The figures of property destroyed are also minimum and are based on claims for compensation received so far. They do not include losses inflicted where population was wiped out and no claims were made."<sup>(7)</sup>

Ever since the outbreak of the communal disturbances in the districts of Rawalpindi and Multan during the month of March 1947, the communal situation did not improve. Sir George Abell, the Private Secretary of the Viceroy visited Lahore in the last week of April and reported that the situation was serious. According to Sir Evan Jenkins there was "a grave

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6. The Home Secretary of Punjab's letter to Secretaries of the Punjab Boundary Commission Appendix J, P.P. Vol. VI, page 228.

7. P.P. Vol. VI, page 228.

(8)  
 danger of civil war." Sir Malcolm Darling who had served in the Punjab for a number of years also visited Lahore in April and noticed that there was extreme tension and "the province was a smouldering volcano."<sup>(9)</sup> When the Partition Plan was announced the situation in the Punjab had not improved. Therefore, the announcement of the Partition Plan on the 3rd June was made simultaneously with the announcement of "Firm Action to be taken." Major General J.C. Bruce, the Commander of Lahore Area issued the special order and declared on the 3rd June, "if unfortunately disturbance do arise from the forthcoming announcement on the future constitution of India we are well placed in dealing with them."<sup>(10)</sup>

After the announcement of the 3rd June Plan the Punjab was divided into three military divisions. The civil Division of Rawalpindi was put under the command of Major General Lovett. The civil Division of Lahore and Multan plus districts of Kangra and Ferozepur were placed under the command of Major General Bruce. The civil Divisions of Jullundur and Ambala minus Gurgoan district were under the command of General Rees, G.O.C., Northern Command. Lieut. General Sir Frank Messervy was in charge of all these commands. He was to have his tactical headquarters at Lahore. It was announced that at Lahore, Amritsar, Jullundur and Multan substantial forces with tanks

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8. Mission with Lord Mountbatten, page 73.

9. The Punjab Disorders, the Hindu, Madras, dated Oct. 11, 1947.

10. C. & M. Lahore, 3rd June, 1947.

and artillery had been stationed and in other important towns like Ferozepur and Lyallpur adequate forces had been in readiness. The total strength of the military in these places was approximately three regiments of armoured corps, six regiments of artillery, 27 battalions of infantry with due proportion of engineers, signals, medical supply and transport units. All these arrangements had been made in close consultation with the civil authorities.

The Governor of the Punjab, Sir Evan Jenkins formed a Security Council in order to maintain law and order in the province. It comprised of three party leaders in the Legislative Assembly viz. Khan Iftikhar Hussain of Mamdot, Leader of the Muslim League Assembly party, Bhim Sen Sacher, Leader of the Congress Party and S. Swaran Singh, leader of the Akali Party. It was to review daily the law and order situation in the Punjab and more particularly in Lahore. But this Security Council could not work as Muslim League withdrew its representative from this body. The Viceroy wanted the Punjab leaders to issue a statement assuring minorities of the fair treatment. S. Swaran Singh reported to the Partition Council that he "had been unable to persuade any of the Sikh leaders to sign the statement and it was embarrassing for him to sign it without their support and in such a case it would have little practical value."

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11. The Press Communique issued by J.C. Bruce of Lahore Command, C. & M. , 3rd Junw, 1947.

12. Ibid dated June 28, 1947.

13. P.P. Vol. IV, page 186.

14. Ibid , page 431.

The authorities in New Delhi were not unaware of the mounting tension in the Punjab. Lord Ismay writes, "Nevertheless, I was worried at the prevalence of the idea that it was all now going to be plain sailing. I thought that there were still many fearful obstacles to be overcome and I was particularly worried about the Sikhs. This warrior sect, which provided many thousands of splendid recruits for the Indian Army, had every cause to feel aggrieved. Out of their total population in India of some five and a half million, no less than four million were domiciled in the Punjab. It was, therefore, certain that wherever the boundary line was drawn roughly two million Sikhs would soon find themselves citizens of Pakistan, and that many of their holy places would be under the domination of men of an alien - and to them repugnant faith."<sup>(15)</sup>

One of the measures which was adopted to deal with the Sikhs was to appoint Major J.M. Short on the staff of the Viceroy. Though the idea was originally moved by S. Baldev Singh, the Defence Member of the Interim Government the Viceroy readily agreed to it because Major Short had worked among the Sikhs for recruitment in the army during the war and he had some influence with the Akali leaders. He was brought to India on 22nd July 1947 by Lord Ismay to work as his P.A. Major Short lived at the residence of S. Baldev Singh. His impression was that the Sikhs were not satisfied with the 3rd June Plan.<sup>(16)</sup>

Sir Evan Jenkins, the Governor of the Punjab appears

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15. Memoirs of Lord Ismay, page

16. Statement of Major J.M. Short sent to the writer.



to have sent several letters to the Central Government stating the political tension in the Punjab. What actually he suggested would be known when all records are released for consultation. However, he admitted to the writer to have given a few letters to Leonard Mosley who published them in the "The Last Days of the British Raj." A letter relates to an interview with Giani Kartar Singh, an influential Sikh leader, who confirmed to the writer the statement made in that letter. Jenkins wrote to the Viceroy:-

"Giani Khartar (Sic) Singh came to see me about the Indian Independence Bill and the Boundary Commission..... He said that in the Punjab there would have to be an exchange of populations on large scale. Were the British ready to enforce this? He doubted if they were, and if no regard was paid to Sikh solidarity, a fight was inevitable..... Giani then said neither had viewed partition as being based on population alone, The Sikhs were entitled to their own land just as much as the Hindus and the Muslims. They must have their shrine at Nanakana Sahib, at least one canal system and finally arrangements must be made so as to bring at least three quarters of the Sikh population from West to the East Punjab. Property must be taken into account as well as population in the exchange as the Sikhs on the whole are better off than the Muslims. Giani said that unless it was recognised by His Majesty's Government, the Viceroy and the Party leaders that the fate of the Sikhs was a vital issue, there would be a trouble..... they would be obliged to fight..... that the Sikhs realised that they would be in a bad position, but would have to fight

on revolutionary lines by murdering officials cutting railway lines, destroying canal headworks and so on..... Finally the Giani appealed to me to do all I could to help the Sikhs during a period of trial. He said I surely could not wish to abandon the Punjab to tears and bloodshed. There would be tears and bloodshed here if the boundary problem was not suitably solved. The Giani was matter of fact and quiet throughout our conversation but wept when he made his final appeal. This is the nearest thing to an ultimatum yet ~~given~~ given by the Sikhs. They are undoubtedly puzzled and unhappy. I see no reason to suppose that they have lost the nuisance value they have in the past possessed over a century." (17)

It may be pointed out that it was not possible for the Viceroy at that time to change the basis of partition which had been agreed by the major parties. Had the Viceroy included Sikh solidarity or Sikh shrines or even Sikh lands as one of the factors for determining the boundary line in the Punjab, Mr. Jinnah would have rejected the 3rd June Plan and would have created a deadlock. It was, therefore, not advisable for the Viceroy to change the basis of partition and risk the entire settlement based on the 3rd June Plan which was being implemented.

The political pressure exerted by the Sikh leaders by means of resolutions etc. on the 8th of July which they celebrated as Nanakana Sahib Day had very adverse effect on Mr. Jinnah, who at the very outset said in the meeting of the

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17. The Last Days of British Raj, page 205-7.

Partition Council held on 10th July, "although he was doing every thing in his power to retain a hold over the Muslim sections of the population concerned to honour the undertaking given that the findings of the Boundary Commission whatever they were, would be accepted, he had noticed that the Sikh leaders were still reported to be inciting their followers to offer active resistance to the decisions which they might regard as unfavourable. It was reported that active preparations were being made and oaths to resist were being taken." The Viceroy said in reply to Mr. Jinnah's remarks..... " he had made it abundantly clear to His Highness the Maharaja of Patiala, S. Baldev Singh, Master Tara Singh and all other Sikh leaders, with whom he had interviews the consequences of any attempt to offer active resistance. No responsible Government would tolerate for a moment such action which would be met by the immediate employment of the regular armed forces of India. In view of superiority in aeroplanes, tanks, artillery etc. that the armed forces enjoy, such action would inevitably result in very severe losses being inflicted on those who would only be (18) armed with rifles and out-of-date weapons." The Viceroy had also assured Maulana Azad "At least on this one question I shall give you complete assurance. I shall see to it that there is no bloodshed and riot. I am a soldier not a civilian. Once partition is accepted in principle, I shall issue orders to see that there are no communal disturbances, any where in the country.

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18. P.P. Vol. IV, page 146.

If there should be slightest agitation I shall adopt sternest measures to nip the trouble in the bud. I shall not use even the armed police. I will order the Army and Air Force to act and I will use tanks and aeroplanes to suppress any body who wants to create trouble."<sup>(19)</sup>

Commander-in-Chief's Proposal for Boundary Force.

Lord Mountbatten was very keen to maintain law and order for the implementation of the 3rd June Plan. He, therefore, asked the Commander-in-Chief on the 10th July to prepare a plan of action in the event of possible clashes or disturbances in the neighbourhood of boundaries between two Dominions. The Commander-in-Chief wrote to the Viceroy:-

" Dear Lord Mountbatten,

I was asked by your Excellency at a recent meeting of the Partition Council to prepare a plan in case of possible clashes or disturbances in the neighbourhood of the boundaries between the two Dominions after the 15th August.

I recommend that the Joint Defence Council should have the authority of both India and Pakistan Governments to declare any affected districts to be 'disturbed area'.

When this has been done, the Supreme Commander acting on the request of the Joint Defence Council will specially appoint a British Commander with an adequate H.Q., who will

19. Maulana Abul Kalam Azad, India Wins Freedom, page 190

20. It was decided on the 30th June to establish a Joint Defence Council under the then Commander-in-Chief. The Joint Defence Council was to consist of Governors General of India and Pakistan and the Defence Ministers and other representatives of both the Dominions.  
Para No.7, Minutes of the Second Meeting of the Partition Council dated 30th June, 1947.  
P.P. Vol. IV, page 98.  
The Governor General issued the Joint Defence Council Order on August 11, 1947. This order was subsequently amended after 15th August by the Joint Defence Council (Amendment) Order 1947.

have military control over the area and of such troops and air force as are considered by him to be necessary. These troops etc. should be allotted by the Commander-in-Chief of the two Dominions at the request of the Joint Defence Council.

The British Commander, so appointed will be responsible to the Joint Defence Council through the Supreme Commander who for this purpose, will temporarily have operational control.

The above procedure would be similar to arrangements I would make for disturbances on the boundary before 15th August and will apply both in the Punjab and Bengal.

Yours sincerely,  
(21)  
Sd/- C.J. Auchinleck."

Punjab Boundary Force -

The proposals of the Commander-in-Chief were discussed on the 17th July in the meeting of the Partition Council where the Commander-in-Chief had been specially invited. During the course of discussion it was made clear that there was no need of establishing any special military force in Bengal. Such force was required only in the Punjab where situation was reported to be tense. As this force was especially to be established to check border clashes in the Punjab, it subsequently came to be known as "Punjab Boundary Force." The following decisions were made regarding this force:-

1. " that action to deal with disturbances in the neighbourhood of the boundaries between the two Dominions on or after the 15th August should be on



the lines suggested by the Commander-in-Chief.

2. " that Major General Rees, Commander of the 4th Division should be appointed as Joint Commander on behalf of both Dominions to control all troops operating in the defined areas in the Punjab and that the chain of control from the two Dominion Governments to Major General Rees should be through the Joint Defence Council and Supreme Commander.
3. " that the troops should be in position by the 7th or 8th of August at the latest.
4. " that there should be no change in the law governing the use of troops in aid of civil power after the 15th August for such period as these forces were employed on this work."

(22)

Disputed Districts -

The Commander-in-Chief's recommendation that " the Joint Defence Council should have the authority of both India and Pakistan Governments to declare any "affected districts" to be disturbed area could not be accepted because according to the Government of India Act of 1935 law and order was a provincial subject and the Central Government was not empowered to declare any area of British India as "disturbed area." Fortunately the Punjab Government had its own Punjab Disturbed Areas Act 1947 which was already in force in certain districts of the Punjab. Since this Act was to be effective in the East Punjab and the West Punjab separately after 15th August, it was

decided that the Viceroy's staff in consultation with the representatives of the East Punjab and the West Punjab Governments and the Governor of the Punjab should decide the areas which were <sup>(23)</sup> were to be declared as "disturbed areas."

After discussing the matter with the Governor of the Punjab, Commander-in-Chief, and the Punjab Partition Committee it was recommended to the Partition Council that the following districts should be declared as disturbed areas and included in the zone where the Punjab Boundary Force was to operate:- Sialkot, Gujranwala, Sheikhupura, Lyallpur, Montgomery, Lahore, Amritsar, <sup>(24)</sup> Gurdaspur, Hoshiarpur, Jullundur, Ferozepore. On 24th July, the Viceroy added Ludhiana district in the list given above on the <sup>(25)</sup> ground that "all parties concerned had agreed" to it."

Regarding the personnel of the Punjab Boundary Force it was decided by the Partition Council on 17th July that the "Commander-in-Chief would nominate a Muslim and a non-Muslim officer of suitable seniority as advisers on Major General Rees' <sup>(26)</sup> staff." On 24th July the Viceroy nominated Colonel Ayub Khan who is at present the President of Pakistan, as adviser to General Rees, Commander of the Punjab Boundary Force. Brigadier <sup>(27)</sup> Digamber Singh was nominated from the Indian side. After taking the charge of his specified districts Major General Rees declared

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23. Item No. 3 Partition Council's proceedings dated 22nd July, 1947. P.P. Vol. IV, page 233.

24. P.P. Vol. IV, page 233.

25. Ibid, page 247.

26. Ibid, pages 181-82.

27. P.P. Vol. IV, page 247.

in the press conference at Lahore on August 4, 1947 that the Punjab Boundary Force was responsible for maintaining law and order working in collaboration with the Civil Authorities. (28)

The Communal Riots -

In the beginning of August 1947 rioting broke out all over the Punjab and the situation worsened as the date of transfer of power drew nearer. The Pakistan Government subsequently brought out a number of brochures to prove that the Sikhs were mainly responsible for these riots. It was argued that in order to carve out their State the Sikhs had planned to kill the Muslims in an organised manner. The Sikh States of Patiala, Nabha, Jind and Faridkot provided them with ammunition with the result that there started widespread communal riots in the beginning of August. (29) A separate booklet was issued relating to the Rashtrya Swayam Sewak Sangh, a Hindu organisation and it was stated that they had joined the Sikhs in order to kill Muslims in the East Punjab. In the meetings of the Security Council of United Nations organisation Sir Mohammad Zafarullah, the Pakistan Government's representative linked the tribal invasion of Kashmir with the communal riots in the East Punjab, resulting in the mass killing of the Muslims. (30) The East Punjab Government and the

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28. C. & M., August 5, 1947.

29. Pakistan Government's Publications regarding the Punjab riots are:-

1. A Note on Sikh Plan.
2. Sikh Plan in Action.
3. Rashtrya Swayam Sewak Sang.
4. Tribal Repercussions.

30. United Nations - Security Council's official Record 3rd Year 226th - 240 meeting 1948, page 46.

Indian Government issued a number of pamphlets stating that the August riots in the East Punjab were a repercussion of riots in the West Punjab since March 1947. Several books published in India concur with this view. Mr. Seetalvad, Indian representative in the Security Council in reply to Sir Mohammad Zafar Ullah dealt this point at great length.

No Pakistan publication makes mention of the riots in March 1947 in which the Hindus and the Sikhs had been entirely wiped out in the several villages. Whatever be the genesis, technique and subsequent development of the pre-partition and the post partition communal riots in the Punjab, the following facts can hardly be denied by any party:-

1. In the Punjab the communal riots first started in the Muslim majority areas in the West Punjab in March 1947 and not in August 1947.
2. The Hindus and the Sikhs, who had been victims of communal riots in the districts of Rawalpindi, Multan

31. East Punjab & Indian Governments' Publications:-

1. Orphans of the Storm.
2. Millions on the move.
3. After partition.

32. Some of the books published in India regarding communal riots are:-

1. Muslim League's Attack on the Sikhs & Hindus by Shromani Gurdwara Parbandhak Committee, Amritsar.
2. Stern Reckoning by G.D. Khosla, New Delhi.
3. Inside Pakistan by K.L. Gauba, Bombay.
4. Now it can be told by A.N. Bali, Jullundur.

33. United Nations Security Council's official Record 3rd Year 226th - 240 meeting 1948, page 174.

Mr. Seetalvad said, "The refugees brought with them tales of horror and woe ----- gave rise to a desire to exact retribution and retaliate on the Muslim population."

Attock etc., migrated to the eastern districts of the Punjab and they created tension and communal hatred wherever they settled.

3. From March to August 1947 there had been communal rioting in the Punjab after short or long intervals.
4. If it is to be taken as true that the Sikhs got ammunition from the Sikh States and it is more true and had been proved in the Mamdot Enquiry in a Lahore Court in 1949 that the Punjab Muslim League leaders purchased in 1946 hand granades, jeeps and other war material.<sup>(34)</sup>

On account of political differences the "Punjab's virile hot headed people"<sup>(35)</sup> began to work in vengeance. The retired Sikh army men along with the Sikh soldiers of disbanded Indian National Army organised small squads to kill the Muslims.<sup>(36)</sup> The Muslims retaliated. Attacks by the Muslims in the West Punjab were followed by counter-attacks by the Sikhs and the Hindus in the East Punjab. Reprisal followed retaliation till the whole province was a seething cauldron of hate and bestial passions. The poison affected the unlettered and the ignorant masses as well as the educated middle classes. It spread to the officials, police and army. The Muslims and the non-Muslims

34. Richard Synonds, Making of Pakistan, page 82.

35. Sir Malcolm Darling, At Freedom's Door, page XII.

36. In the first session of East Punjab Assembly Armed Bands (arrest and detention) Bill was introduced on 3rd November. S. Swarn Singh while introducing the bill said, "During last two months or so .... certain elements in our society... have taken to arms and formed themselves into bands and have been committing offences."

East Punjab Assembly Debates (From 1st November to 8th Nov. 1947) Vol. I, page 48.



vied with each other in degrading themselves to the lowest level of barbarity. The grim sport of murder and rapine began in both the sides of the Punjab with equal ferocity.

Work of the Punjab Boundary Force -

The area entrusted to the Punjab Boundary Force constituted twelve districts and that area excluding Sheikhupura district was larger than the area of Scotland and Wales combined. It included 26 towns and nearly 17000 villages with area of about 37500 square miles<sup>(37)</sup>. It was found to be too big an area for the two Divisions of the Punjab Boundary Force to control. The Civil and Military Gazette, an Anglo Indian paper of Lahore commented that the situation had been so grave that had the entire force of India and Pakistan been employed it could not have brought the situation under control. Under these circumstances the Punjab Boundary Force could not work efficiently<sup>(38)</sup>. It was, therefore, decided in the Joint Defence Council's meeting held on the 25th August in New Delhi that the area covered by the Punjab Boundary Force should be reduced as rapidly as practicable<sup>(39)</sup>.

The Punjab Boundary Force did its best to quell the ever increasing lawlessness but with a little success. Some of the most gruesome tragedies were enacted in the area entrusted to it by its own units. The Biloch Regiment, a Muslim force

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37. John Connel, Auchinlect, page 903.

38. C. & M. 27th August 1947.

39. Idem.

worked havoc in the town of Sheikhupura in the West Punjab where hundreds of Hindus and the Sikhs were massacred. Consequently Officer Incharge of this regiment was arrested pending court martial and the troops were confined to barracks and the C.O. was suspended. (40) The Inspector General Police, East Punjab prepared a report based on daily information issued from the Punjab Boundary Force from 15th August to 31st August, 1947 indicating the number of casualties in the West Punjab districts under the Punjab Boundary Force. In the East Punjab districts placed under this force, disorders were not less alarming. In the Gurdaspur district troops were ~~xx~~ reported (41) to have shot dead over 600 Sikhs while quelling the disturbances. The Punjab Boundary Force's communique published on August 30 rightly summed up the situation when it stated that "The overall situation in the areas of the Punjab Boundary Force (42) can nowhere be described as satisfactory." The Civil & Military Gazette, Lahore described the situation as "veritable civil war" and quoted the instances of communal riots at Sialkot and Sheikhupura. It commented editorially on 30th August "when full (43) story of Sheikhupura is known it will stagger the world."

Abolition of Punjab Boundary Force -

The troops of the Punjab Boundary Force played havoc in the East Punjab in several towns. The Chief Minister of

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40. Sir Francis Tuker, While Memory Serves, page 491.

41. P.B.R. I.G. Police East Punjab's Report dated Sept. 8, 1947. File No. C.F. 679-ER-48.

42. C. & M. 30th August, 1947.

43. Ibid.

East Punjab wrote to Shri Jawahar Lal Nehru, the Prime Minister of India, "I have received complaints of atrocities and excesses committed by Muslim military both in Jullundur and Gurdaspur districts. Kartarpur, Adampur, Thindaur Police Stations are affected. A Magistrate in Gurdaspur has been reported to be killed and military helps these excesses. I would, therefore, suggest that you wire General Rees as well as C-in-Chief to withdraw this military."<sup>(44)</sup>

Sir Francis Mudie, the Governor of the West Punjab was not at all satisfied with the working of the Punjab Boundary Force. He told the writer that he wrote very strong letter to the Viceroy urging him to abolish this force and entrust the responsibility of law and order to the governments concerned.

In order to take immediate steps to stem the tide of disorders a special meeting of the Joint Defence Council was held on 29th August. It was attended by Governors General of India and Pakistan and was presided over by Lord Mountbatten. The Prime Minister of India (Pandit Jawahar Lal Nehru), the Prime Minister and Defence Minister of Pakistan (Mr. Liaqat Ali Khan), the Defence Minister of India (S. Baldev Singh), the Communication Minister, Pakistan (Mr. Abdur Rab Nishtar), the Governor, East Punjab (Sir Chandu Lal Trivedi), the Governor, West Punjab (Sir Francis Mudie), the Commander-in-Chief, Pakistan Army (General Sir Frank Messervy), Supreme Commander, (Sir Claude Auchinleck), the Commander-in-Chief Indian Army (General Sir Rab Lochhart) and the Commander of the Punjab Boundary Force (Major General Rees) were present.

It was decided that "as the task allotted to the Punjab Boundary Force for helping to maintain law and order in the disturbed area has now grown out of all proportion to the responsibilities originally placed upon it, this force should be abolished with effect from mid-night 31st August/1st September<sup>(45)</sup>. It was also decided that India and Pakistan would each set up a new military headquarter to control the areas which form part of the Boundary area. In case of India, 4th Divisional Headquarters would take over the area on the Indian side of frontier comprising the Civil districts of Gurdaspur (as reconstituted), Hoshiarpur, Jullundur, Ferozepur, Amritsar, the separated part of Lahore district and Ludhiana."<sup>(46)</sup> This area was to be directly under India Army Headquarters. In case of Pakistan, Lahore Area Headquarters was to control the boundary area which included the Shakargarh Tehsil, Gujranwala, Lahore, Sheikhpura, Lyallpur and Montgomery districts. Regarding the forces which constituted the Punjab Boundary Force it was decided that all the units of the Punjab Boundary Force belonging to the Army of India to be located on Indian side of the frontier and all units of the Pakistan Army on Pakistan side." The mixed units were to be split up and the Muslims were located on Pakistan side and the non-Muslims on the Indian side.<sup>(47)</sup>

The abolition of the Punjab Boundary Force was a bold and wise step. It ended the joint control and placed the

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45. P.B.R. Communique regarding Joint Defence Council's meeting held on 29th August. No. C.F. 679-ER-48.

46. Ibid.

47. Ibid.

responsibility of maintaining law and order in their respective areas on India and Pakistan Governments. Since communal rioting was not confined to the districts under the control of Punjab Boundary Force it enabled both the East Punjab and the West Punjab Governments to deal with the situation as a whole. Moreover after 15th August the Punjab Boundary Force was the only force left which had Muslim, non-Muslim and mixed units. In that vitiating atmosphere of communal rioting this force could not remain immune and act according to the traditions of impartiality as has been stated by Alan Campbell Johnson, "steady and experienced troops began to feel the tug of communal loyalties deeper even than their military discipline." (48)

The Punjab Boundary Force was organised on the nucleus of the 4th Division and was increased to a strength of five infantry brigades plus local troops forming units and formations equivalent of about two Divisions. But many of these units had strength far below their proper establishment. (49) Thus General Rees never had the full strength of his forces while dealing with this grave situation.

When the Punjab Boundary Force took up its duties the situation had already deteriorated. General Rees described the situation, "Communal bitterness was at peak and the masses were egged on and inflamed by shock groups of resolute and well armed men determined to fight." (50) Thus from the very outset the Punjab Boundary Force had to engage itself to put

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48. Mission with Lord Mountbatten, page 176.

49. John Connel, Auchinleck, page 902.

50. Ibid, page 903.



down "a large scale continuous and # relentless civil war."<sup>(51)</sup>  
 According to John Connel, the biographer of Auchinleck,  
 "Appeals for military protection were multiplying. The whole  
 refugee problem was rapidly assuming the proportions of major  
 eruption, to cope with which the Civil administration had no  
 more resources"<sup>(52)</sup> (except to call army). The Punjab Boundary  
 Force was a sort of a "neutral force to assist the civil power  
 to maintain law and order in the disputed area."<sup>(53)</sup> But practically  
 there existed no civil authority to be assisted or to assist  
 the Punjab Boundary Force. The police and civil intelligence  
 services on which it was essential to rely in that extraordinary  
 crisis had broken down.<sup>(54)</sup> It is estimated that it would have been  
 very difficult even for a strong provincial administration  
 working at a high peak of efficiency to curb the communal riots in  
 August in 1947. Field Marshal Auchinleck rightly assessed the  
 situation when # he wrote to General Rees:-

" The complete breakdown of civil administration on  
 both sides of the border to carry out their most ordinary duties  
 placed a burden on you and the troops which was quite beyond  
 their power."<sup>(55)</sup>

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51. Ibid, page 903.  
 52. Ibid, page 905.  
 53. Ibid, page 901.  
 54. Ibid, page 903.  
 55. Ibid, page 911.

APPENDIX

MINUTES OF THE SIXTH MEETING OF THE PARTITION COUNCIL HELD  
ON THURSDAY, THE 17TH JULY, 1947, at 10 A.M.

Case No. P.C./47/6/47

PLAN OF ACTION IN THE EVENT OF POSSIBLE CLASHES ON  
DISTURBANCES IN THE NEIGHBOURHOOD OF THE BOUNDARIES  
BETWEEN THE TWO DOMINIONS AFTER 15TH AUGUST.

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His Excellency said that he had not had an opportunity to discuss the note before the Council with the Commander-in-Chief. He felt that if the procedure suggested by the C-in-C. were agreed to, it would be essential that the two Dominions should make it clear that they took full responsibility for the association of British officers who would be employed on this work and that these officers were acting under instructions from the Dominion Governments. He would have a draft statement prepared for the approval of both sides covering this point, conveying their earnest and sincere assurances to the minorities that their rights would be protected and that both Governments would adopt a no reprisals policy, and warning all concerned that in the event of trouble the full weight of the proposed machinery would be brought to bear for its suppression.

The Commander-in-Chief said that the disturbed areas in which this machinery would be brought into operation would have to be defined, preferably to correspond with civil districts by the two Governments or the Partition Council. The troops employed would be Indian, but there would be a number of British officers in command. His staff was working out details of the possible areas which might be involved and the number of troops required based on past experience. It was important to employ units of mixed class composition as recent experience had shown

that where a battalion composed entirely of one class of soldiers was used, there were likely to be charges of partiality. So far as the Punjab was concerned it was his intention to use the 4th Indian Division commanded by Major General Rees which was already in the area. He would attach to Major General Rees staff a senior Muslim officer and a senior non-Muslim officer as advisers.

Continuing the Commander-in-Chief emphasised that for the sake of avoiding confusion in the minds of officers and men who were conversant with the existing law governing the use of troops in aid of civil power there would be no change after the 15th August in that law for such period as these forces were employed on this work.

In the course of subsequent discussion, the following points were made:-

- (a) It was not anticipated that there would be very serious trouble in Bengal with the possible exception of city of Calcutta. If, however, the necessity arose, the same principles should apply in that province. His Excellency said that he had asked the Governor of Bengal to give him an appreciation of his ability to maintain law and order in Calcutta and Bengal generally on the date the decision of the Boundary Commission was announced.
- (b) The troops in the disturbed districts of the Punjab should be in position by about the 7th or 8th of August.
- (c) The Joint Defence Council should be constituted in sufficient time to meet in a preliminary way by the

first week of August. In the event of the Defence Member Pakistan not being able to attend meetings summoned urgently to take decisions on operational questions as opposed to policy questions, the Pakistan High Commissioner in Delhi might be nominated as his representative.

- (d) The High Commissioner would be at a dis-advantage for this purpose as he would be without expert advice. In cases of urgency it would be preferable for the two Governors General to discuss the matter over the secraphone, and to agree upon a line of action.
- (e) Generally speaking, 3 days' notice of an intended meeting of the Joint Defence Council should be given.
- (f) The legal authority of the Joint Defence Council to declare martial law in an area should be examined. The whole question of the composition, powers, responsibility etc., of the Joint Defence Council would have to be considered separately.

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DECISIONS

The Council agreed -

(1) that action to deal with disturbances in the neighbourhood of the boundaries between the two Dominions on or after the 15th August should be on the lines indicated in the Commander-in-Chief's note.

(2) that Major General Rees, Commander of the 4th Division should be appointed as joint Commander on behalf of both Dominions to control all troops operating in the defined areas in the Punjab, and that the chain of control from the two

Dominion Governments to Major General Rees should be through the Joint Defence Council and the Supreme Commander. The Council noted that the Commander-in-Chief would nominate a Muslim and a Sikh officer of suitable seniority as advisors on Major General Rees' staff.

(3) that the zones in which the troops would have to operate should be defined by H.E.'s staff in consultation with the Commander-in-Chief and submitted to the Partition Council for approval.

(4) that troops should be in position by the 7th or 8th of August at the latest.

(5) that there should be no change in the law governing the use of troops in aid of the civil power after the 15th August, for such period as these forces were employed on this work.

(6) that details of the organisation and the formal resolution of both Governments in the case of trouble should be incorporated in the statement which H.E. was having prepared for issue over the signature of the members of the Partition Council regarding protection of minorities' rights, assurances of 'no reprisals', and the fact that such British officers as would be engaged in this work were acting under express instructions from and were directly responsible to the two Dominion Governments.

(7) that a paper should be prepared the composition, powers and responsibility of the Joint Defence Council for consideration by the Partition Council.



## Chapter VIII

Nature and Causes of Migration.

In the words of O.H.K. Spate the partition of the Punjab "enforced movements of the people on a scale absolutely unparalled in the history of the world."<sup>(1)</sup> Horace Alexander writes, "there must be many examples in the bloody history of mankind where the extent of violence has been as great or even greater but it is probably true that there has never been such a huge exchange of population."<sup>(2)</sup> According to Stephen P. Landas, the Convention of Neviely 1919, between Bulgaria and Greece and Convention of La-Usanne 1923 between Greece and Turkey both "caused the uprooting of two million people."<sup>(3)</sup> But in the case of the East Punjab and the West Punjab more than eight million people crossed the border.<sup>(4)</sup> Hitherto known as the biggest exchange of population between Turkey and Greece was accomplished in a year or so whereas in the East Punjab and the West Punjab the transfer of eight million human souls did not take more than three months.<sup>(5)</sup> In Bulgaria and Greece the national minorities had the "right of leaving the country of origin and emigrating the other country under the conditions which would guarantee them full value of properties left behind,"<sup>(6)</sup> whereas in the East Punjab and the West Punjab the minorities were made to quit their hearths and homes in the most adverse

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1. O.H.K. Spate, India & Pakistan, page 110.

2. Horace Alexander, New Citizens of India, page 7.

3. Stephen P. Landas, The Exchange of Minorities, page 3.

4. Millions on the Move, page 10.

5. Idem.

6. The Exchange of Minorities, page 3.

circumstances created by communal riots and they had to reach the country of their destination mostly like paupers and destitutes. According to Andrus "The massive exchange of population that attended the partition of the sub-continent and the conditions under which it took place are almost unprecedented in history."<sup>(7)</sup>

Unlike the transfer of populations in the European countries, the mass migration in the East Punjab and the West Punjab did not follow any settled policy because the Congress and the League followed different ideologies with regard to the exchange of population. The Congress was against the principle of exchange of minorities from the very beginning. When Dr. Syed Abdul Latif wrote in 1939 that "one of the objects of transitional Constitution is to facilitate and prepare the ground for the migration of the Muslims and the Hindus into the zones specified for them so as to develop them into culturally homogenous States",<sup>(8)</sup> Shri Jawahar Lal Nehru replied, "your scheme of redistribution of population and areas in India seems to me somewhat fantastic from practical point of view."<sup>(9)</sup> Dr. Rajendra Prasad who was then the President of All-India Congress Committee wrote to Dr. Syed Abdul Latif on 2nd January, 1940 the following questions, evidently to prove the impracticability of the suggestion of transfer of population:-

1. "After exchange of population when it is completed, what do you contemplate to be the area and population of each

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7. J. Russel Andrus and Aziz F. Mohammad, Economy of Pakistan, page 463.

8. Pakistan Issue, page 21.

9. Pandit Jawahar Lal Nehru's letter dated 25th December 1939, Ibid, page 22.

block whether Hindu or Muslim? I am of course assuming that there would be no Muslim in any Hindu area or no Hindu or Sikh in any Muslim area.

2. "Is the emigrant to be paid anything beyond the cost of transport? It is assumed that he will carry with him all his movables and will be provided with land in the block to which he is transferred. Will he be compensated for the immovables which he will leave behind?"

3. "Who will pay the cost, the block to which he is transferred or the block from which he goes or both and if the last in what proportion?"<sup>(10)</sup>

The Congress leaders did not change their views with regard to the exchange of population even after the announcement of 3rd June Plan and subsequent transfer of power to India and Pakistan. Mahatma Gandhi during his visit to Lahore said on the 7th August, 1947, "I am grieved to learn that people are running away from the West Punjab and I am told that Lahore is being evacuated by non-Muslims. I must say that this is what it should not be."<sup>(11)</sup> Even the terrible communal riots in the Punjab leading to mass migration did not shake his faith and it was at his instance that All-India Congress Committee passed the following resolution in November 1947:- "While it is impossible to undo all that has been done, every effort should be made to enable evacuees and refugees from either Dominion ultimately to return to their homes and to their original occupation under the conditions of safety and security."<sup>(12)</sup>

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10. Dr. Rajendra Prasad's letter dated January 2, 1940.  
Ibid, page 17-18.

11. The Tribune, Lahore, dated 8th August, 1947.

12. Pyare Lal, Mahatma Gandhi, Last Phase Vol. II, page 519.

The Muslim League's attitude towards the problem of exchange of minorities was very different. The Muslim League leaders had been advocates of exchange of population because it strengthened their two nation theory viz the Hindus and the Muslims being two separate nations could not live together. Chowdhury Rehmat Ali's first commandment was "Avoid minorityism." He wrote in the "Millat and Mission" in 1942, "Minorityism" means the problem created by those religious, social or political minorities which possess an active consciousness of their own nationality and consequently oppose their inclusion in or assimilation by another nation or State. It is a notorious fact that since the rise of "Nationalism" such minorities have done greater harm to the nations concerned than ever before and that therefore, most of the nations for their own safety are trying to get rid of them by exchange, expulsion or segregation.... And these nations see to it that whatever the situation the minorities live rather as (13) "fifth columnist than as loyal citizens." Again he wrote, "we must not have our minorities in Hindoo lands.... Nor must we keep Hindoo and/or Sikh minorities in our own lands even if they themselves were willing to remain with or without any special safeguards. For they will retard our national reconstruction and in the times of crisis they will betray us and bring about our restruction." (14) Mr. Jinnah had on several occasions expressed his views that exchange of

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13. Chowdhury Rehmat Ali, The Millat and the Mission, page 8-9.

14. Ibid, page 9.

population was essential along with the partition of India. On December 10, 1945 he said, "there will have to be exchange of population if it can be done on purely voluntary basis."<sup>(15)</sup> On November 15, 1946 he more firmly asserted, "the exchange of population will have to be considered seriously as far as possible especially after this Bihar tragedy."<sup>(16)</sup> Ten days after at Karachi he reiterated firmly.... "the authorities both Central and Provincial should take up immediately the question of exchange of population."<sup>(17)</sup> Again only a few months before the transfer of power and establishment of Pakistan, Mr. Jinnah expressed his firm conviction on 30th April, 1947:- "Sooner or later exchange of population will have to take place and the Constituent Assemblies of Pakistan and Hindustan will have to take up this matter."<sup>(18)</sup> Khan Iftikhar Hussain Khan of Mamdot, the President of Punjab Muslim League said that "exchange of population offered a most practical solution of the multifarious problems of the Muslims." He asserted, "we are not going to ask Sardar Patel or Dr. Khare for it but we will get it by our inherent strength. The exchange of population will wipe out the most important argument against Pakistan which has been persistently fired from the Congress armoury."<sup>(19)</sup>

The communal riots of March 1947 un<sup>er</sup>erved the Sikhs and Hindus because the Sikh and Hindu population of several villages had been wiped out. This convinced the Sikhs that it

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15. Speeches and Writings of Jinnah, Vol. II, page 62.

16. Ibid, page 475.

17. Ibid, page 483.

18. The Tribune, Lahore, dated May 1, 1947.

19. Dawan, Delhi, Dec. 3. 1946.



would be impossible for them to live safely in the Muslim majority areas likely to be included in Pakistan.<sup>1</sup> It was on this account that a joint meeting of the Panthic Assembly party, the Working Committee of Shromani Akali Dal and Panthic Pratinidhi Board passed the resolution on 14th June, 1947 at New Delhi to the effect that "the Punjab Boundary Commission should be given express directions to make recommendations for the transfer of the Hindu and the Sikh population and property from the western part of the Punjab to the Eastern part after the partition has been affected on an equitable basis. This conference apprehends that in the absence of provision of transfer of population and property the very purpose of partition would be defeated.<sup>(20)</sup>" Since the Indian National Congress was deadly against the principle of exchange of minorities, Muslim League did not raise this issue. According to Allan Campbell Johnson, "Economically such an exodus seemed to run counter to the interests of the two new Governments and the Congress and Muslim League must not be blamed for being averse to putting it into effect in advance of events."<sup>(21)</sup>

#### The Causes of Mass Migration -

There is a controversy regarding the basic causes which led to the mass migrations on the both sides. Some writers are of the view that the Sikhs and the Hindus organised their mass exodus in order to cripple Pakistan economically as they held important positions in the economic structure of the West

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20. C. & M. dated June 15, 1947.

21. Reflections on the Transfer of Power, Asiatic Review, July 1952, page 167.

Punjab. L.F. Rushbrook William writes, "In Lahore and Lyallpur, they say, there was exodus which looked concerted not only of men of substance in the business and professional life but also of clerks, minor officials in every Department of Government, nurses, orderlies, school masters and medical staff. Even prosperous Sikh farmers are said to have left their land on the assurance that they would be able to return in six weeks when Pakistan collapsed." Sir Francis Mudie, the Governor of the West Punjab in 1947 told the writer that Giani Kartar Singh met him at Lyallpur and requested him to give necessary facilities to the Sikhs for going to India as they had decided to leave Pakistan. But the assumption that the non-Muslims voluntarily left Pakistan does not appear to be correct. Alan Campbell Johnson is perfectly right when he writes that "only the compulsion of the communal mass killings and fear of reprisals could have brought about mass migrations." Giani Kartar Singh argued to the writer that before requesting Sir Francis Mudie he had definite information that Mr. Jinnah had instructed the Governor of the West Punjab to expell all the Sikhs from Pakistan. Subsequently this was confirmed by a letter of Sir Francis intercepted by the East Punjab Police. This letter was addressed to Mr. Jinnah, the Governor General of Pakistan. Sir Francis confirmed to the writer that it was his letter. It was stated there:- "At Chuharkana in the Sheikhupura District I saw between a lakh and a half of Sikhs collected in the town and round it, in the houses, on the roofs and every where. It was exactly like the Magh Mela at Allahabad.

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22. L.F. Rush Brook William, State of Pakistan, page 45.

23. Asiatic Review July 1952, page 167.

It will take 45 trains to move them even at 4,000 people per train or if they are to stay there they will have to be given 50 tons of ata a day. At Gobindgarh in the same district there was a collection of 30,000 or 40,000 Mazhbi Sikhs with arms. They refused even to talk to the Deputy Commissioner, an Anglo-Indian who advanced with a flag of truce. They shot at him and missed. Finally arrangements were made to evacuate the lot. I am telling every one that I do not care how the Sikhs get across the border, the great thing is to get rid of them as soon as possible. There is still little sign of 3 lakh Sikhs in Lyallpur moving but in the end they too will have to (24) go."

Another significant factor leading to forced migration of the non-Muslims from the West Punjab was the "Economic Rehabilitation Ordinance." Contrary to the very spirit of agreement and statements of 3rd September wherein both the Governments of the East Punjab and the West Punjab had agreed "not to recognize illegal seizure of property (25) belonging to the refugees" the West Punjab Government issued this ordinance, by which the Rehabilitation Commissioner, West Punjab was to assume possession and control of the abandoned lands and ~~b~~usiness undertakings and to grant their temporary

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24. G.D. Khosla, Stern Reckoning, page 315.

I wrote to Justice G.D. Khosla enquiring the authenticity of ~~this~~ letter and was informed that the photographic copy of this letter was supplied to him by the East Punjab Government. The text of the letter quoted in 'Stern Reckoning' has got more details than similar letters quoted in other books. Subsequently I learned from S. Sant Parkash Singh, I.G., Police 1947 that this letter was intercepted by the East Punjab Police.

25. C. & M. Sept., 4, 1947.

lease for period of one year. He was also empowered to permit the occupation of any abandoned building by the refugees or other persons. According to the Clause No. 4 of the "Economic Rehabilitation Ordinance" the following powers were given to the Rehabilitation Commissioner:-

- (a) assume possession and control of abandoned lands, business undertakings.
- (b) grant temporary leases of abandoned agricultural holdings in his possession to refugees for a term not exceeding one year.
- (c) arrange for the reopening and carrying on of any abandoned business or undertaking.
- (d) permit the occupation of any abandoned buildings in his possession by refugees or other persons. (26)

Consequently not only the houses and shops of the Hindus and the Sikhs of Lahore who had left their homes in panic were allotted to the Muslim refugees but the forcible occupation by the Muslim refugees of the properties left by the Hindus and the Sikhs was also legalised. Even before the issue of this ordinance the authorities in Lahore were responsible for forcible occupation of shops and houses belonging to the non-  
(27)  
Muslims. The Civil & Military Gazette, Lahore editorially pointed out on the 4th Sept., 1947, about one week before the issue of Economic Rehabilitation Ordinance, "it is a moot point legally if the authorities are empowered to remove locks and occupy premises without first ascertaining if the owners are dead or unwilling to return... it is open to question if the authorities can refuse to allow the owners when they return to re-occupy their houses. The Hindu businessmen who had left

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26. West Punjab Ordinance No. IV of 1947.  
Vide Appendix.

27. C. & M. dated Sept. 10, 1947.



their homes in Lahore in panic on returning to the city found their houses occupied by the Muslims. In one case the Hindu owner of the house was not only refused permission to make an inventory of his furniture that he had left behind but was actually assaulted." (28) The disposal of the Hindu and Sikh properties in this way without knowledge or consent of their owners was "another form of confiscation," (29) which compelled the Hindus and the Sikhs to leave Pakistan for good. The Muslim refugees, in order to avail themselves of the houses and business of the non-Muslims, created panic and disorder to turn out the Hindus and the Sikhs. Sir Geoffrey, Prior Agent to the Governor General in Baluchistan rightly analysed the causes of migrations. He wrote that "the reason appears simply to drive out minority community and enjoy the fruits of business which they have built through many years. The attitude of these persons to my mind is like that of loathsome vulture (28a) who sits by a dying animal waiting to pick up its bones."

Following were some of the general causes which led to the mass migrations in the East Punjab and the West Punjab:-

Role of Refugees -

The refugees from the West Punjab were mostly responsible for the trouble in the East Punjab. (30) The non-Muslim refugees had been migrating ever since the disturbances in the districts of Rawalpindi, Multan and other areas. A camp for non-Muslim refugees ~~and~~ had already been started at Wah, district

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28. Ibid. 28a. Ibid., Sept. 11, 1947

29. The Indian News Chronicle, New Delhi, dated Oct. 11, 1947.

30. After Partition, page 40.



Attock, because "the population in those areas often with connivance and even with encouragement of the Government officials committed atrocities on the non-Muslims." (31) Wherever these refugees went they carried with them tales of woe and sufferings creating tension and panic. The Muslim leaders never expressed any regret nor condemned these attacks on the non-Muslims. There had been many instances where the Muslim ruffians had killed the individual Sikhs. (32) According to Master Tara Singh it was in this atmosphere of frustration that the Sikhs and Hindus resorted to retaliation. (33) Following the disturbances in Amritsar and Hoshiarpur, rioting, arson and murder broke out in other districts. As the refugees progressed eastward, communal troubles also spread causing migration of the Muslims from the East Punjab. What had happened in the West Punjab was re-enacted in the East Punjab in August and September on large scale with more ferocity. (34)

Over large areas in the East Punjab the Sikh mobs attacked almost every Muslim village, killed a large number of Muslims and harried the columns of Muslim refugees. At places like Dasua, District Hoshiarpur, where the Muslims were in a majority, they accommodated a large number of Muslim refugees and armed themselves with fire-arms, swords and spears etc. There were open fights between the hostile mobs. One Jamadar who was on leave in his village in district Jullundur wrote to a Major in the Eastern Command on 23rd August:- "This

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x. 31. Ibid.

32. Farrukh Amritsari, Khoon Ki Holi (Urdu). Transcribed copy S.H.R. 1963, page 38 .

33. Master Tara Singh's letter to Sardar Patel, Deputy Prime Minister of India dated 14.8.47. S.H.R. 1815.

34. Ibid.

country has become a battle field since 16th August. One village attacks the other village and one community another community. No body could sleep for a week. Villages are being destroyed and thousands killed or wounded. Smoke-fires are seen every where all round my village. Every day too many casualties take place in this country." (35)

This was further followed by counter retaliation with attacks on minorities in the West Punjab. "A ~~an~~ reliable British Lieutenant Colonel in the Pakistan Army stated on 13th Sept. 1947 that some 250 armed Pathans from the Frontier have drifted into Lahore and the surrounding villages." (36) The same malady of death and fire was repeated on the Hindus and Sikhs of Lahore and its surrounding areas. The Muslims in the West Punjab saw that by attacking the Sikhs and Hindus who owned property and land, they could acquire their properties. Exactly the same happened in the East Punjab where the Sikhs and the Hindus attacked the Muslims to drive them out in order to acquire their lands.

Transfer of Civil & Public Officers:-

One of the most important factors which paved the way for the law of memesis to work in the East Punjab and the West Punjab was the exchange of Deputy Commissioner, Magistracy and other high officials belonging to minority community in the opting out process provided by the Punjab Partition Committee. Their departure from amidst the minorities to whom they belonged undermined their sense of security in that tense atmosphere of communal rioting. (37) The very presence of a strong officer

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35. Sir Francis Taker, While Memory Serves, page 431.

36. Ibid, page 479.

37. L.A.R., Report of D.L.O., Muzzafargarh.

belonging to minority had sufficient deterring effect on the majority community. The D.L.O., Gujranwala wrote that "it is an admitted fact even by the Muslims that non-Muslim Deputy Commissioner of Gujranwala controlled the situation with a strong hand even though trouble had been brewing for a long time and tension grew from day-to-day. His departure was a signal to the Muslim officers of the district who openly became hostile to the non-Muslims." (38) One of the most conspicuous exceptions was that of a Muslim Deputy Commissioner of Shahpur. According to the D.L.O., Shahpur "it was due to his presence (39) that the district had been much quieter than many districts."

The officers who had been recently transferred as a result of partition were themselves affected by communal rioting. After taking charge of their new posts they incited retaliation, as in the case at Bhakkar, district Mianwali, West Punjab. District Liaison Officer, Mianwali wrote, "on afternoon of 2nd September the Muslim Zamindars went to pay their respects to the newly arrived S.D.O., who had been relieved from Gurdaspur, and some of the leading Hindus of the town were also there. In the presence of all these persons the S.D.O. said that he was simply astonished to find that so far nothing had taken place at Bhakkar while in Gurdaspur district the Sikhs had raped and abducted Muslim girls and murdered and looted innumerable innocent Muslims. On the 3rd September there was a beat of drum and a mob of two or three thousand strong entered the

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38. Ibid. File No. LIX/2 Report of D.L.O., Gujranwala.

39. Ibid. File No. LIX/7, Report of D.L.O., Shahpur.

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bazar and set fire to the shops of the non-Muslims."

'Infection' of Police -

The police officers can hardly escape the responsibility for expulsion of the minorities both in the West Punjab and the East Punjab. In the United Punjab 74.1 per cent of the regular Police Force was Muslim and 78.2 per cent of Additional Police was Muslim. (41) Most of the Muslim constables had opted for the West Punjab. As some of the Muslim constables were reported to have fled away to Pakistan with equipment etc. in the border districts of the East Punjab, the East Punjab Government decided to relieve the Muslim constables at once. (42) Consequently they were relieved at Amritsar on 10th August. This greatly unnerved the Muslims and undermined their sense of security. These affected Policemen along with a bulk of others openly indulged in committing crimes on the non-Muslims in the West Punjab. At places Police officials in the West Punjab did every thing to turn out Hindus and the Sikhs. D.L.O., Gujranwala reported that a Police Officer of Nowshera Virkan (District Gujranwala) "proclaimed with a beat of drum that the Kafirs should accept Islam or be massacred. He collected Muslims at a bridge of the canal and told them that they should kill and loot the non-Muslims." The worst was the conduct of a Police Officer at Kamoke (District Gujranwala) where non-Muslim girls were distributed among Police officers, their friends and relatives after massacre of a refugee train there. (43)

In the East Punjab new Police-men had to be recruited

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40. Ibid. File No. LIX/8 Report of D.L.O., Mianwali.

41. Stern Reckoning, Foot Note, page 278,

42. A.N. Bali, Now it can be Told, page 40.

43. L.A.R., D.L.O., Gujranwala's Report.



because out of about 20672 police force of the united Punjab, East Punjab had been left with only 7185<sup>(44)</sup>. The policemen who had been transferred from West Punjab had seen communal rioting and were themselves affected. In the new recruitment most of the policemen were refugees from the West Punjab. In this way the newly organised police in the East Punjab was infected with communal virus. When trouble started in the East Punjab, instead of controlling it, these policemen abetted the wrong doers. Justice G.D. Khosla writes, "We must also confess that there was a regrettable lack of honesty of purpose on the part of the police and certain other agencies in charge of the maintenance of law and order. This was found especially marked in the railway police in Ambala and number of their men had to be arrested on the charges of looting and murder in other districts also."<sup>(45)</sup> It has been rightly stated by one of the staff officers of the G.O.C. Eastern Command:- "There is no doubt whatsoever that the police of both the East Punjab and the West Punjab joined in the slaughter and looting of minority communities."<sup>(46)</sup>

#### Indifference of Dominion Governments -

The decision in favour of exchange of minorities by the Dominion Governments would have uprooted the entire Muslim population in India and non-Muslim populations in Pakistan. It would have created a gigantic problem for both newly born States. It was on this account that the two Government did not

44. Punjab on the March, March 1957, page 2.

45. Stern Reckoning, page 280.

46. While Memory Serves, page 491.



favour the idea of exchange of population. On the other hand the ever deteriorating situation in the East Punjab and the West Punjab demanded firm action and a clear-cut policy. When the problem of the Hindu and Sikh refugees in Pakistan was discussed in the Partition Council's meeting held on 5th August Mr. Liaqat Ali Khan said, "this item may be taken up at the next meeting of the Council as he had not had sufficient time to study the papers" and at the same time he said "refugees from States should also be considered. There had recently been serious trouble in Alwar State and 200 refugees, men, women and children from that place had arrived in Delhi yesterday. (47) " Similarly Sardar Patel, the Deputy Prime Minister of India asserted in a note, "The Indian Railways in the circumstances consider it most inadvisable to run special trains from India to Karachi unless arrangements are made at the other end to run an equal number of trains for transporting men wishing to come over to India." (48) Both Indian and Pakistan Governments could not take comprehensive view of the ever deteriorating situation in the East Punjab and the West Punjab. The riots, with arson, murders, loot and abduction of women, were spreading like wild fire, setting a chain of retaliation and counter-retaliation, up-rooting the minorities on both sides of the border. The people belonging to minority community were fleeing. Under these emergent conditions of grave nature, the representatives of India and Pakistan made the following decision in their meeting held on the 17th August 1947:- "The Governments of the East Punjab and the West Punjab will give maximum

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47. P.P. Vol. IV, page 392.

48. Ibid, page 478.

assistance towards evacuation of refugees from one province to another and will make necessary arrangements for refugees prior to evacuation. The Central Governments will give whatever assistance may be needed for maintaining services and communication.<sup>(49)</sup>

Vague Decision -

As it is evident from the wording, this decision was vague and was of a negative character. The term 'refugee' was not made clear. Normally <sup>the</sup> term is used for persons taking refuge in another country. Here the term was used for the persons intending migration to the other country. No decision was made regarding the members of minority communities who were encircled by hostile mobs in their own houses and streets. The most unfortunate aspect of this decision was that it was interpreted differently by the representatives of India and Pakistan who had made this decision. The Prime Minister of Pakistan asserted that the purpose of this decision was to evacuate those who wished to migrate and were afraid to remain in their homes and this decision was to be applied only in the case of Muslims of Jullundur Division as he said in a statement, "We had indeed hoped that the evacuation of Muslims from East Punjab would not extend to Ambala Division."<sup>(50)</sup> The Deputy Prime Minister of India was of the view that if the Hindus and Sikhs could not live in peace and honour in the West Punjab and Government of India have no means of ensuring this, primary condition, it is better to allow migration, which is going on to find its natural termination by complete exchange of population between

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49. Concerning Evacuee Property, page 8.

50. Mr. Liaqat Ali Khan's statement, C.& M. Lahore dated Oct. 10, 1947.

(51)  
the two Punjabs."

Mutual Differences -

The leaders of India and Pakistan who had recently taken the reins of Government into their hands in their respective Dominions had had their mutual differences. Their lack of mutual understanding on the common problems had an adverse effect. Sir Francis Mudie, the newly appointed Governor of West Punjab wrote to Governor General of Pakistan in his letter dated 5th September:- " We had from our point of view a successful meeting with Nehru, Patel and Company on Wednesday (3rd September). The main fight was over certain proposals of the East Punjab by which their troops or officials would be allowed to enter West Punjab on various ~~pretext~~ pretexts. Finally I had it conveyed to Nehru that the conference would break down unless they gave way which they did. I hope that we have now seen the end of visits to this province of Nehru and his fellow politicians." (52) It may be pointed out that only on the previous day (2nd Sept.) the Sikhs and the Hindus of Lyallpur had requested Shri Jawahar Lal Nehru to pay them a visit every now and then, to which Pandit Nehru, with the consent of Mr. Liaqat Ali Khan, had agreed. (53) But the very next day this possibility was ruled out. It had very adverse effect on the minorities in the West Punjab.

False Rumours -

How false and baseless rumours by the refugees wrought

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51. Hindustan Times, New Delhi dated Sept ., 6, 1947.

52. Stern Reckoning, page , 315.

53. C. & M., Sept., 3, 1947.

havoc can be estimated from Sheikhupura massacre of non-Muslims which has often been quoted an example for expulsion of non-Muslim minorities from the West Punjab. The Muslim refugees reached Sheikhupura on 21st August<sup>(54)</sup> and with their arrival within a few days the city was agog with the rumour that the Sikhs had launched an attack. The Additional District Magistrate received the telegram that the Sikhs had attacked Joyomwala canal colony and the Muslims living there. This telegram had been sent by Sub Divisional Officer Canals. A curfew order was promulgated on the town from 6 P.M. to 6 A.M. during which houses of the Hindus and Sikhs were set on fire. On the following day Baluch regiment of the Punjab Boundary Force fired indiscriminately on the Hindus and the Sikhs with the result that hundreds of men, women and children were massacred. It was subsequently found that the rumour of the attack by the Sikhs was entirely baseless.<sup>(55)</sup>

The Liaison Officer, District Montgomery wrote " On the auspicious day of Id-ul-Fitter on 18th August at 3 P.M. a rumour was set afloat in the town that a batch of Sikhs had attacked Muslim women who had gone to celebrate Id-ul-Fitter in the Partap Garden. The Muslim National Guard volunteers ran to the spot with naked swords shouting provocative slogans and

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54. C. & M. dated 3rd Sept., 1947.

55. C. & M. dated 27th August, 1947. Soon after Pandit Jawahar Lal Nehru visited Sheikhupura and he held Sheikhupura administration responsible for this tragedy. The Governor of the West Punjab wrote to the Governor General of Pakistan "Pandit Nehru by his hectoring manner did considerable damage to the morale of district administration of Sheikhupura." Stern Reckoning, page 316.



a inciting the Muslim masses to rise and slaughter Sikhs."

"Wherever the trouble was started" he concludes "the attackers had always taken shelter behind the false plea that the Sikhs intended to attack and had taken the initiative. Shouts were raised to collect Muslims and to provoke them to attack the non-Muslims. As a result of these attacks non-Muslims (56) inhabiting the countryside were forced to migrate." D.L.O., Gujrat wrote, "On the 18th August false and wild rumours were set afloat that the Sikhs were going to attack the Muslims whereupon Muslim "Goondas" (ruffians) took law into their own hands and with the help of Muslim gangsters of neighbouring villages made a concerted attack on peaceful and anxious (57) non-Muslim citizens of Gujrat."

Deprived of the officers of their community, minorities in the East and the West Punjab were faced with (58) hostile mobs, communally infected military and police, and police, and infuriated refugees who wanted the possession of their houses, lands and business undertakings. Loot, murder, arson and abduction of women and children done at other places left them with no option except to migrate and leave the places where they and their ancestors had lived for centuries.

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56. L.A.R. D.L.O., Montgomery, File No. LIX/2.

57. Ibid, D.L.O., Gujrat, File No. LIX/11.

58. Vide Chapter " The Punjab Boundary Force."



APPENDIXThe West Punjab Ordinance No. IV of September, 1947.

WHEREAS the Governor of West Punjab is satisfied that circumstances exist which render it necessary for him to take immediate action to restore and maintain the economic life of the Province and to ensure the orderly settlement of persons who have taken refuge in the Province on account of the late disturbances in the adjoining territory of East Punjab;

NOW, THEREFORE, in exercise of the powers conferred by section 88 of the Government of India Act, 1935, the Governor of West Punjab is pleased to make and promulgate the following Ordinance, namely:-

1. (1) This Ordinance, may be called the West Punjab Economic Rehabilitation Ordinance, 1947.  
(2) It shall extend to the whole of West Punjab.  
(3) It shall come into force at once.
2. (1) The Provincial Government may, by notification in the official Gazette, appoint a Rehabilitation Commissioner for the Province, and Assistant Rehabilitation Commissioners for such local areas as may be specified in the notification.  
(2) The Director of Industries, West Punjab, shall be Deputy Rehabilitation Commissioner for the Province, and may exercise all the powers of the Rehabilitation Commissioner in respect of industrial undertakings dealt with under this Ordinance; provided that in the discharge of his functions under this Ordinance, the Director of Industries shall be subject to the control of

the Rehabilitation Commissioner, and shall comply with all instructions, whether special or general, issued by the Rehabilitation Commissioner.

3. Subject to the provisions of this Ordinance, the powers and duties of the Rehabilitation Commissioner shall extend to the following matters, namely:-
- (a) to repair the dislocation in the economic life of the Province caused by the abandonment of property and the closing down of business and undertakings, on account of the owners, or, as the case may be, the tenants, employees or workmen having left the Province in consequence of the late disturbances: and
  - (b) to secure the orderly absorption into the economic structure of the Province of persons who have sought refuge in the Province on account of the late disturbances in the adjoining territories.
4. (1) The Rehabilitation Commissioner may make such general or special orders, not inconsistent with this Ordinance or any other law for the time being in force, as may be necessary for the discharge of his functions; provided that no order of a general nature shall be made without the previous approval of the Provincial Government.
- (2) In particular, and without prejudice to the generality of the powers conferred by the preceding subsection, the Rehabilitation Commissioner may -
- (a) assume possession and control of abandoned lands, business and undertakings;
  - (b) grant temporary leases of abandoned agricultural holdings in his possession to refugees, for a term not exceeding one year;
  - (c) arrange for the re-opening and carrying on of any abandoned business or undertaking;

- (d) permit the occupation of any abandoned building in his possession by refugees or other persons;
- (e) require the owner or manager of any business or undertaking to give employment to refugees;
- (f) require the letting of storage and residential accommodation to refugees, or to any other persons;
- (g) requisition any moveable property; and
- (h) summon, by notice, any person who in his belief, possesses any relevant information of document concerning any evacuee property, business or undertaking to make and sign a statement or to produce such document and permit copies to be taken of any part thereof.

5. Whenever possession or control is assumed by any authority empowered by or under this Ordinance of any abandoned land, building, business or undertaking, such authority shall send a copy of its proceedings, containing all available particulars of the location and the ownership of the property, business or undertaking, to the Custodian of Evacuee Property for record in his office.

6. The Rehabilitation Commissioner shall not grant a lease of any immovable property if in respect thereof there is an existing lease and the lessee is ready, able and willing to carry out the conditions thereof, and any such lease granted by the Rehabilitation Commissioner shall take effect according to its tenor, notwithstanding anything contained in any instrument of lease, grant or other demise whatsoever, which may be in existence in relation to the same land.

7. Whenever any property is requisitioned under the provisions of this Ordinance, the owner thereof shall be paid such compensation as the Rehabilitation Commissioner may determine.

8. If in the opinion of the Rehabilitation Commissioner it is necessary for the discharge of his functions that he should assume possession or control of any abandoned property, business or undertaking which is in the possession or under the control of a Custodian of Evacuee Property, or any other person authorised by any law for the time being in force, the Rehabilitation Commissioner may by order in writing ~~may~~ require such Custodian or other person to deliver possession or control of such abandoned property, business or undertaking to him, and such Custodian or other person shall forthwith comply with such order.
9. No suit, prosecution, or other legal proceeding shall lie against the Provincial Government, the Rehabilitation Commissioner, or any person acting under his direction, for anything which is in good faith done or intended to be done in pursuance of this Ordinance.
10. The Provincial Government may, by notification in the official Gazette, make rules Providing for -
- (a) the delegation of powers by the Rehabilitation Commissioner to the Deputy Rehabilitation Commissioner, or an Assistant Rehabilitation Commissioner.
  - (b) the respective powers of the Deputy Rehabilitation Commissioner and the Assistant Rehabilitation Commissioners;
  - (c) the manner in which general orders made by the Rehabilitation Commissioner shall be published;
  - (d) the procedure to be adopted by authorities empowered by under this Ordinance; and
  - (e) generally for carrying out the purposes of this Ordinance.
11. In this Ordinance, unless the context otherwise

requires -

- (a) the expression "abandoned", in any reference to a business or undertaking, means such a business or undertaking as has ceased wholly or partially to operate owing to the flight of its owner, or any of the employees (including workmen) from the Province in consequence of the late disturbances, and in any reference to any land or building, means any such property as has been left unoccupied owing to the flight of the owner, tenant or occupier, for the aforesaid reasons;
- (b) the expression "evacuee" means any person who, being a resident of the Province, has gone away to some place outside the Province since the 1st January 1947, on account of the late disturbance, or who cannot, by the exercise of due diligence, be traced at his usual place of residence or business in the Province.
- (c) the expression "refugee" means a person who has taken refuge in the Province on account of the late disturbance in the territory of East Punjab;
- (d) the expression "Custodian of Evacuee Property" means the Custodian of Evacuee Property appointed under the West Punjab Evacuee Property (Preservation) Ordinance, 1947, but does not include a Deputy Custodian or an Assistant Custodian of Evacuee Property appointed under that Ordinance;
- (e) the expressions "business" and "undertaking" do not include any business in the nature of banking;
- (f) the expression "the Province" means the Province of West Punjab.

R.F. MUDIE  
Governor of West Punjab

M.R. KAYANI  
Secretary to Government, West Punjab  
Legislative Department.

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Chapter IXMigration.

The partition of the Punjab did not solve the minority problem. More than four million Muslims were left in the East Punjab, and about four million Hindus and the Sikhs in the West Punjab. On account of continuous communal riots since March 1947 the Sikhs and the Hindus had been migrating to the districts subsequently included in the East Punjab and Muslims had been migrating after the August riots to the Muslim majority districts included in the West Punjab. The stream of the displaced Hindus, Sikhs and Muslims was converted into a big torrent just after the transfer of power and announcement of the Punjab Boundary Award because the minorities of the Central districts of the British Punjab lost every hope of being included in the

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1. Muslim in Ambala Division according to Census of 1941	...	...	1318136
- do - Jullundur Division	...	...	1877742
- do - Gurdaspur (minus Tehsil Shakargarh).	..	..	440323
- do - Amritsar District	...	...	657695
			<u>4293896</u>
2. According to Census of 1941, Hindu, Sikh, Adharmis, Scheduled Caste and Jainis etc. in			
Rawalpindi Division.	...	...	661762
Multan Division	...	...	1472394
Lahore Division (minus Amritsar District Tehsil of Batala, Gurdaspur and Pathankot of Gurdaspur District)	...	...	1567240
		Total	<u>3701396</u>

It is generally believed that in 1947 about six million Hindus and Sikhs migrated to India from West Pakistan including the West Punjab, North West Frontier Province, Sind and Bahawalpur State etc. and about six million Muslims migrated from India including the East Punjab, the East Punjab States, Delhi etc. to West Pakistan.

newly created province of their choice. Both the East Punjab and the West Punjab Governments therefore decided "to give maximum assistance for the evacuation of refugees from one province to the other."<sup>(3)</sup> Since large scale exodus of minorities was not expected no specific machinery was set up to implement this decision. On the 25th August the newly appointed Governor of the East Punjab wrote to the Commander of the Punjab Boundary Force to effect the evacuation of the refugees. He wrote, "My Ministry and general public in East Punjab are greatly concerned over reports of large number of non-Muslims stranded in places like Chichawatni, Montgomery, Okara, Arifwala and Pakpattan (in Montgomery district), Pattoki, Chunia, Raiwind (in Lahore district), Sialkot, Narowal and Pasrur in Sialkot district and Sheikhupura and Gujranwala. I shall be grateful if effective military protection could be ensured for these refugees."<sup>(4)</sup> I realise, however, that this may not be possible and many refugees would like to evacuate. In that case I would earnestly request you to arrange for evacuation by the road, of the refugees from Montgomery and Lahore districts to Ferozepur and from Sialkot district to Amritsar to Derababa Nanak and from Sheikhupura and Gujranwala to Amritsar. If it is not possible for you to evacuate refugees from Sialkot to Amritsar or to Dera Baba Nanak by road, we would endeavour to arrange for a special train."<sup>(5)</sup>

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3. Vide Chapter "Nature and Causes of Migration."

4. In Europe the term "refugee" is commonly used for aliens seeking refuge whilst a "displaced person" means one who has been driven out owing to the changes of frontier.

5. L.A.R. File No. LXVI/9/92.

This communication itself is a specimen of indecision prevalent in the administration in those days. To entrust the task of evacuation to the Punjab Boundary Force which was already facing a grave situation to perform its own specified task of maintaining the law and order and to suggest that a special train would solve the problem were indications which constitute a definite proof that the East Punjab Government never expected the transfer of the minorities from the West Punjab.

Establishment of Military Evacuee organisation -

On account of the communal riots spreading in chain reaction there were a large number of the Non-Muslim and the Muslim displaced persons to be evacuated in the West Punjab and the East Punjab respectively. To begin with a hundred trucks were placed at the disposal of the Deputy High Commissioner of India, in Lahore<sup>(6)</sup>. The East Punjab Government supplemented this arrangement with the appointment of a Liaison Officer at Lahore and a Transport Controller at Amritsar who was provided with one hundred trucks. The latter was to plan out convoys in consultation with the former. But soon it was found that this arrangement was inadequate because there was no machinery to prevent attacks of hostile mobs on the convoys in the West Punjab. Even otherwise, as subsequent events proved<sup>that</sup> a hundred trucks could not cope with this huge problem of evacuation. It was, therefore, decided to entrust this work of evacuation of refugees to the military. The East Punjab Area Headquarter at Lahore was converted into the Advance Military Evacuee Organisa-

tion and a separate command known as Military Evacuee Organisation<sup>(7)</sup> was established at Amritsar on the 4th September 1947. A similar organisation was established by Pakistan Government to evacuate Muslim refugees from the East Punjab.<sup>(8)</sup>

Evacuation by Motor Transport -

In order to facilitate the speedy clearance of refugees on both sides, the East Punjab Government and the West Punjab Government entered into an agreement by which no train or motor vehicle was to cross the border without refugees. It implied that no Indian motor vehicle or train could enter Pakistan without Muslim refugees, nor could any Pakistan motor vehicle or train enter Indian territory without the Hindu and Sikh refugees. In theory it was an ideal arrangement but in practice it proved a great source of hindrance. The Indian motor convoy commandant complained that "the convoys from the East Punjab with Muslim refugees first go to the Walton Training School. There they are made to wait for a considerable time and are asked to carry other Muslim refugees to the districts where they might be going. In this way about six hours were spent at Walton Training School. Again at the Bridge of river Ravi they were not allowed to cross unless every truck was full to the

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7. According to the author of Economic Consequences of Divided India (page 79) Military Evacuee Organisation was established in addition to the Punjab Boundary Force which does not appear to be correct. The Punjab Boundary Force was abolished from 1st Sept. 1947 and M.E.O. started working on the 4th Sept. 1947
  8. The author of Chronology of Pakistan states that Pakistan Government established Military Evacuee Organisation on 28th August 1947.



brim and if any vehicle was found to carry smaller number of refugees than expected the passengers of those vehicles were transhipped to the other vehicles and empty vehicles sent back. This procedure was repeated at many places on the way." (9)

The Military Evacuee Organisation on the Indian side also adopted similar measures and it was decided "that Civil authorities should establish two Police Posts on the G.T. Road at a distance of about five or seven miles towards east of Amritsar and other at a similar distance to the west of Amritsar. These Police Posts should not allow any vehicle of Pakistan Government to proceed unless it was full to the brim with non-Muslim refugees or it had a certificate from the Chief Liaison Officer that vehicle could go empty." (10) In this way the decision which had been made to facilitate the speedy evacuation of refugees resulted in creating hindrances and counter hindrances.

Some times the drivers of the other community conspired against their passengers as the D.L.O., Sialkot wrote:- "On 25th August a convoy of 25 trucks the drivers of which were all Muslims was sent from the refugee camp, Sialkot Cantt. to Amritsar. When the convoy reached the bridge of the Ravi near Shahdara it halted on the plea that the drivers wanted to take tea and they went into the town wherefrom a mob of Muslims attacked the convoy." (11)

#### Evacuation by Train -

The agreement that no train should be allowed to go

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9. P.B.R. File No. C.F.-386.  
Meeting of M.E.O. held on 23rd Sept. 1947.

10. Ibid.

11. L.A.R. File No. LVII/2/8-B.



empty for taking refugees did not work well in the case of refugee trains where the crew of the train and the passengers belonged to different communities. The Muslims and non-Muslim crew some times frightened or some times in spirit of retaliation used to stop the trains on the appearance of mobs belonging to their community and thus brought death and destruction for the refugees travelling by their trains. This arrangement brought havoc to the refugees as the Deputy High Commissioner of India in Lahore wrote:- "Some 3000 to 4000 Muslims had collected there and surrounded a non-Muslim train which had arrived from Pind Dadan Khan. This wretched train was attacked soon after it left Pind Dadan Khan on the 19th, then again at Mughalpura this morning where there were 80 casualties of which 3 were killed and more than 12 seriously injured." The train could not proceed to Amritsar as the Muslim engine driver had run away. (12) Similarly the Commanding Officer of the 2/1 Gurkhas wrote :- "The Battalion arrived at Ambala Cantonment Station at 12.30 P.M. the 1st September 1947. The Adjutant reported to the C.O. that a train containing dead bodies was lying on the next line to ours. Holes caused by Bren-gun bursts were visible on all coaches. The driver of the engine evidently intended to let massacre continue by driving his train into the open country and only disconnected his engine at the pistol point." (13)

Another serious defect in the planning of evacuation by the railway trains was that the West Punjab Railway Committee which arranged special trains for refugees did not include any

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12. L.A.R. Telegram No. 21 dated Sept. 21, 1947 from Deputy High Commissioner for India, Lahore.

13. While Memory Serves, pages 436-37.

representative of the East Punjab. This resulted in great confusion. It was pointed out to the East Punjab Government that trains had been sent to Karnal which was already flooded with refugees when the trains could have been easily received at Ludhiana where accommodation had been kept spare for the purpose." (14) This lack of co-operation also resulted in untold miseries for the refugees who were denied even ordinary facilities like drinking water. Many deaths occurred on account of starvation or shortage of water. (15) Andrew Miller has rightly stated, "In a spate of religious fury trains were held up and their passengers killed, houses burned down over their owners' heads, women raped and abducted, forcible conversions made from one religion to another and every kind of physical atrocity practised." (16)

'Infection' of Railway Officials -

Like Police, Military and other Government personnel, the railway staff in both the Punjabs was infected with the spirit of retaliation. They could not act impartially in discharge of their duties and did their best to the detrimental interests of refugees belonging to the other communities. Almost all major train accidents were the result of their vindictive policy. The Court Martial Enquiry undertaken by one Indian Military Officer and one Pakistan Military Officer and presided over by a British Officer regarding Jassar (District Sialkot)

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14. L.A.R. File No. LVII/22/8-B.

15. P.B.R. A note of Refugee situation in East Punjab File No. CF (101)(a) E-49.

16. India Since Partition, page 44.

train accident established the fact how inefficiency of railway staff in the West Punjab led to so many deaths and abduction of (17) women. According to enquiries of the Court Martial the Indian M.E.O. represented to Pakistan M.E.O. that the train was to go via Wazirabad - Lahore on the evening of 22nd October. Orders were issued to this effect. But these orders failed to reach (18) Sialkot. Consequently there was a huge massacre of non-Muslims at Jassar where the railway track was broken on account of floods.

Some times routes of non-Muslim refugee trains were changed to their detrimental effect. The station staff acted under the spirit of vendetta. The train which started from Bannu was scheduled to reach Amritsar via Mari Indus, Lyallpur and Lahore. From Khushah, contrary to its previous scheduled route, it was diverted to Gujrat where Pathans attacked it on Jan. 12, 1948. The engine driver fled away. There was regular fight between the Hindu escort and the Pathans who had surrounded the platform. The Sikhs in the refugee train were particularly (19) singled out and killed. A large number of women were abducted. Similarly a non-Muslim refugee train which had started from Wah (District Attock) was detained for two days, 24th and 25th September 1947 at Wazirabad (Distt. Gujranwala) where the train (20) was thrice attacked inflicting a heavy number of casualties.

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17. L.A.R. File No. LVII/13/2-E . The Report of D.L.O. Sialkot stated that 1300 persons have been killed and almost two hundred women abducted. According to Court Martial enquiry the number of killed or injured and missing is 53 and 479 respectively. But at the same time it concluded that "no accurate figure can be produced as by the majority of attackers casualties were taken away and buried or treated by their relatives.
18. L.A.R. The Chief Secretary West Punjab (Pakistan Govt's communication No. 692-HR-47/2486 dated 19th Jan. 1948.
19. Ibid D.O. No. 7678/CLO dated 14.1.48 File No. LVIII/5/94
20. Ibid. File No. LVII/13/2-E (Part II)

The attack on the non-Muslim refugee train at Kamoke (Distt. Gujranwala) on the 23rd September 1947 was, according to Brigadier Stevens (M.E.O. Pakistan), the result of unauthorised (21) move of the train to that station. This attack resulted in a heavy number of casualties and abduction of a very large number of non-Muslim women. The same spirit was at work among the railway employees in the East Punjab. A Muslim refugee train which left Ambala on the 25th Nov. 1947 was diverted to the dead line instead of main line at Shambu railway station. (22) Consequently the train was derailed resulting in heavy casualties.

The railway trains carried the largest number of refugees. It is estimated that more than two million people crossed border by trains within two months or (23) so. About five or six trains crossed the border every day and every train was full to the capacity, their roof, foot boards, buffer spaces and even undersides of the carriages were fully utilized. The evacuation operation by trains would have proved more useful, had there been co-operation between the East Punjab and the West Punjab Railways and had the railway staff on both sides not been infected with the communal venom.

#### Foot Convoys -

Of all the modes of evacuation, the organisation of the refugee foot convoys proved to be the most effective for the peasants of the Punjab who were tough and hardy by nature. A

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21. Ibid.

22. P.B.R. File No. CF. 711-ER-48.

23. Millions on Move, page 5. About 673 refugee trains were run from August 27th to November 6, 47.



foot convoy enabled ten thousand of refugees to be collectively moved out in either direction along with their bullocks, carts, household goods and cattle. A strong foot convoy could defend itself with the help of military against any hostile mob. It is estimated that about one million human souls crossed into Indian territory on foot, within a month up till 3rd week of Sept. 1947. Even after that the biggest refugee caravan consisting of three lakhs of human souls marched to India from the districts of Lyallpur and Montgomery.

Establishment of Liaison Agency -

On account of suddenness of the forced migration of the members of the minority communities, there were left different categories of people to be evacuated. A large number of persons had been forcibly converted. Owing to continuous disturbed conditions and communal riots a very large number of women and children had been abducted on both sides of the border. The refugees in the East Punjab and the West Punjab who had recently migrated wanted to recover their relations, movable properties, bank lockers, etc. It was, therefore, felt necessary that there must be some organisation which should be entrusted with such work. The East Punjab Government and the West Punjab Government, therefore, established Liaison Agencies for their respective provinces. Under one Chief Liaison Officer in each State, there were appointed District Liaison Officers and each District Liaison Officer was to work in one district placed under him. The East Punjab Liaison Agency had its headquarters at Lahore and it worked for more than a year.

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24. Millions Live Again, page 3-4

25. L.A.R. East Punjab Liaison Agency was finally withdrawn on 30th Nov. 48.



Forcible Conversions -

The most urgent and immediate task before the East Punjab Liaison Agency was to evacuate the persons who had been forcibly converted in the West Punjab. The D.L.O., Montgomery wrote that "it was discovered later on that more than two lakhs of people had become converts in order to save their skins, their property and their girls from abduction." (26) According to D.L.O., Gujranwala "the non-Muslims had embraced Islam as a matter of expediency in the hope that some day the Hindus would come back to Pakistan and old order would be re-established." (27) The D.L.O., Multan wrote, "thousands of non-Muslims became converts to Islam in order to save their lives and honour of their females. The assessed estimate of converts was 5000." (28) In the district of Mianwali about 6000 persons were forcibly converted. (29) About forcible conversion D.L.O. Dera Ghazi Khan wrote "All the converted men had very sad tales to tell. Even the old men of forty had to undergo the pain of conversion ceremony resulting in profuse bleeding" by circumcision. (30)

Recovery of Abducted women -

The Governments of India and Pakistan in their meeting held on the 6th December 1947 took following decisions regarding recovery of abducted women and children:-

1. Conversion by persons abducted after 1st March 1947 was not to be recognised and all such persons were

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26. L.A.R. File No. LIX/2 Report of D.L.O. Montgomery.
  27. Ibid. File No. LIX/3 Report of D.L.O. Gujranwala.
  28. Ibid. File No. LIX/4 Report of D.L.O. Multan.
  29. Ibid. File No. LIX/8 Report of D.L.O. Mianwali.
  30. Ibid. File No. LIX/9 Report of D.L.O. D.G. Khan.

to be restored to their respective Dominions even against the wishes of the persons concerned.

2. The primary responsibility for the recovery of abducted persons was to rest with local police.
3. Social workers were to be associated actively with the scheme. The D.L.Os were to supply information (31) regarding abducted persons to be recovered.

The decisions to alleviate the sufferings of womenfolk who had suffered most during the partition of the Punjab were, however, partially acted upon. A very large volume of the correspondence between the high officials of the East Punjab and the West Punjab indicates that the police officers in both of the Punjabs acted partially in favour of their own community while recovering the abducted women. Deputy High Commissioner for Pakistan wrote to Chief Secretary, East Punjab:- " One .... has written to say that his daughter ..... aged 13 years has been kept by one..... son of ..... Jat of village Broma district Amritsar. In reply to his request for recovery of the girl he was informed by the Indian military authorities (copy attached) (32) that his daughter did not wish to leave her husband." " The D.L.O., Campbellpur reported that the Deputy Commissioners of Campbellpur and Rawalpindi districts were not handing over the recovered abducted women and girls because they had been handed (33) over to the Azad Kashmir Government." In some cases the Police

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31. P.B.R. File No. C.F. 119-ER-49

32. PBR . Letter No. D.H.C. 115/47 dated 11.3.48  
File No. C.F. 321-ER-48

33. L.A.R. D.O. No. 8312/CLA dated 23.1.48  
File No. LXVIII/5.

officers in various districts had openly declared that it was their duty to see that proper regard was paid to the public opinion. In spite of inter-Dominion decisions, the statements of <sup>the</sup> recovered women and girls were recorded by Magistrates and in many cases the recovered women were returned to their abductors by the district authorities. (34)

Hurdles in the way of Recovery -

On account of fear of disturbance the local authorities purposely avoided to take any action against the Pathans who had abducted the girls. Five non-Muslim girls were recovered by the Sub Inspector, Phulerwan, District Shahpur. The girls were brought from Phulerwan to Sargodha and handed over to the District Liaison Officer. During the night a large number of Pathans surrounded the house of the Inspector and on the following day they surrounded the offices of Superintendent of Police and created lot of commotion in the city. The Deputy Commissioner and Superintendent Police prevailed upon the District Liaison Officer to hand over the girls to Deputy Superintendent Police. The Commissioner, Rawalpindi Division and Deputy Inspector General Police reached Sargodha and with great difficulties these five girls were removed to India at dead of night. (35)

The police officers who were appointed to protect the women, themselves committed the worst crimes. Two Assistant Sub Inspectors of Police went to recover a non-Muslim woman from a village in the West Punjab and the unfortunate woman was raped

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34. Ibid.

35. L.A.R. Proceedings of meeting of officers, File No. L-VIII/14/171(PT-II).

and ravished by those very police officers during the nights  
 (36) on the way. In the meeting of the officers of the East Punjab  
 Liaison Agency it was brought to the notice that one Sub Inspector  
 of Police at Kamoke (District Gujranwala) had collected all the  
 non-Muslim girls at the time of Kamoke train attack and distri-  
 buted them to his accomplices. That Sub Inspector's brother who  
 was in Pakistan Army was also in possession of <sup>the</sup> abducted girls.  
 When the latter was contacted by D.L.O. he said that he had sent  
 (37) about 22 non-Muslim abducted girls to his brother.

Some of the officials in Pakistan kept the non-Muslim  
 abducted girls with them in spite of the appeal of the East Punjab  
 and the West Punjab Governments to the public to surrender these  
 girls as is clear from the following letter of D.L.O. of Montgomery  
 "Shrimati..... was recovered from the custody of..... Naib  
 Tehsildar, Dipalpur. The Naib Tehsildar had been keeping the  
 girl for the last eight months. Hand bills signed by Deputy  
 Commissioner regarding the recovery of abducted girls were  
 distributed among the masses through Tehsildar, meetings were  
 arranged in the Tehsil for making appeal to the people to return  
 (38) the abducted girls."

Legislation for the Recovery of the Abducted Persons -

The East Punjab Liaison Agency was closed on 30th

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36. P.B.R. File No. C.F. 463-ER-49.  
 37. L.A.R. File No. L-VIII/14/171(Pt.II). Similar statement  
 regarding this Sub Inspector at Kamoke has also been given  
 in the P.B.R.  
 38. L.A.R. Letter No. LN 229/249 dated 4.6.48 from D.L.O.,  
 Montgomery to C.L.O.



November 1948 along with the Women Recovery Organisation which was associated with it. The work of the recovery of abducted women was brought under the Ministry of External Affairs in India and Pakistan. So far there had been no special legislation for the recovery of abducted women who were being recovered on reciprocal basis. Indian Government, however, established an elaborate machinery for the recovery of the abducted persons. An ordinance namely "Abducted Persons Recovery and Restoration" was promulgated on January 31, 1949 and it was subsequently replaced by Abducted Persons Recovery and Restoration Act 1949. One of the principal features of this Act was that it adopted a more comprehensive definition of the term "abducted" as compared to the already provided in the Indian Penal Code. (39) Another important aspect of this legislation was the provision for setting up of an Indo-Pakistan Tribunal to decide the disputed cases of the abducted women. The camps for the stay of the recovered persons were to be established. This Act applied only to the "affected areas" viz. U.P., East Punjab, Delhi, Patiala and East Punjab States Union and United States of Rajasthan. A special provision was made to enable the recovery of the abducted women from the other States in India. The co-ordinative officers and staff were appointed to assist the police in recovery of the abducted persons. Social workers

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39. According to Clause No.2 of The Abducted Persons (Recovery & Restoration) Act 1949 "abducted person" means a male child under the age of sixteen years or a female of whatever age who is, or immediately before the 1st day of March 1947, was a Muslim and who on or after that day and before 1st Jan. 49 has become separated from his or her family and is bound to be living with or under the control of any other individual of family and in the latter case includes a child born to any such female after the said date."



(40)  
 were also associated with this work. There was, however, no corresponding legislation regarding the abducted persons in Pakistan.

The abductors in Pakistan adopted several ~~new~~ methods to avoid the Indian recovery officer. They with their abducted women shifted from the West Punjab to those districts adjoining the Jammu & Kashmir territory, which were banned to the Indian officials on account of hostilities in Kashmir. (41)

According to the provisions of Abducted Persons (Recovery & Restoration) Act no option was to be given to any recovered person who had to be sent to the other country. With passage of time it was found that recovered persons were loth to be sent across the border. The forcible restoration of such recovered persons resulted in great hardship to them as also to their children who were deprived of affection and care at least of one parent. It was, therefore, decided in the Indo-Pakistan Conference held in May 1954 that suitable means should be devised with a view to ensure that no abducted person was forced to go to other country against her will. By this decision special homes were instituted in both the countries where unwilling persons could be lodged and given full facilities to meet their relatives and to make up their mind without fear or pressure. It was only after sufficiently prolonged stay in such homes that the final wishes of the recovered persons were ascertained by the Indo-Pakistan Tribunal. In that case if the recovered women refused to go to the other country she was not forced to do so. (42)

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40. Abducted Persons (Recovery and Restoration) Act.  
 Act No. LXV of 1949.

41. Diary of Akali Chakkar Kaur Singh (Punjabi), edited by the writer and published by the Khalsa Samachar Amritsar, page 12.

42. Recovery & Restoration of Abducted Persons in India, page 3.

Discontinuance of the Recovery Work -

The Abducted Persons (Recovery & Restoration) Act continued to be renewed every year up till 1957. It was not renewed after 30th November 1957, on account of following reasons:- The abducted women began to show increasing reluctance to go to the other country after leaving their children. By the Indo-Pakistan Government decision of 1954 they could not be forced to go to other country against their wishes. Secondly, the most serious consideration which prevented the Government of India to renew the Abducted Persons (Recovery & Restoration) Act of 1949 was the problem of the post-abduction children. During the period from January 1, 1954 to September 30, 1957 no less than 860 children were left behind by the Muslim women restored to Pakistan while 410 children were taken by them. These children created problems for the State which had to take care of them.

Estimate of the Recovery Work -

In recovering abducted women the Government of India achieved greater success on their side than the Pakistan Government. The statements exchanged between the two Governments indicated that 25,856 persons and 9366 persons had been recovered in India and Pakistan respectively. It is very significant to note that in both countries a large majority of persons recovered were not those included in the lists of missing persons furnished by the respective Governments. No less than 4415 abducted persons out of 30,335 that is, about 14.5 per cent of the total number

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43. Ibid, page 6-7.

44. Ibid, page 5.

45. Idem.

of abducted persons were declared as "the non abduction cases" by the Pakistan Government. Evidently enough, those cases whose particulars were supplied to the Pakistan Government on the basis of information collected from the relatives of the persons could not possibly be staying with their relatives or in their own homes. About <sup>(46)</sup>4191 abducted persons that is to say 13.8 per cent of the list furnished by the Indian Government, were reported to have died in Pakistan. This figure too does not appear to be correct as the corresponding number of the abducted women who <sup>(47)</sup>died in India was surprising low viz. 3.3 per cent.

The most peculiar phenomenon with regard to the recovery work of the non-Muslim women was that the non-Muslim abducted girls very often refused to be evacuated. They were too afraid of the rigidity of the caste system and were over-conscious of having lost their chastity. In the Hindu society woman has been depicted as idol of chastity, purity and loyalty to her husband. These very notions prevented them from facing their relatives. Though they were completely helpless under the circumstances some of them really believed that their husbands and other relations had failed to protect them and hence they had lost all rights over them. The delay in their recovery was also one of the major factors because it gave their abductors the time and opportunity to din into their ears so many false and baseless rumours like "there is no food in the East Punjab" "near and dear ones had all been murdered", etc. etc. In certain

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46. Idem.

47. Idem.

cases arguments of the abducted girls were very correct and genuine. An abducted girl said to the District Liaison Officer "How can I believe that your military strength of two sepoy could safely take me across to India when a hundred sepoy had failed to protect us and our people who were massacred."

Another said, "I have lost my husband and have now gone in for another. You want me to go to India where I have got no body and, of course, you do not expect me to change husbands every day." A third said, "But why are you particular to take me to India, What is left in me now - religion or chastity?"

APPENDIXExtracts from the Findings of Court Martial  
Regarding Jassar Train Incident.

The Court having considered the evidence before them give their opinion as stated below:-

1. Routing of the Train -

(a) Originally orders were given by Brig . Stevens i/c Refugees transportation for the train to be routed from Sialkot to Jassar. Orders were issued accordingly by D.Q. (Rail) M.E.O. Pak to the Railway Control Office, Lahore on 22nd October who passed them on at 15.10 hrs to the Station Master, Sialkot, who in turn passed the information to H.Q. Sialkot Sub Area.

The Court is satisfied that these were the only orders received in Sialkot either by the Station Master or by the Military, and were duly acted upon.

(b) The Indian M.E.O. represented to Pak M.E.O. that the the train should go via Wazirabad - Lahore on the evening of 22nd October, orders were issued by D.Q. (Rail) M.E.O. Pak to Railway Control to halt the train at Sialkot while the matter was referred to Brig. Stevens. The latter issued orders for re-routing of the train via Lahore at about 10.00 hours. On 23rd October both these orders failed to reach Sialkot as

(i) D.Q. (Rail) M.E.O. Pak gave the orders to Railway Control Lahore. (It is to be noted that D.Q.(Rail) had only just taken over the appointment and did not realise that Sialkot



was not controlled by Lahore Division).

(ii) Railway Control Lahore was unable to get through to Sialkot to pass the message owing to trouble with their ordinary telephone.

The Court consider that the D.Q. (Rail) M.E.O. Pak should have informed Sialkot Sub Area direct and the Railway Control Lahore should have informed D.Q. (Rail) M.E.O. Pak when they were unable to pass his messages to Sialkot.

The Court further consider that D.Q. (Rail) cannot be held negligently to blame as he was new to his job and had acted in good faith.

The court also consider that in view of

- (a) the orders received by the Station Master, Sialkot.
  - (b) the fact that many previous evacuee trains had passed through Jassar without undue molestation.
  - (c) that fact that the India dominion was sending Muslim refugees by that route.
- that Sialkot Sub Area were not at fault in not querying the routing of the train.

The movement of the train -

Information regarding the arrival of this particular rake was first received in Sialkot by the Station Master at 15.10 hrs. on 22nd October. The rake actually came in at about 22.00 hrs. Loading commenced at about 06.15 hrs on 23rd. The train left Sialkot at 0.00 hrs and reached at about 11.30 hrs.

The court considers that

- (a) the decision not to load train during the night 22/23 Oct was sound.
- (b) The despatch of the train early next morning was perfectly reasonable.
- (c) No undue delay occurred in moving the train to Jassar except that its speed between Narowal to Jassar may have been less than normal.
- (d) adequate escort was provided of mixed troops upto Jassar.

Action at Jassar -

The evacuees and their kits were unloaded just beyond Jassar Station on the right of the railway. This took about an hour. During this time, adequate protection was afforded by the 16 P.R.O train escort and by a platoon from 512 Garrison Coy under Major Khan and a small detachment of about 2 and 6 from 15 P.R.C. under Major Shah.

The Court considers that

- (a) Some collections of armed villagers and undoubtedly followed the train from Narowal towards Jassar and must have been in the vicinity. They do not consider that there were any armed Mussalmans under the railway bridge as stated by the 9th witness.

The court noted on the ground that the 9th witness could not have been under the bridge from where he was standing due to an intervening bank. The court also accepts the fact that had they have been there they would have been seen by Major Shah and Major Dunn.

- (b) Major Shah and Major Khan were unaware at this time that these collections of men were in the vicinity as they had gone ahead by truck and so would not have ~~had~~ seen those who followed the train.
- (c) Major Shah and Major Khan were in no way in collusion with the villagers
  - (i) Major Khan had only arrived that morning.
  - (ii) Major Shah would not have called in Major Khan's platoon if he had been in collusion with the villagers.
- (d) Major Khan was justified in not accepting the full command of the escort and ~~that~~ Major Shah must be considered as the Escort Commander.
- (e) Although the evacuees had been warned not to take more kit than they could carry most of them had in fact taken more and the surplus had to be discarded at Jassar.

Action after the main attack -

The leading portion of the convoy had run forward during the attack and were escorted to the Ravi Bridge. The rear portion was brought up by Major Khan and Major Shah. No further attack was made on the convoy during this period.

The court considers that during this period one or two of the escorting troops did remove valuable from the refugees.

The court notes that a detachment of 1 N.C.O and 3 men were sent to collect any wounded or any children and that the pl. of 15 P.R.C. returned along the evacuees route. It is considered however that more action might have been taken

that night to collect wounded or stragglers from the crops.

Casualties etc. Evacuees -

(a) the number of men, women and children who left Sialkot was 3569.

(b) The numbers counted by the 18th witness as having reached India were

23-25 Oct.	3405
29 Oct.	23
31 Oct.	<u>23</u>
Total	3451.

(c) The numbers still known to be on the Pakistan side at Narowal hospital:-

Dead ...	7
Living ...	<u>23</u>
	30

(d) The number of dead evacuees reported by the Police was .... 35

(e) Therefore the total is made up as follows:-

(i) Living ...	3474
(ii) Known dead	42
(iii) Unaccounted for	<u>53</u>
Total	3569

(f) Of those living the following have suffered major or minor injuries:-

(i) In India	460
(ii) In Narowal	<u>19</u>
Total	479

(g) Of the injured mentioned in para (f) above, the following had been hit by 303 bullets:-

(i) In India	5
(ii) In Narowal	<u>3</u>
Total	8

(h) Of the dead mentioned in para (e) (ii) above  
the number killed by bullets was four.

Four others had no injuries but had died from  
natural causes.

Action by Civil -

No action appears to have been taken by Civil or  
by Police. The D.C. had been warned that the convoy was due  
to move on 22nd and 23rd October. This was subsequently  
cancelled and information was given for 24th and 25th October.  
No information was however given to the D.C. on the evening  
of the 22nd October when the firm time of departure was known.

Though there may have been instances of a few of  
the troops not having done their duty by firing unaimed  
shots, the Court is satisfied that the conduct of the troops  
was generally satisfactory.

The Court wishes to record that they are unanimous  
in the above findings.

President Sd. J.R. Cornor Col.

Member Sd. Teja Singh Capt.

Member Sd. Subah Sadiq Captain.

File No. C.F. 315-ER-47  
Partition Branch Records,  
East Punjab Government.



## Chapter X

After Effects.Refugee Concentration & Resettlement.

The cross migration of the population created a number of problems for the newly born states of the East Punjab and the West Punjab. The refugees were concentrated in a very large number on the both sides of the border. The refugees in the West Punjab were mostly concentrated in fourteen refugee camps located between Kasur and Attock, the main concentration camps being at Lahore, Lyallpur and Montgomery<sup>(1)</sup>. By Jan. 1948 the number of the refugee camps rose to seventy-five<sup>(2)</sup>. A Directorate of Movement and Quartering was organised which worked for six months in order to disperse the refugee concentrations<sup>(3)</sup>. In the East Punjab it had been planned to have one big camp with a capacity of five lakhs at Kurukshetra and a second line of camps at Amritsar, Gurdaspur, Jullundur, Ludhiana and Ambala. The transit camps in the border districts served as feeders to second line camps and the central Kurukshetra<sup>(4)</sup> Camp. Both the Central Governments of India and Pakistan and the Provincial Governments of the East Punjab and the West Punjab had to open Rehabilitation Departments for reception, care and rehabilitation of refugees.

The Sikhs and the Hindus left in the West Punjab extensive land which they had owned or tilled as tenants. All such land was not available for the refugees in the West Punjab as many of the evacuee land-lords had rented their land to

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1. Economy of Pakistan. Ministry of Economic Affairs, Government of Pakistan, (1950), page 390.
  2. J. Russel Andrus & Azizali F. Mohammad, Economy of Pakistan, page 468.
  3. Economy of Pakistan, Pakistan Government, page 288.
  4. Millions Live Again, page 7.

the Muslim tenants. The West Punjab Government adopted two expedients to settle the Muslim displaced persons - the 75% of whom were the agriculturists<sup>(5)</sup>:-

- (i) On the lands which were abandoned, agricultural refugees were settled. Each refugee family (estimated at five members) was allotted 5 to 8 acres of irrigated land or 12½ acres of unirrigated land<sup>(6)</sup>. A formula was worked out by which the refugee owners or occupancy tenants from the East Punjab were to obtain the "land of equal produce value" and not necessarily of equal area. The maximum limit was 250 standard acres<sup>(7)</sup>.

- (ii) The Muslim tenants on evacuee land were required to give up some part of the land cultivated by them in exchange for remission in the land revenue<sup>(8)</sup>.

The land was allotted on yearly basis to those persons who were prepared to cultivate it personally. A pair of bullocks and a plough were provided to five families settled up to 60 acres of land<sup>(9)</sup>.

In the East Punjab the agriculturists belonging to a particular district of the West Punjab were directed to proceed to the specific districts in the East Punjab under the

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5. Ten years of Pakistan, page, 240

6. West Pakistan Year Book, 1958, page, 159.

7. J. Russel & Andrus & Azizali F. Mohammed, The Economy of Pakistan, page 470

8. Ibid, page 470.

9. Ten Years of Pakistan, page 239.

following arrangement:-

<u>Refugee Landholders of West Punjab.</u>	<u>Resettlement in the East Punjab.</u>
Lahore and non-colonists and from Montgomery Districts.	Ferozepore District.
Rawalpindi, Sheikhpura and Gujranwala Districts.	Karnal District.
Shahpur and Gujrat Districts	Ambala District.
Multan District	Hissar District.
Jhang and Muzafargarh Districts.	Rohtak District.
Dehra Ghazi Khan and Mianwali Districts.	Gurgaon District.
Sialkot District.	Hoshiarpur, Amritsar and Gurdaspur Districts. (10)

About 350,000 peasant and cultivator families from the West Punjab were moved straight to the Muslim evacuee villages by the East Punjab Government. <sup>(11)</sup> Those families which had gone to the West Punjab as colonists returned to their ancestral villages.

The Sikh and the Hindu landholders suffered a heavy loss by migrating to the East Punjab. It was estimated that out of 18.8 million of cultivable land in the West Punjab about 6.7 million acres of land belonged to the non-Muslims who paid 34 per cent of the total land revenue. The Muslims in East Punjab owned 4.7 million acres of cultivable land out of total 14.2 million acres and paid only 27 per cent

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10. Rural Rehabilitation in Punjab, page 1.

11. Ibid, page 1. Quasi Permanent Allotment of Land, issued by Publicity Department Punjab Government, gives the total number of peasant families to be 500,000.

(12) of land revenue. In this way the non-Muslims had left behind about 20 lakh acres of land in excess of what Muslims had left in the East Punjab. The East Punjab shared forty four per cent of the population of the united Punjab with only thirty eight per cent of its land. (13) Besides this, the East Punjab got only three million acres of canal irrigated area out of a total of (14) over fourteen million acres that is, about twenty one per cent. In order to meet the gap the Government adopted the following scheme of graded cuts in such a way that the small landholders were to have minimum cut:-

<u>Area abandoned</u>		<u>Net allotment.</u>
10 acres	...	7½ acres.
30 acres	...	21 acres.
40 acres	...	27 acres.
50 acres	...	32½ acres.
60 acres	...	37½ acres.
100 acres	...	51½ acres.
150 acres	...	66½ acres.
200 acres	...	79 acres.
250 acres	...	89 acres.
500 acres	...	126 acres.
1000 acres	...	176½ acres.
3000 acres	...	281½ acres.
4000 acres	...	326½ acres.
5000 acres	...	376½ acres. (15)

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12. Rehabilitation - Punjab on the March 1951, page 6.  
 13. Ibid.  
 14. Grow More Food - Punjab on the March, 1951, page 1.  
 15. Rural Rehabilitation in the Punjab, Op. cited, page .3

This graded cuts on land holdings had very great effect on the East Punjab economy. The disparity in area available as compared with the area abandoned and the quality of soil and irrigation sharpened a conflict between landlord and landless tenants. The graded cuts had pruned large holdings and even middle class farmers who were quite contented to get 'batai' in the West Punjab found that with their reduced holdings they could no longer afford the luxury of tenant farming and associated themselves with the farming operations.

The Hindus and Sikhs who migrated to the East Punjab had a greater urban element and they followed a higher standard of life than the Muslims of the East Punjab who had predominantly a rural character. The Hindu and Sikh urban population left behind 154000 houses in the West Punjab towns whereas the Muslims in the East Punjab left only 1,12,000. There were 51,000 shops and business premises abandoned in the West Punjab by the Hindus and the Sikhs whereas Muslims left 17000 only. Consequently a large number of the Hindus and the Sikhs who had very good houses to live in the West Punjab were forced to live in very poorly built houses left by the Muslims. In certain cases in the West Punjab the refugees, with ordinary status in the East Punjab villages occupied much more decent houses in towns. M. Masud had rightly stated the condition in the West Punjab "the whole populace was afflicted by a rapacious greed for property abandoned by the Hindus." In the East Punjab the

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16. Economy of Pakistan, op. cited, page 392 (Govt. Publication)

17. Urban Rehabilitation, The Punjab on the March, 1951, page 13.

18. M. Masud, Pillars of Pakistan, Lahore, page 5.



shortage of houses in the towns led to the development of township and industrial areas near the principal cities. The partition of the Punjab proved a great leveller especially in East Punjab. The millionaires were rendered paupers. The landed aristocracy and upper middle classes received a rude shock and most of them were condemned to penury and destitution. After losing their hoards the erstwhile rich had to make a new start in the struggle for existence. Only hard working, able and intelligent persons could find their feet, while the indolent and parasitic element suffered a good deal. Apart from the colonists and refugee farmers from the districts of Lahore, Sheikhupura, Gujranwala, a large number of the Hindus and Sikhs from Rawalpindi and Multan Divisions were shopkeepers-cum-money lenders who despised manual work. Deprived of their easy way of making money they were compelled to change their economy and drift towards the rank of workers.

Disparity in occupations -

According to Winifred Holmes, " A simple exchange of peasant population on equal basis would have been moderately a straight forward matter. But here everything was uneven" as (19) there existed wide disparity in the occupations pursued by the outgoing and inflowing people. The following table gives the various occupations followed by the Muslims of the East Punjab and the Hindus and the Sikhs of the West Punjab:-

<u>Hereditary occupation</u>	<u>Hindu &amp; Sikh in West Punjab.</u>	<u>Muslim in East Punjab.</u>
Agriculture	8.2 Lakhs	29.60 lakhs.
Traders	14.01 "	2.79 "

19. Winifred Holmes, Life in the Punjab, Pakistan Quarterly, Karachi, Vol. III, No. 4, page 10.

<u>Hereditary occupation</u>	<u>Hindu &amp; Sikh in West Punjab.</u>	<u>Muslim in East Punjab.</u>
Weavers	0.08 Lakhs	3.70 Lakhs
Shoe makers	1.25 "	1.64 "
Carpenters	0.56 "	0.79 "
Blacksmiths	0.57 "	-
Potters	0.45 "	1.64 "
Dyers	0.04 "	0.41 "
Bakers and water carriers	0.57 "	1.84 "
Barbers	0.17 "	0.86 "
Sweepers	2.10 "	0.07 "
Washerman	0.05 "	0.52 "
Tailors	0.02 "	0.08 "
	<u>27.57 Lakhs</u>	<u>43.94 Lakhs (20)</u>

The exodus of the Muslim skilled labour in the East Punjab substantially crippled the industries like hosiery, metal works and railways where the Muslims formed about ninety per cent of skilled or semi-skilled labour. The East Punjab which was already backward in industrial development suffered a lot on this account. Most of the factories and workshops were closed. The textile industry, carpet and blanket weaving, foundary and engineering which were mostly in the hands of the Muslims suffered a serious set back. On the other hand the conditions were no better in the West Punjab as has been graphically described in the "First Year of Pakistan." "The disturbances forced Muslim workers of the East Punjab industries like hosiery, handloom, weaving, carpet and blanket

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20. Economy of Pakistan, Pakistan Government, page 397.

21. Industries & Civil Supplies, Public Relations Department, Simla, page.1.

weaving , foundary and engineering to migrate to the West Punjab but stores and other essential material was unavailable. There was a great demand for goods but there were neither stores nor trained personnel of higher grade to produce them.... the greatest shortage was in cloth and the most acute unemployment among the weavers." The Muslim artisans suffered considerably on account of <sup>the</sup> exodus of <sup>the</sup> non-Muslims. They were reduced to a miserable plight "because they were illiterate, ignorant and had very meagre financial sources. They were compelled to sell their technical skill for a very poor return reducing their position to wage earners. Before partition the supply of raw material, financing and marketing of finished products were in the hands of the non-Muslims who were their financial organisers. Their disappearance completely disorganised artisans and craftsmen. The influx of uprooted Muslim artisans from the East Punjab made the difficult situation more difficult." (23)

#### Social Effects -

As a result of partition there was a sharp decline of morals of the people. The serious economic crisis created by the forced migrations provided a climate for immorality. The lawlessness which was common in the East Punjab and the West Punjab removed all social restraints and scruples. About fifty thousand women were abducted in both the Punjabs. The violent communal riots, murders and heinous crimes brought people's moral to the lowest ebb. (24)

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22. First Year of Pakistan, Pakistan Government, pages 131-134.

23. Economy of Pakistan, Pakistan Government, page 397.

24. Recovery & Restoration of Abducted Persons in India, page 6.

The partition of the Punjab brought an upheaval in the social structure. The refugees found themselves alien to the new surroundings. The very places, the physical and geographical environments and people among whom they were required to spend their lives and develop new relationships were unfamiliar. This brought a feeling of frustration and discontentment among the refugees. In the West Punjab, this led to the evil practices of beggary, prostitution, delinquency and  
(25)  
crime.

The partition of the Punjab gave a severe blow to the common village traditions. The persons belonging to the same 'baradari' were scattered over different villages and towns with the result that social restraint exercised by the 'baradari' was relaxed. At places people were mostly strangers to their neighbours because persons belonging to different places had settled at one place. There was so much antipathy among the refugee settlers in the same village that it some-times resulted  
(26)  
in thefts and abduction of women in the East Punjab.

The partition of the Punjab and subsequent mass migrations brought a new factor of refugees in the social set up of the East and the West Punjab. The refugees from the West Punjab mingled with the inhabitants of the East Punjab and the refugees from the East Punjab and the East Punjab States with the people of the West Punjab. This mingling of population led to so many new social developments. A large number of the Sikhs and the Hindus from the Rawalpindi and Multan Divisions who

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25. Social Welfare work in Pakistan, Pakistan Quarterly, Karachi Vol. VI. No. 1, page 13.

26. M.S. Randhawa, Out of Ashes, page 113.

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were engaged in trade resettled in the backward towns and villages of the East Punjab. It quickened the pulse of social life. The drab bazars with ill kept shops were completely changed yielding place to well stocked and orderly shops. The refugee shop-keepers have greatly increased the circulation of goods even in the villages inhabited by parsimonious jats of Rohtak side. The townsmen in the districts of the East Punjab were socially backward and their women purdah ridden. The vivacious refugee women particularly from Rawalpindi Division brightened the town life. The free and easy culture of the West Punjab had a liberalising influence on the women of the East Punjab who emulating the example of their sisters from the West Punjab began to discard "purdah".<sup>(27)</sup>

As a result of migrations the West Punjab lost its former cultural variety. "In the towns most of the life and colour had been provided by the Hindus and in the countryside the Sikhs had contributed invaluable pioneering drive and enterprise".<sup>(28)</sup> After partition this social and cultural variety was <sup>no</sup> longer there.

#### Political & Administrative Effects -

After partition, the West Punjab had an area of 61980 square miles and it formed the biggest provincial unit of Pakistan. Its population was 15.80 million which was second largest in Pakistan.<sup>(29)</sup> After partition East Punjab formed one of the smallest provinces of India. It had an area of 37428 square miles and population of 12.6 million.<sup>(30)</sup> About one fifth

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27. Ibid, page 219.

28. Hugh Tinker, India & Pakistan, page 70.

29. Pakistan Report, Food & Agriculture Organisation United Nations, page 3.

30. Statistical Punjab, page 11.



of the total population in East Punjab was of displaced persons in the following proportion:-

Hindus	...	51.9 %
Sikhs	...	39.7 %
Harijans	...	6.9. %
Christians	...	0.2 %
Others	...	1.3 % (31)

The partition of the Punjab solved the communal and minority problems in the West Punjab as all the Sikhs and the Hindus migrated to the East Punjab. Similarly it solved the Muslim and non-Muslim problem in the East Punjab as almost all Muslims migrated to the West Punjab. But the exodus of the Muslim population from the East Punjab did not solve the minority problem there. This cross migrations of population improved the position of the Sikhs as a powerful minority. In the British Punjab the Sikhs were only thirteen per cent whereas in the East Punjab after migration, they formed about thirty per cent of the population. In the united Punjab the Sikh population was so scattered that they did not form majority in any of the districts. But after partition the Sikhs formed majority in the districts of Amritsar, Gurdaspur, Ferozepur, Jullundar, Hoshiarpur and Ludhiana in East Punjab.

Regarding the Sikh concentration in the East Punjab Sir Percival Griffiths wrote, "this great concentration of very nationally minded, very martial people in a comparatively very small area must be a cause of anxiety to the Government of (32) India." Prof. Tinker writes:- "Among the military castes in

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31. Ibid.

32. Sir Percival Griffiths, India Revisited, Asiatic Review, April, 48

India today the most obvious political problem is posed by the Sikhs. The Sikhs lost some of their richest agricultural land by partition and have nourished a sense of grievance ever since. They would dearly like to take another crack at Pakistan and their tough bellicosity has been channelled into army service. Their sense of grievance and isolation has led to the demand of a Punjabi speaking Sikh State." (33)

In the field of administration partition of the Punjab greatly effected the efficiency of the services. Every administrative unit in the Punjab was bifurcated resulting in inefficiency on both sides. The Secretariats of both newly born states of the East Punjab and the West Punjab had to be reorganised. The prevalent communal riots had created police and goonda 'raj' which needed strong and firm handling, whereas the administration on both sides of the border was seriously defective. None of the West Punjab Ministers had any administrative experience and they committed blunders. (34) The Civil & Military Gazette, Lahore editorially commented on the administration in the West Punjab on 26th September, 1947, "At the moment the province is being ruled not by Khan Ifitikhar Hussain of Mamdot and his colleagues but by the police constables.... New heads of the department find that organisation has collapsed and discipline is non-existent. Magistrates and petty officials are discovering that it is impossible to implement orders which are ill-conceived and not unoften mutually contradictory." (35) The conditions in the East Punjab were no better. The newly created province of

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// 33. Dr. Tugh Tinker, India & Pakistan, page 115

34. Murtza Ahmad Khan, Akhraj-i-Islam Az Hind, (Urdu), p.180

35. C. & M. September, 26, 1947.

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East Punjab had a Ministry consisting of a Premier and Home Minister. The Secretariat of the new Government was still in the process of transfer to Simla. The officers had been recently transferred who had no time to understand their responsibilities and build up contacts with the people.

The partition of the Punjab and reorganisation of Secretariats caused a number of vacancies almost in every department. In order to fill up the vacancies rapid promotions were made causing great inefficiency both in the East and the West Punjab. Accompanied by all round decline in society, corruption, which is the greatest bane of corporate life, rose its ugly head in every form and permeated even the highest circles in administration.

Since the East Punjab Government had to spend huge amounts on the refugee resettlement, a Resources and Retrenchment Committee was appointed in July 1948 which recommended increased water rates and registration fee and cutting down expenses on contingencies, travelling allowances and reduction of salaries in order to make the state financially sound. As a result of partition, Lahore, the ancient capital of the Punjab was left in Pakistan and a new seat of administration had to be found out in East Punjab. As a temporary measure Government headquarters were located at Simla. But it was subsequently found that it could never be a permanent capital on account of difficulties of transport and expensive living conditions there. It was, therefore, decided that a new capital should be raised at the present site of Chandigarh which enjoyed the advantage of being situated in a safe zone, very central about 150 miles from Delhi,

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36. Statistical (Abstract) Punjab, page 263.

Hissar, Ferozepore, Amritsar and Gurdaspur. It is said that the plan when completed would result in a "new town ~~is~~ symbolic of freedom of India unfettered by the traditions of the past." (37) In the beginning advisability of constructing a new capital at such a high cost was very much doubted keeping in view the shattered economy of the East Punjab. But as time passed on, the people got reconciled to the plan of new capital which provided great opportunities for planning and rebuilding life on a new pattern.

#### Indo-Pakistan Water Dispute -

One of the legacies of the partition of the Punjab was Indo-Pakistan water dispute. The partition of the Punjab adversely affected the canal irrigation system developed during the British rule. It irrigated about 26 million acres of land - the largest irrigated area - U.S.A. had only 23 million acres of irrigated land. More than 26 million people - equal to the entire population of Italy - depended on the waters of Indus and its tributaries, the flow of which has been described as "life blood" of the inhabitants. Some of the canals in the Indus basin carried more water than the river Thames in flood. (38)

The disruption of irrigation system caused by the partition of the Punjab had two aspects:-

(a) Relating to the Canal Head-works.

(b) Relating the canals water.

#### (a) The Canal Headworks Dispute -

As previously discussed the boundary line in the Punjab was based on the district boundary lines. The Sulemanki (39)

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37. Ibid, page 190

38. The Indus Water Dispute, Government of India, pages 2 & 6.

39. Vide Chapter VI, The Award.



Weir was in the district of Montgomery in the West Punjab and its embankment was in the Ferozepur district in the East Punjab. Since Sulemanki Weir controlled the Pakpattan canal irrigating the Montgomery and Multan districts, Fordwah and Sadiqia canals irrigating Bahawalpur State, <sup>1</sup>/<sub>2</sub> all flowing in Pakistan - the Chairman of the Boundary Commission had stated in his award, "It is my intention that this boundary line should ensure that the headworks at Sulemanki will fall within the territorial jurisdiction of the West Punjab. If the existing delimitation of the boundaries of Montgomery district does not ensure this, I award to the West Punjab so much of territory concerned as covers the headworks, and the boundary shall be adjusted accordingly." (40)

How much territory was to cover the Sulemanki headworks whether the protective embankment was a part of headworks - were the issues of dispute between the representatives of India and Pakistan. The West Punjab Government claimed 25 square miles in the Ferozepur district to cover the area of Sulemanki headworks as recommended by the Radcliffe Award whereas the representative of the East Punjab argued that the headworks was not to include the embankment which was in (41) the East Punjab.

There was also a dispute regarding Ferozepur Weir which controlled three canals. The Eastern and Gang canals, irrigated Ferozepur district and Bikaner State in the East Punjab, and Depalpur canal irrigated Lahore and Montgomery districts in the West Punjab. Regarding Ferozepur headworks

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40. Para, 5, Radcliffe Award, Annexure A.

41. Press communique issued by Indian Government Press Information, Jullundur. 1950



commonly known as Hussainiwala headworks the Chairman of the Boundary Commission had stated, "But I must call attention to the fact that the Depalpur canal which serves areas in the West Punjab takes off from the Ferozepur headworks and I find that it is difficult to envisage a satisfactory demarcation of the boundary at this point that is not accompanied by some arrangement for joint control of the intake of different canals, dependent on these headworks." The West Punjab considered that the Award had recommended a joint control of the Ferozepur headworks and in order to have the joint control the West Punjab had occupied 9.3 square miles of land or about 6000 acres of land in the Ferozepur district. The East Punjab Government maintained that the Award only meant some sort of agreement between the two governments for the supply of water to Depalpur canal and not the joint control of the headworks itself.

Both the governments continued to insist their points of view. It lingered on for over a decade. Both the issues were decided in the first week of January 1960. In the case of Sulemanki Weir the Indian Government surrendered about nine square miles of land comprising of about 7000 acres along with the left marginal 'bund' to Pakistan in order to give her effective control of the headworks. In the case of Ferozepur Weir Pakistan surrendered about 9.3 square miles of land to India. Thus the dispute regarding the canal headworks ended amicably after about thirteen years.

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42. Para 10, Radcliffe Award, Annexure A.

43. Press Communique, Indian Government Press Information Bureau, Jullundur. 1960

The Canal Water Dispute -

The boundary line between the East Punjab and the West Punjab cut across the network of canals. The Upper Bari Doab Canal irrigated the districts of Lahore and Montgomery in the West Punjab <sup>and</sup> had its headworks at Madhopur in the East Punjab. Similarly the Depalpur canal which irrigated the areas in the West Punjab was controlled by Ferozepur Weir in the East Punjab. This disruption of irrigation system had very far reaching consequences. A dispute rose regarding the supply of water by the East Punjab to Upper Bari Doab and Depalpur canals. The East Punjab Government contended that under the Punjab Partition (Apportionment of Assets and Liabilities) Order 1947 the proprietary rights of the waters of the rivers in the East Punjab vested wholly in the East Punjab Government and that the West Punjab Government could not claim any share of these waters as a right. The West Punjab Government argued that in accordance with international law and equity the West Punjab Government had a right to the waters of the East Punjab rivers as they flowed in the West Punjab also. <sup>(44)</sup>

The interim agreement for supply of water to the canals irrigating West Punjab from Headworks in India was signed by Chief Engineers of the East Punjab and the West Punjab in December, 1947. By this agreement supply of water was to be continued upto 31st March, 1948. <sup>(45)</sup> Since this agreement had not been renewed, the supply of water was discontinued from 1st April 1948. It was revived after about three weeks following an agreement between Chief Engineers of the East Punjab

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44. Indus Water Dispute, page 6.

45. Inter Dominion Agreement of the 4th May 1948 on the Canal Water Dispute. The Indus Water Dispute, page 19.

and the West Punjab by which the West Punjab Government agreed to deposit immediately such ad hoc sum as may be specified by the Prime Minister of India.<sup>(46)</sup> By this agreement Pakistan admitted India's superior claim to the rivers flowing through the East Punjab. In the conference in 1948 India argued, that it was the policy of the united Punjab to develop irrigation in the Western part where there was a large area of crown-waste land capable of yielding a quick financial return and this postponed development in the eastern part where no major project was constructed after the opening of the Sirhind canal in 1882. After partition East Punjab had only a small proportion of revenue derived from irrigation, a small share of water supplies of the rivers and a fraction of the canal irrigated area of the united Punjab. According to F.J. Fowler these arguments could not be assailed.<sup>(47)</sup>

In July 1950 Pakistan refused to make payment to India on the plea that West Punjab had equal claims on the rivers flowing in the East and West Punjab. It was argued that water supplied to Upper Bari Doab was from the river Ravi which also flowed in Pakistan. Similar was the case with the Sutlej which supplied water to Depalpur canal. This gave rise to a complicated problem relating to the ownership of the waters of rivers of the Punjab for purpose of irrigation. Both sides continued to stress their points of view without coming to any agreement. Later on contrary to the Indian Government's wishes this matter was referred to the International court of Justice at Hague. David E. Lilienthal, the distinguished former head of the Tennessee Valley Authority and of Atomic Energy Commission in

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46. Para No. 5 of the Inter Dominion Agreement of 4th May, 1948. Indus Water Dispute, page 19.

47. Some Problems of water Distribution between East and West

the United States of America suggested in August 1951 " that this unnecessary controversy can be solved by commonsense and engineering to the benefit of the people who live by the waters of the Indus - River.... This is not a religious or political problem but a feasible engineering and business problem for which there is plenty of precedent and relevant experience."<sup>(48)</sup>

In 1952 Mr. Eugene R. Black, the Chairman of the Bank, suggested that engineers of the two countries along with technical representatives of the Bank should visit the irrigation works and sites in India and Pakistan. After six weeks tour he as "an impartial observer free to express his views on any aspect of the matter "submitted a compromise plan on February 5, 1955. The main points of this plan were:-

1. The entire flow of the three Western rivers of the Indus system (the Indus, Jhelum and Chenab) would be available for the exclusive use of the West Punjab (Pakistan) except for a small volume of water for Kashmir.
2. The entire flow of the three eastern rivers (the Ravi, Beas and Sutlej) would be available for exclusive use of the East Punjab (India) with an exception that for a specified transitional period India would supply to Pakistan "her historic withdrawals from these rivers". This estimated period would be worked out on the basis of the time required to complete the "link canals" needed in Pakistan to replace these supplies.
3. Each country would construct and pay for the works

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48. J.S. Bains, India's International Disputes, page 43.



located in its territory, but India would also bear the cost of link canals in Pakistan needed to replace the supplies from India to the extent of benefit derived by her therefrom. This was expected to amount to between Rs. 40/- crores and Rs. 60 crores. (49)

A mission from the International Bank visited India and Pakistan in March and April 1955 and toured the areas concerned in both countries together with Indian and Pakistani engineers and officials. Mr. Eugene Black, again visited India and Pakistan in May 1959 and secured agreement of both the Governments to work on his plan to a successful completion of link canals. According to Mr. Black the entire project of link canals is to cost 1000 million dollars and was to be completed within ten years. The Government of U.K., the U.S.A., Australia, Canada agreed in principle to contribute to Indus Valley Fund which would undertake the construction of the link canals in Pakistan. (50) The Governments of India and Pakistan finally agreed to sign the Indus Water Treaty, the draft of which had been prepared by the World Bank in consultation of their representatives on the above mentioned lines. The Prime Minister of India and the President of Pakistan signed the Indus Water Treaty in Rawalpindi on September 18, 1960. (51) In

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49. "Back Ground to the News", Research and Reference Division Ministry of Information & Broadcasting, Vol. No. 7 dated June 15, 1957 pages 43-46. Subsequently these were included in the Article No. II and III, the Indus Waters Treaty of 1960.

50. The Tribune, Ambala Cantt, dated June 19, 1959.

51. Ibid, September 20, 1960.



this way more than a decade old dispute ended amicably.

In the preamble of the Indus Waters Treaty it was stated, " The Government of India and the Government of Pakistan, being equally desirous of attaining the most complete and satisfactory utilisation of waters of the Indus system of rivers and recognising the need, therefore, of fixing and delimiting, in a spirit of goodwill and friendship, the rights and obligations of each in relation to other concerning the use of waters and of making provision for the settlement, in a cooperative spirit, of all such questions as may hereafter arise . . . . have resolved to conclude a treaty in furtherance of these objectives." (52)

(53)  
Indeed the Indus Waters Treaty was indicative of the spirit of accommodation and cooperation. India had to make a sacrifice in order to win the goodwill of Pakistan. By this Treaty, India agreed to continue status quo for the supply of water to Pakistan for ten years and also agreed to extend financial assistance for construction of her link canals. By this Treaty India got 20 per cent of the total flow of the Indus waters whereas Pakistan got 80 per cent, because the westernly rivers had much more volume of water than the easternly rivers. (54) By this Treaty Pakistan not only secured the financial assistance from India but also from other countries like U.S.A., U.K., Australia and Canada.

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52. The Indus Waters Treaty 1960, page 1.

53. The Indus Waters Treaty consisted of twelve articles and eight annexures dealing with different data relating to the waters of the rivers and their use for agricultural purposes both in India and Pakistan.

54. The Indus Water Dispute, page 15. The annual flow of the three eastern rivers (Ravi, Beas and Sutlej) is about one fourth of that of the three western rivers (Indus, Jhelum and Chenab).

## Chapter XI

### CONCLUSIONS

The Punjab was different from the rest of India. It was not a province to be cut in two like a Gordian knot in a traditional commando fashion. According to Malcolm Darling, "The tragedy of the Punjab could have been foreseen and we should not have handed over millions of helpless peasants, for whose welfare we were responsible, to anarchy and ruin." Penderal Moon has rightly stated that, "ending of British Raj, which we have so long foreseen and so long proclaimed as our goal, should involve a last minute division of the country, the precipitate, enforced migration of well over ten million people and casualties of the order of 200,000 does seem to argue a singular want of pre-vision and failure of statesmanship."

According to Malcolm Darling "Had the Hindu and the Muslims alone were concerned, division of the Punjab might have been effected without bloodshed." The Sikhs had also their claims and were as determined to prevent domination of the Muslims as Muslims were the domination of the Hindus. Ian Stephens has rightly stated "yet small communities, after all, can have great influence on events..... Sikhs are rather more numerous than Scots whose contribution to the world's doings has not been negligible." Nehru Report stated, "The communal problem of India is primarily the Hindu-Muslim problem. The

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1. Malcolm Darling, The Punjab Disorders, The Hindu Madras, Oct. 11, 1947.
  2. Divide and Quit, page 283.
  3. Malcolm Darling, The Punjab Disorders, The Hindu, Madras, dated Oct. 11, 1947.
  4. Vide Chapter, Genesis of Partition.
  5. P-akistan, page 132

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Sikhs in the Punjab are an important and well knit minority which cannot be ignored." (6) One of the basic demands of the Sikhs was that they would not like the domination of the Muslims and their population should be transferred from the West Punjab to the East Punjab. The Working Committees of the Shromani Akali Dal and Panthic Pratinidhi Board jointly passed resolution on June 14, 1947 emphasizing that, "in the absence of the provision of transfer of population and property the very purpose of partition would be defeated." (7) Giani Kartar Singh, President of Shromani Akali Dal said in a statement on July, 16, 1947, "The Sikhs will not rest contented till the boundary line is demarcated in such way that it leaves at least 85 per cent Sikhs in India and both the States of Pakistan and India are committed to facilitate the transfer of remaining 15 per cent from Pakistan into India." (8) A few years ago the Sikh leaders had stated in a memorandum to the Sapru Committee, "We have been asked as to whether we have any views to express in case Pakistan scheme is imposed on us by an authority whose power we cannot hope to challenge successfully and which may be the British Government or the agreed will of the Hindus and Muslims of India. In that case we would insist on creation of a separate Sikh State .... with provision for the transfer and exchange of population." (9)

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6. All Parties Conference 1928, page 27.

7. C & M. June 15, 1947.

8. The Hindu Madras, July 16, 1947.

9. Constitutional Proposals of Sapru Committee, 2nd Edition, 1946, page lx.

Had the Viceroy made an effort to explore every angle of that complex situation in the Punjab, he would have surely secured some political arrangement between the Sikhs and the Muslim League. As the subsequent events have proved, Mr. Jinnah would have agreed to the transfer of Sikh population to India on account of following reasons:-

1. When Lord Ismay approached Mr. Jinnah in early August 1947 to issue a statement assuring the Sikhs their religious freedom and categorically stating that Pakistan was as much for the Sikhs as for the Muslims, the latter  
(10)  
refused.

2. Sir Francis Mudie, the Governor of the West Punjab's letter to Mr. Jinnah proves beyond doubt that the Sikhs were not wanted in Pakistan. Sir Francis wrote, "I am telling every one that I do not care how the Sikhs get across the border, the great thing is to get rid of them as soon as  
(11)  
possible."

3. Giani Kartar Singh told the writer that he had the information in 1947 that Mr. Jinnah had instructed Sir Francis Mudie to turn out Sikhs from the West Punjab. It was this reason for which he went to Lyallpur to exhort the Sikhs to  
(12)  
migrate to India.

4. Mr. Jinnah told Sir Francis in 1947 that when he proposed exchange of population, people laughed at him. Exactly  
(13)  
the same thing was happening what he said several years ago.

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10. Lord Ismay's conversation with the writer.

11. Vide Chapter Nature & Causes of Migration.

12. Giani Kartar Singh's conversation with the writer.

13. Sir Francis Mudie's conversation with the writer.



5. As previously discussed, Mr. Jinnah was in favour of exchange of population and he had given public statements to that effect.  
(14)

Had the provision for the transfer of Sikh population from the West Punjab to the East Punjab <sup>been</sup> made in the 3rd June Plan or an Indo-Pakistan Board been constituted to facilitate the transfer of Sikh population with exchange of property, the Sikhs would have been satisfied to some extent. An illiterate Sikh woman from Sheikhpura district rightly said to Pandit Jawahar Lal Nehru who was watching the foot convoy on the road, "If you wanted to partition the country why did you not first arrange for exchange of population? See what misery has fallen on us all."  
(15) There were certain proposals to make some minor adjustments. V.P. Menon suggested that Hanakana Sahib might be given 'Vatican' status.  
(16) Sir Evan Jenkin, Governor Punjab suggested that the Montgomery district might be allotted to the East Punjab to accommodate the Sikh colonists from the West Punjab.  
(17) Both these suggestions, though

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14. Vide Chapter Nature & Causes of Migration.

15. The Hindu Madras, dated Sept. 4, 1947.

16. The Last Days of British Raj, page 211.

17. Ibid, page 212.

Sir Evan Jenkins, the Governor of the Punjab wrote to the Viceroy "I believe there is quite a lot in the claims of the Sikh and for that matter other residents for the East Punjab for a share in the canal colonies of the West and the Gianni's (Giani Kartar Singh who had a long interview with the Governor) idea that the Montgomery district should be allotted to the East is by no means as ridiculous as it sounds. The district if so allotted to the East could be recolonised so as to concentrate the non-Muslims there and transfer Muslims to Lyallpur." The contents of this letter have been verified by the writer from Giani Kartar Singh. In England I learned from Sir Evan Jenkins as well as from Lord Ismay that L. Mosley got access to some original records which appear to have been misquoted by him in his book - Last Days of British Raj.



very sound, would not have much satisfied the Sikhs as they fell very short of their basic demand. The repressive measures proposed to be adopted such as arrest of the Sikh leaders would not have improved the situation as suppression could not cure a deep rooted malady.

The employment of British troops might have suppressed the communal rioting for the time being. But the British troops (18) though available after the 15th August could not be employed on account of certain technical difficulties. Lord Attlee writes, "But it is axiomatic in the British Commonwealth that the British troops can only be employed under the orders of British Government at Westminster. You cannot hand over British troops as mercenaries to the will of a Prime Minister of another part of the Commonwealth. We could not put our people in the position of fighting on the decision of another Government." (19)

The Sikh-Muslim League settlement would have minimised the communal conflict. But as Alan Campbell Johnson stated the leaders of both the communities were small men, who were called upon to grapple with big events. "The local Muslim League leaders ~~ask~~ claim to take over power in the Punjab with seven per cent communal majority was no more constructive than Sikh insistence upon the partition of the province and at the same time retention of the right to choose which section of it they would join." (20) Francis William quoted Lord Attlee saying that

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18. When Sir Francis Mudie suggested Lord Mountbatten to employ the British troops in the Punjab, the British troops were available at Karachi.

19. A Prime Minister Remembers, page 204-5.

20. Reflection on Transfer of Power, Asiatic Review, July 1952.

Mr. Jinnah was "not a man I ever thought high of. I had known him since 1927."<sup>(21)</sup> When the writer discussed with Lord Attlee the causes of the bloodshed which followed transfer of power, the latter told that the Government at that time was stuck up with Mr. Jinnah who could not rise to the<sup>(22)</sup> occasion.

Mr. Jinnah wanted that the Sikhs should join Pakistan and he gave assurances of good treatment towards the Sikhs. The Sikh leaders insisted on some constitutional rights when they met Mr. Jinnah in 1946 and 1947.<sup>(23)</sup> Lack of mutual trust and confidence was the main cause for the breakdown of talks. S. Baldev Singh rightly described the attitude of Mr. Jinnah like that of a salesman who wanted to sell a horse without convincing the customer of its good qualities by trial and always exhorted that the horse was a good one.<sup>(24)</sup>

It is equally true that the Sikh leaders too were very unimaginative. S. Baldev Singh accepted the 3rd June Plan without ascertaining the basis of partition. After accepting the 3rd June Plan with partition of the Punjab on the basis of contiguous majority areas he gave statement, "if the verdict of the Boundary Commission went against the Sikhs, they should be prepared to make all sacrifices to vindicate the honour of the Panth."<sup>(25)</sup> He did not foresee that the actual boundary line could not be much different from the notional division included

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21. Prime Minister Remembers, page 211.

22. Writer's conversation with Lord Attlee.

23. Writer's conversation with Sardar H.S. Malik, Prime Minister of Patiala State, 1947.

24. Writer's conversation with Major J.M. Short.

25. C & M. , July 10, 1947.

in the 3rd June Plan. The issue of Sikh shrines, the question of transfer of Sikh population and exchange of property, for which the Sikh leaders struggled subsequently should have been pressed before agreeing to the 3rd June Plan. Major J.M. Short has rightly analysed the Sikh attitude towards the 3rd June Plan. He writes, "..... the Sikhs as a whole, including most of their leaders, and not excepting Sardar Baldev Singh and Master Tara Singh, consciously and sub-consciously felt sure that in return for their consenting to that agreement, the English would ratify Anglo-Sikh bonds afresh by securing for them if not a Sikh State then an 'Imperium in imperio' agreeable to them."<sup>(26)</sup>

Before August 15, 1947, the communal riots in the Punjab took turn to the worst in some of the districts where there were British Deputy Commissioners. These districts were Rawalpindi, Multan, Lahore and Amritsar. Pandit Jawahar Lal Nehru, therefore stated, "In the Punjab where there was cent percent British rule, despite the efforts of certain senior officers murder and arson continued. The trouble was prevalent the most where there were British officers in charge and the divisions under the control of either Hindu or Muslim officers,<sup>(27)</sup> were comparatively quiet." Again he said, "The British were no longer interested because they are leaving. This probably explains why some officers asked the victims who came to them for help to go to me or Sardar Patel for help. They are not desirous of shouldering any further responsibility and many

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26. Major J.M. Short's written statement to the writer.

27. D.R. Bose, New India Speaks (Speeches of Pandit Nehru), page 162.

(28) have become callous." According to Frank Moraes "a few British officials had their hearts fully in the primary job of maintaining law and order. In the minds of some of them the prospects of civil chaos in India on the eve of Independence was not without its allurements. What testimony to the inability of Indian rulers and administrators to control the communal situation once the strong arm of British authority was withdrawn." (29)

The Punjab paid the highest price for the freedom of the country. It is impossible to ascertain the actual number of casualties as there was a complete breakdown of the civil administration in both the Punjabs. However, a popular estimate of casualties is about half of a million. G.D. Khosla writes, "..... the loss of non-Muslim life has been estimated at a figure between 200,000 and 250,000. It is believed that equal number of Muslims perished." (30) "The first year of Pakistan" mentions "the massacre of half a million men, women and children." (31) Ian Stephens and Michael Edwardes give the casualty figures to be 500,000 and 600,000 respectively. (32) But the estimates of those British officers who were actually amidst that holocaust are more reliable. Lord Mountbatten intimated to Sir Francis Mudie the following districtwise figures of casualties in the various districts of the West Punjab after

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28. Ibid, page 165.

29. Frank Moraes, Jawahar Lal Nehru, page 329.

30. Stern Reckoning, page 299.

31. First Year of Pakistan, Pakistan Govt., page 131.

32. Pakistan, page 80, and Last Years of British India, page 223.

August 15, 1947:-

1.	Dera Ghazi Khan	...	250
2.	Muzafargarh	...	500
3.	Multan	...	2500
4.	Montgomery	...	2000
5.	Lyallpur	...	500
6.	Sheikhupura	...	10000
7.	Jhang	...	1500
8.	Mianwali	...	4500
9.	Lahore	...	10000
10.	Gujranwala	...	4000
11.	Sialkot	...	3500
12.	Gujrat	...	3000
13.	Jhelum	...	3000
14.	Sargodha	...	3500
15.	Attock	...	3000
16.	Rawalpindi	...	4500
17.	Bahawalpur	...	<u>3000</u>
	Total		<u>59250</u> (33)

Lord Mountbatten's estimate coincides with the figure of casualties calculated by Sir Penderal Moon who writes, "In December 1947 I made some calculations regarding the number of persons killed in the West Punjab and Bahawalpur. I had a pretty accurate knowledge of the casualties both in Bahawalpur State itself and in the immediate adjacent West Punjab districts.

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33. Lord Mountbatten's letter to Sir Francis Mudie dated July 25 1962. I noted these figures from the original letter shown to me by Sir Francis Mudie.



Regarding several other districts I had good information from old subordinates, especially among the magistracy and police with whom I was in touch. I was thus able to reach fairly precise figures for about half the districts of West Punjab and on the basis of these to make intelligent guesses regarding the remainder. These calculation led me to certain figures for the total casualties from August onwards in the West Punjab and Bahawalpur. The figure was 60,000.<sup>(34)</sup> According to Moon the casualties in East Punjab and the East Punjab States had been heavier than in the West Punjab. "But these were not twice as high." This, according to Moon the total casualties<sup>(35)</sup> were near about 200,000.

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34. Divide and Quit, page 293.

35. Ibid, page 283.

APPENDIX

BIBLIOGRAPHY.

Government of India Records, New Delhi.

Ministry of Rehabilitation Government of India,

Partition Proceedings	-	Volume I
$\frac{1}{2}$ do -	-	Volume II
- do -	-	Volume III
- do -	-	Volume IV
- do -	-	Volume V
- do -	-	Volume VI
- do -	-	Volume VII

Punjab Government Secretariat Records.

Punjab Partition Branch Records, Chandigarh.

(1) Files Nos.

CF.260-ER-47, CF.277-ER-47, C.F.311-ER-47, CF.313-ER-47.  
CF.315-ER-47, CF.339-ER-47, CF. 350-ER-47, CF.352-ER-47.  
CF.354-ER-47, CF.364-ER-47, CF. 367-ER-47, CF.373-ER-47.  
CF.385-ER-47, CF.386-ER-47, CF. 390-ER-47, CF.397-ER-47.  
CF.398-ER-47, CF.404-ER-47, CF. 407-ER-47, CF.423-ER-47.  
CF.424-ER-47, CF.431-ER-47, CF. 170-ER-48, CF.218-ER-48.  
CF.227-ER-48, CF.246-ER-48, CF. 253-ER-48, CF.321-ER-48.  
CF.355-ER-48, CF.430-ER-48, CF. 438-ER-48, CF.439-ER-48.  
CF.444-ER-48, CF.449-ER-48, CF. 502-ER-48, CF.531-ER-48.  
CF.523-ER-48, CF.566-ER-48, CF. 579-ER-48, CF.592-ER-48.  
CF.609-ER-48, CF.677-ER-48, CF. 679-ER-48, CF.696-ER-48.  
CF.703-ER-48, CF.706-ER-48, CF. 706-ER-48, CF.710-ER-48.  
CF.711-ER-48, CF.785-ER-48, CF. 43-ER-49, CF.10(1)-ER-49,  
CF.101(2)-ER-49, CF.101(10)-ER-49, CF.101(11)-ER-49,  
CF.101(12)-ER-49, CF.101(17)-ER-49, CF.119-ER-49,

CF.172-ER-49, CF.176-ER-49, CF.251-ER-49, CF.252-ER-49,  
CF.254-ER-49, CF.258-ER-49, CF.261-ER-49, CF.323-ER-49,  
CF.349-ER-49, CF.382-ER-49, CF.383-ER-49, CF.458-ER-49,  
CF.463-ER-49, CF.30-ER-51.

These files give very valuable information regarding various items viz. derailment of trains, massacre of the passengers, cases of abduction of women, and measures to restore law and order, proceedings of various sub-committees, day-to-day reports of law and order in both the Punjabs.

- (2) (i) Agendas of Punjab Partition Committee.  
(ii) Decisions of Punjab Partition Committee.  
(iii) Awards of Arbitral Tribunal on the cases referred by the Punjab Partition Committee.  
(iv) Punjab Governor's Partition Orders, 1947.

Punjab Government Archives, Patiala.

East Punjab Liaison Agency Records -

File Nos. LV/1/52-VII, LV/2/25, LV/3/25, LV/4/25, LV/5/25, LV/8/25, LV/9/25, LV/10/25, LV/11/25, LV/12/25, LV/14/25, LV/26/41-EV, LV/28, File No. VII/42, VII/55, XIV/8/7-B, XIV/16/14/pt-I, XXI/3, XXI/5, XXII/3, XXII/6, XXIII/1, XXIII/3, XXIII/6, XXIV/2, XXV/1, XXX/3, XXV/4, LVII/13/2, E(pt-1), LVII/16-5(pt-1), LVII/17/5(Pt.II), LVII/20-7-A, LVII/22/8-B, LVII/24/35(Pt.II), LVII/19/6(Pt.II), LVII/30/80-A, LVII/1/81-A, LVIII/2/84, LVIII/12/164, LVIII/4/91, LVII/5/94, LVIII/6/94-A, LVIII/14/17(Pt.II), LVIII/24/117, LIX/2, LIX/3, LIX/4, LIX/5, LIX/6, LIX/7, <sup>LIX/7,</sup> LIX/8, LIX/9, LIX/11, LIX/12, XXV/7, XXI/4, XXII/2, XXIV/1, XXIV/2.

These files pertain to various aspects of evacuation and recovery work in all the districts of West Punjab(Pakistan).

Records of the Sikh History Research Department, Khalsa College, Amritsar.

- (1) File No. 1804 - Documents relating to the Sikhs during the British Rule.

Item No. 27 - Viceroy's Reply to a Sikh Deputation on July 9, 1931.

- (2) File No. S.H.R. 1815 - Records relating to the Partition of the Punjab 1947.

Item No. 4 - Master Tara Singh's letter to Sir Stafford Griffs dated May 1, 1942.

Item No. 3 - Ambala Division Sikhs resolution against the Corbett scheme for separating Ambala Division from the Punjab.

Item No. 5 - Memorandum submitted to the Cabinet Mission by the Shromani Akali Dal, Amritsar.

Government of India Publications:-

1. After Partition, Publication Division Government of India.
2. Millions on the Move - do -
3. Concerning Evacuee Property - do -
4. Abducted Persons (Recovery and Restoration Act 1949) LXV.
5. Indus Water Dispute.
6. Indo-Pakistan Relations.
7. Indus Water Treaty, 1960.
8. Recovery and Restoration of Abducted Persons in India - Ministry of External Affairs.
9. Press Communique Ministry of External Affairs X.P. Division dated Jan. 11, 1960.
10. Press Information Bureau, Government of India .  
Reference Series No. 21 and 22, 1946.

11. Background to the News, Research & Reference Division,  
Ministry of Information & Broadcasting  
Vol. 1-37  
Vol. V - No. 7.  
Vol. VI- 26, 28, 41.

Punjab Government Public Relations Department, Simla's

Publications.

1. Orphans of the Storm.
2. Millions Live Again.
3. Rural Rehabilitation in East Punjab.
4. Relief and Rehabilitation in the Punjab.
5. Punjab Independence to Republic.
6. Statistical Abstract, Punjab 1947-50.
7. Punjab on the March (Police and Jail) 1951.
8. - do - (P.W.D.) 1951.
9. - do - (Local Self Government) 1951.
10. - do - (Grow More Food) 1951.
11. - do - (Industries and Civil Supplies).
12. - do - (Rehabilitation).
13. - do - (Education and Health).
14. - do - (Irrigation).
15. Punjab on the March (Fisheries and Forest) 1951.
16. - do - (New Projects) 1951.
17. Industrial Development in Punjab.
18. Power for Prosperity.
19. Quasi Permanent Allotment of Land in Punjab.
- 19a Punjab Administration Reports 1849-51, 1868-69.
20. Annual Report on Land Revenue Administration 1949.
21. On Road to Progress 1952-53.



- 277
- :
22. Punjab Rehabilitation Land Settlement Manual.
  23. East Punjab Legislative Assembly Debates Vol. I, 1947.
  24. Punjab Legislative Assembly Debates - 1940.

West Punjab & Pakistan Governments Publications -

1. A Note on Sikh Plan.
2. Sikh Plan in Action.
3. Rashtriya Swayam Sewak Sangh.
4. Intelligence Report Concerning Tribal Repercussions.
5. Hindu & Sikh Women Recovered in Pakistan Vol. I and Vol.II.
6. West Punjab Governor's Ordinance No. IV, 1947.
7. Extraordinary Issue of West Punjab Gazette Sept. 10, 1947.
8. First Year of Pakistan, Karachi.
9. Economy of Pakistan, Ministry of Economic Affairs, Karachi (1950).
10. Pakistan Report, Food & Agriculture Organisation, Karachi.
11. Five Years of Pakistan, Karachi.
12. West Pakistan Year Book 1958.
13. Ten years of Pakistan 1947-1957.
14. Our Struggle 1857-1947.

Government of India Reports.

1. Papers relating to the Cabinet Mission 1946.
2. Census of India Report Vol. VI Punjab 1941.
3. " " " Vol. XVII Part I Punjab 1931.
4. " " " Vol. XV Punjab 1921.
5. Government of India Act 1935.
6. Proceedings of Indian Round Table Conference Vol.III - 1932.
7. Franchise Committee Report (Punjab Statutory Commission - Calcutta - 1930.
8. Report of Statutory Commission - Calcutta - 1930.
9. Report of Franchise Committee - Constitutional Reforms - Calcutta 1919.

10. Report on Indian Constitutional Reforms, Calcutta.
11. India's Despatch of March 5, 1919 and connected papers  
Calcutta - 1919.

~~12. Indian Round Table Conference (Second Session) Volume III.~~

Parliamentary Debates House of Commons, England.

Hansard Volume Nos. 430, 433, 434, 440.

Indian Annual Registers.

Indian Annual Registers, Calcutta for the years:-

1923 Vol. I & Vol. II.

1924 Vol. I & Vol. II

1940 Vol. I & Vol. II.

1946 Vol. I & Vol. II.

1947 Vol. I & Vol. II.

Journals -

1. Problems of Public & Private International Law Volume 36,  
London.

Arbitral Tribunal in India

Sir Patrick Spens.

2. Eastern World London November 1947

Displaced Persons in India.

R.L.C. Footitt.

3. Internal Labour Review London March, 1952

Displaced Persons in Pakistan.

4. Asiatic Review, London. Jan. 1948

The Boundary Award in the Punjab.

Dr. Oskar Spate.

5. - do -

India & Pakistan,

Sir Arthur Waugh.

6. - do -

India Revisited.

Sir Percival Griffiths.

7. - do - July 1948  
External Problems of India & Pakistan,  
Sir Olaf Caroe.
8. - do - October 1948  
Lord Mountbatten on His Viceroyalty.  
Lord Mountbatten.
9. - do -  
Transfer of Power in India & since.  
Lord Clydesmuir.
10. - do - July, 1952  
Reflection on Transfer of Power.  
Alan Campbell - Johnson.
11. Geographical Journal, London, April 1948.  
The Partition of Punjab & Bengal.  
O.H.K. Spate.
12. Indian Quarterly, Dec. 1948.  
Partition of India.
13. Hindustan Review - June 1948  
How & Why Partition of the Punjab.  
Mangal Singh.
14. Pakistan Quarterly, Karachi, Vol. III No.4  
Life in the Punjab.  
Winifred Holmes.
15. - do - Vol. No.1  
Social Welfare Work in Pakistan.

News Paper Files -

1. The New Statesman and Nations, London, 1947.
2. The Times, London, 1947.
3. The Statesman, New Delhi, 1947.
4. The Hindu, Madras, 1947.

5. The Times of India, Bombay, 1947.
6. The Hindustan Times, New Delhi, 1947.
7. The Dawn, Delhi 1947.
8. The Indian News Chronicle, New Delhi, 1947.
9. The Civil and Military Gazette, Lahore, 1947.
10. The Tribune, Lahore, 1924, 1947.
11. The Tribune, Ambala, 1960.

Books in Urdu -

1. Akhraj-i-Islam Az Hind by Murtza Ahmad Khan, Lahore 1948.
2. Khoon Ki Holi, Farrukh, Amritsari.
3. Ah Jullundar , Lahore.
4. Mehsharistan-i-Kapurthala, Pakpattan.
5. Punjab Ki Tarikh Ke Khuni Aurak, Patiala.
6. Makhdumpur Ke Khooni Halat, Rohtak.

Books in Punjabi -

1. Atiachar 1947 by Chief Khalsa Dewan, Amritsar.
2. Shahidan De Yad by Chakar Kaur Singh, & Delhi.
3. Punjab Da Khooni Itihas by Narinder Singh, Amritsar.
4. Shahidi Saka Pind Roade, District Shahpur, Ambala.
5. Pakistani Ghallughara by Giani Partap Singh, Amritsar.
6. Saka Bhuller by Dr. Virsa Singh, Amritsar.
7. Congress te Sikh by Master Tara Singh, Amritsar, 1945.
8. Swagti Address Azad Punjab Conference 1944.
9. Meray Pakistan de Safar by Akali Chakkar Kaur Singh  
Edited by Kirpal Singh, Amritsar, 1959.

MEMOIRS, SPEECHES ETC.

- (1) Alan Campbell Johnson, Mission with Mountbatten, London, 1951.
- (2) C.R. Attlee, As it Happend, London.
- (3) Francis William, A Prime Minister Remembers, London 1961.
- (4) Francis Taker, While Memory Serves, London 1950.
- (5) Penderal Moon, Divide & Quit, London 1961.
- (6) John Connel, Auchinleck, London.
- (7) Lord Ismay, Memoirs of Lord Ismay, London 1961.
- (8) Lord Birdwood, A Continent Decides, London 1955.
- (9) Andrew Mellor, India Since Partition, London 1951.
- (10) Michael Edwards, Last Years of British India, London 1963.
- (11) George E. Jones, Tumult in India, New York, 1948.
- (12) V.P. Menon, Transfer of Power in India, Calcutta 1957.
- (13) Malcolm Darling, At Freedom's Door, London, 1949.
- (14) Pyare Lall - Gandhiji Last Phase Vol. I & Vol. II.
- (15) Maulana Abul Kalam Azad, India Wins Freedom, India 1959.
- (16) Justice M.C. Mahajan, Looking Back, Bombay.
- (17) Chaudhury Khaliqazzam , Pathways of Pakistan, Pakistan.
- (18) A.N. Bali, Now it can be told, India.
- (19) Azim Hussain & Fazli Hussain, Bombay 1946.
- (20) Time Only to Look Forward, Speeches by Lord Mountbatten, London 1949.
- (21) New India Speaks, Speeches of Pandit Jawahar Lal Nehru, Calcutta 1947.
- (22) Speeches and Writings of Jinnah, Lahore.
- (23) Speeches and Statements of Iqbal, Lahore.
- (24) Speeches and Documents on India Constitution Vol. I & Vol. II edited by Maurice Gwyer and Appadorai, Bombay 1957.



:

BIOGRAPHIES, CONSTITUTIONAL REPORTS, HISTORIES ETC.

- (1) Michael Brecher, Nehru, A Political Biography, London 1959.
- (2) Hector Bolitho, Jinnah, the Creator of Pakistan.
- (3) Richard Symond, Making of Pakistan, London 1949.
- (4) Leonald Mosley, Last Days of British Raj, London 1961.
- (5) Ian Stephen, Pakistan, London 1963.
- (6) T. Walter Wall Bank, India in the New Era, New York, 1951.
- (7) L.F. Loneday Prior, Punjab Prelude, London 1952.
- (8) Frank Moraes, Jawahar Lal Nehru, New York, 1956.
- (9) E.W.R. Lumby, Transfer of Power in India, London 1954.
- (10) R. Coupland, Report on Constitutional Problem in India  
Vol. I, II & III, 1944.
- (11) - do - India Restatement, 1944.
- (12) - do - Cripps Mission in India.
- (13) James Douie, The Punjab North West Frontier Province and  
Kashmir, Cambridge 1916.
- (14) United Nations Security Councils Official Record,  
3rd Year 226-240, 1948.
- (15) Horace Alexander, New Citizens of India, Oxford University  
Press.
- (16) L.F. Rushbrook William, State of Pakistan, London 1962.
- (17) O.H.K. Spate, India and Pakistan, London 1954.
- (18) Hugh Tinker, India and Pakistan, London 1962.
- (19) K. Sarwar Hassan, Pakistan and United Nations, New York,  
1960.
- (20) Rajendra Prasad, India Divided, 3rd Edition, Bombay 1947.
- (21) K. Sarwar Hassan, Genesis of Pakistan, Karachi, 1954.
- (22) All Parties Conference 1928, Published by All India  
Congress Committee.
- (23) Chaudhary Rehmat Ali, Pakistan, the Fatherland of Pak  
nations, 3rd edition.
- (24) Chowdhury Rehmat Ali Millat & Mission.

- (25) A Punjabi, Confederacy of India.
- (26) Nawab Nazar Jang Bahadur, Pakistan, Issue, Lahore 1943.
- (27) Memorandum handed over to Sir Stafford Cripps by Shromani Akali Dal.
- (28) Kartar Singh (Giani), The Case for a New Sikh Hindu Province.
- (29) Mohammad Noman - Muslim India.
- (30) Sadhu Sawrup Singh - Sikhs Demand their Homeland.
- (31) Constitutional Proposals of Sapru Committee, 2nd edition, 1946.
- (32) G.D. Khosla, Stern Reckoning, New Delhi.
- (33) S.G.P.C. Amritsar, Muslim League's Attack on the Sikhs and the Hindus, Amritsar, 1952.
- (34) K.L. Gauba, Inside Pakistan, Bombay, 1948.
- (35) M.S. Randhawa, Out of Ashes, 1954.
- (36) C.N. Vakil, Economic Consequences of Divided India, Bombay.
- (37) J. Russel Andrus and Azizali F. Mohammed.
- ~~(38)~~ Economy of Pakistan, London 1958.
- (39) Dr. Khalid Bin Sayeed, Pakistan Formative Phase, Karachi, 1960.
- (40) Pakistan Publications, Pakistan Anthology, Karachi, 1961.
- (41) M. Masud, Pillars of Pakistan, Lahore.
- (42) A.B. Rajput, Muslim League Yesterday and Today, Lahore 1948.
- (43) P. Sitaramyya, History of the Indian National Congress Vol. I & Vol. II.
- (44) Harnam Singh, Sikh Memorandum on the Punjab Boundary Commission.
- (45) F.J. Fowler, Some Problems of Water Distribution between East & West Punjab, London, 1955.
- (46) J.S. Bains, India's International Disputes, Bombay.
- (47) ~~Shaw~~ Chronology of Pakistan, Kamal Publications, Karachi.

200

REFERENCE BOOKS.

- (1) Stephen P. Landas, Exchange of Minorities, New York 1932.
- (2) Herbert Morrison, Government & Parliament, London.
- (3) David Lloyd George, The Truth About Peace Treaties, London.
- (4) Hobson - Jobson - First edition 1886.
- (5) Nandu Lal - Geographical Dictionary of Ancient & Medieval India, Second Edition, London, 1927.
- (6) Furhang-i-Jehangiri- Persian MS. Language Deptt., Patiala.
- (7) Ayeen Akbery - translated by Francis Gladwin (1783).
- (8) Khulasatut Twarikh (Persian) edited by M. Zafar Hassan, Delhi, 1918.
- (9) Bute Shah Twarikh-i-Punjab) (Persian MS) Sikh History Research Department, Khalsa College, Amritsar.
- (10) Col. Steinback - The Punjab, London (1845).
- (11) R. Bosworth Smith, Life of Lord Lawrence, London 1883.
- (12) Captain Murray, History of the Punjab, London 1846.
- (13) W.L. M'Gregor, History of the Sikhs Vol. I, London 1846.
- (14) Z.A. Ragozin, Vedic India, London 1895.
- (15) Ralph T.H. Griffiths, Hymns of Rig Veda Vol. II, Benarse 1926
- (16) Cunninghams Ancient Geography of India, Edited by S. Majumdar, Calcutta - 1924.
- (17) Kirpal Singh, Maharaja Ala Singh & His Times, Amritsar.

