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## **Boundary Commission Tilting in favour of “Other Factors”**

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This paper discusses the role of Boundary Commission in recommending the line of division between India and Pakistan in 1947; it also discusses the last minute changes in the Award as well as the reasons as to why its announcement was withheld at least for ten days by the last British viceroy in India Lord Mountbatten. This paper also analyzes in details the reasons for injustices done to the newly created state, i.e. Pakistan, on the ground of “other factors” rather than deciding the boundary on ground realities. It will be noticed that Mountbatten, due to pressure by Sikh representatives and Jawaharlal Nehru’s recommendations influenced the decisions of chairman boundary commission Radcliffe almost at the eleventh hour. Mountbatten was conscious of history and therefore although he gave in writing that he will remain impartial, used his subtle ways to communicate to Radcliffe to alter the line of demarcation between India and Pakistan. On the consideration that the Sikh community had rendered great services to the British Raj, Mountbatten and Governor Punjab Sir Even Jenkins worked behind the scenes to benefit the Hindu and Sikh interests.

The Boundary Commission Award resulted in many difficulties for Pakistan. The allocation of the district of Gurdaspur to India caused the greatest resentment among Pakistanis. There was also some conflict over Ferozpur. The delay in publication of the Award, even when it was ready, and the revision of the Award by Sir Cyril Radcliffe, led most Pakistanis to believe that it had been changed to make it more favourable to India. In the light of some documents this short paper will try to answer when, where and why did Radcliffe revise his decision? This paper will also discuss the threat of violence by the Sikhs in the Punjab was the factor which led to most of the revisions so far as the Punjab's boundaries were concerned.

It may be mentioned that when the last viceroy, Lord Mountbatten, was working on his partition plan, the Sikhs and Hindus in the Punjab were demanding that the province should be divided. The Third June Plan included a proposal for the partition of Bengal and the Punjab. Under the plan, the non-Muslim majority districts of these Muslim-majority provinces were to be separated and then to be included in India. It was provided in the plan that two Commissions to demarcate the boundary lines would be set up by the Viceroy. It was also suggested that until the reports of the Boundary Commission had been put into effect, the provisional boundaries, would be used.<sup>1</sup> This included a list of the Muslim-majority districts of Bengal and the Punjab according to the 1941 Census. The list was as follows:

## **BENGAL**

Chittagong Division:	Chittagong, Noakhali, Tippera.
Dacca Division:	Bakarganj, Dacca, Faridpur, Memensingh.
Presidency Division:	Jessore, Murshidabad, Nadia.

Rajshahi Division: Bogra, Dinajpur, Malda, Punba, Rajshahi, Rangpur.

## **THE PUNJAB**

Lahore Division: Gujranwala, Gurdaspur, Lahore, Sheikhpura, Sialkot.

Rawalpindi Division: Attock, Gujrat, Jhelum, Mianwali, Rawalpindi, Shahpur.

Multan Division: Dera Ghazi Khan, Jhang, Lyallpur, Montgomery, Multan, Muzaffargarh.<sup>2</sup>

Under the June 3 Plan the Boundary Commissions were to be instructed to demarcate the boundaries of the two parts of Bengal and the Punjab on 'the basis of ascertaining contiguous majority areas of Muslims and non-Muslims'. They were also instructed to take into account 'other factors'.<sup>3</sup> These factors were not clearly spelled out in the plan but a provision was made by the British Government to take into account the 'special circumstances of the Sikh community in the Punjab'.<sup>4</sup>

The Sikhs were demanding that the Punjab must be divided. But in no single district of the province did the Sikhs constitute a majority. The community numbered about four million out of nearly twenty eight million population of the province.<sup>5</sup> Since the Sikhs were in a minority in the province which was roughly less than eleven percent but they demanded that the division of the Punjab should not be made merely on the basis of the population but that the boundaries of the two Punjab should be determined by taking into account other factors, such as the 'relative share of the various communities in the national assets and their contributions to the prosperity of the province'.<sup>6</sup> The Sikhs

demanded that the terms of reference of the Boundary Commission, should include these factors. The Sikhs were demanding that the three divisions of Ambala, Jullundur and Lahore plus Lyallpur or the Montgomery districts should be awarded to them.<sup>7</sup> Sir Evan Jenkins, the Governor of the Punjab, had warned Mountbatten that the Sikhs were determined to fight if their claims were not seriously considered.<sup>8</sup> Mountbatten was naturally worried about the Sikh plan of action.<sup>9</sup> The Secretary of State, Lord Listowel, also considered the Sikhs "a very dangerous element in the Punjab situation." Commenting on Mountbatten's draft plan of partition and the Sikh demand to include 'other factors' in the terms of reference of the boundary Commission, Listowel expressed the view that a Boundary Commission with terms of reference, such as the Sikhs demanded, would help to keep the Sikhs quiet until the transfer of power, without provoking the hostility of the two major communities; that he would support the Viceroy's proposal that the Sikh claims should be considered by the Boundary Commission. However, he made it clear that 'unless the Boundary Commission was told to give weight to these factors, it could not do more than make marginal adjustments in the district boundaries'.<sup>10</sup> But the June 3 plan did not include any reference to these other factors. It was decided that the leaders of the three communities should appoint a committee which would draw up the terms of reference.<sup>11</sup> The Congress Party, while trying to draft 'fuller terms of reference ... found that in doing so the result achieved was not very satisfactory. When they tried to make a list of 'other factors', it was either too short or too long. It was therefore decided to leave the matter to the Boundary Commission itself.<sup>12</sup> These terms were later on accepted by the Muslim League also.<sup>13</sup>

In continuation of the Transfer of Power process towards the end of June two Boundary Commissions, one for Bengal and the other for the Punjab, were constituted. Each Commission was composed of four High Court Judges, two Muslims and two non-Muslims. It was also agreed that the Congress would include a

Sikh in the two persons nominated by them for the Punjab Boundary Commission.<sup>14</sup> The members of the Punjab Boundary Commission were: Justice Din Mohammad and Justice Mohammad Munir on behalf of the Muslims<sup>15</sup> and Justice Tej Singh and Justice Mehr Chand Mahajan on behalf of the non-Muslims. The members of the Bengal Boundary Commission were: Justice Abu Saleh Mohammad Akram, Justice S.A. Rehman on behalf of the Muslims and Justice C.C. Biswas and Justice B. K. Mukerji on behalf of the non-Muslims. It was decided that Bengal Commission would also deal with Assam.<sup>16</sup> When the question of the Chairmanship of the Boundary Commissions was raised at the Partition Committee's meeting on June 26, the Viceroy Mountbatten suggested Sir Cyril Radcliffe's name as the Chairman of both Boundary Commissions. 'The advantage of such a course', in the Viceroy's view, was that 'Sir Cyril Radcliffe would be enabled to adjust any slight loss one state might have to suffer in one particular area by compensating it in another and generally to see that justice was done uniformly to all claims'.<sup>17</sup> Mountbatten's proposal was accepted by the Partition Council and Radcliffe was appointed as the Chairman of both Boundary Commissions with a final casting vote.<sup>18</sup> On Lord Ismay's proposal,<sup>19</sup> it was thought essential to obtain in advance the agreement of the Indian leaders, who included Sardar Baldev Singh on behalf of the Sikhs; also that they would accept the awards whatever the final decision might be.<sup>20</sup>

Sir Cyril arrived in Delhi on 8 July 1947 and stayed with Mountbatten for 48 hours 'to get into the picture'.<sup>21</sup> This was his first visit to the sub-continent and he knew very little of India. In his first meeting with the Viceroy, Sir Cyril was informed that he had to complete his award within four to five weeks time. Radcliffe pointed out that it was a job which would take years to decide properly but he realized the emergency.<sup>22</sup>

At a time when these decisions were taken, the Sikhs in the Punjab were becoming 'troublesome'. Sardar Baldev Singh who

was defence minister in the interim government was reported in the press to have said at a meeting on July 8, the day when Radcliffe arrived in India, that if the decision of the Boundary Commission went against the Sikhs, they would resist it. Although Baldev Singh denied these reports the Viceroy had little doubt that he was talking along these lines.<sup>23</sup> The Punjab Governor, Sir Evan Jenkins was also of the view that the Sikhs would make trouble if the decision based on the Boundary Commission's report was not to their liking.<sup>24</sup> Giani Kartar Singh, the President of the Shiromani Akali Dal, practically delivered an 'ultimatum to the effect that Sikhs would not accept the notional boundaries and would go to guerrilla warfare after August 15'. It may be noted that the Sikhs had been collecting arms and ammunition for quite some time; and now their leaders demanded that 'the Sikhs must have at least one canal system preferably Montgomery; 'they must also have Nankana Sahib', the birth place of Guru Nanak, the founder of the Sikh faith, located in Sheikhupura. The Sikh leader also demanded that the arrangements of the boundary be such as to bring three quarters or at least two-thirds of the Sikh population into Eastern Punjab.<sup>25</sup>

On the other hand, the Muslim League felt concerned at the Sikh demands and the threat to use violence if they were not met. In a meeting of the Partition Council, Quaid-i-Azam, Muhammad Ali Jinnah invited the attention of the Committee to the reports that the Sikh leaders were inciting their followers to offer active resistance to decisions which they might regard as unfavourable. He also pointed out that active preparations for resistance were being taken, and said that Sikhs were carrying on with their agitation in order to influence the decisions of the Boundary Commission in their favour.<sup>26</sup>

Radcliffe arrived in Lahore on July 14, 1947. Both parties submitted their cases to him on 18 July.<sup>27</sup> The Sikhs wanted to shift the boundary in the Punjab as far as the River Chanab. The Districts of Gurdaspur, Sialkot, Gujranwala, Lahore

Sheikhupura, Montgomery and Lyallpur were claimed for inclusion in East Punjab. On the basis of the 1941 Census, all these districts were Muslim-majority areas. Even in the district of Gurdaspur, where the non-Muslims had a majority in Pathankot Tehsil, the percentage of Muslims was 51.14. In other districts claimed for the Eastern Punjab the total Muslim population was as follows:<sup>28</sup>

District	Total Population	Muslims
Lahore	1,695,375	1,027,772
Sialkot	1,190,497	739,218
Sheikhupura	852,508	542,344
(In Nankana Sahib Tehsil 74.3 per cent population was Muslim)		
Lyallpur	1,396,305	877,518
Montgomery	1,329,103	918,564
Gujranwala	912,234	642,706
Gurdaspur	1,152,511	589,923

It may be noted that after the 1919 Montague-Chelmsford Reforms, the Sikh community had been pressing their case for getting at least 30% representation in the Punjab legislature and also the same proportion of quota in all the services under the Punjab Government.<sup>29</sup>

Surprisingly, they had also been arguing their case that the British must give a preferential treatment to their community due to the reason that when the British annexed Punjab, this territory was ruled by the Sikhs. They had always been cooperating with the Hindu community against Muslim interests to the extent that the Muslim community that was dominant population-wise should be transformed into a minority community even if the territorial redistribution of the Punjab was to be made. It is therefore, not surprising that all the Sikh claims were essentially based on 'other

factors<sup>30</sup> As far as the claims of the Muslim League were concerned, in the Punjab the Muslim League party in addition to the National Award wanted the Ferozpur, Ludhiana, Jullundur and Hoshiarpur districts. The percentage of Muslim population in some of these tehsils was as follows:<sup>31</sup>

Ferozpur	55.2
Zira	65.2
Nakodar	59.2
Jullundur	51.1
Ajnala	59.4

When these claims and counter claims along with threats of violence were given, communal tensions were rising in the Punjab with a great deal of speed. The communal disorder in the Punjab, which had continued since Mountbatten's arrival in India, therefore, gained considerable strength.<sup>32</sup> Fires, stabbings and bomb explosions became an almost daily basis affair in the Punjab. A report submitted by the Director of Intelligence, as circulated at a Partition Council meeting, indicated that the Sikhs intended to start trouble on a big scale or about August 7 if Nankana Sahib was not included by the Award of the Boundary Commission in Eastern Punjab.<sup>33</sup> It was also reported that the Sikhs were collecting "large quantities of arms and ammunition".<sup>34</sup> Some of the instigators of disturbances arrested by the Punjab police made statements which implicated Master Tara Singh, one of the most prominent leaders of the Akali Dal, in the manufacturing of bombs and the collection of arms through Sikh retired and serving army officers. Tara Singh was also reported to be involved in plans to blow up Pakistan special trains, carrying Muslims from Delhi to Lahore and Karachi. A Sikh plan to assassinate Quaid-i-Azam, Jinnah during the Independence Day ceremonies at Karachi on August 15 was also discovered.<sup>35</sup> In view of this information it



seemed necessary to arrest Tara Singh if more trouble was to be avoided, but the Governor Punjab, Sir Even Jenkins advised Mountbatten against such a step.<sup>36</sup> Mountbatten also thought that if arrests were made at that stage, the trouble in the Punjab would spread vertically and horizontally; and the announcement of the Award would render the conditions even worse. He proposed to recommend to the Governor of the Punjab that the arrest be made at about the time of the announcement of Boundary Commission's Award.<sup>37</sup> When the issue of the Punjab was put before the Congress and the Muslim League, Home Minister in the interim Government, Sardar Patel on behalf of Congress party indicated that the idea of arresting Master Tara Singh and some other Sikh extremist leaders were not very appealing.<sup>38</sup> Jinnah, on the other hand, did not favour any delay or postponement of the arrests. In his opinion, it was 'unwise to wait to see the reactions of the Sikhs to the Boundary Commission's Award'.<sup>39</sup> Mountbatten, however, as advised by his Governor, Evan Jenkins<sup>40</sup> left the matter of arrests to be dealt with by the new Governments of West and East Punjab.<sup>41</sup>

Realizing the gravity of the situation, Jenkins had asked Mountbatten for some advance warning of the nature of the Boundary Commission's Award. It was thought that the Award would affect the distribution of police and troops. The request was made in order to make necessary arrangements for it.<sup>42</sup> On August 8, 1947, Punjab Governor's Secretary, George Abell, dispatched a map, along with a note from Christopher Beaumont, Radcliffe's secretary, describing the map, to Abbott, the Secretary to Jenkins.<sup>43</sup> This map showed 'roughly' the boundary Radcliffe proposed to demarcate in his Award. It had clearly indicated that the Ferozpur and Zira tehsils in Ferozpur district would be included in Pakistan.<sup>44</sup> According to Abbott's recollections the map also included 'some cis-Ravi parts of Gurdaspur in Pakistan'.<sup>45</sup> Some other documents available now also support the view that Radcliffe had reached the decision to award the Ferozpur and Zira tehsils to Pakistan. Justice Mohammad Munir,

one of the Muslim members of the Punjab Boundary Commission, recalls that Radcliffe had distinctly told him, when he was arguing for Muslim claims about these areas, that the Ferozpur headworks would go to Pakistan and he need not argue anything about them.<sup>46</sup> Justice Din Mohammad, the other Muslim judge, also reported to the Government of Pakistan that Radcliffe had stopped him from arguing 'so obvious a case' as the tehsils of Zira and Ferozpur.<sup>47</sup> A.N. Khosla, Chairman, Central Waterways, Irrigations and Navigation, had also recorded that Radcliffe's mind was working in the direction of giving Ferozpur and Zira to Pakistan in return for giving Gurdaspur and parts of the Lahore district to East Punjab.<sup>48</sup>

On the strength of the above-quoted documents, perhaps, it is not unreasonable to argue that Radcliffe was going to award Ferozpur and Zira tehsils to Pakistan; at least until August 6 he was thinking on those lines. However, the Award, as announced later, placed these tehsils, along with the greater part of Gurdaspur, in Hindustan. The questions 'why' and 'when' Radcliffe changed his mind about these tehsils seem to be important. The controversial nature of this decision left its marks on the Anglo-Muslim and later on Pakistan's relations with Britain. The allocation of these Muslim-majority areas to India was greatly resented by many Pakistanis.<sup>49</sup> It was generally suspected in Pakistan that the Boundary Commission Award was changed at the last moment for political reasons as result of improper pressure from Mountbatten. Most of the British historians and administrators of course rejected 'the Pakistanis' charge' and stated that the Viceroy had no desire to influence the Boundary Commission's decision in any way. Mountbatten himself recorded that 'I have taken greatest pains not to get mixed up in the deliberations of the (Boundary) Commission in any way.'<sup>50</sup>

The Viceroy was shrewd enough not to have issued any written instruction in favour of Sikh case for 'other factors'. However, there are some documents which clearly show that

Radcliffe altered his Boundary Award after he had discussed it with Lord Mountbatten. According to Radcliffe, he showed the first draft of the proposed Award to the authorities in Delhi and on further consideration, he made the Award in terms which departed from the first draft.<sup>51</sup> The apparent reason for this change was the Sikh problem in the Punjab. In a private meeting, which was held at Lord Ismay's house 'on or about August 9' to discuss the date on which the Awards were to be announced, Mountbatten, who was worried about the Sikh intention to make trouble, told Radcliffe that the Sikh attitude had become rather worse than had been anticipated and that when Radcliffe was 'balancing up' the boundaries of East and West Pakistan the Viceroy had hoped that he would 'bear the Sikh problem in mind'. The details of the discussions, as recorded in a letter written to Lord Ismay by Mountbatten at a later stage, show that Mountbatten also remembered saying to Radcliffe that 'generosity to Pakistan should be given more in Bengal than in the Punjab since there was no Sikh problem in Bengal'.<sup>52</sup> No record of this important conversation was dictated by Viceroy to his staff as Mountbatten usually did after meetings.<sup>53</sup> It is evident from his letter containing the details of the meeting, that although Mountbatten did not actually advise Radcliffe to assign Ferozepur and Zira to India, at least not on record, he left Radcliffe in no doubt what his personal views were. He would have liked Radcliffe to be generous to the Sikhs in the Punjab. It seems that Radcliffe gave due weight to the Viceroy's views and decided to award Ferozepur and Zira tehsils to East Punjab. Both tehsils had a considerable Sikh minority.<sup>54</sup>

The Viceroy's decision to defer to publication of Radcliffe Award until after the transfer of power was also taken on account of the Sikh situation in the Punjab. On July 22, in a letter to Radcliffe, Mountbatten had requested him to have the Award ready by August 10<sup>55</sup> because he intended to publish the Awards by August 12. Later Mountbatten changed his mind. When on August 9 it was stated in a staff meeting that Sir Cyril would be

ready that evening to announce the Award, and that its publication would result in severe disturbances, Mountbatten felt an early announcement 'less desirable'. He thought 'the earlier it (the Award) was published, the more the British would have to bear the responsibility for the disturbances to follow.'<sup>56</sup> Consequently, although Radcliffe submitted the Awards to Mountbatten 'on or about August 12,<sup>57</sup> the Awards were kept secret and not released until August 16.

Under the Punjab Boundary Commission Award, the Muslim-majority tehsils of Gurdaspur, Batala, Pathankot, Ferozepur, Zira, Ajnala, Nakodar and Jullundur were assigned to India. Not a single non-Muslim majority area was taken away from India. Under the Bengal Boundary Commission's Award, Calcutta was assigned to India, undoubtedly because the majority of the population were Hindus. The term 'other factors' had obviously not worked in favour of the Muslim League which claimed Calcutta because of economic considerations.<sup>58</sup> The other main features of the Bengal Award were that the whole of the Muslim-majority district of Murshidabad and the greater part of the Muslim-majority district of Nadia were given to India. Parts of Jessore districts were also transferred from East Bengal to West Bengal. Under the "Notional Award" these districts had been in Muslim Bengal. However, the Chittagong Hill Tracts, where the population was almost entirely non-Muslim (i.e. Buddhist), were awarded to Pakistan.<sup>59</sup> Nevertheless, West Bengal gained substantially over East Bengal under the Award.<sup>60</sup> The Award of the Bengal Boundary Commission regarding Sylhet resulted in the transfer of the whole of the district, less four thanas, from the province of Assam to East Bengal.<sup>61</sup>

The final decision perhaps was not unexpected, satisfied neither party. However, the Congress had little cause for complaint. The only complaint against the Award from the Indian side was the allocation of the Chittagong Hill Tracts to Pakistan.<sup>62</sup> Jinnah called the Award 'unjust, incomprehensible and even

perverse'. In his view it was not a judicial but a political award.<sup>63</sup> Some other Muslim leaders also condemned the Award. Sardar Abdur Rab Nishtar called it 'a parting kick by the British'. Chundrigar even suggested that 'the decision might persuade Pakistan not to remain in the Commonwealth'. While reporting these anti-British feelings to London, the British High Commissioner in India, Sir Terence Shone, observed that the general feeling among the Muslims was that the Award was one-sided and most unfair to Pakistan. In the Punjab, Sikhs and Hindus were also critical of the Award but the High Commissioner, Shone reported that the Muslim side was more strongly critical than the others of the Awards. He believed that this was particularly due to the decision regarding the Lahore and Gurdaspur districts.<sup>64</sup>

Radcliffe's decision to bisect the Gurdaspur district and to award its greater part to India caused the greatest resentment among Pakistanis. They thought that if India had not been awarded Gurdaspur, she hardly could have intervened in Kashmir as there was no other land access to the Kashmir state from India. They implied that but for this decision there would have been no Kashmir problem. However some British works suggest contrary to that 'Kashmir State was not in anybody's mind'<sup>65</sup> when the Award was being drawn and that even the Pakistanis themselves had not realized the importance of Gurdaspur to Kashmir until the Indian forces actually entered Kashmir.<sup>66</sup> The latter observation is based on the fact that when the Awards were placed before the representatives of India and Pakistan, the Pakistani side did not complain that the allocation of Gurdaspur to India had made it possible for the new India to move directly into Kashmir. It is correct that the subject of Gurdaspur was not raised by the Pakistan side at that meeting but it should not be forgotten that the Muslim leaders had already conveyed to the Viceroy that they attached great importance to Gurdaspur. Before the Awards were formally announced, some details of the decision had been leaked out. When Quaid-i-Azam Muhammad Ali Jinnah and Nawabzada

Liaquat Ali Khan received information about the likely decision on Gurdaspur, Liaquat asked Choudhary Mohammad Ali, one of the two secretaries to the Partition Council, on 9 August, to see Lord Ismay<sup>67</sup> and convey to him from Muslim League and Jinnah that 'if it proved true that the Gurdaspur district... or even a large part of it had been given to East Punjab ... by the Boundary Commission, this would be regarded as most serious' and that 'it would be considered by the Pakistan Government as a political and not a judicial decision.'<sup>68</sup>

Similarly, the argument that Kashmir state was not in anybody's mind also seems too much to assume. Some documents available now point to the fact that at least the Viceroy and the Maharajah of Kashmir realized that if the Boundary Commission provided India with any land communication with the state of Kashmir, the whole nature of the future relations between the state and India would be affected.<sup>69</sup> Since Radcliffe had destroyed all his papers in connection with the boundary Commission,<sup>70</sup> and a large number of the British documents about Kashmir are still not available,<sup>71</sup> we cannot tell whether this point was ever made to Radcliffe. But it is evident that while discussing the "Notional Award" Pandit Nehru suggested to Mountbatten that the district be divided between India and Pakistan.<sup>72</sup> Mountbatten informed his staff on May 12 that the Boundary Commission would be instructed to arrange for the hand over from one side to the other of any area within border district where there was clearly a majority of the opposite community.<sup>73</sup> It implied that Gurdaspur could be divided and at least the Tehsil of Pathankot, where Muslims were only 38.8 per cent, could be awarded to India. Although the final instructions to the Boundary Commission did not include the above-mentioned point, a lead in that direction was given to the Boundary Commission by the Viceroy when in a press conference he said that he would be surprised if Gurdaspur, notionally awarded to Pakistan, remained wholly in Pakistan.<sup>74</sup>

Viceroy's reference to Gurdaspur in his press conference and later the knowledge that Radcliffe had first awarded Ferozepur to Pakistan but had changed his decision,<sup>75</sup> led the Pakistan Government to believe that the change was made as a result of some pressure from Mountbatten. The controversy became a source of concern for the British Government, too, when during a debate on Kashmir at the UNO, the representative of the United Kingdom learned that the Government of Pakistan were thinking of introducing at the Security Council the issue of the last-minute alterations in the Radcliffe Award. The British delegation anticipated that Sir Zafrullah Khan would associate Mountbatten's name with what had been done. Chaudhary Zafrullah had told a member of the British delegation at the United Nations, that he had evidence of the Punjab Boundary Commission's Award having been tampered with to the great disadvantage of Pakistan, and its publication having been delayed.<sup>76</sup>

Furthermore, a communication by Noel-Baker to Attlee shows that the CRO (*Commonwealth Relations Office*) had no 'precise knowledge of the basis of these allegations against Mountbatten'.<sup>77</sup> But it is evident from the same note that London had some information about the alterations made in the Award 'to assign the East Punjab a salient in the original demarcation of the West Punjab boundary which included Gurdaspur'.<sup>78</sup> The information was based on an interview between Radcliffe and Arthur Henderson, the Minister of State. Radcliffe had told Henderson that he had showed the first draft of the proposed Award 'to the authorities in Delhi'<sup>79</sup> and on further consideration he had made the award in terms which departed from the first draft. Henderson did not attempt to elicit from Radcliffe at that time whether the departure from the first draft had been suggested to him from any quarter. While bringing it to the attention of British Prime Minister, Attlee of the details of the interview, Noel-Baker took the view that it did not seem desirable to ask Sir Cyril whether the alteration in the Award was made on Mountbatten's advice. Instead, he proposed that Zafrullah be

discouraged from bringing the matter before the Security Council.<sup>80</sup> Attlee agreed with this course and suggested that the 'personal message' to Zafrullah should not 'expressly deny' what Zafrullah had said.<sup>81</sup> Accordingly, in a 'private and confidential' message it was suggested to Zafrullah that 'it would be most unwise and highly improper to introduce the allegations in the United Nations Organization; it may be unwise because we should certainly contest them an improper because they would affect the honour and reputation of the King's representative in India who has no means of defending himself in public'.<sup>82</sup> It appears that this approach to Zafrullah worked very well; Sir Zafrullah Khan, after having second thoughts, due to his close British connections, decided not to raise the issue again.<sup>83</sup>

However, before Zafrullah's decision to accept the British advice became known, Mountbatten, who felt concerned over the charges against him, decided to prepare a brief refuting the charges, and sent it to Gopalswami, the Indian representative, at the UNO.<sup>84</sup> As these charges related to a period before the transfer of power, it was felt in Britain that it would be appropriate for the UK representative at the UN, and not for the Indian delegation, to deal with them. Accordingly Mountbatten was requested to inform the Indian delegation of this decision.<sup>85</sup> Meanwhile Zafrullah's decision not to raise the matter apparently was brought into the attention of Lord Mountbatten. But he was so satisfied with his 'cast-iron reply' to Pakistan's charges that he said he would 'almost prefer the matter to be ventilated and disposed of once and for all'.<sup>86</sup> This implied that Mountbatten did not wish the British Government to discourage Zafrullah from raising the subject at the UNO. However, the British policy of avoiding any public discussion was not altered; besides, some officials in the CRO believed that Mountbatten's case was actually not so cast-iron as he would have thought.<sup>87</sup> The British Government considered it wise to let the matter drop for good. This policy was due to the fact that London wanted to avoid controversial nature of discussion on the Radcliff award that could



have brought unnecessary details on the surface resulting in defaming the British policies.

On the other hand, the Viceroy, who perhaps was not satisfied with this policy, informed London that he had learned that Liaquat Ali Khan intended to publish George Abell's letter of August 8. Mountbatten anticipated that a reply would have to be made. He suggested that the reply should either come from the British Government or Radcliffe himself. Mountbatten proposed that a statement should be prepared in advance to be issued immediately in case Liaquat Ali Khan decided to publish the letter in question.<sup>88</sup> However, the British authorities were not certain that the Government of Pakistan would in fact take the action which Mountbatten had feared. Nevertheless, they agreed that a denial should be issued if an allegation were made.<sup>89</sup> They decided to prepare an answer to a 'planted' Parliamentary question which could be asked by some member of the parliament at a convenient moment.<sup>90</sup> It was decided to consult Radcliffe about the contents.<sup>91</sup> When a draft was forwarded for his advice, some phrases were amended by Radcliffe. The full version and the amendments (underlined) were as follows:

'Draft Statement to be made by the Parliamentary Spokesman, Sir George Abell's letter of 28 August 1947, which has been made public by the Pakistan authorities, communicated to Sir Even Jenkins, the Governor the Punjab, a provisional (a rough statement of a proposed) boundary between East and West Punjab. The information contained in it was derived from Sir Cyril Radcliffe, Chairman of the Boundary Commission, as a result of a very proper enquiry from Sir Even Jenkins whether he could have advance information about the boundary so that the best dispositions might be made of military forces and police.

The boundary indicated by the communication of the August 8 differed from that contained in Sir Cyril's final (the Award) of the 13 August (as ultimately made by Sir Cyril in its treatment of

and) in respect of a small area in the Ferozepur District. I understand from Sir Cyril that he found the treatment of this area a question of considerable difficulty and on this point he reached a final conclusion differing from that which he was disposed to adopt at a slightly earlier stage, at the time when Sir George Abell asked him for advance information.

'Sir Cyril has informed me that his award of the August 13 was the result of his own unfettered judgment and that at no stage was any attempt (of the kind) made by the Governor-General to influence his decision. That this is so I have no doubt at all.'<sup>92</sup>

Lord Ismay in a letter to Mountbatten expressed the hope that Radcliffe's willingness to say that 'the Boundary Commission's Award represented the result of his own unfettered judgment' would ease Mountbatten's mind.<sup>93</sup> When the draft statement reached Mountbatten for his comments, he suggested that the last sentence should be amended to read as that no attempts were made 'by the Governor-General or any other person' to influence the decision.<sup>94</sup> No decision was taken by the Commonwealth Relation Office in this regard to Mountbatten's suggestion. Carter expressed the view that before deciding exactly how to word that portion of the statement, it would be better to see 'what in fact Pakistan's allegation is, if it is ever made.'<sup>95</sup> The real reason for not accepting Mountbatten's proposed amendment however appears to be that Carter found 'a certain awkwardness in any wording that suggests that Radcliffe was absolutely aloof because Radcliffe had told him that 'he did quite deliberately seek the views of all sorts of people, including British officials, and some of these conversations took place at a very late stage'.<sup>96</sup>

Now that the charges against Mountbatten were not officially brought forward by Pakistani Government, the British denial was also not issued. But perhaps it is significant that the criticism of Radcliffe's Award in Pakistani newspapers, and by some individuals, which in fact never stopped, was ignored by the British

Government. Some years later, while considering the question whether the criticisms of the Award called for any action from Britain, the CRO took the view that any statement from the office would have 'little effect' and would only 'exaggerate the matter'.<sup>97</sup>

Sir Lawrence Grafftey-Smith, the UK High Commissioner in Pakistan, once observed that 'history as written in Pakistan will spotlight the 'when' and 'where' as much as the 'why' of Lord Radcliffe's revision of his Ferozepur Award and will cite Lord Mountbatten's press conference of June 4, 1947,<sup>98</sup>... as an evidence of British prejudice against Pakistan'.<sup>99</sup> He thought that there was a little hope of dispelling local criticism of the Radcliffe Award. The best line for the British, in his view, was to refuse 'to accept any Pakistani allegation of influence on the part of Mountbatten'.<sup>100</sup> It may be noted that the British Government, continued with this policy giving a great deal of importance to India, ignoring Pakistani concerns.

## Notes and References

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- 1 For full text of the Statement of 3 June 1947, see (Transfer of Power) 1942-47, 12 Vols, (H.M.S.O. 1970-83, henceforth *T.P.* edited by Prof. Nicholas Mansergh) XI, 45.
- 2 *Ibid.*
- 3 *Ibid.*
- 4 Statement by Arthur Henderson, Parliamentary Undersecretary for India, Parliamentary Debates. 5th Ser; H. of C, Vol. 440, 14 July, Col. 74.
- 5 Figures quoted in Letter (henceforth *Ltr.*). from Listowel to Mountbatten, 9 May 1947, *T.P.*, X, 371.

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- 6 Patiala to Mieville, 20 May 1947, *T.P.*, X, 492.
  - 7 These 'unreasonable demands' as Sir Even Jenkins, the Governor of the Punjab, called them, were something akin to the idea of the third Central State, Khalistan. (Jenkins to Mountbatten, 3 May 1947, *T.P.*, X, 298.)
  - 8 However, in order "not to annoy the British", Giani Kartar Singh, a prominent Sikh leader, had told Jenkins that the fight would start after the British departure from India. Note by Jenkins, 10 April 1947, *T.P.*, X, 115.
  - 9 Meeting (henceforth Mtg.) Between Mountbatten, Jinnah and Liaquat, 4 May 1947, *T.P.*, X, 310.
  - 10 Listowel to Mountbatten, 9 May 1947, *T.P.*, X, 371.
  - 11 Mountbatten's Press Conference, 4 June 1947, *T.P.*, XI, 59.
  - 12 Ltr., Nehru to Mountbatten, 12 June 1947, *T.P.*, XI, 158.
  - 13 Interview between the Viceroy and Jinnah, 23 June 1947, *T.P.*, XI, 311.
  - 14 Minutes of Viceroy's mtg., 13 June 1947, *T.P.*, XI, 175.
  - 15 Jinnah to Mountbatten, 24 June 1947, *T.P.*, XI, 317.
  - 16 It was thought that the establishment of a separate Commission for Assam would cause delay. (Minutes of Viceroy's Staff mtg., 25 June 1947, *T.P.*, XI, 344.)
  - 17 Partition Council's mtg., 26 June 1947, *T.P.*, XI, 354.

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- 18 It is significant that Radcliffe was entrusted with entire responsibility for drawing the boundaries before both Commissions started functioning. This indicates that it was thought obvious that Muslim and non-Muslim Judges would not agree on anything.
  - 19 Viceroy's Staff mtg., Item 5, 10 June 1947, *T.P.*t XI, 126.
  - 20 Viceroy's Personal Report (henceforth V.P.R.) No. 17, 16 August 1947, *T.P.*, XII, 489.
  - 21 V.P.R., No. 12, 11 July 1947, *T.P.*, XII 65.
  - 22 Mountbatten's Staff mtg., 8 July 1947, *T.P.*, XII, 12, also note by Mountbatten, undated, *T.P.*, XII, 111.
  - 23 V.P.R., No. 12, 11 July 1947, *T.P.*, XII, 65.
  - 24 Jenkins to Mountbatten, 10 July 1947, *T.P.*, XII, 56.
  - 25 Mtg. between Jenkins and Kartar Singh, 10 July 1947, Enclosure to 56, *T.P.*, XII.
  - 26 Mtg. of the Partition Council, 10 July 1947, *T.P.*, XII, 52.
  - 27 The Public sittings of the Commissions were held from 21 July to 31 July 1947.
  - 28 All figures quoted above are taken from the report of Justice Munir, 5 Aug. 1947, microfilms from the National Archives of Pakistan, Partition Proceedings, (produced by Partition Secretariat of Govt. of India between 1947- 50), CH. IV, p.238-39, POS 3658, IOR.

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- 29 S. Q. Abid, Muslim Politics in the Punjab.
  - 30 The Sikh claims would have left West Pakistan almost hopeless economically and utterly hopeless strategically. See for details of this view Spate, 'Partition of India and Prospects of Pakistan', *Geographical Review*, Vol, XXXVIII, No. 1, January 1948, p.10.
  - 31 Figures quoted are taken from the report of Justice Munir, 5 August 1947, Partition Proceedings, p.243. The Muslim case was described as 'moderate to the point of folly', though it was recognized that it would have given a single and workable line. (Spate, *Geographical Review* p.25.)
  - 32 For details of Communal disorder in Punjab, see letters from Jenkins to Mountbatten, 14 July 1947, *T.P.*, XII.
  - 33 Viceroy Conference Paper 140, circulated at Partition Council mtg., *T.P.*, XII, 292.
  - 34 The report added that the Muslims were aware of most Sikh preparations and making counter-preparations them selves, 27 July 1947, *T.P.*, XII, 250.
  - 35 Statement by Captain Savage, a police officer in Punjab C.I.D. Control, who was employed in investigations of disturbance cases. Record of mtg. between Viceroy, Jinnah and Patcl, 5 August 1947, *T.P.*, XII, 345.
  - 36 Jenkins, while sending the information about Tara Singh's subversive activities, expressed the view that although 'the character (Tara Singh) mentioned seems to me to be cracked, the question is whether to put him in the bag now or chance it. Either way

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- is bad; one the whole I would chance it'. Note by Jenkins to Abell, 4 August 1947, *T.P.*, XII, 334.
- 37 Abell to Jenkins, 4 August 1947, *T.P.*, XII, 346.
- 38 Record of interview between Viceroy, Jinnah, Liaquat, Patel and Savage, 5 August 1947, *T.P.*, XII, 345.
- 39 Note by Abell to Mountbatten, 6 August 1947, *T.P.*, XII, 361.
- 40 Jenkins sent the advice after discussing the matter with Trivedi and Mudie, the Governors designated for East and West Punjab respectively. Jenkins expressed the view that 'the arrest of Tara Singh and his friends now or simultaneously with the announcement of the Boundary Commission's Award would not improve and might worsen the situation and would lead to sharp reactions among the Sikhs. He therefore suggested to leave the matter for the future governments of West and East Punjab. (Jenkins to Mountbatten, 9 August 1947, *T.P.*, XII, 403.)
- 41 Mountbatten approved Jenkins' proposal and telegraphed his acceptance next day. Footnote 3, *T.P.*, XII, 637.
- 42 The request was made in late July when Mountbatten was visiting Lahore. It was forwarded to Beaumont, Radcliffe's Secretary, on 21 July 1947. (Note by Abell to Beaumont, 21 July 1947, *T.P.*, XII, 190.
- 43 Note by Abell to Abbott, 8 August 1947, *T.P.*, XII, 377. Mountbatten maintained that Abell sent this letter without his knowledge. (Tel., Mountbatten to Ismay, April 1948, Pol. Dcpt. Transfer of Power

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- Papers, L/P & J/10/119 of 111, (*T.P.*, XII, P.579.) However, it was Mountbatten's intention to send the information. See his letter to Jenkins, 6th August 1947, (*T.P.*, XII, 359) in which he wrote: 'I have not forgotten your request that you should be given advance warning of the Boundary Commission's Award and I will try to secure this'.
- 44 Both map and the descriptive note were in the possession of the Pakistan Government. (*T.P.*, XII, 377 footnote). The same claim was made by S. Ghiasuddin on behalf of the Government of Pakistan in a letter to Sir F. Mudie, 19th November 1968, Mudie Collection, Mss. Eur. F.164/63JOR.
- 45 Ltr., Jenkins to Prof. Michael, 27 November 1967, Jenkins' Papers, Mss. Eur. D. 807/3, IOR.
- 46 Masooma Hassan (ed.), *Pakistan in the Changing World*, (Karachi, 1978), p.94.
- 47 Quoted by Mohd Ali, *The Emergence of Pakistan*, p.219.
- 48 Note by Khosla to Nehru, 8 August 1947, *T.P.*, XII, Enclosure to 395. It may be remembered that under the Notional Award Ferozpur district was included in Eastern Punjab while the Gurdaspur district was in West Punjab.
- 49 Moore, *Escape from Empire*, p.327, Hugh Tinker, 'Pressure, Persuasion, Decision: Factors in the Partition of the Punjab', *Journal of Asian Studies*, XXXVI, 4, 1977, pp.695-704, Alan Campbell-Johnson, *Mission with Mountbatten*, p.309.
- 50 V.P.R., No. 17, 16 August 1947, *T.P.*, XII, 489.



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- 51 Radcliffe gave this information to Arthur Henderson. Noel-Baker reported this in a note to Attlee, 26 February 1948, Serial No. 4/48, Political Departments Transfer of Power Papers, (L/P & J/10), Allegations Against Mountbatten, L/P & J/10/119, IOR.
  - 52 Mountbatten to Ismay, 2 April 1948, Ismay Papers, III, 7/24, Liddle Hart Centre for Military Archives, King's College, London.
  - 53 The reason given by Mountbatten, at a later stage, for not keeping a record of that meeting was 'partly because of the immense pressure we were then working under and partly because the conversation was of 'such a very off the-record nature'. (Mountbatten to Ismay, 2 April 1948, Ismay Papers III 7/27). However it is of interest to note that Mountbatten, at the end of his letter containing the details of that meeting, asked Ismay to burn it. But obviously Ismay did not act on the advice and the letter was not destroyed.
  - 54 The proportion of the Sikhs in the population of this area was nearly double that of their average percentage of 13.2 in the Punjab. Mohd Ali, *The Emergence of Pakistan*, p. 219. The Muslim population in Ferozepur was 55.2 percent and in Zira 65.2 per cent. Justice Munir's report, 5 August 1947, *Partition Proceedings*, p.243.
  - 55 Mountbatten to Radcliffe, 22 July 1947, *T.P.*, XII, 200.
  - 56 Minutes of Viceroy's Staff mtg., 9 August 1947, *T.P.*, XII, 389.

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- 57 Memo by the Minister of State for C.R., 20 August 1947, I.B. (47), F.O.371/63568.
- 58 'Radcliffe hesitated for a long time over Calcutta's fate. There was, he thought, much logic in Jinnah's claim to it. So there might be a unitary flow of Jute from field to mill to port. In the end he felt its Hindu population had to overrule economic consideration'. Collins, L., Lappierre, D. *Freedom at Midnight*, (Glasgow, 1975), p.212.
- 59 The reason for the allotment was that 'the district was completely isolated from West Bengal. (Confidential Report for (Secretary of State), henceforth S. of S. for (Commonwealth Relations, henceforth C.R.) on Events in India and Pakistan, 15-20 August 1947, Information Dept. (subject) Files, L 1/1/42/12 IOR). According to Mountbatten, the whole life of the people of the Hill Tracts depended upon East Bengal. (V.P.R., No. 17, 16 August 1947, *T.P.*, XII, 489.
- 60 'Nearly 6,000 square miles of territory with a population of 3.5 million Muslims, that had been provisionally assigned to Pakistan, were severed from it and transferred to India'. *The Emergence of Pakistan*, p.200.
- 61 Tel., Mountbatten to S. of S. for India, 14 August 1947. High Commissioner and Consular Archives (India) Correspondence. D.O. 133/59, (Boundary Commission's Award), P.R.O.
- 62 Minutes of mtg. between Viceroy and the representatives of India and Pakistan, 16 August 1947, *T.P.*, XII, 487.

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- 63 However, as Muslims had agreed to abide by it in advance, Jinnah asked them 'as honourable people' to abide by it. Broadcast from Radio Pakistan, 31 August 1947. Sharif al Mujahid, *Quaid-i-Azam Jinnah*, (Karachi, 1981, p.643.
- 64 Report from UNHC (I) to S. of S. C.R., 19 August 1947, War Staff Files, 'political Development in India and Pakistan', L/WS/1/1034, IOR. The Radcliffe Award had transferred part of Lahore district from West Punjab to East Punjab. The greater part of Gurdaspur has also has been awarded to India.
- 65 H. V. Hodson, *The Great Divide*, p.355.
- 66 Hugh Tinker, *Journal of Asian Studies*, XXXVI, 4, 701-2.
- 67 Chaudhry Mohd. Ali, *The Emergence of Pakistan*, PP.218-19.
- 68 V.P.R., No. 17, 16 August 1947, para 9, *T.P.*, XII, 489.
- 69 During a discussion on the question of accession of the Indian states to either of the two Dominions, Mountbatten observed that Kashmir could join either dominion provided part of Gurdaspur were put into East Punjab by the Boundary Commission. (Record of interview between Viceroy and the Nawab of Bhopal and the Maharajah of Indore. 4th August 1947, *T.P.*, XII, 335.) The Maharajah of Kashmir mentioned the possibility of holding a referendum in his state to decide whether to join Pakistan or India provided the Boundary Commission awarded him land communication

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- between Kashmir and India. (V.P.R., No.17, 16 August, *T.P.*, XII., 489.)
- 70 See footnote in *T.P.*, XII, p. 579.
- 71 A large number of files relating to Kashmir, (L/P & J/13/1850-1948, Coll. 49, IOR, were not available for consultation on 2 April 1948, when I last visited India Office Library.
- 72 Minutes of Viceroy's mtg., 11 May 1947, *T.P.*, x, 404. Jenkins, the Governor of Punjab, who was also present at the meeting, speaking from his personal knowledge as a former Deputy Commissioner of Gurdaspur stated that it was not possible to divide the district because the population was fairly equally mixed throughout the district. *T.P.*, X, 404.
- 73 Minutes of Viceroy's 31st mtg., 12 May 1947, *T.P.*, X, 414.
- 74 Mountbatten's Press Conference, 4 June 1947, S. Hasan (ed.), *Documents on the Foreign Relations of Pakistan: The Transfer of Power*, (Karachi, 1966), p.252.
- 75 Apparently, the Government of Pakistan's knowledge was based on the map and the descriptive note sent by Abell to Abbott on August 8, 1947. According to Abbot the note included 'some cis-Ravi parts of Gurdaspur in Pakistan'. (Ltr., Jenkins to Michael, 27 November 1967, Jenkins1 Papers, D.807/3, IOR.) Mudie, the new Governor of the Punjab, found Abell's note in the papers left by Jenkins and handed in over to the Government of Pakistan. The map and note were in possession of Pakistan. (*T.P.*, XII, 377, Footnote.)

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- Mountbatten thought that the evidence quoted by Zafrullah was probably the letter from Abell to Abbott of 8 August.
- 76 Mountbatten to Jenkins, 19 March 1948, L/P & J/10/119.
- 77 Noel-Baker to Attlee, 25 February 1948, 3/48, 3/48, *Ibid.*
- 78 *Ibid.*
- 79 Radcliffe probably meant Mountbatten. No record of this meeting was kept by Mountbatten but he mentioned this meeting in a letter to Ismay, 2 April 1948, Ismay Papers, III, 7/24.
- 80 Note by Noel-Baker to Attlee, 26 February 194, 4/48, L/P & J/10/119.
- 81 *Ibid.*
- 82 Tel., *Noel-Baker to Zafrullah*, 27 February 1948, *ibid.*
- 83 Note by Paul Patrick, 2 March 1948, *ibid.*
- 84 Tel., UKHC(I), to CRO, 28 February 1948, *ibid.*
- 85 Paul Patrick (CRO) to Ismay, 2 March 1948, *ibid.*
- 86 Mountbatten to Noel-Baker, 2 March 1948, *ibid.*
- 87 Tel., H.A.F. Rumbold (CRO) to B.R. Currzon (member of the Bri.Del.) 25 March 1948, *ibid.*
- 88 Tel., Mountbatten to Ismay, received on 3 April 1948, *ibid.*
- 89 Carter to Radcliffe, 7 April 1948, *ibid.*

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- 90 Hugh Tinker, *Journal of Asian Studies*, XXXVI, 4, p.703.
  - 91 Carter to Radcliffe, 7 April 1948, L/P & J/10/119.
  - 92 Hugh Tinker, *Journal of Asian Studies*, XXXVI, 4, pp.703-4.
  - 93 Ismay to Mountbatten, 13 April 1948, Ismay Papers, III, 7/28.
  - 94 UKHG (I) to CRO, 22 April 1948, L/P & J/10/119.
  - 95 Carter to Shone, UKHC (I), 28 April 1948, *ibid.*
  - 96 *Ibid.*
  - 97 CRO to UNHC (P), 1950, F 4115/14, Foreign Office Papers, F.P.371/84232.
  - 98 In which Mountbatten said he would be surprised if the Boundary Commission decided to give whole of the Gurdaspur district to Pakistan.
  - 99 Smith to Liesching, P/66 Sec, 26 January 1951, F.P.371/92869.
  - 100 *Ibid.*