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GEOGRAPHICAL INDICATION

What is the GI tag?

Have you ever wondered why Darjeeling tea, Channapatna toys, Mysore silk, Madhubani paintings, Kanchipuram silk saree, Alphonso Mango, Nagpur Orange, Kolhapuri Chappal and Agra Petha are called so? Every region boasts of something unique and the products are their claim to fame. Even in the olden days explorers went in search of such things exclusive certain places, a classic example being that of Christopher Columbus. He tried a new route just for the Indian spices. This reputation of the regions was not built in a day. The products are combination of the best of man and nature and it has been carefully preserved and handed over for generations. In order to celebrate and recognise the unique identity connecting the products and places, the famous GI tag was developed.

The Indian Parliament passed the Geographical Indications of Goods (Registration and Protection Act) in December 1999 which aimed at providing a registration and also protection of GI of the goods in India. This Act is administered by the Controller General of Patents, Designs and Trade Marks, who is also the Registrar of Geographical Indications.

Quality and reputation

The GI tag is an indication which is definite to a geographical territory. It is used for agricultural, natural and manufactured goods. For a product to get GI tag, the goods need to be produced or processed or prepared in that region. It is also essential that the product has special quality or reputation.

How does it help?

Have you started to wonder how GI tag is useful? It is beneficial because it confers legal protection to the Geographical Indications in India. This identity helps in preventing misuse of a registered GI. Moreover, the legal protection of GI boosts exports. GI tag not only helps the country's export market but also helps in promoting economic prosperity of the producers.

Any established organisation or authority can apply for GI tag under the law. The application for the GI tag should be addressed to the Registrar of Geographical indications along with the fee. Under the Geographical Indications, persons who deal with production, processing, trading or dealing of agricultural goods, natural goods, making, manufacturing, trading or dealing of handicrafts or industrial goods, specific to the region are called the producers.

Registration of the product under the GI facilitates better legal protection and the authorised user can exercise his right to use the tag effectively. The registration of GI is valid for a period of 10 years each which can be renewed from time to time. If the GI is not renewed then it will be removed from the register.

Public property

A registered GI is a public property which belongs to the producers of the goods. It cannot be used for licensing, pledge, mortgage etc. After the demise of the authorised dealer, his right can be exercised by the successor. It is not without reason that the place of origin is prefixed before the product, GI tag surely makes us proud of the various products of our country.

Indian Patent Office

The **Indian Patent Office** is administered by the Office of the Controller General of Patents, Designs & Trade Marks (CGPDTM). This is a subordinate office of the Indian government and administers the Indian law of Patents, Designs and Trade Marks.

Under the office of CGPDTM, a Geographical Indications Registry has been established in Chennai to administer the Geographical Indications of Goods (Registration and Protection) Act, 1999.

List of Geographical Indications in India

India, as a member of the World Trade Organization (WTO), enacted the Geographical Indications of Goods (Registration & Protection) Act, 1999 has come into force with effect from 15 September 2003. GIs have been defined under Article 22(1) of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement as: “Indications which identify a good as originating in the territory of a member, or a region or a locality in that territory, where a given quality, reputation or characteristic of the good is essentially attributable to its geographic origin. The GI tag ensures that none other than those registered as authorised users (or at least those residing inside the geographic territory) are allowed to use the popular product name. Darjeeling tea became the first GI tagged product in India, in 2004–05, since then by July 2012, 178 had been added to the list.

State	Items
Andhra Pradesh	Guntur Sannam chilli, Tirupati Laddu, Hyderabad haleem and Gadwal sarees
Himachal Pradesh	Kinnauri shawl
Karnataka	Sandur Lambani embroidery, Kasuti embroidery, Ilkal sarees, Channapatna toys, Hoovina Hadagali jasmine, Monsooned Malabar coffee, Monsooned Malabar Robusta Coffee and Coorg Green Cardamom, Molakalmuru sarees, bronze ware, Navalgund Durries, Mysore Ganjifa cards, Mysore silk, Mysore agarbathis (incense sticks), Bidriware (metal design), Mysore rosewood inlay, Mysore sandalwood oil, Mysore Sandal Soap, Mysore traditional paintings, Coorg orange, Mysore betel leaf, Nanjangud banana, Mysore jasmine and Udupi jasmine.
Kerala	Kasaragod sarees, Kuthampully Saree, Mattu Gulla, aarammula kannadi.
Maharashtra	Nashik valley wine, Mahabaleshwar strawberry and Paithani sarees
Rajasthan	Bikaneri Bhujia
Tamil Nadu	Salem Venpattu, Kancheepuram Silk Sarees, Madurai Sungudi Sarees, Bhavani Jamukkalam, Coimbatore wet grinders, Thanjavur Veena, Madurai malli, Thanjavur Paintings, Temple Jewellery of Nagercoil, Thanjavur Art Plate, E. I. Leather, Kovai Cora Cotton, Arani Silk, Swamimalai Bronze Icons, Eathamozhi Tall Coconut, Thanjavur Doll, Nilgiri (Orthodox) Logo, Virupakshi Hill Banana, Sirumalai Hill Banana

State	Items
Uttar Pradesh	Allahabad Surkha, Lucknow Chikan Craft, Mango Malihabadi Dusseheri, Banaras Brocades and Sarees, Hand made Carpet of Bhadohi, Agra Durrie, Farrukhabad Prints, Lucknow Zardozi, Banaras Brocades and Sarees (Logo), Kalanamak Rice
West Bengal	Darjeeling tea

4 items on GI tag list - The Times of India

Oranges of Nagpur, paintings of Kangra, Moradabad metal craft and Kolhapur jaggery are among 14 items waiting for Geographical Indications (GI) tag. Once conferred, the uniqueness of these products will be statutorily insulated from false claimants trying to exploit their regional exclusivity. Already 195 items including Kanchipuram silk and Darjeeling tea from various states enjoy the protection. “The national GI Registry here has advertised these 14 products in its issues dated November 28 and 29. If no objections are received within the next 40 days, the registry would grant GI tag to them,” Intellectual Property Rights (IPR) attorney P Sanjay Gandhi told TOI. The products about to get the protection are: Nagpur orange, Kangra painting, Moradabad Metal Craft, Firozabad Glass, Kannauj Perfume, Kanpur saddlery, Saharanpur wood craft, Dharmavaram handloom pattu sarees and paavadas, Warli painting, Kolhapur jaggery, Thewa art work and three Manipur-based knit works Moirang phee, Wangkhei phee and Shaphee lanphee.

Maharashtra government’s Akola-based Dr Panjabrao Deshmukh Kirshi Vidyapeeth has applied for Nagpur orange under horticultural product category, saying the oranges differed from others in growth habit, physical-chemical properties and taste. “Its pulp is tender, saffron or orange coloured with excellent blend of sugar-acid,” the application said. It said the fruit is cultivated in Nagpur and Vidharbha region of Maharashtra and some parts in adjoining regions of Madhya Pradesh. Himachal Pradesh’s Kangra Arts Promotion Society has sought GI saying the art form was in vogue in the foothills of western Himalayas and pigments used in Kangra paintings are derived from organic and inorganic sources. The central theme of Kangra paintings is love and the recurring themes are six seasons or music or Krishna-Radha or Shiva-Parvati. Manipur government’s department of commerce has sought GI for Moirang phee, Wangkhei phee and Shaphee lanphee, which are shawls/fabric with unique needle work, to be worn as special recognition of honour. Kolhapur jaggery seeks unique recognition for its white and golden chemical-free product having no added colour, chemicals, additives and flavours. Its application said the jaggery had natural sweetener and contained glucose, vitamins, calcium and minerals. As of April this year, Karnataka with 32 GI products topped the national list followed by Tamil Nadu (24), Andhra Pradesh (22) and Kerala (20). French champagne and cognac, the USA’s Napa Valley, the UK’s Scotch whisky and Mexican Tequila are among foreign products that have acquired GI tag in India.

Properties inscribed on the UNESCO World Heritage List

Cultural

- Agra Fort (1983)
- Ajanta Caves (1983)
- Buddhist Monuments at Sanchi (1989)
- Champaner-Pavagadh Archaeological Park (2004)

- Chhatrapati Shivaji Terminus (formerly Victoria Terminus) (2004)
- Churches and Convents of Goa (1986)
- Elephanta Caves (1987)
- Ellora Caves (1983)
- Fatehpur Sikri (1986)
- Great Living Chola Temples (1987)
- Group of Monuments at Hampi (1986)
- Group of Monuments at Mahabalipuram (1984)
- Group of Monuments at Pattadakal (1987)
- Hill Forts of Rajasthan (2013)
- Humayun's Tomb, Delhi (1993)
- Khajuraho Group of Monuments (1986)
- Mahabodhi Temple Complex at Bodh Gaya (2002)
- Mountain Railways of India (1999)
- Qutb Minar and its Monuments, Delhi (1993)
- Red Fort Complex (2007)
- Rock Shelters of Bhimbetka (2003)
- Sun Temple, Konârak (1984)
- Taj Mahal (1983)
- The Jantar Mantar, Jaipur (2010)

Natural

- Kaziranga National Park (1985)
- Keoladeo National Park (1985)
- Manas Wildlife Sanctuary (1985)
- Nanda Devi and Valley of Flowers National Parks (1988)
- Sundarbans National Park (1987)
- Western Ghats (2012)

FREEDOM AND PARTITION

Ever since the war-clouds were darkening the sky of Europe, Indian national Congress made its position quite clear. In his presidential address at the Congress session in Lucknow, in April 1936, Jawaharlal Nehru declared : ‘Every war waged by imperialist powers will be an imperialist war whatever the excuses put forward, therefore we must keep out of it’. That this was not a mere personal opinion but represented the considered view is clear from its election manifesto issued in August, 1936, which reaffirmed the opposition to the participation of India in an imperialist war. The Congress also made it clear that ‘India cannot fight for freedom unless she herself is free’. In pursuance of this policy which the Congress maintained throughout the war, the Working Committee issued directives to the Provincial Congress Government not to assist in any way the war preparations of the British Government and to be ready to resign rather than deviate from the Congress policy.

Thus even before the actual outbreak of the war the Congress had openly declared its non-cooperation in war efforts. On 3 September, 1939, war broke out between Britain and Germany, and a proclamation of the Viceroy intimating this act automatically made India a party in the war against Germany. The ministers of the Punjab, Bengal and Sindh pledged the full support of their Provinces to Britain, and their action was upheld by the legislatures. The Indian States were solidly behind the Government. Among the political parties the National Liberal Federation and Hindu Mahasabha offered unconditional support to the Government, while the Congress refused to co-operate with it in any way. Between these two extremes stood the Muslim League. While its High Command did not offer support to Britain, it had done nothing to prevent the Ministries of Bengal and the Punjab from doing so.

ROAD TO FREEDOM AND PARTITION

The Quit India Movement that posed the internal challenge and the advance of the Indian Army led by Subhas Chandra Bose and supported by the Japanese on the eastern frontier of India, that threatened the very existence of British power in India finally put the country on the road to freedom and partition. The Second World War created such circumstances which ultimately prompted the British to transfer power to the Indian hands.

As the year 1942 drew towards its close, the Indian political situation showed an outward clam, offering striking contrast to the violent scenes that were witnessed during August and September. The Congress leaders being mostly in jail, the field was open to the Muslim League and the Hindu Mahasabha. The former was obsessed with the idea of Pakistan as the one and only issue, while the latter was equally determined to preserve the integrity of the country, achieve freedom with a strong centre and deny to any province, community or section the right to secede. Political stalemate continued throughout the remaining months of Lord Linlithgow’s Viceroyalty. During seven and a half years of his Viceroyalty, Linlithgow had nothing but to look after only the British interests. He failed to comprehend Indian problem in its correct perspective and advise his bosses in London on more flexible and liberal lines. He displayed great capacity to rule with a strong hand but little wisdom to appreciate that the spirit of nationalism once kindled could not be kept suppressed by force for all times to come.

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On 18 October 1943, Sir Archibald Wavell came to India as the new Viceroy and Governor-General. Having been the Commander-in-Chief of India, he was very familiar with Indian problems. Before assuming charge, Wavell had made certain statements which created the impression that probably the new Viceroy would take some concrete steps to resolve the Indian deadlock. For example, he observed that 'the political progress of India was not debarred during the war' and that he owed a debt to India which he hoped 'to repay'. Speaking before the Royal Empire Society a few days before his departure for India, Wavell observed that he was going to India 'with a sense of very great responsibility but also with the vision of a great future in front of India'. However, the optimism created by these speeches and pronouncements was watered down by the attitude of Amery, the Secretary of State for India. He warned the new Viceroy to be sufficiently careful in dealing with the problems of India's constitutional advancement, and in unmistakable terms declared that Britain was not prepared 'to go beyond the Cripps proposals during the war'. Probably to harden Wavell's attitude, Amery repeated the allegation, in the course of farewell address to the new Viceroy, that the Congress leaders instigated 'open rebellion in time of war', and that they would not 'qualify' until they disavowed 'that course of action'.

During the 1943, the Muslim League's demand for Pakistan became more vocal. On 3 March 1943 the Legislative Assembly of Sindh adopted a resolution regarding this demand. This was the first official demand made for Pakistan by a legislature having Muslim majority. The Muslim League Cabinet of Sindh also adopted several anti-Hindu measures. The Muslim League of Sindh carried on propaganda among the people asking them to 'buy everything only from the Muslims'. This harmed the interests of traders of non-Muslim communities. In the beginning of 1944, the war situation began to cause extreme anxiety to the British Government. During the same time Gandhi's health deteriorated and on 6 May 1944, he and a few members of the Congress Working Committee were released from prison. The Government gave it to appear that the release was solely on medical grounds'. However, the considerations of war were uppermost in the minds of the British rulers and those, it seemed, largely determined the decision to release Gandhi. Gandhi took the initiative of opening negotiations with Lord Wavell with the object of breaking the deadlock. On 17 June 1944, Gandhi wrote to Lord Wavell to the effect that he was prepared to advise the Congress Working Committee to renounce mass civil disobedience and to give full co-operation in the war effort, if a declaration of immediate Indian independence were made and a national government responsible to the Central Assembly were formed.

In his reply on 27 July 1944, the Viceroy repeated the Cripps proposals, and pointed out that the Indian leaders could be invited to form an interim government only if proper safeguards could be made to protect the interests of racial and religious minorities, depressed classes and the Indian states. On 15 August 1944, Wavell again emphasized that a National Provisional Government could be formed provided the important groups and minorities in the country could agree on the principles and methods of framing the future constitution. Wavell knew very well that this was an impossible condition in the prevailing context. Having followed the policy of 'divide and rule', the British knew that the differences between the Muslim League and the congress had grown to the stage of becoming unbridgeable. While the Congress gave people the slogan of 'Quit India', the Muslim League countered this by asking Muslims to cry the slogan 'divide and quit. Simultaneous with exchange of letters with the Viceroy, Gandhi also approached Jinnah to seek some solution of the communal tangle. Neither he nor the Congress Working committee members at that time had any inclination to see the bifurcation of India into two separate states. Gandhi, however, felt that unless

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the Congress and the Muslim League made up their differences the freedom of the country could not be attained. Rajaji acted as the mediator. He had been urging all through that the creation of Pakistan alone would solve the Hindu-Muslim problem. Rajaji's formula was that immediately the Muslim League also should agree to the formation of a Provisional Government and after the war ends, the portions which should constitute Pakistan should be settled. Though Jinnah felt happy that even Gandhi had agreed for the partition, he did not accept Rajaji's formula. His stand was that Pakistan should be formed before the British handed over power. Though Gandhi consented to Rajaji's partition formula reluctantly, he tried to negotiate directly with Jinnah to convince him that partition would be bad.

During July-August, 1944, Gandhi corresponded with Jinnah on the basis of Rajaji's formula, but the League President remained non-committal. He then sought an interview and went to Bombay, on 9 September to see Jinnah whom he now began to address as 'Quaid-i-Azam' - the great leader. The talks were frank and friendly but broke down on the issue of Pakistan. On 8 October 1944, Jinnah proclaimed: 'There is only one realistic way of resolving Hindu-Muslim differences. This is to divide India into two sovereign parts, Pakistan and Hindustan'. Thus, in negotiating with Jinnah, both Rajaji and Gandhi had in some way admitted Jinnah's two-nation theory. The Congress which had till then strongly opposed the division of the country had finally relented and accepted the partition of India. This was a major change in the attitude of the Congress. Following the failure of negotiations between Gandhi and Jinnah, Bhulabhai Desai, the leader of the Congress party in the Central Assembly tried to negotiate with his personal friend and the Deputy Leader of the Muslim League, Nawabzada Liaquat Ali Khan. In January 1945 he gave to Liaquat Ali Khan 'Proposals for the Formation of Interim Government at the Centre', and according to the Congress historian Dr Sitaramayya, Desai did it with the permission and concurrence of Gandhi. According to Desai-Liaquat Pact, both in the Central Legislature and the Cabinet of the Provisional National Government, the Muslim League will have the same number of seats as the Congress. However, the proposal of Desai was quite illogical. While the Congress represented the whole country, the Muslim League could claim to represent only twenty-five percent of the total population. The Congress was quite unhappy with the Desai-Liaquat Pact. However, even this most liberal proposal was not acceptable to Jinnah. He continued to demand Pakistan.

The international events of 1945, the changed public opinion in England and the reduced loyalty of the military and the police forces towards their government are important factors which gave a new twist to India's political questions. On 7 May 1945, Germany surrendered to the Allies. Following the success of the Allies, both in England and the U.S.A. public opinion became more sympathetic than before towards India's demand for freedom. The Labour Party of England denounced the Government's action in keeping the Indian leaders in prison. The combination of these factors forced the Conservative Winston Churchill to put forth his proposals for Indianisation of the Viceroy's Executive Council. The White Paper containing the new proposals issued on 14 June 1945 comprised the following points -

- 1) Viceroy to nominate the members of the Viceroy's Executive Council giving balanced representation to the main communities and parity for Muslims and caste Hindus.
- 2) Viceroy would hold a conference of leading Indian politicians to invite a panel of names
- 3) From which he would select the members of the Viceroy's Executive Council.
- 4) Excepting the Viceroy and the Commander-in-Chief all other members of the Executive Council would be Indians.

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- 5) Commander-in-Chief would continue as the War Minister as long as defence of India was British responsibility. But external affairs would be in charge of an Indian member.
- 6) The relations of the Crown with the Indian Native States through the Viceroy as the
- 7) Representative of the Crown would not be changed.

The announcement of the above proposals was followed by the release of Nehru, Azad and Patel from prison on 15 June 1945. Meanwhile the Viceroy issued invitations to Indian leaders to advise him at a conference to open in Shimla on 25 June 1945. At the Shimla Conference difficulties arose at the outset between Congress and Muslim viewpoints. The Congress party insisted on its claim that being a national organization it must have Muslim as well as Hindu representatives in the proposed new Council but the Muslim League insisted that all Muslim representatives must be nominated by it alone. On 29 June the Conference adjourned to 'enable the delegates to carry on further consultations'. The Congress Working Committee prepared a list of 15 names, but Jinnah informed the Viceroy that he would not be able to submit a list unless certain conditions were fulfilled. The first condition was that the right of the Muslim League to choose the entire Muslim membership of the Council should be recognized. The second demand was that the Viceroy should overrule majority decisions of the Council if these were opposed by the Muslim bloc on the grounds of adversely affecting the Muslim community. Wavell personally conferred with Jinnah, Gandhi, Azad and other leaders to save the conference from failure.~ However, as the Congress and Muslim League leaders failed to agree on the allocation of seats on the Executive Council, the Shimla Conference ended in a failure.

During and after and Shimla Conference two important events occurred. One was the general elections in England and the victory of the Labour Party, and the other was the surrender of Japan and termination of the war in the Far East. At the opening of the new Parliament of King had declared: 'In accordance with the promises already made to my Indian peoples, my Government will do their utmost to promote in conjunction with leaders of Indian opinion early realization of full self-government in India'. The Government invited Wavell to London in order to review with him the whole situation'. On his return from London to India the Viceroy announced in September 1945 that His Majesty's Government would soon convene a constitution making body, and that the representatives of the Indian States would also be consulted as to how best could they 'take their part in the constitution making body. Wavell also announced that election to the Central and Provincial Legislatures, so long postponed owing to the war, would be held in November- December 1945. All the parties including the Congress contested in the elections. The Congress won absolute majority in eight provinces (Assam, Bihar, Bombay, Central Provinces, Madras, North-West Frontier Provinces, Orissa and United Province). In the provinces of Bengal, Sindh and Punjab and Congress emerged as the second largest party.

While the Indian political parties were engaged in the election campaign Parliamentary Delegation came to India on 6 January 1946 to learn at first hand, what Pethic Lawrence called, 'the views of Indian political leaders' as to the future of India. Representatives of all British political parties were included in it. The Parliamentarians visited many cities and towns making contacts with leaders of Indian life and with Indian peasants, workers etc.

On 19 February 1946, the British Prime Minister, Clement Atlee stated in the House of Commons that the British Government had decided 'to send to India a special mission of Cabinet Ministers

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comprising of Pethic Lawrence, Secretary of State, Cripps, President of the Board Trade and A.V. Alexander, the First Lord of the Admiralty. The Cabinet Mission landed in Karachi on 23 March 1946. It started conferring with the Congress and League leaders at Shimla on 5 May, but on 12 May the talks broke down. Four days after the end of Shimla parleys, the Cabinet Mission announced a plan to serve as basis of agreement between the Indian parties for the future of India. While - rejecting the demand for Pakistan, the Mission recommended a Union of India embracing both British India and the Indian States.

The main outlines of the plan were

- 1) An all-India Union Government and a legislature dealing with foreign affairs, defence and communications,
- 2) The all-Union Legislature to be composed of equal proportions from Hindu majority and Muslim majority Provinces with representatives of the Indian States, and
- 3) The constitution making machinery to arrive at a Constitution to be framed by a Constituent Assembly formed of representatives of Provincial Assemblies and of States, each Provincial Assembly being a separate unit.

A day after the announcement of the above plan Lord Wavell invited 14 prominent Indian leaders to serve as members of an 'Interim' Government. The Congress Working Committee accepted the long term proposals, but rejected the principle of equal representation of Congress and the League in the proposed Government. The League accepted the proposals and agreed to participate in the proposed constitution making body, but it made it clear that the ultimate objective of Pakistan was in no way renounced. Jawaharlal Nehru, who meanwhile had been elected President of the Congress for the ensuing year, entered into correspondence with the Viceroy requesting that the proposed Interim Government should in practice function like a Dominion Cabinet. However, Wavell did not agree to this proposal. Nehru did not care much for the Mission's long-term or short-term plan but as the former provided for a Constituent Assembly he saw no harm in accepting it. On the other hand he saw too many catches in the Interim Government arrangement. On 24 June 1946, the Congress Working Committee expressed inability of the Congress to join the Interim Government. On 26 June the Cabinet Mission announced that its Plan had been shelved. It, therefore, left India without any results. Both Congress and the League stuck to their viewpoints. The Viceroy proceeded to form a Caretaker Government of permanent officials. Tired of the deadlock, the Congress and the Muslim League accepted the long-term plan with their own interpretations.

But a storm broke out as a result of Nehru's speech which he, as President of the Congress, made at a press conference on 10 July 1946, two days after the AICC meeting at Bombay. In his speech at the AIC meeting on 7 July he had shown his reservations about the Cabinet Mission Plan and vaguely declared - 'We were not bound by a single thing except that we have decided for the moment to do to the Constituent assembly'. But at the press conference he in unequivocal terms declared that the Congress had made no commitment with regard to either the long-term or the short-term plan of the Cabinet Mission except to enter the Constituent Assembly and that 'we shall accept no outside interference, certainly not the British Government's interference'. He also declared that the Constituent Assembly 'is not going to put up easily for long with the kind of Caretaker Government that exists today' and that the constituent Assembly would function as 'a complete sovereign body'.

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Jawaharlal Nehru's speech provided Jinnah with timely opportunity to shift the entire responsibility of the collapse of the Cabinet Mission to the Congress and twist the situation tactfully as well as cunningly in favour of the League.

A meeting of the League Working Committee was convened in Bombay on 27 July 1946, and the decision to withdraw League's acceptance of the Plan was taken. A resolution was also adopted, setting aside 16 August 1946 as 'Direct Action Day' - a day on which the Muslims would renounce all titles and honours conferred upon them by the British and would demonstrate their will and determination to achieve Pakistan. On 6 August 1946, the Viceroy, acting under instructions from London, invited Jawaharlal Nehru to submit proposals for the formation of an Interim Government. Thus, the way was cleared for the Congress to accept the invitation. In a reply to the Viceroy Nehru wrote - 'We should have welcomed the formation of a coalition Government with the Muslim League'. However, in view of the resolution adopted by the League and statements recently made on its behalf, the Viceroy felt that it was not possible to expect that its leaders would agree to co-operate. Nehru suggested that the best course for the Viceroy would be to make public announcement to the effect that he had invited the President of the Congress to form a Provisional Government and that the latter had accepted his invitation. It would then be possible for the Congress to approach the Muslim League and invite its co-operation. The Congress would welcome that cooperation, but if it was denied, Congress would be prepared to go ahead without it. The Viceroy accepted Nehru's suggestion and on 12 August made the necessary announcement.

After the announcement from the Viceroy, Nehru approached Jinnah directly. The two leaders met at the latter's home in Bombay on 15 August, but their viewpoints were so divergent from each other that they could not be reconciled. Jinnah was not at all interested in the coalition Government. Nehru informed the Viceroy of the League's decision and pleaded that he should be allowed to proceed without Jinnah and the League. The Muslim League proceeded to observe August 16 as 'Direct Action Day'. From the early morning, bands of Muslim Leaguers, allegedly joined by large numbers of 'goondas' from the suburban areas began killing innocent Hindu men, women and children, looting of their shops and godowns and burning of their houses and other belongings. For three days, the bloodshed and orgy of violence continued, and reportedly about 7,000 persons were done to death, thousands were wounded. The Hindus also retaliated. Bengal and Bihar faced the worst of the communal violence. Trouble spread to other parts of the country also. Gandhi left for East Bengal on 6 November to restore communal harmony.

On 2 September 1946, the formation of true Interim Government with 12 members, 3 being Muslims, was announced. Nehru became its Vice-President. Jinnah described Wavell's action in forming the Government as 'unwise and un-statesmanlike' and 'fraught with dangerous and serious consequences'. Wavell and Nehru opened talk with Jinnah, and succeeded, on 15 October 1946, in persuading him that the League nominees would enter the Government. The League got 5 seats and on 24 October, the Government was reconstituted. The Muslim League, it appeared, had no intention, from the outset, to co-operate with the Congress in the governance of the country. The Muslim League ministers, especially Liaquat Ali Khan as Finance Minister obstructed the functioning of other ministers.

The attitude of the Muslim League towards the Constituent Assembly was also not favourable. On 14 November 1946 Jinnah declared boycott of the Constituent Assembly, and asserted that only 'the

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creation of Pakistan and Hindustan would bring about a solution of the present communal situation'. During the closing months of 1946, the Muslim League launched a vehement campaign for its Pakistan demand.

The Labour Government decided to prepare the ground for Indian independence. Prime Minister Atlee invited Nehru from Congress, Jinnah and Liaquat Ali from the League and Baldev Singh from the Sikh Conference to London, on 30 November 1946, to discuss some of the issues arising out of the positions taken by them. However, the leaders returned to India without any agreement. The League Members in the Interim Government continued to pursue obstructionist tactics, and the attitude of the Congress and League leaders towards each other hardened still further. The functioning of the Interim Government, the League's decision to boycott the Constituent Assembly and the failure of the London Conference convinced the authorities that Britain must withdraw from India by a fixed date. The transfer of government responsibility into Indian hands, Atlee in particular felt, alone would resolve the Congress-League deadlock. On 20 February 1947, he stated on the floor of the House of Commons that Britain intended to transfer power to 'responsible Indian hands' not later than June 1948.

Lord Wavell viewed with dismay Atlee's decision to withdraw from India without finding a solution to the communal tangle. Wavell was recalled and Lord Mountbatten was sent to India as the next Viceroy with instructions 'to expedite the withdrawal'. However, before accepting the offer from Atlee, Lord Mountbatten insisted on having power to make his own decisions in India. He arrived in Delhi on 22 March 1947.

Shortly after his arrival, Mountbatten began to hold talks with the Congress, League and Sikh leaders. He first tried 'very hard' to revive the Cabinet Mission Plan with Jinnah in order to retain the unity of India', but latter would not hear of it. Lord Mountbatten found that differences among them were so wide that partition of India alone would solve the problem. Having himself become convinced he began to convert the Congress leadership to the idea of partition. They began to accept the idea of partition as an inevitable evil. After converting the Congress leaders, Mountbatten devised a scheme whereby the elected members of the Constituent Assembly should vote Province by Province, whether they wished power to be transferred to a unified or partitioned India. Then the plan was taken by his Chief of Staff, Lord Ismay, to London and was placed before the Cabinet on 2 May 1947.

On 17 May the Viceroy met the Indian leaders and learnt from Nehru that his plan as it then stood would be rejected by the Congress, League and the Sikhs equally. The plan was redrafted and taken to London by Mountbatten himself. On 30 May he returned and held more discussion with the Congress, League and Sikh leaders. The Mountbatten Plan sought to affect an early transfer of power on the basis of Dominion Status to two successor states, India and Pakistan. Congress was willing to accept Dominion Status for a while because it felt it must assume full power immediately and meet boldly the explosive situation in the country. Besides Dominion Status gave breathing time to the new administration as British officers and civil service officials could stay on for a while and let Indians settle in easier into their new positions of authority. For England, Dominion Status offered a chance of keeping India in the Common wealth. The announcement that India and Pakistan would be free was made on 3 June 1947. The Princely States were given the choice of joining either of the two. Immediately after the partition had been decided upon, steps were taken by His Majesty's

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Government in consultation with the Viceroy, to prepare a draft of the Indian Independence Bill. On 4 July 1947, the Indian Independence Bill was introduced in the House of Commons by the Prime Minister, Atlee. High tributes were paid to Atlee and Mountbatten by members of both sides of the House. The Bill was passed without any amendment by the House of Commons on 15 July 1947 and by the House of Lords on the following day. It received Royal assent on 18 July 1947. The Congress Party mouthpiece, 'The Hindustan Times', described it as 'the noblest and greatest law ever enacted by the British Parliament'. The organ of the Muslim League, 'The Dawn', said by this 'momentous and unique legislation' Britain was 'entitled to the highest praise from all freedom-loving peoples of the world'.

At mid-night on 14 - 15 August 1947, the British rule in India came to an end, and the power was formally transferred to the two new dominions of India and Pakistan which officially came into existence. Just before mid-night Nehru made a great speech in the Assembly and said, 'Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom'. Lord Mountbatten was sworn in as the first Governor-General of the Indian Dominion on 15 August, and he administered the oath of office to the Cabinet.