

Chapter -- VII

BRITISH POLICY TOWARDS THE INDIAN STATES WITH REFERENCE TO COOCH BEHAR (1919 – 1950): THE PROCESS OF BARGAINING

The year 1857 has been a landmark in the process of inter relations between the British Government and the Indian States. The following years of 1857 had experienced with a fundamental departure in the policies and strategies of the British Government while dealing with the Indian States. A serious insight to this issue would unravel the fact that it had been the compulsion rather than the option on the part of the British Government to introduce certain new policies and strategies to deal with the Indian States. This had been the immediate requirement of the British Government for the continuation, persistence, maintenance and extension of the British rule over this sub continent. Another important consideration had been to the repairment of damage and provision for providing antibiotic for whatever rapture taken place in the relationship between British Government and the Indian States during the period of Mutiny. Indeed the fundamental shift of

British policy in dealing with Indian States had found expression in Queen Victoria's Proclamation of 1858.

The historic Proclamation categorically stated the objectives of the British Government towards Indian States. The relevant portion of the proclamation may be aptly put here, "We desire no extension of our present territorial possessions; and while we will permit no aggression upon our dominions or our rights to be attempted with impunity, we shall sanction no encroachment on those of others. We shall respect the rights, dignity and honours of native Prince, as our own; and we desire that they as well as our own subjects should enjoy that prosperity and that social advancement which can only be secured by internal peace and good government"¹.

Such a proclamation had been significant in the sense that this had been for the first time the triumphant imperialist power had to express in official form that it would not aggress and accede lands of the native rulers of India. The relationship between British Government and the native ruler would be based upon mutual faith, dignity and honour. A kind of mutually followed policy of peaceful co-existence¹ would be the order of the day. The maintenance of good government in the native States should have been most important for bringing about social developments, peace and security. The Proclamation categorically stated unless the rights and peace as well as integrity of British administered India are threatened, the British Government would not intervene into

the internal affairs of the native States. Thus by virtue of Queen's Proclamation the Indian States were provided a relatively autonomous sphere in the government of their own land and people, however, after being subjugated to the British authorities.

The Queen's Proclamation had brought about certain fundamental changes in the administrative hierarchy to rule British India. The office of the Governor-General had been replaced by the office of the Viceroy. Lord Canning, being the first Viceroy had been vested with the responsibility to carry out the new policy emerging out of Queen's Proclamation. In this despatch of April 30, 1860 it had been categorically made that the integrity of the States should be preserved by perpetuating the rule of the rulers of the Indian States by way of recognising the right to adopt heirs. Thus, by virtue of queens proclamation and the active role played by the Viceroy the Indian States had become the part and parcel of the British Empire in India.

With this given background an academic venture would be in order to understand the British policies towards Indian States from 1919 to the days of the emergence of independent India.

The Sepoy Mutiny of 1857 ushered in certain subtle changes in the relationship between the British Government and the Indian States. The Political Department, which was created to institutionalise the relationship, had been very much active till the Government of India Act was enacted. The relation of Princely States with the British Government were conducted through the

Political Department which was directly under the control of the Viceroy who used to be assisted by the Political Secretary to run it. After the enactment of the Statute of 1935 the designation of the viceroy was changed as Crown Representative while the political secretary to the political Department became Political Advisor. The Political Departments had Residents and Political Agents in all important States and group of States. The Residents and Political Agents stationed in the Princely States were answerable to the Viceroy or Crown Representative. The Secretary of State kept a close control over the activities of the Political Department, mainly because of the interest of the Crown in matters affecting the rights and privileges of the rulers. Along with the prominent Princely States like Hyderabad and Mysore the Cooch Behar principality had also been brought under the British Resident.

Lord Lytton being the viceroy had suggested for bringing about a new institution to establish a closer relation with the Indian States. His suggestions had been in favour of the formation of an Imperial Privy Council comprising of the rulers of the Indian States. Showing unanimity to the proposal of Lord Lytton, Lord Curzon being the Viceroy had suggested for the formation of a council of ruling Princes. Lord Minto, the next Viceroy after Curzon was also in favour to setup an advisory council of Indian rulers and landlords to counter the nationalist movement in India. However, the suggestions put forward by these consecutive Viceroys had not been materialised. During the period of Lord Herding and Lord Chelmsford Indian rulers used to attend conferences on a regular

basis. The Montague-Chelmsford report categorically recommend for a permanent body known as the Council of Princes after replacing the conferences of the rulers. Such a council of Princes would provide the opportunity of informing the government as to the sentiments and wishes and broadened outlook to the Indian Princes. The Mont Ford report recommended further that the proposed Council of Princes should annually appoint a small standing committee to advise the Political Department on matters affecting the States. The British authorities had consulted the Indian rulers on this particular aspect of Mont-Ford Report. Ultimately the conference of ruling Princes gave a green signal to the formation of Chamber of Princes and such a Chamber of Princes had been brought into being by a Royal proclamation of 8th February, 1921. The Standing Committee of the Chamber of Princes was comprised of States, which can be projected through a table.

Table:

Membership of the standing committee of the chamber of Princes, 1921 - 1926

State	Salute (in Guns)	Total Attendance (in Days)	Membership (in years)
Gwalior	21	19	4
Kashmir	19	13	1
Bhopal	19	4	1
Bikaner	17	28	6 (5a)
Cutch	17	13	3
Patiala	17	23	6 (1a)
Alwar	15	28	4
Dholpur	15	28	3
Jhalawar	13	18	1
Nawanagar	13	12	6
Palanpur	13	20	2
Sangli	9	28	2

Notes: a Indicates as Chancellor

Source: India Office note, March, 1931, 10 RL/P & s/13/545

Cited in Copland, Page 47.

Observing the composition of the Standing Committee Copland remarks² "The Chamber of Princes came to be dominated by a group of middle sized, mainly Rajput rulers whose States were situated within relatively easy travelling distance by motor car from Delhi, who were fluent in English, who had acquired political skills in forums such as the wartime Chiefs' Conferences, and who, in the last resort, had little to lose and much to gain by moving into a wider political arena". In fact, the middle class States had crowded in Chamber of Princes whose activities are known to be resented and feared by many of smallest States and to be viewed with dislike by some of the leading Princes.

The Chamber of Princes had been a deliberate, consultative and advisory body, Initially the Chamber of Princes consisted of 120 Princes and obviously Cooch Behar was one of them. It has served to accustom the princes to meet and to investigate questions of common concern with a view to combined action and to arouse in them the realisation of how many and how important those questions are³. The Chamber of Princes had to contain in the first instance, 108 rulers who were to be members in their own rights and enjoyed permanent dynastic salutes of 11 guns. The principality of Cooch Behar since then enjoyed dynastic salutes of 11 guns by virtue of being one of the 108 rulers of the Chamber of Princes. By a system of group booting the Chamber was to include 12 additional members elected by the rulers of 127-non salute

states. However, some important Indian States did not join the Chamber of Princes, which had weakened the basic structure of the Chamber of Princes. The Chamber of Princes had to struggle for influence owing to the absence of a considerable number of big principalities. But the concern of the British Government was not the Chambers⁴ future but the behaviour of its members which would make the Princes more contented and more compliant. Unfortunately or fortunately, however, the British intention had never been realised owing to the growing discontents among the princes and the growing tendency to avoid and ignore the instructions provided by the Resident or by the Political Agents stationed in different principalities.

Ordinarily the Chamber of Princes used to meet once in a year and used to be presided over by the Viceroy. The Chamber had its own elected Chancellor who used to preside over the meeting in the Chamber of Princes in the absence of the Viceroy. The Chancellor was the President of the Standing Committee of the Chamber of Princes. The standing committee had meetings twice or thrice in every year to discuss the important questions faced by the Indian States.

The Chamber of Princes was to function strictly as a consultative body, its importance lays in the fact that besides ending the long standing policy of isolating the princes from one another, it helped to stimulate corporate feeling among them and to

encourage unofficial co-operation among themselves and their ministers. In the inauguration ceremony of the Chamber of Princes, on behalf of the King Emperor the Duke of Connaught ensured the integrity and autonomy of the Princely States. The Maharaja of Patiala in his speech at the inauguration ceremony recalled his orders undeviating loyalty to the empire. He was confident that the Chamber would make disconnection more enduring than ever. The Princes did not allow the grass to grow under their feet. They asked for statutory protection against the assaults of nationalism and their prayer was readily granted. The Indian States (Protection Against Disaffection) Act XXIV of 1922 was passed. As an active member of the Chamber of Princess any kind of nationalist activity was banned in the principality of Cooch Behar by the reference of the Act.

The Chamber of Princes was essentially created as a forum for advancing the interests of the Princely order and for giving expression to its aspirations that the relations between the State, and the Imperial Government should last forever. However, it has been pointed out that from the very inception the Chamber of Princess had been unpopular and was not supported by such important States as Hyderabad, Mysore and Baroda. The establishment of the Chamber of Princes signally failed to improve the administration of the Princely States.⁵ Writing in the Asiatic Review of October 1926 Maharaja of Patiala expressed openly, "The

result of all our thought and all our work was profoundly disappointing to us." Despite limitations the establishment of the Chamber of Princes helped to emphasise the difference which the Political Department, Panikkar observes, "had conveniently tried to forget between the sovereign and non sovereign States in India"⁶. The Montague-Chelmsford report recognised these differences and admitted that it had been lost sight of. The establishment of Chamber of Princes provided a position to the States in the British Empire. The Princes have gained a new status as autonomous sovereign States of the British Empire. The Indian delegation to the conference always included a ruling Prince as representative of the independent States of India, Panikkar rightly observes, "Thus, while preserving their absolute internal independence and, indeed, strengthening it by a revision or treaty and agreements and the codification of political practice, the Princes have gained a new position as Indian and Imperial personalities who have won collectively a right to be consulted on matters affecting policy and whose voice naturally carries great weight".

The decade of 1920 had witnessed another distinctive shift in the relations between the British Government and the Princely States. This decade was marked by tremendous political upheavals and political upsurge, steered and engineered by the Indian nationalist leaders. The growing discontent of the semi mobilised

and semi regimented Indian mass living in British administered provinces and the subtle and manifest dissatisfaction of the major Princely States about the existing relationship between the British Government and the Indian Princely States had, altogether, been instrumental in weakening the basis of governance giving rise to the problem of legitimate crisis. Such an atmosphere had provided ample room to the British authorities to revisit the different dimensions of relationship between British India and the people of living therein as well as between British Government and the Princely States of India. The British Government thus, under two circumstances, appointed Simon Commission and the Butler Committee; the former was to deal with the issues of governance in the directly British administered provinces, when the latter dealt with different dimensions of relationship between the British Government and the Indian Princes with a special emphasis on the economic relationship to be established between them after revisiting the existing usages, treaties and other legal documents passed and concluded between the British Government and the Indian Princes. In order to make our study relevant and specific venture would be made to restrict our analysis to the Butler Committee delineating relationship between the British Government and the Princely States.

The idea of formation of a committee to review the existing relationship between the British Government and the Princely States had its root at the Simla Conference of the Princely rulers convened by the Viceroy in 1927. It was resolved in the conference that an impartial inquiry into the whole relationship between the rulers and the Paramount Powers should immediately be made for revisiting and the reviewing the existing relationship between them. Lord Birkenhead, Secretary of State to Government of India, had, ultimately thought it prudent to appoint a committee for the purpose and accordingly on 16th December, 1927, a three member committee was appointed headed by Sir Harcourt Butler and Professor W.S. Holdsworth and the Hon'ble S.C. Peel as member to inquire into the relationship between the States and the British Government and to suggest means for the more satisfactory adjustment of the existing economic relation between the States and the British India. This committee is popularly known as Butler Committee. The constitution of such a committee had created positive impression among the rulers of the Princely States for the reason that Sir Harcourt Butler was very much familiar to most of the major Princely rulers both as a compassionate friend and as an experienced professional having a long successful career in British administered India. While Sir Butler was invited to head such an important committee dealing with Princely States representing two

fifths of the geography of India, was a retired Governor of the United Provinces. Thus the appointment of Butler as the head of such a committee helped breaking the iceberg, Copland succinctly puts, "At long last, it seemed that the tide had turned." In fact majority of the members of the Standing Committee of the Chambers of Princes received the nomination of Butler with jubilation. Since the Maharaja of Jaipur Jey Singh had welcome such nomination, the ruler of Cooch Behar followed the suit. The ruler of Cooch Behar with his council had sent message welcoming the formation of such committee and the nomination of Butler at its head.⁸

The members of the committee headed by Butler reached Indian in the first week of January, 1928 and visited 16 of the States. The interactions between the committee members and the rulers were held in camera. The Butler Committee had been very much objective and specific. It did not consult with the representatives of the people of the Indian States on the plea that was not within its terms of reference. However, the committee received memorandum from all India States Peoples Conference. Interestingly an important event deserves mentioning. The bulk of the Butler Committee's work in listing or hearing the case for the rulers was made complete in England. Such an event was possible for the Indian rulers who had engaged an eminent British constitutional lawyer Sir Leslie Scot as their councilor. Sir Scot along with his team put forward the demands and suggestions of the Indian rulers before the Butler Committee members.⁹

In its report Butler Committee had identified a distinctive area of direct relationship between the Indian States and the British Crown. According to the report of the committee the Viceroy should be the agent of the Crown in dealing with the States. The relations between the Crown and the Princes should not be transferred without the consent of the Princes to a new government of British India responsible to the legislature. The creation of a State council should be rejected. Intervention in the administration of any Princely order should be appointed in inquire into disputes that may arise between the States and British India. A special committee should be appointed to inquire into the financial relation between the Indian States and British India. An arrangement should be made for separate recruitment and training of political officers for the Princely States and such officers should be drawn from the Universities of England.

The Butler Committee submitted its report to the British Parliament in March, 1929. The report evoked a strong reaction from the Indian Princes on the ground that it did not touch upon the fundamental areas of relationship between the British Government and the Princely States, the report, as well rejected the plea of the Princely orders presented through Sir Scot on the sustenance and effectivity of the usages so far followed in the governance of the Princely States. The rulers of the Princely States exemplified their strong discontent to the report on the ground that

the Butler Committee had reasonably hailed and disappointed the rulers of the Princely States by up-keeping the unfettered discretion of the Political Department in its relations with Indian States. The Indian States had surely in mind that the committee would provide more independence and autonomy after taking away from the Political Department or a kind of status quo would have been maintained. But the content of the report proves amply for the disillusionment of the Princely orders.

The Butler report could not satisfy Indian nationalist leadership. Nationalists found grave apprehension in the recommendations of the Butler Committee. Branding the report as an imperial attempt to preserve and protect feudalism, the nationalist leader rejected the committee report in an unequivocal terms. The Nehru Committee which was constituted primarily to make a draft of the future constitution pointed out that, "an attempt is being made to convert the Indian States into an Indian Ulster by pressing constitutional theories into practice."¹⁰ Pointing out the possible danger to be emerged out from the Butler Committee report Nehru Committee warned, "It is conceivable that the people of the States who are fired by the same ambitions and aspirations as the people of British India will quietly submit to existing conditions forever, on that the people of British India bound by the closest ties of family, race and religion to their brethren on the other side of an imaginary line will never make

common cause with them."¹¹ The Nehru Committee proposed that the whole issues relating to Princely States, rulers and their subjects as well as the representatives of the people of directly administered British India should have been discussed at a Round Table Conference. The similar kind of proposal for listening discontents and resolving multidimensional problems and for bridging the emerging gaps a concerted action programme had been sorted out for settling disillusionment of the rulers of the Princely orders and the worries of the Nationalist leaders of the emerging democratic order.

The Irwin declaration of October, 1929 had played the role of double edged conciliator. Firstly, to deter congress from its intention to embark on a campaign of Civil Disobedience and of Britain to persuade Sir John Simon to suggest to convene a meeting to discuss the question of constitutional reforms in the context of the still to be written report of the Statutory Commission and the Commission's terms of reference should be widened to allow it to make recommendations for the States as well as for the provinces.¹² Simultaneously, the Viceroy announced in India that a Round Table Conference would take place in London towards the end of 1930. Such a conference would be represented both by the representatives of Indian Nationalist leadership and the Princely India, such a proposal of convening a conference at the highest level, at least, temporarily created hopes and aspirations in the minds of the contending groups and rulers of the Princely States.

The First Round Table Conference was held in London on November 12, 1930 and had continued for nine weeks stormy deliberation. In fact, the first Round Table Conference had been the outcome of thorough deliberations in consecutive five plenary meetings to sort out the stand of the Indian Princes in general. The Congress had refused the invitation to attend and Gandhiji's leadership had launched a mass campaign of Salt *Satagraha* and Civil Disobedience. There were fifty-seven political leaders from British India, sixteen delegates from the three British Political parties and sixteen delegates from the rulers of Indian States¹³ including the rulers of Kashmir, Baroda, Patiala, Indore, Bikaner, Bhopal, Rewa, Alwar, Nawanagar, Dholpur, Korea, Sangli, and Sarila, besides Sir Akbar Hydari, Sir Mirza Ismail and Sir Kalias Narain Haksar from Hyderabad, Mysore and Gwalior respectively.

On the plenary session of the Round Table Conference, Sir Tej Bahadur Sapru, leader from British India, advocated for a federal, not a unitary system of government at the Centre and invited the rulers of India to agree forthwith to the creation of an all-India Federation. Most of the Indian Princes accepted the proposal for the creation of an all-India Federation in which both British Indian provinces and the Indian States were to be brought together. The Maharaja of Bikaner was equally emphatic in asserting that the treaties with the States were inviolable and that their relations were with the Crown of England – a relationship which could not be

changed or transferred to another authority without the Princes expressed consent.¹⁴ The Maharaja of Bikaner, identified himself and the Princely order with the aspirations of British India with, "that passion for an equal status in the eyes of the world, expressed in the desire for dominion status which is the dominant force amongst all thinking Indian today."¹⁵ He gave an assurance that the Indian rulers would come in providing their rights were guaranteed. The Nawab of Bhopal declared, "we can only federate with a self governing and federal British India."¹⁶ On the other side, however, a small group of rulers, were united not to welcome the federal idea. Sir Bhupindar Singh, Maharaja of Patiala led this group and they regarded confederation of States, or 'Indian India' as it was called as a necessary preliminary to any association with British India.

Analysing the trends and events in the form of deliberation of the first Round Table Conference Professor Kulkarni observes, "There was a surfeit of speeches, enlivened by a profusion of framing a Dominion Constitution for India finding nearly no place in the deliberation."¹⁷ Ultimately, however, the first Round Table Conference ended with a sterile results because of the objective absence of the representatives of the Indian National Congress in the Conference. The whole deliberation in the first Round Table Conference, thus, had been proved unreal and far short of relevance and devoid of operationalisation.

The Gandhi-Irwin pact signed in March 1931 had provided room for the representation of the Indian National Congress to the proposed second Round Table Conference. The second Round Table Conference which began on September 7, and lasted till December 1, 1931 had felt the dominant presence of Mahatma Gandhi as representatives of the Indian National Congress. Gandhi attended the conference with a conviction to demand complete independence, but he was prepared to close in with any offers that gave the substance of freedom to Indians. Nothing of the kind was ever contemplated.

Gandhiji was not opposed to the federal idea but he was against dyarchy at the centre even for the transitional period. He asked for complete control over defense and external affairs. Gandhiji stood for full responsible government at the centre. Naturally, the British Government did not accept Gandhiji's demand. So the second Round Table Conference ended without any result. Though at the end of the conference Prime Minister Ramsay Macdonald declared, "The great idea of an all India Federation still holds the fields. The principle of a responsible federal government, subject to certain reservations and safeguards through a transition period, remains unchanged. And we are all agreed that the Governor's provinces of the future are to be responsibly governed units, enjoying the greatest possible measure of freedom outside interference and dictation in carrying out their policies in their own spheres."¹⁸

There were divisions in the Princely ranks too. The main lines of differences were in regard to representation of the States in the federal legislature and the financial liabilities of the federating States.¹⁹ On the question of finance and representation the rulers gradually started turning their backs on federation and the outlook at the conclusion of the second Round Table Conference was far from being roseate. Some of the rulers now began to hope that nothing would come out of the conference and that they would be able to continue their sheltered existence while Hindus and Muslims pursued their differences in British India.

The British Government had a mind to give a concrete shape to the Indian problems and convened the third Round Table Conference. The third Round Table Conference was convened in London on November 7, 1932 and lasted till December 24, 1932. The Conference was attended by forty-six delegates and there had been the objective absence of the major Indian rulers. The important question considered at this short session was the composition of the federal legislature. The form of the States' Instrument of Accession was also discussed. But the conference could not settle the size of the federal Chambers, the proportion of British India and States' representation and the allocation of States' seats. Under the circumstances the Viceroy was asked by the Secretary of State to explain to the individual rulers the federal scheme and to secure some indication of their views in order to prepare a favourable atmosphere for the reception of the contemplated white paper containing His Majesty's Government's proposals for constitutional advance.

In 1933, the proposals of His Majesty's Government in the light of the three sessions of the Round Table Conference and subsequent negotiations with the rulers and leaders of various quarters, were published in a White Paper, and in April 1933, a Joint Select Committee of both Houses of Parliament was appointed to consider the future government of India with special reference to the White Paper proposals. The Committee was authorised to call into consultation delegates from British India and the States. The Joint Select Committee submitted its report in October 1934. In December of the same year a Bill based on the Joint Select Committee's report was introduced. The Chamber of Princes appointed a committee of fifteen States' ministers under the Chairmanship of Sir Akbar Hydari to examine the Bill.²⁰ The Committee of the rulers proposed a number of amendments and alterations and declared that, "without satisfactory amendments on the lines indicated, it would not be possible for them to recommend to their rulers and to the States generally the acceptance of the proposed scheme. The rulers of Patiala, Bhopal and Bikaner addressed a note to the Viceroy detailing certain amendments. The proposed amendments of the rulers were thoroughly examined by the Secretary of State for India and on 4th August, 1935, the government of India Bill received the Royal Assent.

The most important landmark in the constitutional history of British India has been the Government of India Act, 1935, which

provided for a detailed constitutional relationship between the Indian States and the British India on a federal scale. The Government of India Act, 1935 had two important dimensions, such as, (1) providing provincial autonomy to the directly British administered provinces, (2) making provisions for providing an all-India Federation composing of both the British administered area and the Princely India. The proposed federation provided for a scheme stating that Indian States should have been given more representation in the proposed federal legislature on the basis of their population and size. Following these criterion two hundred fifty six (256) seats were allotted to British India and the allotment for Indian States had been one hundred twenty five (125) seats in the council of States. Moreover, the Indian States were given the right to send one hundred four (104) members out of total of two hundred sixty (260) members of the Lower House of the federal legislature. It was proposed that while the representatives from the directly British administered provinces were to be elected on communal basis, those from the States were to be nominated by the rulers of the Princely States concerned. Thus the representation proposal evoked a mixed reaction attempting to accommodate the opposing principles of parliamentary democracy and monarchic ambition. Altogether, the issue of universal adult suffrage irrespective of caste, creed and religion had been restricted in the representation principle even from the directly administered provinces.

Furthermore, the proposed federation made adequate arrangement for safeguarding the interests of the rulers of Indian States. While the inclusion of the provinces into the federation was to be automatic or compulsory, the Indian States were given the option to join the federation or not. Justifying the case for providing option to the Indian States the Joint Select Committee²¹ reported, "The main difficulties are two: that the Indian States are wholly different in status and character from the provinces of British India, and that they are not prepared to federate on the same terms as it is proposed to apply to the provinces on the first point the Indian States, unlike the British Indian provinces, possess sovereignty in various degree and they are, broadly speaking, under a system of personal government. Their accession to a Federation can not therefore take place otherwise than by the voluntary act of the ruler of each State, and after accession the representatives of the acceding State in the Federal Legislature will be nominated by the ruler and its subjects will continue to owe allegiance to him. On the second point the rulers have made it clear that while they are willing to consider federation now with the provinces of British India on certain terms, they could not, as sovereign States, agree to the exercise by a Federal Government in relation to them of a range of powers identical in all respects with those which that government will exercise in relation to the provinces on whom autonomy has yet to be conferred."

While attempt was made in the proposed federation exert control of the Federal Government over the provinces in an uniform manner, the policy varied in the case of Indian States according to the terms of the Instrument of Accession signed by a particular ruler at the time of joining the federation and accepted by the Crown. Another effort was there in the proposed scheme of federation to safeguard the relationship of the rulers with the paramount power by creating a Crown Representative in addition to the existing Governor General. It was proposed in the conduct of their affairs, as members of the federation, the States were to deal with the Governor General as head of the Federal Government, but in their relations with the Paramount Power, they were to deal with the Crown Representative.

The Chairman of the Joint Select Committee Lord Linlithgow came to India as Viceroy in 1936 with a determination to inaugurate the federation during his tenure of office. His view that a direct personal approach to the Indian rulers would help him to persuade most of them to join the federation. It was with that object in view that he sent his emissaries to the rulers of the Indian States. The three emissaries to the various States met the Indian rulers and their advisors. In 1937, the emissaries submitted their reports to the Viceroy. From their reports it became clear that what was worrying the Indian rulers was not whether the proposed federation would enable them to contribute to the glory of India as a

whole but whether their own position would be better and safer inside the federation, than outside it. Their attitude could be summed up in these words²², "we are being given the opportunity of entering a federation from which when once we are in, there is no escape. Nor since the ultimate interpreter of the federal constitution in the Federal Court, can the Government of India or any one else predict the course of future events or anticipate the use which federation will make of its powers. We owe it, therefore, to ourselves and to our successors to safeguard to the utmost our own position inside the federation. That is the light in which you must regard the limitations which we have proposed and if they seem unduly numerous and too widely drawn, remember that we have good reason for making them so."

Lord Linlithgow was very serious about his work, but the Political Department of the Government of India was creating hurdles in the way by putting emphasis on the loss which they were to incur as a result of joining the federation.²³ Although many occasions were offered to the Indian rulers, they could not be persuaded to join the Federation. While all this was happening the Second World War broke out in September, 1939 and the Empire needed the help of the rulers in men, money and material. So on 11th September, 1939, Lord Linlithgow declared that whole federation remained, as before, the objective of His Majesty's

Government, "the compulsion of the present international situation and the fact that, given the necessity for concentrating on the emergency that confronts us, we have no choice but to hold in suspense the work in connection with preparations for Federation"^{24 (a)}. Thus the contingency of the situation had put to halt to the entire efforts of making an all India federation comprising of British India and the Princely India. The proposal of all India federation had been sent to the cold storage and was never realised.

The late 1930's and the beginning of 1940 had been hectic in the sense that the war second had broken up and political turmoils and upheavals had been the common Indian scenario. The rulers of the Indian States were very much ambitious to preserve and protect their autonomy and to realise the end of a meeting of the Chamber of Princes was held in March 1940 declaring the determination of the rulers to render, every possible assistance to His Majesty's Government in the prosecution of the war and their complete approval to give side to the allied powers^{24 (b)}. The rulers in return demanded the preservation and protection of their autonomy and safeguards their rights in the future constitution of India, if there was any. In response to the rulers demands and in keeping with the political developments into consideration Lord Linlithgow gave his historic August offer of 1940 put forwarding certain proposals on behalf of His Majesty's Government with a view to securing the co-

operation of the people of India. One such proposal was to constitute a war Advisory Council consisting of the representatives of British administered provinces and the Indian States. The August offer declared that after the war, a body representative of the principal elements on India's national life would be called upon to devise the framework of a new constitution. The August offer was out rightly rejected both by the Indian National Congress and Muslim League. Despite rejection a National Defence Council consisting of twenty-two members from British India and representatives of Indian States was set up. However, such a council had been proved futile with-in no time. Towards the close of 1941 the war situation had turned into a critical juncture and political weather in India had experienced with high degree temperature. To tackle such situation, the British Prime Minister Winston Churchill declared that the war cabinet was sending out Sir Stafford Cripps with a set of proposals. Sir Cripps arrived in India on 22nd March, 1942 and expressed his proposals in clear terms. The Cripps Mission offered a set of proposals comprising of two parts. However, while dealing with the Indian States Cripps offer was very brief. According to the terms of the Cripps Mission "whether or not an individual State elects to adhere to the constitution, it will be necessary to negotiate a revision of its treaty arrangements so far as this may be required in the new situation^{25(a)}.

Furthermore, the States were appointed representatives to the constitution making body in proportionate to their total population as in the case of representatives of British India as a whole enjoying level power as British Indian members. The States were to give free hand to adhere to the new constitution. Responding to Cripp's proposal the delegation of Indian States resolved, "The Indian States will be glad as always, in the interest of their motherland, to make their contribution in every reasonable manner compatible with the sovereignty and integrity of the States, towards the framing of constitution for India. The States should be assured, however, that in the event of a number of States or group of States so desiring, would have the right to form a union of their own, with full sovereign status in accordance with a suitable and agreed procedure devised for the purpose."²⁵ (b)

In short both the Indian political parties and the Indian States were not happy with proposals of the Cripps Mission. The Indian political parties led by Indian National Congress had outrightly rejected the Cripps proposals and the rulers of the Indian States had shown their dissatisfaction. In totality Cripps Mission had been proved to be a failure. Failing to get any satisfactory assurance from the British Government, the rulers of the Indian States realised that their future was not safe. The realisation of the ruler was that if the interests of the Indian States came into conflict with those of British India, the British Government was to tilt its

balance towards British India even at the cost of the Indian States. The anxiety of the rulers had got ignited while Jawaharlal Nehru declared that "treaties with the Indian States must be scrapped and those who talked of those treaties were lunatics, knaves or fools."²⁶

Thus circumstanced the rulers of the Princely States had devised plans to safeguard their own interests in future. The Nawab of Bhopal urged upon the Political Department to take all those measures which were necessary to safeguard their position in the event of changes taking place in the constitutional set up in the country. Lord Wavell assured the Indian Princes that no changes in their relationship with the Crown or the rights guaranteed to them by treaties and engagements would be initiated without their consent.

By the end of 1944 the Nawab of Bhopal was elected Chancellor of the Chamber of Princes. He infused new life into the Chamber and forged that body into an effective instrument for developing the rulers into a 'Third Force' in Indian politics. He was an advocate of a loose centre with residuary powers in the States. The Nawab of Bhopal now started taking vigorous steps with the Political Department to safeguard the position of the States in any future constitutional changes. At a meeting of the Standing Committee held on 18th September, 1944, the Chancellor gave notice of his intention to move the following resolution as the session of the Camber to be held in December.²⁷

The Chamber of Princes considers it necessary to reiterate in the most unequivocal and emphatic terms that the Crown's relationship with the States and the Crown's power in respect of the States can not and should not be transferred to any third party or other authority without the consent of the States concerned. The Chamber requests His Excellency, the Crown representatives to be pleaded to convey to His Majesty's Government the grave misgivings and apprehensions aroused in the States, by the recent tendency to alter the States' relationship with the Crown and to qualify the observance of the Crown's obligations, by unilateral action without the consent of the States, notwithstanding the solemn Royal pronouncements that these Treaty Rights shall be maintained unimpaired and the recent assurance conveyed to the Indian Princes by His Majesty's Government that the fulfilment of the fundamental obligations arising out of their treaties and sanads remains an integral part of His Majesty's Government policy.

On the opposite on 26th November, 1944, Lord Wavell, as the President of the Chamber, disallowed this resolution on the ground that it would be undesirable at any time to ventilate in public the subject matter of the resolution with the very delicate issue which arose out of it, more so at a time when the matter had already come under discussion between the rulers and the Viceroy. The rulers were dissatisfied with the reply of the President of the Chamber and on protest they resigned in a body. Lord Wavell, the

President of the Chamber, met with the Chancellor of the Chamber, and gave an assurance that there would be no future transference of relationship of the States with the Crown to any other authority without their consent, provided the rulers on their part gave the assurance that their consent to any changes which emerged as a result of negotiations would not be unreasonably withheld. The Standing Committee there upon decided to withdraw their resignation.

On 19th February, 1946, Prime Minister Atlee announced the decision of the British Cabinet to send three Cabinet Ministers to India to settle with the Indian leaders, in association with the Viceroy, the procedure of framing a new constitution for the country. It was decided that the Mission should interview (1) the Chancellor, (2) the rulers of Patiala, Bikaner and Nawanagar jointly as representing the middle-sized States, (3) the rulers of Durgapur and Bilaspur jointly as representing the smaller States and (4) the Nawab of Chhatari (Hyderabad), Sir C.P. Ramaswami Aiyar (Travancore) and Sir Mirza Ismail (Jaipur) individually.

In his interview with the Cabinet Mission and the Viceroy held on 2nd April, 1946, the Nawab of Bhopal pointed out that the Indian States wanted to continue their existence with the maximum degree of sovereignty. They desired no interference in their internal affairs by British India. He suggested the formation of a Privy Council of the Indian States of British India. The Nawab urged that

Paramountcy should not be transferred to an Indian Government in the event of Indian becoming independent. In the same afternoon the members of the Cabinet Mission met the Standing Committee of the Chamber of Princes. The rulers were told that if British India became independent, Paramountcy would end, the British Government did not contemplate keeping any troops in India for the maintenance of internal order. The Crown would not be in a position to carry out treaty obligations and hence the Indian States would also be released from their obligations under their treaties.

On 16th May, 1946, the Cabinet Mission announced its proposals with regard to the future set up of India. About the States, it was declared that with the attainment of independence by British India, whether within or without the British Commonwealth the relationship which had hitherto existed between the Indian States and the British Crown would come to an end. Paramountcy could neither be retained by the British nor transferred to the new Government. The statement went on to say that the rulers had assured the Mission that they were ready and willing to co-operate in the new development of India. The form of co-operation was to depend upon the result of negotiations between the Indian States and the future Government of India. In their broadcast on 16th May, 1946, both the Secretary of State of India and Sir Stafford Cripps asserted that Paramountcy could not be handed over to any one

and hence it must cease. They left future relationship between the States and British India for negotiations.

On 12th May, the Cabinet Mission handed over a memorandum to the Chancellor of the Chamber of Princes and it came to be known as the 'Memorandum of 12th May, 1946; though it was actually released to Press on 22nd May. The memorandum affirmed that when a new fully self-governing or independent Government or Governments came into being in British India, the influence of His Majesty's Governments with these Government would not be such as to enable them to carry out the obligations of Paramountcy. The British Government had no intention of keeping British troops in India for that purpose. The result was that Paramountcy would come to an end. The existing political arrangements between the States on the one hand and the British Crown and British India on the other were to come to an end. The void was to be filled up by the States entering into a federal relationship with the successor Government or Governments in British India. The memorandum referred to the desirability of States forming or joining administrative units large enough to enable them to be fitted into the constitutional structure.²⁸

On 17th May, 1946, the Nawab of Bhopal wrote to Lord Wavell asking for further clarification of certain points in the Cabinet Mission plan particularly regarding the independence of the Indian States.²⁹ The reply of Lord Wavell was that the settlement of most of

the matters raised by the Nawab did not rest with him or the Cabinet Mission as they related to the terms which the States were free to negotiate for their own association with the new constitutional structure. To the Nawab, the letter of Wavell was disappointing and he wrote to him again asserting that the States were entitled to claim that the Crown should not leave them at the mercy of British India. He pointed out that it could never be the intention of His Majesty's Government to leave the States as "a sort of no man's child" without any effort on the part of the Crown to protect their legitimate and reasonable rights and claims. Regarding the matter Wavell suggested the Nawab to seek advice from Sir Conrad Corfield, the Political Advisor to the Government of India. The view of Sir Conrad was that the decision regarding the laps of Paramountcy at the end of the interim period placed the Indian States in the best bargaining position possible for the purpose of fitting themselves in the future constitutional structure. He advised the States to set up a Negotiating Committee. The points made by Sir Conrad provided material for the resolution adopted by Standing Committee of the Chamber of Princes on 10th June, 1946.³⁰ Therefore, the Standing Committee set up by a Negotiating Committee and authorised the Chancellor to arrange discussions with the corresponding body of the British Indian Constituent Assembly as contemplated by the Cabinet Mission. On 21st

December, 1946, that the Constituent Assembly passed a resolution appointing a Negotiating Committee to negotiate with the Negotiating Committee already set up by the Indian States.

The following months of 1947 had been politically hectic to India's perspectives. The Prime Minister from Labour Party, Clement Atlee, happened to be the friend of India, openly declared on 20th February, 1947, that the British Government would ready to transfer power to responsible Indian hands within a stipulated period of 1948. On the issue of the future of the Indian States Atlee categorically observed, "As was explicitly stated by the Cabinet Mission, His Majesty's Government does not intend to hand over their powers and obligations under Paramountcy to any Government of British India. It is not intended to bring Paramountcy, as a system, to a conclusion earlier than the date of the final transfer of power, but it is contemplated that for the intervening period the relations of the Crown with individual States may be adjusted by agreement."³¹

Such an observation produced double reaction. Jawaharlal Nehru apprehended that it would be the advantage of the States if their representatives joined the Constituent Assembly during the April session of 1947. The Nawab of Bhopal, the Chancellor of the Chamber of Princes pointed out the difficulty in doing so in a urgent manner without a meeting of the Indian rulers. To bring all democratic elements in the representation system for the Indian

States to be represented in the Constituent Assembly, it was decided that fifty percent (50%) of the representatives of the Indian States should be elected and efforts should be made to increase the quota of democratically elected members from the States, as far as possible. The Indian National Congress under Nehru's leadership, invited the representatives from the Indian States to function forthwith of some of the committees set up by the Constituent Assembly. But such an offer had been turned down by the Chancellor of Chamber of Princes, on the plea that such an invitation can only be accepted provided the rulers of the States gave consent. The stand of the Chancellor of the Chamber of Princes evoked a mixed reaction among its members. For example the Maharaja of Bikaner did not approve the policy of wait and see adopted by the Chancellor. He favoured the immediate joining of the States in the Constituent assembly. The Maharaja of Patiala, Jaipur, Cochin and Rewa held the similar opinion on the question of participation of the representatives of Indian rulers in the Constituent Assembly. The Maharaja of Cooch Behar was also interested to join the Constituent Assembly. Thus majority of the Indian States had started sending their representatives to the Constituent Assembly. Evidently, the Nawab of Bhopal, Chancellor of Chamber of Princes, resigned from his post as a mark of protest. The Maharaj of Patiala filled up the post of Chancellor of Chamber

of Princes. With the coming of the Maharaja of Patiala to the leadership of the Chamber of Princes a kind of democratic ethos had started prevailing in the proceedings of Chamber of Princes.

Despite efforts of the Maharaja of Patiala, the rulers of Travancore and Hyderabad had decided to become independent sovereign States. Such a claim of a section of the representatives of the Chamber of Princes had been outrightly rejected by the Indian National Congress. The Congress system claimed for the people of the States the dominant voice in giving final decision concerning them. The all India Congress Committee declared that it did not admit the right of any State in India to declare its independence and to live in isolation from the rest of India. Jawaharlal Nehru also declared that the claim of the States to remain independent could not be sustained, as independence did not depend on a mere declaration by a State but rested fundamentally on recognition by other States. The lapse of Paramountcy of the British Crown did not make the Indian States independent.³¹ Moreover, the All India Congress Committee declared that the Princes who had not joined the Indian Constituent Assembly were invited to do the same and co-operate in the building of the constitutional structure of free India in which the States will be equal and autonomous shares with other units of the federation.

The political topsy-turvy in India corroborated by series of prolonged numerous meetings, conferences, debates, proceedings,

plans, offers, arguments and counter arguments had ultimately been consolidated and got sedimented by the announcement of Mountbatten plan of June 3rd, 1947. The plan unequivocally declared that the power to be transferred to the hands of the Indian much earlier than June 1948. The Mountbatten plan proposed for the division of India and provided for certain concrete agreements for the Indian States. The Mountbatten plan got legitimised by the consent of the leaders of Indian Political parties and legalised by the Act of 1947. The Government of India Act 1947 or the Indian Independence Act provided that the suzerainty of His Majesty over the Indian States lapses, and with it all treaties and agreements enforce on that date. As a result of this provision, the Indian States became completely independent, (without international character) and the Governments of India and Pakistan did not inherit the rights of authority of the former Government of India. The Act did not attempt a solution of the problem of the States and left the same to be tackled by the new Indian dominion. The result of the new policy was the fusion of the freedom movement in the States³² which evolves the history of the later period.

The relation of the newly born independent Government of India with Native States were determined by the Stand Still Agreement which meant the maintenance of Status-quo. The result

was that except in matters of foreign policy defense and communication, the Indian States enjoyed the fullest autonomy over their administration like pre-independence days.

In fact, the Stand Still Agreement was a stop gap arrangement between the lapse of the British Paramountcy and the "Instrument of Accession." It is to be mentioned here that the "Instrument of Accession" also provided the same powers to the Indian Princes. This extraordinary internal autonomy whetted the political ambition of some of the Indian States. In the name of internal autonomy, some States even indulged in anti-India unity conspiracy. The situation further deteriorated when Jinnah announced that Pakistan was ready to concede the demand of each State separately.

Thus a problem arose whether the States would join into the new Indian union or not. Taking advantage of this situation the Maharaja, the Gaikwad of Baroda, formed the West Indian Federation consisting of the States of West India which complicated the integration process of India. It is to be noted here that Indira Devi, Dowager Maharani of Cooch Behar was the daughter of Gaikwad of Baroda. The formation of the West Indian Federation inspired the Maharaja Jagaddipendra Narayan and the Dowager Maharani Indira Devi of Cooch Behar to maintain the separate identity of their State. But, finally, the State of Cooch Behar joined with the Indian Union and became a mere district of West Bengal.

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