CABINET.

INDIAN ROUND TABLE CONFERENCE.

RESOLUTION OF CABINET COMMITTEE.

The Cabinet Committee considered the Memorandum by the Secretary of State for India (d.T.C. (51) 11) and discussed the problems raised by it in all their bearings. The Cabinet Committee agreed upon the following propositions which they commend for acceptance by the Cabinet:-

(1) The Conference has reached a position in which no useful purpose will be served by attempting to prolong its discussions, and it is desirable to terminate them at a very early date.

(ii) It is impossible for His Majesty's Government to dismiss this session of the Conference with the Statement that as the Delegates have failed to agree on a Communal settlement, and that such a settlement is a condition precedent to constitutional progress, His Majesty's Government's hands are tied and nothing further can be done.

(iii) It is equally impossible to dismiss the Conference with the Statement that although His Majesty's Government will pursue the project of Federation, they can take no definite step towards legislating for constitutional reform until the material for a Federal Constitution is complete. The number and nature of the questions to be settled before this consummation can be reached, and the necessity for obtaining a wide measure of agreement from the Princes on many of these questions (since the co-operation of the Princes is essential and they cannot be compelled) make it certain that a considerable period must elapse before such a measure could be ready for introduction.
(iv) It is vitally necessary in the interests of administration in India that uncertainty and indecision, which are sapping the morale of the Services, should be terminated by a definite statement of policy by His Majesty's Government, and by action in earnest of that policy. The reactions in India to either of the courses described under (ii) and (iii) above would produce a situation which might well result in definitely setting back the course of progress.

(v) "Provincial autonomy" is an integral part of the Federal scheme, about which in no quarter have there ever been any effective doubts. A Bill to give effect to this part of the scheme could be ready for introduction early in the summer and could be passed at least by the end of the year, if not before the recess. Such a Bill would have, of course, to make some relaxation of the powers of control over the provinces exercisable by the Government of India and through them by the Secretary of State.

(vi) It would, however, be essential to give convincing assurances to India that such a "provincial autonomy" Bill is only the first step towards an India Federation and that His Majesty's Government intend to do all in their power to press on the process to its federal completion.

The Cabinet Committee consider that the only method of conveying such an assurance which will satisfactorily meet the requirements of the situation would be to give it by means of Resolutions passed early in the New Year by both Houses of Parliament which would outline the intentions of Parliament and would make it plain that an all-India Federation is of their final objective.

A definition of policy of this character and made in this manner would have the advantage not only of assuring Indians that there was no intention of stopping at "provincial autonomy", but also of protecting His Majesty's Government against possible attempts of the new provincial Governments under Congress control to shape policy in relation to responsible government at the Centre on unacceptable lines.

(vii) Meantime the Prime Minister's statement of policy at the end of the Conference in which inter alia this legislative programme and the contemplated Resolution procedure should be announced, should reiterate and reaffirm, as expressive of His Majesty's present Government's general policy, the Declaration which was made at the end of the last Conference on January 13, 1931.
(viii) It would be an essential part of the plan thus indicated that every effort should be made to ensure that the Federation Bill is ready for introduction about the time the new provincial constitutions come into operation, since a long interval between these two events would give scope for possible activities on the part of provincial Governments of the kind indicated above. But a "provincial autonomy" Bill passed next summer could not come into operation for some months later, since time would inevitably be required to work out the detailed arrangements for franchise and such provision for the enactment of which by Order in Council, Statutory Rules or other similar procedure would have to be made in the Bill. And by the time this process is completed — say by the spring or summer of 1933 — sufficient progress should have been made with the preparations for a Federal Bill to enable its introduction about that date.

(ix) In this connexion the Prime Minister should also announce His Majesty's Government's intention to take immediate steps to set up the Committees required for further investigation into the franchise and connected questions and into Federal Finance (for which two separate Committees are contemplated) in time to get them at work in India under the chairmanship of prominent public men by the middle of January and for rendering such assistance as may be needed to secure an early settlement of the problems which are dividing the Princes inter se in relation to Federation.

If it can be arranged with the Princes it is very desirable that the Committee which is to recommend a method of distribution between the States of their quota of seats in the Federal Legislature in the event of their failing to reach agreement among themselves by 31st March, 1932, should also be designated at once so that it may be available in India for consultation by the middle of January.

(x) A Bill to inaugurate "provincial autonomy" will necessitate the adoption of means to remove the communal obstacle to progress; the decision must be taken in time to enable the Franchise Committee to receive instructions based upon it.
(xi) The Committee recommend that the Prime Minister's statement on this point should be framed on the following lines:

"H.M.G., have made it clear from the start that they regard the communal problem as one which must be solved by Indians themselves, a decision or award imposed an extra would be no substitute for, and in no way equivalent to, a settlement by mutual agreement: the existence of disagreement is an obstacle to self-government.

But H.M.G., while they cannot for these reasons impose a settlement as a permanent basis for a Constitution, are determined not to allow the failure of the Minorities Committee to bar the way to progress. Time presses; for the Franchise Committee cannot be set up without a mandate on this question. Unless the Franchise Committee starts its work early in January it cannot complete it in time for the introduction of a Bill in the early summer and if its work is not complete before the hot weather, there will be a year's delay; again, unless the Bill be introduced in the early summer it cannot be passed this year. They propose therefore, unless the Communities can reach an agreed settlement amongst themselves by the 31st January next (in which case H.M.G. could of course adopt it) to take as the working basis of the Bill (and of the instructions to the Franchise Committee) the following principles, which are designed to maintain as nearly as possible the existing position, subject to such adjustments as are required to meet the facts of the situation - including the provision of adequate representation by separate electorates for the Depressed Classes in those provinces where the Franchise Committee find them to be a distinct element in the population. The Bill would make provision for the substitution of any agreement arrived at with the support of all the communities affected subsequently to the Bill's enactment."
The proposed settlement would then be elaborated on the lines of paragraph 11 of the Memorandum R.T.C.(51) 11 - in particular, it would follow as regards the distribution of seats in the Punjab the Government of India's first proposal in their Reforms Despatch and a similar principle would be adopted in Bengal.

(xi) The Committee recommend that the announcement of intentions in relation to provincial autonomy should include as an essential feature in it an announcement regarding the future of the North West Frontier Province and Sind on the lines indicated in paragraph 10 (ii) (p.4) of the Secretary of State's Memorandum R.T.C.(31) 11.

(xii) Since the draft Federation Bill will necessarily contain decisions on many points of the first importance which have either not been discussed at the Conference at all or if discussed have resulted in difference of view, it is essential that some opportunity should be ensured to Indian opinion to exercise itself effectively on these questions before the Bill is considered by Parliament. For this purpose a small Committee might be selected from the Conference, and provincial opinion might also be brought to bear in the shape of a body of Ministers. This consultative body should be summoned to London in due course to discuss the draft of the Federation Bill with representatives of His Majesty's Government. It may be found that similar consultation would be useful for the Provincial Bill.

(xiv) Finally, as regards procedure at the Conference, it was agreed that the meeting of the Minorities Committee summoned for Friday next should be followed by plenary meetings of the Conference. The first of these might be summoned for Monday next and would be devoted to consideration of the Reports of the Federal Structure Committee. It was further agreed that it was desirable that an opportunity should be given to Indian Delegates to express their views on the nature and extent of the limitations to be set to responsible government with a Federal Constitution in the shape of Reservations and safeguards, but that this debate should be closely controlled by closure and time-limits for speeches. The Conference would then conclude with a statement by the Prime Minister on behalf of His Majesty's Government on the lines indicated above and every effort should be made to conduct the proceedings so that this statement can be made not later than Saturday 21st November. In this connection it will have to be recognised that much bitterness will be caused if the large number of delegates who will wish to speak at the Plenary are denied an opportunity of doing so.
To summarise, the Cabinet Committee recommend to the Cabinet the adoption of the following, in relation to the Conference:

(a) That the Conference should be terminated as soon as possible with a statement of policy and programme by the Prime Minister on behalf of His Majesty's Government on the following lines:

(b) That His Majesty's Government adopt as their general policy the statement made at the end of the Conference by the Prime Minister on January 19th, 1931, and that they intend to invite both Houses of Parliament early in the New Year to register their formal acceptance of this policy by means of Resolutions.

(c) That a Bill to promote provincial autonomy with appropriate changes in the powers of the Centre, and with a constitution and financial settlement for the North West Frontier Province which will give it the status of a Governor's Province and possibly a separate provincial constitution for Sind, will be introduced and passed next year.

(d) That it should be made plain both in the Statement and the Resolutions that this is only the forerunner of a Federation Bill which will be pressed on to completion at the earliest possible date.

(e) That the Committees required for the purpose of both Bills should be set up as soon as may be under the Chairmanship of prominent public men from this country.

(f) That Indian opinion should be consulted on the final proposals for both Bills before they are considered by Parliament, the consultative body being drawn in part from a Committee of the Conference and in part from provincial ministers.

(g) That a communal decision should, if necessary, be adopted by His Majesty's Government on the basis for the operations of the Franchise Committee and of the provincial Bill; that its scope and details should be announced as part of the Prime Minister's statement with the intimation that it will be adopted only if the communities fail themselves to produce an agreed settlement by January 31st, 1932.

Whitehall Gardens, S.W.1.,
12th November, 1931.