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# Indian National Congress

March 1939 to Jan. 1940

BEING THE RESOLUTIONS PASSED BY THE CONGRESS  
THE ALL INDIA CONGRESS COMMITTEE AND THE  
WORKING COMMITTEE DURING THE PERIOD BETWEEN  
MARCH 1939 TO JANUARY 1940

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## INDIAN NATIONAL CONGRESS

*Resolutions passed at the 52nd Session of the Congress  
held at Tripuri, Mahakoshal*

MARCH 10, 11 AND 12, 1939

### 1. CONDOLENCE

This Congress expresses its sense of sorrow and loss at the deaths of Maulana Shaukat Ali, Sir Mohamad Iqbal, Begam Ansari and Shris K. Raman Menon, G. S. Khaparde, B. Raja Rau, Nathuji Jagtap, Thakur Gulzar Sinha, Rajaram Shukla, Devi Prasad Shukla, K. K. Bhat, Dhundiraj Mahadeo Naik, Abdul Wahid, Balwantrai P. Thakore, Mahesh Prasad Nigam, Pandit Mahabir Prasad Dwivedi, Upendranath Mukerji, Jwala Singh, K. Nageshwar Rau, Rajab Ali Patel, Ghaltu Venkat, Chaturanan Das, Banchhanidhi Mahantriy, Girija Bhusan Datt, Shrinath Das and Pratap Singh.

### 2. WELCOME TO EGYPTIAN DELEGATION

The Congress extends its cordial welcome to the fraternal delegation from the Wafd Party of Egypt and considers this visit as symbolising the solidarity of the movements for freedom in Egypt and India. The Congress sends its greetings to the people of Egypt and its earnest wishes for their complete success in achieving full freedom. It trusts that the association of the peoples of Egypt and India will ever grow closer and more fruitful in the furtherance of world peace and freedom.

### 3. CHINA

The Congress sends its greetings to the people of China and its deepest sympathy in their trial and privations in their struggle against a ruthless and inhuman imperialism. It congratulates them on their heroic resistance.

The Congress expresses its approval of the sending of a medical mission on its behalf to the people of China, and trusts this mission will continue to receive full support so that it may carry on its work of succour effectively and be a worthy symbol of Indian solidarity with China.

#### 4. THE NATIONAL DEMAND

The Congress has for more than half a century striven for the advancement of the people of India and has represented the urge of the Indian people towards freedom and self-expression. During the past twenty years it has engaged itself on behalf of the masses of the country in struggle against British Imperialism, and through the suffering and disciplined sacrifice of the people, it has carried the nation a long way to the independence that is its objective. With the growing strength of the people, it has adapted itself to a changing and developing situation, and while pursuing various programmes, has ever worked for the independence of India and the establishment of a democratic State in the country. Rejecting the Government of India Act and with the full determination to end it, it decided to take advantage of the measure of provincial autonomy that the Act provided, restricted and circumscribed as it was, in order to strengthen the national movement and to give such relief to the masses as was possible under the circumstances. To the Federal part of the Act the Congress declared its uncompromising opposition and its determination to resist its imposition.

The Congress declares afresh its solemn resolve to achieve independence for the nation and to have a constitution framed for a free India through a Constituent Assembly, elected by the people on the basis of adult franchise and without any interference by a foreign authority. No other constitutions or attempted solutions of the problem can be accepted by the Indian people.

The Congress is of opinion that in view of the situation in India, the organised strength of the national movement, the remarkable growth of consciousness of the masses, the new awakening among the people of the States, as well as the rapid development of the world situation, the principle of self-determination must now be applied to the fullest extent

to India so that the people of India might establish an independent democratic State by means of a Constituent Assembly. Not only the inherent right and dignity of the people demand this full freedom, but also the economic and other problems which press insistently on the masses, cannot find solution nor can India get rid of her poverty and keep pace with modern progress, unless her people have full opportunities of self-development and growth which independence alone can give. Provincial Autonomy affords no such scope for development and its capacity for good is being rapidly exhausted; the proposed Federation strangles India still further and will not be accepted. The Congress is therefore firmly of opinion that this whole Government of India Act must give place to a constitution of a free India made by the people themselves.

An independent and democratic India will face the solution of her great problems rapidly and effectively and will line herself with the progressive peoples of the world and thus aid the cause of democracy and freedom.

With a view to a speedy realisation of the Congress objective and in order to face effectively the national and international crises that loom ahead and prepare the country for a nation-wide struggle, this Congress calls upon all parts of the Congress organisation, the Congress Provincial Governments and the people generally, to work to this end by promoting unity and seeking to eliminate disruptive forces and conditions which lead to communal conflicts and national disunity, by co-ordinating the activities of the Provincial Governments with the work outside the legislatures, and by strengthening the organisation so as to make it a still more effective organ of the people's will.

##### 5. CONGRESS MACHINERY

Inasmuch as experience has shown that the working of the Congress machinery is often rendered difficult by abuses in the matter of enrolment of members, elections and otherwise, and it is urgently necessary to remove all such defects, the Congress authorises the All India Congress Committee to take all steps that may be necessary to attain that end including changes in the Constitution. The All India Congress

Committee shall have authority to give immediate effect to such constitutional changes.

## 6. REAFFIRMATION OF CONGRESS POLICY

In view of various misunderstandings that have arisen in the Congress and the country on account of the controversies in connection with the Presidential election and after, it is desirable that the Congress should clarify the position and declare its general policy.

This Congress declares its firm adherence to the fundamental policies which have governed its programme in the past years under the guidance of Mahatma Gandhi and is definitely of opinion that there should be no break in these policies and that they should continue to govern the Congress programme in future. This Congress expresses its confidence in the work of the Working Committee which functioned during the last year and regrets that any aspersions should have been cast against any of its members.

In view of the critical situation that may develop during the coming year and in view of the fact that Mahatma Gandhi alone can lead the Congress and the country to victory during such crisis, the Congress regards it as imperative that its executive should command his implicit confidence and requests the President to appoint the Working Committee in accordance with the wishes of Gandhiji.

## 7. PALESTINE

The Congress has previously declared its full sympathy with the Arabs in Palestine in their struggle for national freedom and their fight against British Imperialism and has condemned the policy of the mandatory power in Palestine. Subsequent events have disclosed the continuance of a reign of terror maintained by the British army and police in the name of law and order. The courage, determination and sacrifices made by the Arabs in the struggle have evoked the admiration of the people of India who desire to convey to them again their greetings and good wishes for the complete success in the attainment of their objective.

While sympathising with the plight of the Jews in Europe

and elsewhere, the Congress deplors that in Palestine the Jews have relied on British armed forces to advance their special privileges and thus aligned themselves on the side of British Imperialism. The Congress trusts that the Arabs and Jews will endeavour to find a basis for direct co-operation with a view to establishing an independent democratic State in Palestine with adequate protection of Jewish rights.

#### 8. BALUCHISTAN

In view of the fact that British Baluchistan is still being governed in the old irresponsible and bureaucratic manner the Congress demands that democratic and responsible form of government be introduced in the province without any delay and it be granted the same constitutional status as other provinces of India.

#### 9. FOREIGN POLICY

The Congress records its entire disapproval of British Foreign Policy culminating in the Munich Pact, the Anglo-Italian Agreement and the recognition of Rebel Spain. This policy has been one of deliberate betrayal of democracy, repeated breach of pledges, the ending of the system of collective security and co-operation with governments which are avowed enemies of democracy and freedom. As a result of this policy, the world is being reduced to a state of international anarchy where brutal violence triumphs and flourishes unchecked and decides the fate of nations, and in the name of peace stupendous preparations are being made for the most terrible of wars. International morality has sunk so low in Central and South-western Europe that the world has witnessed with horror the organised terrorism of the Nazi Government against people of the Jewish race and the continuous bombing from the air by rebel forces of cities and civilian inhabitants and helpless refugees.

The Congress dissociates itself entirely from British foreign policy which has consistently aided the Fascist Powers and helped in the destruction of democratic countries. The Congress is opposed to imperialism and fascism alike and is convinced that world peace and progress required the ending

of both of these. In the opinion of the Congress, it is urgently necessary for India to direct her own foreign policy as an independent nation, thereby keeping aloof from both Imperialism and fascism, and pursuing her path of peace and freedom.

#### 10. INDIAN STATES

The Congress welcomes the awakening of the people of the Indian States in many parts of the country and considers this as a hopeful prelude to the larger freedom, comprising the whole of India, for which the Congress has laboured. The Congress supports the demand for responsible government and civil liberty in the States and expresses its solidarity with these movements for freedom and self-expression, which are integral parts of the larger struggle for the freedom of the whole country. While appreciating that some Rulers of the States have recognised this awakening as a healthy sign of growth and are seeking to adjust themselves to it in co-operation with their people, the Congress regrets that some other Rulers have sought to suppress these movements by banning peaceful and legitimate organisations and all political activity and, in some cases, resorting to cruel and inhuman repression. In particular the Congress deplors the attempt of some Rulers to seek the aid of the British Government in India to suppress their own people, and condemns the unwarranted use of military and police forces lent by the British authorities.

The Congress expresses its sympathy with the sufferings of the growing number of refugees from the various States and trusts that the public will render them every assistance.

The whole of India was profoundly stirred by the announcement of an indefinite fast by Gandhiji in order to remedy the breach by the Thakore Sahib of Rajkot of the settlement arrived at between him and his councillors on the one hand, and Sardar Vallabhbhai Patel, as representing the people, on the other. The Congress expresses its gratification at the recent agreement resulting in the termination of the fast and trusts that the people of Rajkot will have their aspirations fulfilled, and further hopes that the Princes of Kathiawar and other parts of India will march with the times and, in co-operation with their people, introduce responsible

government.

The Congress regrets that several State Governments besides Rajkot, have gone back upon their assurances to their people and their pledged word. It trusts that these breaches of agreement will be repaired and the assurances given will be honoured.

The Congress is of opinion that the resolution of the Haripura session of the Congress, relating to the States, has answered the expectations raised by it and has justified itself by encouraging the peoples of the States to organise themselves and conduct their own movements for freedom. The Haripura policy was conceived in the best interests of the people in order to enable them to develop self-reliance and strength. This policy was dictated by circumstances and by a recognition of the limitations inherent in the circumstances, but it was never conceived as an obligation. The Congress has always possessed the right, as it is its duty, to guide the people of the States and lend them its influence. The great awakening that is taking place among the people of the States may lead to a relaxation or to a complete removal of the restraint which the Congress imposed upon itself, thus resulting in an ever increasing identification of the Congress with the States' peoples. The Working Committee is authorised to issue instructions in this behalf from time to time as occasion arises.

The Congress desires to reiterate that its objective, complete independence, is for the whole of India, inclusive of the States, which are integral parts of India which cannot be separated, and which must have the same measure of political, social, economic and religious freedom as the rest of India.

## 11. INDIANS OVERSEAS

This Congress notes with grave concern and anxiety the rapidly deteriorating position of Indians overseas, specially in countries within the so-called British Commonwealth of Nations and extends its sympathy and support to all Indian nationals abroad in their just struggle for the assertion of their legitimate rights, political, civic and economic. This Congress notes with particular anxiety the danger to Indian life and property in Burma, the hostile attitude towards

Indians in Ceylon, the reservation of the Kenya Highlands to Europeans to the exclusion of Indians and the attempt to segregate and pass unjust laws against Indians in South Africa. This Congress expresses its opinion that only a free and independent India can effectively help its nationals abroad. In the meantime, the Congress calls upon the people of this country to do everything in their power to help the cause of Indians overseas.

#### 12. NEXT CONGRESS

Resolved that the next session of the Congress be held in Bihar during the last week of December of this year.

## ALL INDIA CONGRESS COMMITTEE

TRIPURI, MARCH 7 AND 8, 1939

### *Summary of Proceedings*

A meeting of the A. I. C. C. was held in the Subjects Committee Pandal at Tripuri on March 7, 1939 at 4-30 P.M. Maulana Abul Kalam Azad presided in the absence of Shri Subhas Chandra Bose owing to illness.

### MINUTES

The minutes of the last meeting of the A. I. C. C. held at Delhi in September last were confirmed.

### ACCOUNTS AND REPORT

The General Secretary's annual report and the audited accounts were placed before the A. I. C. C. and were adopted by them.

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### *Calcutta, April 29, 30 and May 1, 1939*

A meeting of the All India Congress Committee was held at Calcutta on April 29, 30 and May 1 in a special Pandal erected for the purpose.

### SHRI S. C. BOSE'S RESIGNATION AND THE ELECTION OF

### BABU RAJENDRA PRASAD AS PRESIDENT

Shri Subhas Chandra Bose presided at the first sitting for a short while. He explained to the Committee how his conversations with Mahatma Gandhi and some members of the old Working Committee had failed to bring about a settlement of the question at issue, namely, the formation of the Working Committee. In order that it may be easier for the

A. I. C. C. to settle the matter, if it can have a new President, he tendered his resignation. The A. I. C. C. elected Babu Rajendra Prasad as President for the remaining period of the year.

#### PERSONNEL OF THE WORKING COMMITTEE

Babu Rajendra Prasad announced the following personnel of the new Working Committee:—

Maulana Abul Kalam Azad, Shrimati Sarojini Naidu, Sardar Vallabhbhai Patel, Khan Abdul Ghaffar Khan, Seth Jamnalal Bajaj (*Treasurer*), Dr. Pattabhi Sitaramayya, Shris Jairamdas Doulatram, J. B. Kripalani (*General Secretary*), Bhulabhai J. Desai, Shankerrao Deo, Harekrishna Mehtab, Dr. B. C. Roy, Dr. Profulla Chandra Ghosh.

#### RESOLUTIONS

The following resolutions recommended by the Working Committee were then passed:—

#### CONDOLENCE

This Committee places on record its deep sense of loss at the death of Syts. Birendra Chandra Mazumdar, M.L.A. and Manoranjan Banerji two veteran Congress workers and others as a result of the railway disaster at Majdia.

#### 2. WAR DANGER AND AMENDMENT OF THE INDIA ACT

In view of the imminent danger of international war, the A. I. C. C. reminds the country and all others concerned of the national policy in regard to war which the Congress has often proclaimed. This policy will be strictly adhered to and the Congress is determined to oppose all attempts to impose a war on India and use Indian resources in a war without the consent of the Indian people.

The Committee has noted with disapproval the despatch of a small body of Indian troops towards Aden as this can only mean their employment for British imperialist purposes.

The Committee, in particular, records its complete disapproval of the attempt being made by the British Government to amend the Government of India Act, with a view to concentrating all power, in the event of a war emergency, in

the hands of the Central Government which functions completely as an agent of British Imperialism. While the Congress is not interested as a rule in amendments to the India Act and has worked for the whole Act to be ended, it cannot tolerate an amendment which strikes at the very basis of Provincial Autonomy and reduces it to a farce in case of war; which in effect creates a war dictatorship of the Central Government in India, and which makes Provincial Governments helpless agents of Imperialism. Any attempt to impose such an amendment on India must and will be resisted in every way open to the Congress. Provincial Governments are warned to be ready to carry out the policy in this respect as may be determined by the A. I. C. C. or the Working Committee as the case may be.

### 3. REFORM IN THE CONGRESS MACHINERY

In pursuance of the resolution passed at the Tripuri Session of the Congress regarding reform in the Congress machinery the A. I. C. C. appoints a Committee consisting of the President, Shris Jawaharlal Nehru, B. Pattabhi Sitaramayya, Narendra Deo and J. B. Kripalani to recommend measures for the purification of the Congress in terms of the Congress resolution.

### 4. BENGAL POLITICAL PRISONERS

This meeting of the A. I. C. C. while appreciating the strenuous efforts made by Mahatma Gandhi to secure the release of political prisoners in Bengal, notes with regret the failure of the negotiations between Gandhiji and the Huq Ministry on the matter.

The time during which Gandhiji expected to secure the release of all political prisoners is over. In view of the stiff and callous attitude of the Bengal Ministry and the policy adopted by it, the release of the long-term prisoners has become almost a hopeless question.

In the opinion of the A. I. C. C. there is no longer any justification to detain the prisoners in jail who have been convicted during an emergency period mostly under special powers and especially so, when the prisoners have openly ex-

pressed their aversion to terrorism.

This meeting of the A. I. C. C. therefore, resolves to make the release of these prisoners a vital all India issue and instructs the Working Committee to fix all India Political Prisoners Day and to direct the Congress Committees to begin a vigorous agitation for the immediate unconditional release of all political prisoners.

Similarly an agitation should be carried on regarding release of political prisoners in the Punjab also.

### 5. KENYA HIGHLANDS

The All India Congress Committee notes with grave concern the promulgation of an Order-in-Council regarding reservation of highlands in Kenya for Europeans which is a violation of all announcements and assurances by the Secretary of State for colonies and the Government of India, and perpetuates the policy of racial discrimination and is an insult to India.

The All India Congress Committee also places on record its opinion that the Government of India have failed to do their duty by the Indians in Kenya. The All India Congress Committee is further of opinion that situation in Kenya cannot be met by any efforts on the part of the Government of India and requests the Working Committee to take necessary steps in this behalf.

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*Bombay 24, 25, 26 and 27 June, 1939*

### SUMMARY OF PROCEEDINGS

A meeting of the All India Congress Committee was held at Bombay on June 24, 25, 26 and 27 in a special Pandal erected for the purpose. Babu Rajendra Prasad presided.

### MINUTES

The minutes of the last meeting of the A. I. C. C. held at Calcutta were confirmed.

## RESOLUTIONS

The following resolutions recommended by the Working Committee were passed with slight verbal changes.

## 1. CONDOLENCE

This Committee has learnt with regret of the sudden death, in the prime of his life, of Dr. Alimchand Udhoram, a member of this Committee from Sind and an old and tried Congress worker since the non-co-operation days. The Committee conveys its sincere condolences to the family of the deceased in their bereavement.

## 2. INDIANS IN CEYLON

The All India Congress Committee views with grave concern the measures proposed by the Ceylon Government with reference to their Indian employees and hopes that it may be possible to find a way to avoid the most undesirable and grave conflict that, as a result of these measures, is threatened between such near and ancient neighbours as India and Ceylon.

The Committee cannot contemplate without much concern a quarrel between the two countries which are separated by only a strip of water but which have a common culture and which have been intimately connected from times immemorial. The Committee desires to explore every means of avoiding conflict and, therefore, appoints Pandit Jawaharlal Nehru to go to Ceylon and confer with the authorities and representative associations and individuals on behalf of the Working Committee and do all that may be possible to effect a just and honourable settlement.

## 3. INDIANS IN SOUTH AFRICA

The A. I. C. C. regrets the attitude of the Union Government towards Indian settlers. It betrays utter disregard of the obligations undertaken by the predecessors of the present Government. The policy just initiated by them is in direct breach of the Smuts-Gandhi Agreement of 1914, the Cape-

town Agreement of 1927, the Feetham Commission of 1932 and the subsequent undertakings on behalf of the Union Government. The A. I. C. C. notes with pride and satisfaction the firm stand taken up by the Indians of South Africa. They will have the sympathy of the whole Indian nation behind them in their fight for self-respect and honourable existence. The A. I. C. C. trusts that there will be no dissensions among them and that they will present a united front. The A. I. C. C. appeals to the Union Government to retrace their steps and carry out the promises of their predecessors to adopt a policy of progressive amelioration in the status of the Indian Nationals in South Africa 80 per cent of whom are born and bred in that sub-continent and to whom South Africa is their only home.

#### 4. CONSTITUTIONAL AMENDMENTS

Shri J. B. Kripalani moved the 'Constitutional Amendments' as proposed by the Constitution Sub-Committee together with the amendments suggested by the Working Committee. Numerous amendments were moved to the proposed amendments. A few were accepted and the rest rejected. Shri Bhulabhai Desai moved the new Article XI. A series of amendments were moved to this. They were all rejected by the House and the Article XI as proposed by the mover was adopted in its entirety. The new Constitution as amended at Bombay is printed separately.

#### 5. SATYAGRAHA IN PROVINCES

This meeting of the A. I. C. C. resolves that no Congressman may offer or organize any form of Satyagraha in the Administrative Provinces of India without the previous sanction of the Provincial Congress Committee concerned.

#### 6. CONGRESS MINISTRIES AND THE P. C. C.

The Working Committee has repeatedly laid stress on the desirability of co-operation between the Ministry, the Congress party and the P. C. C. Without such co-operation misunderstandings are likely to arise with the result that the influence of the Congress will suffer. In administrative

matters the P. C. C. should not interfere with the discretion of the ministry but it is always open to the executive of the P. C. C. to draw the attention of the Government privately to any particular abuse or difficulty. In matters of policy if there is a difference between the ministry and the P. C. C. reference should be made to the Parliamentary Sub-Committee. Public discussion in such matters should be avoided.

### DIGBOI STRIKE

This Committee views with grave concern the prolonged strike at Digboi and expresses its sympathy with the strikers in their distress. The Committee regrets that the Assam Oil Company has not seen its way to accept the modest suggestion of referring the question of the method and time of re-employment of the strikers to a Conciliation Board to be appointed by the Government of Assam.

In the opinion of this Committee no corporation, however big and influential it may be, can be above public criticism or Government supervision and legitimate control. Moreover, as was declared at the Karachi session, the Congress policy is that there should be State ownership or control of key industries. The oil industry is undoubtedly a vital key industry. This Committee therefore hopes that better counsel will prevail with the Company and that its directors will accept the modest suggestion made on behalf of the Committee by the President of the Congress. If, however, the directors do not see their way to do so, the Committee advises the Assam Government forthwith to undertake legislation for making the acceptance of the decisions of Conciliation Boards obligatory and further to give notice to the Company that the Committee may reluctantly be obliged to take such steps as may be necessary to stop renewal of the lease to the Company on its termination. At the same time that this Committee urges the Company to fall in with the just suggestion made by the Committee, it hopes that the Labour Union will be ready to listen to the Committee's advice and if they were to retain Congress and public sympathy they will be ready and willing to abide by the advice that may be tendered to them by the Committee.

**26102**

**9 JAN 1969**

## SEPARATION OF ANDHRA

## NON-OFFICIAL RESOLUTION

"The All India Congress Committee is strongly of opinion that immediate steps should be taken for the formation of a separate Andhra province."

The resolution was passed by a majority vote.

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*Wardha, October 9 and 10, 1939*

## SUMMARY OF PROCEEDINGS

A meeting of the All India Congress Committee was held at Wardha on October 9 and 10, 1939 in Navbharat Vidyalaya. Babu Rajendra Prasad presided.

## MINUTES

The minutes of the last meeting of the A. I. C. C. held at Bombay were confirmed.

## RESOLUTIONS

The following resolutions recommended by the Working Committee with some slight verbal changes were passed:

## WAR CRISIS

The declaration of war in Europe has created an international situation of the gravest import to the world and to India, and the All India Congress Committee charged with the heavy responsibility of guiding the people of India in this moment of world crisis, has sought guidance from the principles and declarations of the Congress in considering this grave situation. The Congress has been guided throughout by its objective of achieving the independence of the Indian people and the establishment of a free democratic state in India wherein the rights and interests of all minorities are preserved and safe-guarded. The means it has adopted in its struggles and activities have been peaceful and legitimate,

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and it has looked upon war and violence with horror and as opposed to progress and civilisation. In particular, the Congress declared itself opposed to all imperialist wars and to the domination of one country over another.

In spite of the repeated declarations of the Congress in regard to war, the British Government have declared India a belligerent country without the consent of the Indian people, and various far-reaching measures have been hurried through the legislatures and promulgated in the form of ordinances vitally affecting them and circumscribing and limiting the powers of the Provincial Governments.

The All India Congress Committee, however, does not wish to take any final decision precipitately and without giving every opportunity for the war and peace aims of the British Government to be clarified, with particular reference to India. The Committee approves of and endorses the statement issued by the Working Committee on September 14, 1939 on the war crisis, and repeats the invitation contained therein to the British Government to state their war aims and peace aims.

While the Committee condemns Fascism and Nazi aggression, it is convinced that peace and freedom can only be established and preserved by an extension of democracy to all colonial countries and by the application of the principle of self-determination to them so as to eliminate imperialist control. In particular, India must be declared an independent nation and present application should be given to this status to the largest possible extent. The A. I. C. C. earnestly trusts that this declaration will be made by the British Government in any statement that it may make in regard to its war and peace aims.

The Committee desire to declare afresh that Indian freedom must be based on democracy and unity and the full recognition and protection of the rights of all minorities to which the Congress has always pledged itself.

The Committee approves of the formation by the Working Committee of the War Emergency Sub-Committee and authorises the Working Committee to take such steps as may be necessary to give effect to this resolution and to their statement on the war crisis.

## THE NEXT CONGRESS AND ELECTIONS

In view of the crisis that has arisen and the necessity of preparing the nation to meet such developments as might take place, and avoiding the distraction of elections at a time of national emergency, the A. I. C. C. resolves that the annual session of the Congress, which was fixed to take place during the last week of December, be postponed to the second fortnight in March. The Congress delegate elections, the elections for the new A. I. C. C., and the Presidential election will stand postponed till such time as may be fixed later.

As, however, it may be considered necessary, in order to consider vital issues affecting the nation, to have a session of the Congress at an earlier date, a special session of the Congress may be convened by the Working Committee during the last week of December or at any other suitable time. The Working Committee is authorised to decide about the necessity of such a special session and to fix the dates and the venue for it. In the event of such a special session being held provision shall be made for delegates only, and the present delegates to the Congress shall be entitled to attend it. The A. I. C. C. for the current year will function as the subjects committee for the special session.

## WORKING COMMITTEE MEETING

*Calcutta, May 1, 1939*

A meeting of the Working Committee was held in Calcutta at Maulana Azad's residence on May 1, 1939. Babu Rajendra Prasad presided.

The members present were Maulana Abul Kalam Azad, Shrimati Sarojini Naidu, Khan Abdul Ghaffar Khan, Shris Bhulabhai Desai, Pattabhi Sitaramayya, Shankerrao Deo, Harekrishna Mehtab, Profulla Chandra Ghosh, B. C. Roy and J. B. Kripalani. Shri Jawaharlal Nehru was also present.

Resolutions on the following subjects to be placed before the A. I. C. C. were drafted and adopted.

(1) Condolence (2) War Danger and Amendment of the India Act (3) Reform in the Congress Machinery (4) Bengal Political Prisoners (5) Kenya Highlands.

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*Bombay, 21 to 27th June, 1939*

### SUMMARY OF PROCEEDINGS

A meeting of the Working Committee was held in Bombay from 21st to 27th June, 1939. Shri Rajendra Prasad presided. The Members present were:—

(1) Shri Sarojini Naidu, (2) Shri Vallabhbhai Patel, (3) Shri B. Pattabhi Sitaramayya, (4) Shri Jairamdas Daulatram, (5) Shri Bhulabhai Desai, (6) Sri Shanker Rao Deo, (7) Shri Bidhan Chandra Roy, (8) Shri Hare Krishna Mehtab, (9) Shri Profulla Chandra Ghosh, (10) Shri J. B. Kripalani.

Shris Jawaharlal Nehru and Rajagopalacharya were present by special invitation.

## MINUTES

The minutes of the last meeting held at Calcutta were confirmed.

## CONSTITUTION COMMITTEE'S REPORT

The report was considered and generally approved of. A few minor changes were suggested. In deference to the wishes of certain minorities within the Congress the amendment to Clause 5 (C) which included other organisations along with Communal Organisations to be banned if their activities were in the opinion of the Working Committee anti-national and in conflict with those of the Congress, was dropped.

(Note: The Constitution as it was finally amended and adopted at the A. I. C. C. is published separately).

## TIME TABLE

The following time table for the enrolment of Primary Members and for the various Congress elections for the year was adopted:

- |                                                                    |    |                         |
|--------------------------------------------------------------------|----|-------------------------|
| 1. Congress Session                                                | .. | Last week of Dec. 1939. |
| 2. Announcement of President's Election                            | .. | December 3, 1939.       |
| 3. Meeting of Delegates to elect President and A. I. C. C. members |    | November 29, 1939.      |
| 4. Presidential nominations upto                                   | .. | November 15, 1939.      |
| 5. Election of delegates                                           | .. | November 8, 1939.       |
| 6. Last date of enrolment                                          | .. | September 15, 1939.     |

## PARLIAMENTARY SUB-COMMITTEE

The following resolution was passed:

The appointment of the Parliamentary Sub-Committee made by the President is confirmed.

The Members of the Sub-Committee are Shri Rajendra Prasad, Moulana Abul Kalam Azad and Shri Vallabhbhai Patel (Chairman).

### NAGPUR P. C. C.

The Committee sanctioned the change of the Nagpur P. C. C. office from Wardha to Nagpur.

### LAST DATE FOR THE APPOINTMENT OF THE TRIBUNALS

July 31st was fixed by the Committee as the last date by which the Provincial and the local Tribunals in terms of Article VIII Cl. b of the new Constitution were to be appointed.

### ASSAM ASSEMBLY

The Committee decided that in the bye-election from Sylhet for the Assam Assembly the candidate for the seat must be nominated by the Assam P. C. C. on the recommendation of the Sylhet District Congress Committee. If, however, the two committees—the Assam P. C. C. and the Sylhet D. C. C. differed about the selection of the candidate, the final decision will lie with the Parliamentary Sub-Committee.

### KHADI CLAUSE

It was decided that the ruling given by Ex-President Shri Vallabhbhai Patel and endorsed by the Working Committee at its meeting held at Patna in December 1934, when he was the President, should be adhered to as also the resolution passed by the Working Committee at their meeting at Jubbulpore, April 1935.

### PLANNING COMMITTEE

The Committee had been given 6 months to finish its labours. But the Chairman Shri Jawaharlal Nehru approached the President for extension of time upto the end of March 1940 as it was impossible for the Committee to finish its labours before that date. The period of the work of the Planning Committee has therefore been extended to 31st March, 1940.

*Wardha, August 9 to 12, 1939*

SUMMARY OF PROCEEDINGS

A meeting of the Working Committee was held at Wardha under the presidentship of Shri Rajendra Prasad from August 9 to 12, 1939.

The members present were Shris Sarojini Naidu, Vallabh-bhai Patel, Pattabhi Sitarammaya, Bhulabhai J. Desai, Shankerrao Deo, Bidhan Chandra Roy, Harekrishna Mehtab, Profulla Chandra Ghosh and J. B. Kripalani.

Shri Jawaharlal Nehru was present by special invitation. Gandhiji attended the afternoon sittings every day.

1. MINUTES

The Minutes of the last meeting were confirmed.

2. BUDGET

The following budget for the year 1939-40 was passed.

*Budget estimates for the period from October 1, 1939 to Sep. 30, 1940  
of the A.I.C.C. Office, Allahabad*

RECEIPTS			EXPENDITURE		
Heads of Receipts	Estimated Receipts		Heads of Expenditure	Estimate of expenditure	
	Rs.	a. p.		Rs.	a. p.
1. Surplus from Congress Sessions	..	..	1. ESTABLISHMENT—		
2. Purse and general Fund collections	1,000	0 0	Allahabad Office	16,000	0 0
3. Provincial Contributions	6,000	0 0	Treasurer's Office	600	0 0
4. A.I.C.C. Membership fee	3,500	0 0	2. Postage and Telegrams	3,300	0 0
5. Delegates Fees	10,000	0 0	3. Stationery	1,500	0 0
6. Interest	4,000	0 0	4. Printing (Office and Bulletins)	1,500	0 0
7. Sale Proceeds of publications	500	0 0	5. TRAVELLING EXPENSES—		
8. Excess of Expenditure over income	8,450	0 0	General	5,000	0 0
			Parliamentary Sub-Committee	1,000	0 0
			6. Rents and Taxes (Electricity)	500	0 0
			7. Telephone Charges	400	0 0
			8. Furniture	500	0 0
			9. Library	800	0 0
			10. Repairs to Swaraj Bhawan	1,000	0 0
			11. Miscellaneous	1,000	0 0
			12. Provident Fund Contribution	350	0 0
<b>TOTAL</b>	<b>33,450</b>	<b>0 0</b>	<b>TOTAL</b>	<b>33,450</b>	<b>0 0</b>

### 3. CONGRESS EXHIBITIONS

The opinion of the Committee was that any exhibitions organised by Congress Committees must be organised on the lines of the Congress policy as defined in the Working Committee's resolution on Swadeshi passed at Benares in 1934, coupled with the Congress resolution on Exhibitions and Demonstrations passed at the Bombay session, that is exhibitions by Congress Committees be organised jointly by the local branches of the All India Spinners' Association and the All India Village Industries Association.

*Benares, July 27 to 30, 1934*

The Working Committee is of opinion that the activities of Congress organisations relating to Swadeshi shall be restricted to useful articles manufactured in India through cottage and other small industries which are in need of popular education for their support and which will accept the guidance of the Congress organisations in regulating prices and in the matter of the wages and welfare of labour under their control.

*Bombay Session, October 26-28, 1934*

#### EXHIBITIONS & DEMONSTRATIONS

Inasmuch as it is desirable to free the Reception Committee from the distraction and expenses attendant upon the organisation of exhibitions and spectacular demonstrations that take place at the annual sessions of the Congress and as these make it impossible for smaller places to invite the Congress, the Reception Committees shall henceforth be relieved of the task of organising exhibitions and spectacular demonstrations. But as exhibitions and spectacular demonstrations are a necessary part of the annual national gathering, the duty of organising these is hereby entrusted to the All India Spinners' Association and the All India Village Industries' Association which bodies shall organise these functions as to combine instruction with entertainment of the general public especially of the villagers, with the view to illustrate and

popularise the activities of the two associations and generally to demonstrate the potentiality of village life.

#### 4. DISCIPLINARY ACTION

Shri A. N. Udhoji, M.L.A., C. P.

Read the letter of Shri A. N. Udhoji of July 20, 1939 in reply to the President's letter calling for an explanation of his conduct as a member of the C. P. Legislative Assembly.

In view of the gross misconduct of Shri Udhoji in the C. P. Assembly and further in view of his attempt to justify his conduct by casting aspersions on the Congress organisation and prominent Congressmen with intent to discredit the Congress and injure the Congress work, this Committee is of opinion that Shri Udhoji has shown himself unfit for membership of the Congress. Resolved therefore that his name be struck off the Congress Roll of Primary members and he be removed from all Congress Offices which he might be holding as a member of the Congress. He will not be eligible to be enrolled as a primary member of the Congress for a period of three years from today. Further he be called upon to resign from the membership of the C. P. Legislative Assembly to which he was elected on behalf of the Congress.

This resolution be communicated to the Leader of the Congress party in the C. P. Assembly and the President of the Nagpur P. C. C. for necessary action.

#### 5. DEMONSTRATIONS OF JULY 9 AND SHRI SUBHAS BOSE

The Working Committee has given the most anxious consideration to the action of Shri Subhas Chandra Bose, the erstwhile President of the Indian National Congress in connection with two resolutions of the last meeting of the A. I. C. C. known as 'Satyagraha in provinces' and 'Congress Ministries and the P. C. Cs.' The Working Committee has also considered the long letter of Shri Subhas Babu appended hereto. The Working Committee with great sorrow and reluctance has come to the conclusion that Subhas Babu has wholly missed the main point raised by the President of the Congress as clearly set forth in his declaration also appended hereto. As ex-Presi-

dent he should have also realised that after having received peremptory instructions from the President it was his clear duty as a servant of the nation to obey them implicitly even though he differed from the ruling of the President. It was open to him, if he felt aggrieved by the ruling, to appeal to the Working Committee or the A. I. C. C. But he was bound, so long as the President's instructions stood, to carry them out faithfully. This is the first condition of the proper functioning of any organisation, much more so of a vast organisation like the National Congress which is engaged in a life and death struggle with the best organised and most powerful imperialistic corporation in the world. If, what seems to be Subhas Babu's contention in his letter, that every member is free to interpret the Congress Constitution as he likes prevails there will be perfect anarchy in the Congress and it must break to pieces in no time.

The Working Committee has come to the painful conclusion that it will fail in its duty if it condones the deliberate and flagrant breach of discipline by Subhas Babu. The Working Committee therefore resolves that for his grave act of indiscipline Shri Subhas Babu is declared disqualified as President of the Bengal Provincial Congress Committee and to be a member of any elective Congress Committee for three years as from August 1939. The Working Committee trusts that Shri Subhas Babu will see the error of his ways and loyally submit to this disciplinary action.

The Working Committee has taken note of the indiscipline of many other Congressmen including responsible officials. But it has refrained from taking any action as the members acted under the inspiration of Shri Subhas Babu. The Working Committee, however, leaves it open to Provincial organisations to take action if they think it necessary for the proper observance of discipline and especially if the offending members do not express regret for their indiscipline.

The Committee further empowers the President to take disciplinary action against such members who instead of expressing regret by their speech or conduct for the indiscipline, persist in it.

## 6. CEYLON

The Committee having considered the situation in Ceylon as placed before them by Shri Jawaharlal Nehru after his recent visit to the Island, passed the following resolution:

The Working Committee, having considered the report of Pandit Jawaharlal Nehru on his visit to Ceylon, as the representative of the Congress, to explore all possible means of bringing about a just and honourable settlement on questions relating to the Indian employees of the Ceylon Government, desire to record their appreciation of his labours and the success that has attended them in bringing the peoples of India and Ceylon nearer to each other. The Committee regret, however, that the Ceylon Government have not thought it fit to make any major change in the measures they had proposed in order to remove a large number of Indians from their employment under the Government, though the Committee are aware that assurances have been given that all cases of hardship will be carefully considered by the Government. The Committee regretfully feel that the action of the Ceylon Government in respect of these measures is not in conformity with justice or international practice.

Pandit Jawaharlal Nehru has drawn attention in his report to the background of the problem which Ceylon has to face, to the new spirit of nationalism and the mass awakening that is following in its wake, and to the economic distress and unemployment which Ceylon, like every other country, has to deal with. The Working Committee desire to assure the people of Ceylon of every sympathy with this national awakening and of every desire to co-operate in the solution of economic and other problems which afflict Ceylon and India alike. Standing as they do for the ending of imperialism and all exploitation in their own country, they must apply this same principle to other countries also, and more specially to Ceylon which is not only a near neighbour but which has been connected with India from time immemorial by links which cannot break. While the Committee desire and expect that every Indian who goes abroad will be treated honourably and with justice, they do not

want Indians to go anywhere as unwanted outsiders who exploit the people of the country. The Committee recognise the right of the people of Ceylon to be given preference in State service or otherwise in their country and are fully prepared to co-operate in this.

Of the hundreds of thousands of Indians who have gone to Ceylon and by their labour on the land and elsewhere produced wealth and increased the riches of the country, the great majority have settled down there and made Ceylon their homeland. They have thus earned the right to be considered on a par with the other inhabitants of the island and to have all the privileges and to shoulder all the responsibilities of citizenship. The other Indians, who have not been there for so long, have also given of their labour and service to Ceylon and deserve consideration and just treatment. The Committee is prepared to co-operate in all steps to adjust relationships so as to give every opportunity to the people of Ceylon to advance and find self-fulfilment. But such steps when they affect two parties must not be taken unilaterally and should take into consideration the interests of those who, for no fault of their own, find themselves in their present situations.

The Committee are convinced that for historical, geographical, cultural and economic reasons the fate of Ceylon is linked with that of India, and are desirous of strengthening these bonds for the mutual advantage of the two countries. In view, however, of the circumstances that have arisen, they are of opinion that all future emigration of labour from India to Ceylon must be completely stopped and they welcome the decision of the Government of India to this effect. Because of this stoppage of emigration, there is no longer any necessity for an emigration depot and the Mandapam depot should therefore be closed. In any event it is undesirable for a depot of this kind on Indian soil to be in charge of the Ceylon Government.

The following other resolutions were passed:—

#### 7. CONDOLENCE

This committee expresses its deep sorrow over the sudden demise of Sri Toram Ram Phookan, who had led Assam in

the struggle for national freedom and rendered invaluable services to his province and to the nation in various capacities for a period of over twenty years.

## 8. WAR PREPARATION

The Working Committee have given their earnest consideration to the critical international situation and to the danger of war that overhangs the world. In this world crisis the sympathies of the Working Committee are entirely with the peoples who stand for democracy and freedom and the Congress has repeatedly condemned fascist aggression in Europe, Africa and the Far East of Asia as well as the betrayal of democracy by British Imperialism in Czecho-Slovakia and Spain. The Congress has further clearly enunciated its policy in the event of war and declared its determination to oppose all attempts to impose a war on India. The Committee is bound by this policy of the Congress and will give effect to it so as to prevent the exploitation of Indian resources for imperialist ends. The past policy of the British Government as well as the recent developments, demonstrate abundantly that this Government does not stand for freedom and democracy and may at any time betray these ideals. India cannot associate herself with such a Government or be asked to give her resources for democratic freedom which is denied to her and which is likely to be betrayed.

At its meeting held in Calcutta on May 1, 1939, the All India Congress Committee reiterated this policy of the Congress and expressed its disapproval of the despatch of Indian troops to foreign countries. In spite of this clear expression of opinion, the British Government has sent, or is sending Indian troops to Egypt and Singapore against the declared will of the Indian people. Even apart from the War situation, the Central Legislative Assembly has previously declared that no Indian troops should be sent abroad without the consent of the Legislature. The British Government has thus flouted the declarations of the Congress and the Assembly and has taken steps which might inevitably lead to India's entanglement in a war. It has further prolonged the life of the Central Assembly by another year. The

Working Committee cannot accept these decisions of the British Government and must not only dissociate themselves from them but also take such steps as may be necessary to give effect to the Congress policy. As a first step to this end the Committee call upon all Congress members of the Central Legislative Assembly to refrain from attending the next session of the Assembly.

The Committee further remind Provincial Governments to assist in no way the war preparations of the British Government and to keep in mind the policy laid down by the Congress, to which they must adhere. If the carrying out of this policy leads to the resignations or removal of the Congress Ministries they must be prepared for this contingency.

In the event of a war crisis leading to danger to any part of India from the air or otherwise it may be necessary for protective measures to be taken. The Committee will be prepared to encourage such measures if they are within the control of popular Ministries in the provinces. The Committee is, however, not agreeable to such protective measures being used as a cloak for war preparations under the control of the Imperial Government.

## 9. BENGAL POLITICAL PRISONERS

The Working Committee are thankful that the hunger-striking Prisoners of Dum Dum and Alipore Jails have suspended their strike for two months. The Working Committee hopes that the Bengal Government will duly appreciate the admirable restraint exhibited by the prisoners and appeals to them to honour the Indiawide demand for their early and unconditional release.

The Working Committee also appeal to the Punjab Government and the Central Government, where the latter are concerned to release all the political prisoners within their jurisdiction, especially as these have abjured violence.

The Working Committee express its strong conviction that it is wrong on the part of prisoners, political or otherwise, to resort to hunger-strike for their release. The Working Committee is of opinion that if prisoners can secure

discharge by hunger-strikes orderly Government will become impossible.

#### 10. SOUTH AFRICA

The Working Committee congratulates the Passive Resisters of South Africa on their restraint in staying action in the hope of an honourable settlement. The Working Committee appeals to the Union Government not to put the Indian settlers of South Africa to the severe test of suffering for the sake of merely retaining the democratic rights which were twice guaranteed to them. Should, however, all attempts at an honourable settlement fail, the Working Committee assures the Passive Resisters that the whole of India will support them in their struggle.

#### 11. PROHIBITION IN BOMBAY

The Working Committee congratulate the Bombay Government and the people of Bombay on the happy inauguration of prohibition in Bombay accompanied as it was by the magnificent demonstration in which all Bombay participated.

The Working Committee call upon the Ministries in the Provinces with a Congress majority to speed up prohibition so as to complete the programme within the time prescribed by the Working Committee, and where they have demonstrable financial difficulty to call upon the Central Government to make up the deficit.

#### 12. HARIJAN TEMPLE ENTRY, MADRAS

The Working Committee congratulate the Madras Government on the determination in the face of difficulties with which they have passed the absolutely necessary legislation removing legal obstacles in the way of Harijans entering Hindu temples for worship, and more especially congratulate the vast body of the orthodox Hindu public who have co-operated with the trustees of the celebrated Meenakshi Temple of Madura and of other temples in opening these to Harijans. The Working Committee hopes that this noble example will be followed by the trustees and worshippers of other temples.

## 13. CHARGES AGAINST SHRI D. P. MISRA (C. P.)

11 Congress M. L. As from Central Provinces had brought certain charges against Shri D. P. Misra, Minister of Local Self-Government, C. P. The Committee called their representatives Shris Kedar and P. B. Gole and heard them about these charges at some length. As they wanted to produce evidence to substantiate the charges the Working Committee appointed Shri Bhulabhai Desai to investigate the allegations and to favour the Committee with his opinion.

September 8 to 15, 1939

SUMMARY OF PROCEEDINGS

A meeting of the Working Committee was held at Wardha from September 8 to 15, 1939. Sri Rajendra Prasad presided.

The members present were, Maulana Abulkalam Azad, Shris Sarojini Naidu, Vallabhbbhai Patel, Pattabhi Sitarammayya, Jairamdas Daulatram, Khan Abdul Gaffar Khan, Bhulabhai J. Desai, Bidhan Chandra Roy, Shanker Rao Deo, Harekrishna Mehtab, Profulla Chandra Ghosh and J. B. Kripalani.

Shris M. K. Gandhi, Jawaharlal Nehru, Subhas Chandra Bose, M. S. Aney, Narendra Deo, Jaiprakash Narain were present by special invitation.

The invitees were present during the discussions of the main question of war crisis and India's attitude towards it.

1. MINUTES

The minutes of the last meeting were confirmed.

2. DELHI P. C. C.

The following decision was taken in the matter of the composition of the Delhi P. C. C.:—

The Delhi Provincial Congress Committee consists of 40 members of whom 15 are elected delegates and the

remaining 25 are the additional members who are elected. The District Congress Committee consists of 100 members. In the Constitution there is no provision as to how the 25 members have to be elected but the procedure that has been followed with the assent of the All India Congress Committee Office has been to allow them to be elected by the 100 members of the District Committee by the method of single transferable vote. This procedure has been adopted with a view to enable all parties to be represented in proportion to their numbers in the District Committee.

After the election of the delegates in January 1939 and before the presidential election some of the delegates approached the then president, Sri Subhas Chandra Bose, asking for ruling from him in favour of the method of co-option of the 25 members of the P. C. C. by the 15 delegates. The P. C. C. which was then functioning had no information about this. Amongst the delegates, out of 15, nine members belong to one group and 6 to another group. On the day when the meeting for the election of the President was held and when A. I. C. C. members were to be elected a ruling from the then President Sri Subhas Chandra Bose was produced to the effect that the 25 members should be co-opted by the 15 delegates. The nine delegates decided to have a meeting of the delegates for purpose of co-option. The general Secretary of the P. C. C. protested against the change in the procedure and the ruling given by the then President but it was pointed out that the ruling was justified by the practice in other provinces. In accordance with that ruling 9 delegates co-opted the 25 members of the P. C. C. The other six members did not participate. They have filed an appeal to the Working Committee challenging the validity of the formation of the new provincial Congress Committee.

This could not be taken up by the Working Committee on account of the Working Committee not being in existence for some time and later on an explanation had to be called for from the Provincial Office. The question is whether the delegates whose number is 15 are entitled to co-opt 25 members to the Provincial Congress Committee. It is admitted that there is no such rule in the Constitution of the Province. There is no doubt also that the practice

in the province has been to allow the members of the District Committee whose number is 100 to elect the 25 members. The only question then is whether any practice in any other province can over-ride the practice of the Delhi Province. It is true that in Bombay and Nagpur the delegates co-opt the additional members of the Provincial Congress Committee but there is distinct provision in their rules permitting such co-option and the number of members co-opted is very much less than the number of delegates. Here in Delhi there is no rule and 15 members, if the contention is correct, co-opted 25 members. As a matter of fact it was not even 15 members who co-opted but only 9 who co-opted the 25 members.

In the opinion of the Committee this cannot be justified either under the rules or in principle. The co-option of the 25 members is, therefore, set aside and the District Congress Committee is directed to elect the 25 members to the Provincial Congress Committee by the method of single transferable vote as early as possible. The Secretary will take early steps to see that the Provincial Congress Committee is reconstituted in accordance with this decision. It may be added that a letter was addressed to the Secretary of the P. C. C. on August 10, 1939 asking for any explanation that the Committee might have to offer in regard to the points raised in the appeal and a copy of the letters addressed to this Committee was also enclosed but no explanation has been received.

### 3. A. I. C. C. FUND

The Committee decided that the A. I. C. C. fund in Bengal created from the contributions of the Congress members of the legislature lying in deposit with the leader of the Congress Legislative Party be transferred to Maulana Abul-kalam Azad who may hold it on behalf of the A. I. C. C.

### 4. BENGAL P. C. C.

The following resolution was passed:

A meeting of the Bengal Provincial Congress Committee was held on August 30, 1939, at which a resolution was adopted by it. This resolution reviews two decisions of

this Committee—one relating to disciplinary action which it felt obliged to take against its President and the other declaring null and void the proceedings of the meeting of the Bengal Provincial Congress Committee held on July 26, 1939 and the appointment of the Provincial Tribunal. The resolution refers to many other matters which are wholly irrelevant to the decisions and in effect it refuses to give effect to the decision of the Working Committee. It further calls upon elective Congress Committees in the Province to hold special meetings to give their opinion on the two resolutions.

The Working Committee note with regret that not only the tone and temper of the resolution but also its contents are objectionable in the extreme wholly unbecoming of a provincial committee in its relations to the Working Committee and such as would entitle this Committee to take serious notice of them.

The reasons for the decisions which this Committee reluctantly took were fully stated and need not be repeated here. The Committee sees no reason to revise them. It desires to point out, however, that the action it took was called for in the interests of the Congress organisation which requires not only unity in Congress ranks but also discipline and obedience to its resolutions.

It is accordingly resolved that the Bengal Provincial Congress Committee be called upon to give effect to the resolution of this Committee by electing a president. The election of a president is required also under the rules of the Bengal Provincial Congress Committee according to which the Provincial Committee will remain incomplete without a President.

##### 5. BENGAL ELECTION TRIBUNAL

The Bengal Provincial Congress Committee had failed to appoint an election Tribunal in terms of the Congress Constitution. The Working Committee had, therefore, to appoint the Tribunal. The President, however, wrote to the Secretary, Bengal P. C. C. that in spite of failure of the P. C. C. to appoint the Tribunal, if at that stage even the Secretary could suggest names for the Tribunal which were approved of by

all the parties in the Bengal P. C. C., he would advise the Working Committee to appoint them. At Wardha where the leaders of the different Congress groups in Bengal were present the President called the Secretary of the Bengal P. C. C. who was also there and made to him the same proposal for the formation of the Tribunal. The Secretary, however, could give no agreed list. The Working Committee was, therefore, constrained to appoint the Bengal Election Tribunal in terms of the Congress Constitution consisting of the following:

1. Sri Satishchandra Das Gupta.
2. Sri Kshitish Prasad Chatterji.
3. Sri Priyaranjan Sen.

#### 6. UTKAL ELECTION TRIBUNAL

The province of Utkal had failed to appoint its election tribunal in terms of the Constitution. The Working Committee therefore appointed one in terms of the constitution consisting of Sri Gopabandhu Choudhry and Sri Harihardas about whom there had been general agreement in the Provincial Executive Council.

#### 7. OBITUARY—REV. U. OTTAMA

The Committee express their deep sorrow on the death of the Rev. U. Ottama who for years represented the Province of Burma on the All India Congress Committee and rendered valuable services in the cause of Indian Freedom.

#### 8. COMPLAINT AGAINST SHRI D. P. MISRA

The Working Committee had appointed Sri Bhulabhai Desai to look into the complaint, take the necessary evidence and report to the Working Committee. He went to Nagpur but after a couple of days' inquiry Sri Kedar and his companions withdrew from the inquiry. Sri Kedar sent a long statement to the President giving reasons for their withdrawal and requesting him to grant an independent inquiry by a person of the position of a High Court judge. The Committee was of the view that what the complainants

wanted was unreasonable. The appointment of Sri Bhulabhai Desai had been with their consent. They had themselves withdrawn from the inquiry without sufficient reason. Any further decision in this matter was left to the President.

#### 9. SRI CHINTAMANI MISRA (UTKAL)

In view of the report of Sri Rajendra Prasad on the charges brought against the Premier of Orissa by Sri Chintamani Misra, Office Secretary of Utkal P. C. C., this Committee calls upon Sri Chintamani Misra to offer full and frank apology for the charges which he had made and which have been found to be false and to resign his office from the Executive Committee of the Utkal P. C. C.

#### 10. AJMERE P. C. C.

The Working Committee decided that the instructions of the General Secretary were to be carried out by the Ajmere P. C. C. that is, office bearers were to call a meeting of the P. C. C. to decide the question about the vote of confidence in the President. The Committee also decided that when the meeting of the P. C. C. was called an official from the A. I. C. C. office should be present to observe the proceedings. All those who were the members of the P. C. C. before the present dispute arose were to be invited to participate. Members who were disentitled to attend in terms of the Congress Constitution for failure to wear khadi etc. may be precluded from participating in the meeting by the officer deputed by the A. I. C. C. office.

#### 11. WAR CRISIS

The Working Committee have given their earnest consideration to the grave crisis that has developed owing to the declaration of war in Europe. The principles which should guide the nation in the event of war have been repeatedly laid down by the Congress, and only a month ago this committee reiterated them and expressed their displeasure at the flouting of Indian opinion by the British government in India. As a first step to dissociate themselves from this

policy of the British Government, the Committee called upon the Congress members of the Central Legislative Assembly to refrain from attending the next session. Since then the British Government have declared India as a belligerent country, promulgated Ordinances, passed the Government of India Act Amending Bill, and taken other far-reaching measures which affect the Indian people vitally, and circumscribe and limit the powers and activities of the provincial governments. This has been done without the consent of the Indian people whose declared wishes in such matters have been deliberately ignored by the British Government. The Working Committee must take the gravest view of these developments.

The Congress has repeatedly declared its entire disapproval of the ideology and practice of Fascism and Nazism and their glorification of war and violence and the suppression of the human spirit. It has condemned the aggression in which they have repeatedly indulged and their sweeping away of well-established principles and recognised standards of civilised behaviour. It has seen in Fascism and Nazism the intensification of the principles of Imperialism against which the Indian people have struggled for many years. The Working Committee must therefore unhesitatingly condemn the latest aggression of the Nazi Government in Germany against Poland and sympathise with those who resist it.

The Congress has further laid down that the issue of war and peace for India must be decided by the Indian people, and no outside authority can impose this decision upon them, nor can the Indian people permit their resources to be exploited for imperialist ends. Any imposed decision, or attempt to use India's resources, for purposes not approved by them, will necessarily have to be opposed by them. If co-operation is desired in a worthy cause, this cannot be obtained by compulsion and imposition, and the Committee cannot agree to the carrying out by the Indian people of orders issued by external authority. Co-operation must be between equals by mutual consent for a cause which both consider to be worthy. The people of India have, in the recent past, faced great risks and willingly made great sacrifices to secure their own freedom and establish a free democratic state in India, and their sympathy is entirely on the side of

democracy and freedom. But India cannot associate herself in a war said to be for democratic freedom when that very freedom is denied to her, and such limited freedom as she possesses, taken away from her.

The Committee are aware that the Governments of Great Britain and France have declared that they are fighting for democracy and freedom and to put an end to aggression. But the history of the recent past is full of examples showing the constant divergence between the spoken word, the ideals proclaimed, and the real motives and objectives. During the war of 1914-18, the declared war aims were, preservation of democracy, self-determination, and the freedom of small nations, and yet the very Governments which solemnly proclaimed these aims entered into secret treaties embodying imperialist designs for the carving up of the Ottoman Empire. While stating that they did not want any acquisition of territory, the victorious Powers added largely to their colonial domains. The present European war itself signifies the abject failure of the treaty of Versailles and of its makers, who broke their pledged word and imposed an imperialist peace on the defeated nations. The one hopeful outcome of that Treaty, the League of Nations, was muzzled and strangled at the outset and later killed by its parent States.

Subsequent history has demonstrated afresh how even a seemingly fervent declaration of faith may be followed by an ignoble desertion. In Manchuria the British Government connived at aggression; in Abyssinia they acquiesced in it. In Czechoslovakia and Spain democracy was in peril and it was deliberately betrayed, and the whole system of collective security was sabotaged by the very powers who had previously declared their firm faith in it.

Again it is asserted that democracy is in danger and must be defended and with this statement the Committee are in entire agreement. The Committee believe that the peoples of the West are moved by this ideal and objective and for these they are prepared to make sacrifices. But again and again the ideals and sentiments of the people and of those who have sacrificed themselves in the struggle have been ignored and faith has not been kept with them.

If the war is to defend the status quo, imperialist pos-

sessions, colonies, vested interests and privilege, then India can have nothing to do with it. If, however, the issue is democracy and a world order based on democracy, then India is intensely interested in it. The Committee are convinced that the interests of Indian democracy do not conflict with the interests of British democracy or of world democracy. But there is an inherent and ineradicable conflict between democracy for India or elsewhere and imperialism and fascism. If Great Britain fights for the maintenance and extension of democracy, then she must necessarily end imperialism in her own possessions, establish full democracy in India, and the Indian people must have the right of self-determination by framing their own constitution through a Constituent Assembly without external interference, and must guide her own policy. A free democratic India will gladly associate herself with other free nations for mutual defence against aggression and for economic co-operation. She will work for the establishment of a real world order based on freedom and democracy, utilising the world's knowledge and resources for the progress and advancement of humanity.

The crisis that has overtaken Europe is not of Europe only but of humanity and will not pass like other crises or wars leaving the essential structure of the present day world intact. It is likely to refashion the world for good or ill, politically, socially and economically. This crisis is the inevitable consequence of the social and political conflicts and contradictions which have grown alarmingly since the last Great War, and it will not be finally resolved till these conflicts and contradictions are removed and a new equilibrium established. That equilibrium can only be based on the ending of the domination and exploitation of one country by another, and on a reorganisation of economic relations on a juster basis for the common good of all. India is the crux of the problem, for India has been the outstanding example of modern imperialism and no refashioning of the world can succeed which ignores this vital problem. With her vast resources she must play an important part in any scheme of world reorganisation. But she can only do so as a free nation whose energies have been released to work for this great end. Freedom today is indivisible and every

attempt to retain imperialist domination in any part of the world will lead inevitably to fresh disaster.

The Working Committee have noted that many rulers of Indian States have offered their services and resources and expressed their desire to support the cause of democracy in Europe. If they must make their professions in favour of democracy abroad, the Committee would suggest that their first concern should be the introduction of democracy within their own states in which today undiluted autocracy reigns supreme. The British Government in India is more responsible for this autocracy than even the rulers themselves, as has been made painfully evident during the past year. This policy is the very negation of democracy and of the new world order for which Great Britain claims to be fighting in Europe.

As the Working Committee view past events in Europe, Africa and Asia, and more particularly past and present occurrences in India, they fail to find any attempt to advance the cause of democracy or self-determination or any evidence that the present war declarations of the British Government are being, or are going to be, acted upon. The true measure of democracy is the ending of imperialism and fascism alike and the aggression that has accompanied them in the past and the present. Only on that basis can a new order be built up. In the struggle for that new world order, the Committee are eager and desirous to help in every way. But the Committee cannot associate themselves or offer any co-operation in a war which is conducted on imperialist lines and which is meant to consolidate imperialism in India and elsewhere.

In view, however, of the gravity of the occasion and the fact that the pace of events during the last few days has often been swifter than the working of men's minds, the Committee desire to take no final decision at this stage, so as to allow for the full elucidation of the issues at stake, the real objectives aimed at, and the position of India in the present and in the future. But the decision cannot long be delayed as India is being committed from day to day to a policy to which she is not a party and of which she disapproves.

The Working Committee therefore invite the British

Government to declare in unequivocal terms what their war aims are in regard to democracy and imperialism and the new order that is envisaged, in particular, how these aims are going to apply to India and to be given effect to in the present. Do they include the elimination of imperialism and the treatment of India as a free nation whose policy will be guided in accordance with the wishes of her people? A clear declaration about the future, pledging the Government to the ending of Imperialism and Fascism alike will be welcomed by the people of all countries, but it is far more important to give immediate effect to it, to the largest possible extent, for only this will convince the people that the declaration is meant to be honoured. The real test of any declaration is its application in the present, for it is the present that will govern action today and give shape to the future.

War has broken out in Europe and the prospect is terrible to contemplate. But war has been taking its heavy toll of human life during recent years in Abyssinia, Spain and China. Innumerable innocent men, women and children have been bombed to death from the air in open cities, cold-blooded massacres, torture and utmost humiliation have followed each other in quick succession during these years of horror. That horror grows, and violence and the threat of violence shadow the world and, unless checked and ended, will destroy the precious inheritance of past ages. That horror has to be checked in Europe and China, but it will not end till its root causes of fascism and imperialism are removed. To that end the Working Committee are prepared to give their co-operation. But it will be infinite tragedy if even this terrible war is carried on in the spirit of imperialism and for the purpose of retaining this structure which is itself the cause of war and human degradation.

The Working Committee wish to declare that the Indian people have no quarrel with the German people or the Japanese people or any other people. But they have a deep-rooted quarrel with systems which deny freedom and are based on violence and aggression. They do not look forward to a victory of one people over another or to a dictated peace, but to a victory of real democracy for all

the people of all countries and a world freed from the nightmare of violence and imperialist oppression.

The Committee earnestly appeal to the Indian people to end all internal conflict and controversy and, in this grave hour of peril, to keep in readiness and hold together as a united nation, calm of purpose and determined to achieve the freedom of India within the larger freedom of the world.

## 12. A. I. C. C. MEETING

The Committee were of the opinion that this momentous question of the War Crisis should be referred to the A. I. C. C. for any final decision. It was therefore decided that a meeting of the A. I. C. C. be called at Wardha on October 7, 1939 and subsequent days.

## 13. SRI JAWAHARLAL NEHRU

The President nominated Sri Jawaharlal Nehru as a member of the Working Committee.

## 14. WAR COMMITTEE

In view of the situation arising out of the European War and statement thereon issued by the Working Committee, the Committee hereby appoint a Sub-Committee consisting of Sri Jawaharlal Nehru (Chairman), Maulana Abulkalam Azad and Sri Vallabhbhai Patel to deal with the questions in connection with the situation.

*Wardha, October 7 to 11, 1939*

A meeting of the Working Committee was held from October 7 to 11 at Wardha. Sri Rajendra Prasad presided.

The members present were Maulana Abulkalam Azad, Sris Sarojini Naidu, Jawaharlal Nehru, Vallabhbhai Patel, Jammalal Bajaj, Pattabhi Sitaramayya, Jairamdas Daulatram, Bhulabhai Desai, Khan Abdul Gaffar Khan, Bidhan Chandra Roy, Shanker Rao Deo, Profulla Chandra Ghosh, Harekrishna Mehtab and J. B. Kripalani.

Sris Narendra Deo and Jaiprakash Narain were present by special invitation. Maulvi Mufti Kifayatullah though invited could not be present owing to reasons of health. Gandhiji was present throughout the sittings of the Working Committee.

#### MINUTES

The minutes of the last meeting were confirmed.

#### ACCOUNTS

(a) *China Fund*: Resolved that the money spent upon motor ambulance and other equipments as medicine etc. in connection with the China Unit, be written off.

(b) *Spanish Relief Fund*: Resolved that the sum of Rs. 323-5-3 standing to the credit of this account be transferred to the China Account.

#### WAR SITUATION

The situation arising out of the European war was discussed and two resolutions dealing with 'War Crisis' and 'Congress and Elections' were adopted to be placed before the meeting of the A. I. C. C. as official resolutions. For the text of the resolutions as they were finally passed by the A. I. C. C. (See the Wardha A. I. C. C. Proceedings, pages 16, 17, 18).

#### PROVINCIAL CONSTITUTION

The Constitutions of the Provinces of Gujerat, Kerala, Andhra, Mahakoshal, were placed before the Working Committee and approved.

#### N. W. F. P.

The N. W. F. P. C. C. had made a rule that no member of the Congress can form a group inside or outside the Congress or carry on hostile propaganda against it or describe himself by any other name than that of a Khudai Khidmatgar or Congressman. This rule was sent for the sanction of the Working Committee. The Committee gave the following decision in the matter:—

"The Working Committee considered the new rule framed by the Frontier P. C. C. recommending the addition of a proviso to Article IV of their constitution. The Committee understand that the object of the proposed amendment is to secure uniformity of policy and practice among Congressmen in the province and to ensure conformity to discipline. The Committee realise that the Frontier P. C. C. has to face peculiar difficulties in the carrying on of its work in view of the special circumstances prevailing in the province, and it is necessary to maintain discipline and to prevent disruptive tendencies from developing. Such discipline and unity of effort are all the more necessary because of the grave crisis that confronts the country and which necessitates full preparation for united action.

"The Committee are of opinion that the object aimed at by the proposed amendment can be achieved by the P. C. C. taking disciplinary action against any Congressman who commits a breach of the fundamental policy of the Congress or who deliberately acts in such a way as to bring discredit on the Congress. The P. C. C. has power under the constitution to take such disciplinary action. The proposed amendment to Article IV of the Provincial constitution will thus be unnecessary.

"The Committee expect all Congressmen in the Province to help Khan Abdul Ghaffar Khan, the acknowledged and unrivalled leader of the Province, in the difficult task that confronts him.

"The organisation of the Khudai Khidmatgars is Khan Abdul Ghaffar Khan's own creation and it has done signal service to the people of the province under his leadership. In 1931, at Khan Sahab's suggestion, this organisation of non-violent volunteers became part of the Congress organisation. The Khudai Khidmatgars have ever since then been the volunteer organisation of the Congress in the Frontier Province under the supreme command of Khan Abdul Ghaffar Khan. Their function is to serve the public and the Congress cause in the province, and, if they are to retain their efficiency, they must remain under his command and subject to his discipline. Congressmen in the Frontier Province should not form or associate themselves with any volunteer organisation other than the Khudai Khidmatgars. It is open

to the Khudai Khidmatgars to have a pledge for their members in keeping with Congress policy.”

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*Wardha, Oct. 22 and 23, 1939*

A meeting of the Working Committee was held at Wardha on October 22 and 23, 1939. Sri Rajendra Prasad presided.

The members present were Maulana Abul Kalam Azad, Sris Sarojini Naidu, Jawaharlal Nehru, Vallabhbhai Patel, Pattabhi Sitarammayya, Jairamdas Daulatram, Shankerrao Deo, Profulla Chandra Ghose, Harekrishna Mehtab and J. B. Kripalani.

Shri Rajagopalacharya was present by special invitation. Gandhiji was present throughout the discussions.

#### MINUTES

The Minutes of the last meeting were confirmed.

#### NEGOTIATION WITH THE BRITISH GOVERNMENT

The Committee considered the Viceroy's declaration about British War Aims and India and passed the following resolution:—

The Working Committee is of opinion that the Viceroy's statement in answer to the Congress invitation for a clear declaration of the British war aims, particularly in their application to India, is wholly unsatisfactory and calculated to rouse resentment among all those who were anxious to gain, and are intent upon gaining India's independence. This invitation was made not only on behalf of the people of India, but for millions of people all over the world, who were weary of war and violence, and Fascist and Imperialist systems which exploited nations and peoples and were ultimately the causes of war, and who yearned for a new order of peace and freedom. The Viceregal statement is an unequivocal reiteration of the old imperialistic policy. The Committee regard the mention of the differences among several parties as a screen to hide the true inten-

tion of Great Britain. What the Committee had asked for was a declaration of war aims as a test of Britain's *bona fides* regarding India, irrespective of the attitude of opposing parties and groups. The Congress has always stood for the amplest guarantee of the rights of minorities. The freedom the Congress claimed was not for the Congress or any particular group or community, but for the nation and for all communities in India that go to build that nation. The only way to establish this freedom and to ascertain the will of the nation as a whole is through a democratic process which gives full opportunity to all. The Committee must, therefore, regard the Viceroy's statement as in every way unfortunate. In the circumstances, the Committee cannot possibly give any support to Great Britain, for it would amount to an endorsement of the imperialist policy which the Congress has always sought to end. As a first step in this direction the Committee call upon the Congress Ministers to tender their resignations.

The Committee earnestly appeal to the nation to end all internal controversies in this hour of great crisis and call upon all Congress Committees and Congressmen generally to be prepared for all developments and eventualities, and to show restraint of word and deed so that nothing may be said or done which is not in keeping with India's honour or the principles for which the Congress stands. The Committee warn Congressmen against any hasty action in the shape of civil disobedience, political strikes and the like. The Committee will watch the situation and the activities of the British Government in India, and will not hesitate to guide the country to take further steps whenever the necessity for this arises. The Committee desire to impress upon all Congressmen that a programme of resistance, commensurate with the magnitude of the issue before the country, requires perfect discipline within Congress ranks and the consolidation of the Congress organisation.

The Working Committee realise that the non-violent resistance offered by the Congress in the past has sometimes been mixed with violence. The Committee desire to impress upon all Congressmen that any resistance that may have to be offered must be purged of all violence and to remind them

of the pledges taken to this effect as early as 1921 during the Congress session at Ahmedabad and repeated on many subsequent occasions.

#### INSTRUCTIONS TO MINISTRIES AND LEGISLATIVE PARTIES

The Parliamentary Sub-Committee with the approval of the Working Committee issued the following instructions for the guidance of Ministries and Congress parties in the Congress provinces:—

The resolution of the Working Committee calls upon Congress Provincial Governments to tender their resignation. These resignations should be given after the Assembly meetings which have been convened for the purpose of discussing such urgent business as may be pending but it is expected that resignations will be tendered by October 31, 1939.

The Central Provinces and Orissa Assemblies have been convened to meet at the beginning of November and the Provincial Governments in these provinces will remain in office till after this meeting.

Speakers and Deputy-Speakers and members of the Assemblies, Presidents and members of the Councils are expected to retain their offices and seats. Ministers and Parliamentary Secretaries are the only persons who are at present expected to resign.

With regard to the resolution to be moved in the Assemblies on war aims, suitable amendments should be made in view of the new developments.

#### CHARGES AGAINST SHRI D. P. MISRA

The President informed the Committee that two of the Congress members of the C. P. Assembly out of the 12 who had brought charges against Sri D. P. Misra have apologised and the rest had yet done nothing in the matter. The Committee decided that the 10 members who had not yet apologised to Sri Misra should be asked to do so by the end of October. If, however, they failed in this, suitable action be taken against them. The President

was to write to them in this connection.

### THE CONSTITUTION OF THE BOMBAY P. C. C.

The Provincial Constitution of Bombay was placed before the Committee and sanctioned.

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*Allahabad, Nov. 19-23, 1939*

A meeting of the Working Committee was held at Allahabad from November 19 to 23, 1939. Shri Rajendra Prasad presided.

The members present were Maulana Abul Kalam Azad, Shris Sarojini Naidu, Jawaharlal Nehru, Vallabhbhai Patel, Jairamdas Daulatram, Bhulabhai Desai, Pattabhi Sitarammayya, Khan Abdul Gaffar Khan, Bidhan Chandra Roy, Shankerrao Deo, Profulla Chandra Ghosh, Harekrishna Mehtab and J. B. Kripalani.

Shri C. Rajagopalachariar and G. B. Pant were present by special invitation.

Gandhiji participated in the discussions throughout the session.

### MINUTES

The minutes of the last meeting were confirmed.

### POLITICAL SITUATION

The Committee discussed the political situation in India created by the war and the resignation of Congress Ministries and passed the following resolution:—

The Working Committee have noted with pleasure the response of the country to the policy enunciated by them in regard to the war crisis in Europe and its repercussions in India. This policy, based on numerous declarations of the Congress, was laid down in the statement issued by the Committee on September 14, 1939, and subsequent events have amply justified its wisdom and expedience. The course of the war and the policy pursued by the British and French Governments, and, in particular, the declarations made on

behalf of the British Government in regard to India, seem to demonstrate that the present war, like the world war of 1914-1918, is being carried on for imperialist ends, and British imperialism is to remain entrenched in India. With such a war and with this policy the Congress cannot associate itself, and it cannot countenance the exploitation of India's resources to this end.

The Working Committee's unequivocal demand was for a declaration of war aims in regard to democracy and imperialism and in particular how these aims were going to be applied to India. These aims could only be considered worthy if they included the elimination of imperialism and the treatment of India as an independent nation whose policy would be guided in accordance with the wishes of her people. The answer to this demand has been entirely unsatisfactory and an attempt has been made on behalf of the British Government to create misunderstandings and to befog the main and moral issue. In justification of this refusal to make a declaration in terms of the Working Committee's resolution, communal pleas have been advanced and the rights of minorities and of the Princes pleaded as a barrier to India's freedom. The Committee wish to declare with all emphasis that no communal considerations arise in meeting the demand of the Congress, and the minorities, whatever their other differences might be, do not oppose India's right to freedom and independence. The Princes are represented by, and are the emblems of, the Paramount Power in India. In the end it will be the people of the Indian States who will determine what part they will take in a free India, though the British Government has consistently ignored their wishes in a matter which vitally affects them. In any event the wishes of those who may oppose India's independence are, and must be, irrelevant to the declaration of the British Government's intentions. The Committee can only interpret this attempt to avoid a statement of war aims and Indian freedom, by taking shelter under irrelevant issues, as a desire to maintain imperialist domination in India in alliance with the reactionary elements in the country.

The Congress has looked upon the war crisis and the problems it raises as essentially a moral issue, and has not

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sought to profit by it in any spirit of bargaining. The moral and dominant issue of war aims and India's freedom has to be settled satisfactorily before any other subsidiary question can be considered. In no event can the Congress accept the responsibility of government, even in the transitional period, without real power being given to popular representatives. The Working Committee, therefore, approve of and endorse the reply dated November 4, 1939 sent by the Congress President to the Viceroy.

The Committee wish to declare again that the recognition of India's independence and of the right of her people to frame their constitution through a Constituent Assembly, is essential in order to remove the taint of imperialism from Britain's policy and to enable the Congress to consider further co-operation. They hold that a Constituent Assembly is the only democratic method of determining the constitution of a free country, and no one who believes in democracy and freedom can possibly take exception to it. The Working Committee believe too that the Constituent Assembly alone is the adequate instrument for solving the communal and other difficulties. This, however, does not mean that the Working Committee will relax their efforts for arriving at a solution of the communal problem. This Assembly can frame a constitution in which the rights of accepted minorities would be protected to their satisfaction, and in the event of some matters relating to minority rights not being mutually agreed to, they can be referred to arbitration. The Constituent Assembly should be elected on the basis of adult suffrage, existing separate electorates being retained for such minorities as desire them. The number of members in the Assembly should reflect their numerical strength.

The declarations made on behalf of the British Government being inadequate have compelled the Congress to dissociate itself from British policy and war effort, and as a first step in non-co-operation, to bring about the resignation of all Congress Governments in the Provinces. The policy of non-co-operation continues and must continue unless the British Government revises its policy and accepts the Congress contention. The Working Committee would, however, remind Congressmen that it is inherent in every form of Satyagraha that no effort is spared to achieve an honour-

able settlement with the opponent. While a Satyagrahi is ever ready for a non-violent fight, if it has to come, he never relaxes his effort for peace and always works for its attainment. The Working Committee will, therefore, continue to explore the means of arriving at an honourable settlement, even though the British Government has banged the door in the face of the Congress. The Committee must, however, resist, by the non-violent methods of the Congress, all attempts to coerce the people of India along paths which are not of their choice and everything that is against the dignity and freedom of India.

The Working Committee appreciate and express pleasure at the readiness exhibited by Congressmen for the launching of Civil Disobedience, should this become necessary. But Civil Disobedience requires the same strict discipline as an army organised for armed conflict. The army is helpless unless it possesses its weapons of destruction and knows how to use them. So also an army of non-violent soldiers is ineffective unless it understands and possesses the essentials of non-violence. The Working Committee desire to make it clear that the true test of preparedness for Civil Disobedience lies in Congressmen themselves spinning and promoting the cause of khadi to the exclusion of mill-cloth, and deeming it their duty to establish harmony between communities by personal acts of service to those other than members of their own community, and individual Hindu Congressmen seeking occasion for fraternising with the Harijans as often as possible.

Congress organisations and Congressmen should therefore prepare for future action by promoting this programme. They should explain to the people the message and policy of the Congress and the implications of the Constituent Assembly, which is the crux of the Congress programme for the future.

#### CONGRESSMEN IN GOVERNMENT COMMITTEES AND DEPTS. IN CONGRESS PROVINCES

The following decision was taken:—

In connection with the position of Congressmen in the Committees appointed by the Congress Governments, and the

Congressmen engaged in executive work in departments like the rural reconstruction and prohibition, it was decided that they were to continue to function if no effort was made to change their status and if nothing was done that was repugnant to their sense of national self-respect.

#### BENGAL DISPUTES

The following resolution was passed:—

The Working Committee have received complaints against certain acts and omissions of the Bengal Provincial Executive and obtained explanations regarding the same from the Executive of the Province. The Working Committee have also considered the resolutions passed by the Executive Council of the Bengal Provincial Congress Committee at its meeting held on the 30th October, 1939. The Working Committee have once again to note with regret that the tone and temper of some of those resolutions are highly objectionable and wholly unbecoming a provincial committee in its relations to the Working Committee and to record the warning that if persisted in, the Working Committee will feel compelled to take notice of the same.

In particular the Working Committee record their decisions as follows:—

1. (a) The Working Committee note that the Executive Council have not been following Sections 38 and 39 of the Bengal Provincial Congress Committee Constitution requiring that the Treasurer shall be in charge of the funds of the Bengal Provincial Congress Committee and that all money realised for the Bengal P. C. C. shall be deposited in the bank through the Treasurer and all withdrawals shall be made by cheques issued under the joint signatures of the President or Secretary and the Treasurer, and that the Secretary may keep with him upto Rs. 100 as imprest cash. Attention having been drawn to this serious breach of the constitution the Working Committee are now informed by the Secretary of B. P. C. C. that an account has recently been opened with a bank. The Committee direct that the sections of the Provincial Constitution in regard to funds and expenditure should be strictly complied with. The Committee would take serious notice of any non-compliance.

(b) The Secretary of the B. P. C. C. is required to submit without delay to the A. I. C. C. Office copies of the Audit report made by the auditor appointed by the Bengal Provincial Congress Committee under Section 40 of the Constitution for the years 1937 and 1938.

(c) It is regretted that the accounts of the B. P. C. C. have not been inspected or audited by any inspector or auditor appointed by the A. I. C. C. under Article XX(d) of the Constitution of the Indian National Congress. They depute Messrs Dalal and Shah or Messrs Chotelal M. Shah and Co. the Auditors of the All India Congress Committee to audit the accounts of the B. P. C. C. for the years 1937-1938 and for 1939 upto October 31 and to submit their report before the next meeting of the Working Committee. In case the auditors of the All India Congress Committee are unable to conduct the audit within time the President is authorised to appoint any other person or firm of auditors to conduct the audit and submit a report. The Executive of the Bengal Provincial Congress Committee are directed to place all account books, vouchers and other necessary papers at the disposal of the auditors for the purposes of the audit and furnish such explanations as may be required by the auditor. The auditor will conduct the audit of not only the general funds of the Bengal Provincial Congress Committee but of all other special fund or funds earmarked for particular purposes to be imburshed by the Provincial Congress Committee or its Executive Council or any of its Executive office bearers. In particular the auditor will audit the accounts of the funds raised out of contributions by the members of Legislatures under Resolution No. 3 dated August 14-17, 1937 and kept in custody of the Leader of the Congress Party in the Provincial Legislature. The Leader of the Congress party is requested to place all accounts, vouchers and other papers before the auditor for audit and to furnish explanations and give such other assistance in the audit as may be required by the auditor.

(2) The Working Committee note that in spite of the resolution passed by it at Wardha at its meeting held on September 8 to 15, 1939, calling upon the Leader of the Congress Legislative Party to transfer the fund created from the contributions of the Congress members of the Legisla-

ture, which had been published in the Congress Bulletin No. 5 dated September 25, 1939 at page 4, the Executive Council at its meeting on October 30, 1939, passed a resolution requesting the Leader of the Party to hand over the fund to the B. P. C. C. to be utilised by it. Further it is to be regretted that the Executive Council passed this resolution although it was aware that the fund was held by the Leader on behalf of the All India Congress Committee to whom it belonged in terms of the resolution of the Working Committee dated August 14—17, 1937 creating the fund subject to the limitation that it should be spent by the A. I. C. C. within the Province. The Committee is, however, informed that the fund is still in possession of the Leader and has not yet been transferred to the B. P. C. C. as desired by the Executive Council or to Maulana A. K. Azad as decided by the Working Committee. The Working Committee request the Leader of the Party to transfer it without any further delay to Maulana A. K. Azad in terms of the resolution of the Working Committee referred to above.

(3) The Working Committee disapprove of the resolution of the Executive Council relating to the Election Tribunal. It is unnecessary in the opinion of the Committee to repeat the reasons which compelled it to declare the election of the Provincial Election Tribunal by the Executive Council null and void and which were fully stated by the President in his judgment dated July 17, 1939 published in Bulletin No. 4 dated September 7, 1939. It is equally unnecessary to restate the circumstances in which the Working Committee was constrained to appoint the Provincial Election Tribunal on account of the inability or unwillingness of the Executive Council or its Secretary to suggest suitable persons and which are fully stated in the resolution of the Working Committee dated September 8 to 15, 1939 and published at page 5 of the Bulletin No. 5 dated September 25, 1939.

The Working Committee appointed persons whom it considers to be unconnected with any party and who by reason of their detached position are able to deal with disputes in an impartial manner. The Committee has no reason to agree with the view expressed by the Executive Council in the resolution referred to above.

In view of the fact that definite rules had not been framed for the guidance of the Election Tribunal some amount of overlapping of jurisdiction was inevitable. But the Committee note with regret that even in cases of such overlapping there was no justification for the Secretary of the B. P. C. C. to issue orders and publish them in the Press countermanding the orders or decisions of the Tribunal. In particular the Working Committee wholly disapprove of the action of the Secretary in countermanding the interim order of the Provincial Election Tribunal regarding certain disputes about Rajshahi district and directing the subordinate Committee through the Press to act in contravention of the orders of the Tribunal. It is all the more regrettable that the Secretary has not withdrawn his orders even after the decision of the Tribunal. The Working Committee declares that the orders of the Secretary have no validity and calls upon him to formally withdraw the same and publish the act of such withdrawal in the Press.

The Working Committee note that rules have now been framed under which the Tribunal will work and these rules have been considered by the Committee after hearing Sjt. Khitish Chandra Chakarvarti, Advocate, who had been deputed by the President of the B. P. C. C. with full authority to represent that Committee. The rules are sanctioned as per separate note.

Now that rules have been framed it is hoped that no conflict will arise between the B. P. C. C. Executive and the Provincial Election Tribunal. The Working Committee direct that full co-operation be given by the Executive Council and its office bearers to the Election Tribunal in their work and their orders whether final or *ad interim* be carried out by all Congressmen and Congress Committees in Bengal including the Provincial Congress Committee and its Executive Council and all office bearers of Congress Committees.

DISCIPLINARY ACTION—SHRIS KEDAR,  
JAKATDAR AND SUBEDAR (C. P. ASSEMBLY)

The following resolution was passed:—

The Working Committee have considered the correspondence that has passed between the President and Sriyuts T. J. Kedar, Jakatdar and Subedar, members of the Legislative Assembly of the Central Provinces and Berar. In the opinion of the Committee there is no justification for non-compliance with the order of this Committee on the part of the above mentioned members and the Committee has no option but to take disciplinary action against them. The Committee accordingly decide that the said Sriyuts Kedar, Jakatdar and Subedar be debarred from becoming a primary member of the Congress for one year. They are further disqualified from holding any executive office or membership of any elective body in the Congress organisation and from being members of legislative or municipal or local body on behalf of the Congress for a period of three years.

OFFICE-BEARERS, DELHI P. C. C.

*Demonstrations of July 9*

The following resolution was passed:—

The Working Committee have considered the correspondence and the explanation received from the Secretary of the Delhi Provincial Congress Committee. The Committee consider the action of Lala Shankerlal President and Maulana Nooruddin Bihari Vice-president and Sardar Bahal Singh Secretary of the Delhi Provincial Congress Committee in taking part in the meeting held on July 9, 1939, for demonstrating against certain resolutions of the All India Congress Committee as entirely wrong and unworthy of responsible office-bearers in the Congress organisation and condemns the same. In view, however, of the time that has elapsed since the offence was committed, the Committee consider it unnecessary to take any further action in the matter.

## UTKAL P. C. C.

Complaints having been received that the yearly accounts of the Utkal Provincial Congress Committee were not placed before the Committee, it was decided that the A. I. C. C. Auditor be sent to audit the accounts and report to the Working Committee.

### ANNUAL SESSION ELECTIONS TIME TABLE

The following time table for different elections in connection with the next session of the Congress was passed:—

1. Congress Session—*3rd Week of March, 1940.*
2. Announcement of President's election—*February 18, 1940.*
3. Meeting of Delegates to elect President and A. I. C. C. members—*February 15, 1940.*
4. Presidential nominations upto—*February 4, 1940.*
5. Election of Delegates upto—*January 28, 1940.*

### SIND AND ASSAM P. C. Cs CONSTITUTIONS

The Constitutions submitted by the Sind and Assam Provincial Congress Committees were placed before the Working Committee and were approved.

### MYMENSINGH MUNICIPAL ELECTIONS

The following decision was given by the President:—

After considering the representations received and hearing M. Abul Hayat and Manoranjan Babu I have come to the conclusion that the following gentlemen should be selected as Congress candidates from the wards mentioned against their names:—

#### GENERAL

- Ward 2—Aghor Bandhu Guha.
- Ward 3—Dr. Prabhat Chandra Sen.
- Ward 3—M. Moazzam Husan.
- Ward 4—Basiruddin Ahmad.
- Ward 6—M. Abdul Jabbar.

*Wardha, December 18 to 22, 1939*

A meeting of the Working Committee was held at Wardha from December 18 to 22, 1939. Sri Rajendra Prasad presided.

The members present were Shreemati Sarojini Naidu, Maulana Abulkalam Azad, Sris Jawaharlal Nehru, Vallabh-bhai Patel, Pattabhi Sitaramayya, Jairamdas Daulatram, Bhulabhai Desai, Shankar Rao Deo, Bidhan Chandra Roy, Profulla Chandra Ghosh, Harekrishna Mehtab and J. B. Kripalani.

Sri C. Rajagopalacharia was present by special invitation. Gandhiji attended the afternoon sittings throughout.

MINUTES

The minutes of the last meeting were confirmed.

POLITICAL SITUATION

The Working Committee took stock of the political situation and passed the following resolution:

The Working Committee have studied with regret the recent pronouncements of the Secretary of State for India. His reference to the communal question merely clouds the issue and takes the public mind off the central fact that the British Government have failed to define their war aims especially with regard to India's freedom.

In the opinion of the Working Committee the communal question will never be satisfactorily solved so long as the different parties are to look to a third party, through whose favour they expect to gain special privileges, even though it may be at the expense of the nation. The rule of a foreign power over a people involves a division among the elements composing it. The Congress has never concealed from itself the necessity of uniting the various divisions. It is the one organisation which in order to maintain its national character has consistently tried, not always without success, to bring about unity. But the Working Committee are convinced that lasting unity will only come when foreign rule is completely withdrawn. Events that have happened since the last meeting of the Committee have confirmed this

opinion. The Working Committee are aware that the independence of India cannot be maintained, if there are warring elements within the country. The Committee are therefore entitled to read in the British Government's raising the communal question reluctance to part with power. The Constituent Assembly as proposed by the Congress is the only way to attain a final settlement of communal questions. The proposal contemplates fullest representation of all communities with separate electorates where necessary. It has already been made clear on behalf of the Congress that minority rights will be protected to the satisfaction of the minorities concerned, difference, if any, being referred to an impartial tribunal.

Congressmen must have by now realised that independence is not to be won without very hard work. Since the Congress is pledged to non-violence, the final sanction behind it is Civil Resistance, which is but a part of Satyagraha. Satyagraha means good-will towards all, especially towards opponents. Therefore it is the duty of individual Congressmen to promote and seek good-will. Success of the programme of Khaddar as an accepted symbol of non-violence, harmony and economic independence is indispensable. The Working Committee, therefore, hope that all Congress organisations will, by a vigorous prosecution of the constructive programme, prove themselves fit to take up the call when it comes.

### INDEPENDENCE DAY

Following resolution was passed—

In view of the present political crisis and the urgent necessity of preparing the country for the struggle that may be forced upon us, in the near future by the attitude of the British Government towards our demands, it was felt that the Independence Pledge for this year should be so framed as to help in the preparation already on foot. The following resolution was therefore passed:

The Working Committee draw the attention of all Congress Committees, Congressmen and the country to the necessity of observing properly and with due solemnity Independence Day on January 26, 1940. Ever since 1930 this day has been regularly observed all over the country and it has

become a landmark in our struggle for independence. Owing to the crisis through which India and the world are now passing and the possibility of our struggle for freedom being continued in an intenser form, the next celebration of this Day has a special significance attached to it. This celebration must therefore not only be the declaration of our national will to freedom, but a preparation for that struggle and a pledge to disciplined action.

The Working Committee, therefore, call upon all Congress Committees and individual Congressmen to take the pledge prescribed below in public meetings called for the purpose. Where owing to illness or other physical disability, or to being in an out of way place, individual Congressmen are unable to attend a public meeting, they should take the pledge in their homes, individually or in groups. The Working Committee advise organisations and individuals to notify their Provincial Congress Committees of the meetings held as well as the individual or group pledges taken. The Committee hope that none who does not believe in the contents of the pledge will take it merely for the sake of form. Those Congressmen who do not believe in the prescribed pledge should notify their disapproval, stating reasons therefore to the Provincial Congress Committee, giving their names and addresses. This information is required not for the purpose of any disciplinary action but for the purpose of ascertaining the strength of disapproval of anything contained in the pledge. The Working Committee have no desire to impose the pledge on unwilling Congressmen. In a non-violent organisation compulsion can have little place. The launching of civil disobedience requires the disciplined fulfilment of the essential conditions thereof.

### PLEDGE

"We believe that it is an inalienable right of the Indian people, as of any other people, to have freedom and enjoy the fruits of their toil and have the necessities of life, so that they may have full opportunities of growth. We believe also that if any Government deprives a people of these rights and oppresses them, the people have a further right to alter it or to abolish it. The British Government in India has not only

deprived the Indian people of their freedom but has based itself on the exploitation of the masses, and has ruined India economically, politically, culturally and spiritually. We believe, therefore, that India must sever the British connection and attain Purna Swaraj or Complete Independence.

"We recognise that the most effective way of gaining our freedom is not through violence. India has gained strength and self-reliance and marched a long way to Swaraj following peaceful and legitimate methods, and it is by adhering to these methods that our country will attain Independence.

"We pledge ourselves anew to the Independence of India and solemnly resolve to carry out non-violently the struggle for freedom till Purna Swaraj is attained.

"We believe that non-violent action in general and preparation for non-violent direct action in particular, require successful working of the constructive programme of Khadi, communal harmony and removal of untouchability. We shall seek every opportunity of spreading good-will among fellow-men without distinction of caste or creed. We shall endeavour to raise from ignorance and poverty those who have been neglected and to advance in every way the interests of those who are considered to be backward and suppressed. We know that though we are out to destroy the imperialistic system we have no quarrel with Englishmen, whether officials or non-officials. We know that distinction between the caste Hindus and Harijans must be abolished, and Hindus have to forget these distinctions in their daily conduct. Such distinctions are a bar to non-violent conduct. Though our religious faith may be different, in our mutual relations we will act as children of mother India, bound by common nationality and common political and economic interest.

"Charkha and Khadi are an integral part of our constructive programme, for the resuscitation of the seven hundred thousand villages of India and for the removal of the grinding poverty of the masses. We shall, therefore, spin regularly, use for our personal requirements nothing but Khadi, and so far as possible, products of village handicrafts only and endeavour to make others do likewise.

"We pledge ourselves to a disciplined observance of Congress principles and policies and to keep in readiness to respond to the call of the Congress, whenever it may come, for carry-

ing on the struggle for the independence of India.”

#### CENTRAL ASSEMBLY ATTENDANCE

The Committee decided that the members of the Central Assembly will continue their abstention from the Assembly except in so far as it may be necessary to retain their seats.

#### BENGAL PROVINCIAL CONGRESS COMMITTEE

The Working Committee regret that they have once again to review the working of the Executive of the Bengal Provincial Congress Committee and to take action thereon. During the last few months the affairs of the Congress in Bengal have come up for consideration on several occasions. On the last occasion, the Working Committee noted with regret the tone and temper of the resolution of the Bengal P. C. C. and its Executive Council. The Working Committee disapproved of the resolution of the Executive Council of the B. P. C. C. and their general attitude as regards the Election Tribunal and in particular directed the Secretary of the B. P. C. C. to withdraw his instructions to the District of Rajshahi countermanding the orders of the Tribunal and to publish the withdrawal in the Press. The Committee expressed the hope that there would be no further conflict between the Tribunal appointed by the Working Committee and the Executive of the B. P. C. C. and that full co-operation would be given to the Tribunal. The Working Committee regret that this hope has not been realised and as a result of complete lack of co-operation, the members of the Tribunal have tendered their resignations. The Secretary of the B. P. C. C. has failed to carry out the specific direction given to him by the Working Committee and neither the President of the B. P. C. C. nor the Executive Council have taken any action in that regard. The Working Committee feel that this state of things is deplorable and that they would, in the circumstances, be justified in taking action under Article XIII, Cl. C(ii) of the Constitution to make arrangements for carrying on the work of the Congress in the province. In view, however, of the fact that fresh elections will

be held soon, the Committee do not consider it necessary to take such an extreme step but they consider it absolutely essential to take steps to ensure that the elections be held in a fair and impartial manner. The Working Committee resolve therefore that an ad hoc committee consisting of the following persons with Maulana Abulkalam Azad as Chairman be formed to make arrangements for and conduct elections of delegates to the next Congress and all other elections to the Primary, Sub-divisional, and District Congress Committees according to the B. P. C. C. Rules. The ad hoc committee shall also have authority to delimit and form constituencies and to exercise all other powers exercisable by the B. P. C. C. or its Executive Council or any of its office bearers in regard to these elections. The B. P. C. C. and its Executive Council and office-bearers as also all subordinate committees and their office bearers in the Province shall deal with and give all co-operation to the ad hoc committee and carry out all instructions by that committee in regard to the elections aforementioned. The ad hoc committee shall function until the new B. P. C. C. is duly formed and its office-bearers take charge of the work in the Province.

The Working Committee request the members of the Election Tribunal to withdraw their resignations and to function in terms of the Constitution and the rules framed. All pending complaints relating to elections as well as any disputes arising out of the elections to be held hereafter under the direction and authority of the ad hoc committee shall be disposed of by the Election Tribunal.

Complaints have been received that the funds of the B. P. C. C. were not kept in bank or otherwise dealt with as required by the rules of the B. P. C. C. The Working Committee appointed Messrs. S. R. Batliboi & Co., Incorporated Accountants, Calcutta, as auditors, who have gone into the accounts and sent in their report. Serious irregularities including failure to deposit in bank a large cash balance as admitted are disclosed. These matters have been dealt with in a separate resolution.

## MEMBERS OF THE AD HOC COMMITTEE

1. Maulana Abul Kalam Azad—*Chairman*. 2. Dr. B. C. Roy. 3. Dr. P. C. Ghosh. 4. Sjt. J. C. Gupta. 5. Dr. Suresh Chandra Banerji. 6. Sjt. Kiron Shanker Roy. 7. Sjt. Annada Prosad Choudhuri, and 8. Sjt. Benoyendranath Palit.

## A. I. C. C. FUND IN BENGAL

The following resolution was passed:

Read the letter of Sri Sarat Chandra Bose, the leader of Congress Party in the Bengal Assembly, addressed to Maulana Abul Kalam Azad. The Working Committee see no reason to alter its previous decision. The Committee note with satisfaction that the balance of the fund has been handed over to Maulana Abul Kalam Azad as directed but regret that Sri Sarat Chandra Bose declined to place the account books for audit by the auditors.

The Working Committee note with regret that many of the Congress members of the Bengal Legislature have not paid their quota to the fund and a large amount remains unrealised. The Leader of the Party is requested to recover the arrears and to take the co-operation of Maulana Abul Kalam Azad in this matter, if necessary, and to report to the next meeting of the Working Committee.

AUDIT REPORT OF BENGAL PROV. CONG. COMMITTEE  
ACCOUNTS

The Working Committee have considered the audit report submitted by Messrs. S. R. Batliboi & Co., Incorporated Accountants, Calcutta, who were appointed and asked to audit the accounts of the Bengal Provincial Congress Committee in terms of the resolution of the Working Committee dated November 19 to 23, 1939.

For the period April 1, 1937 to March 31, 1938 beyond a set of accounts prepared by Messrs. P. K. Ghosh & Co., Incorporated Accountants, the auditors were not supplied with any books, papers or vouchers for the period. The Secretary of the B. P. C. C. reported to the auditors that

when he assumed office on April 10, 1938 he was not handed over charge of the books by the then Treasurer and Secretary, and no attempts have been made to search for or trace those books of account, papers and vouchers.

The books, papers and vouchers for the period 1st April, 1938 to 9th April, 1938 have not been produced and are said to be missing.

Accounts from 10th April, 1938 to 31st March, 1939 and papers produced are incomplete.

The cash book which was produced to the auditors on the 9th December, which was written upto the 31st October, 1939, showed a cash balance of Rs. 17,718-8-1 and the balance as drawn was signed by the Secretary. There were no entries in the Cash Book for the months of November and December upto the date of its production nor was any rough Cash Book produced for the period. Thereafter, the Secretary called at the office of the auditors on the 13th December and stated that two items of cash receipt aggregating to Rs. 880 were inadvertently omitted from the Cash Book and the omission was due to the hurry in submitting the Accounts to the Auditors.

According to the accounts as produced by them there was a closing cash balance of Rs. 18,598-8-1, no part of which was banked into the bank account of the B. P. C. C. or produced in cash or otherwise before the auditors. The Secretary then gave to the auditors a certificate of cash balance reading as following:—

“I hereby certify that the cash balance of the B. P. C. C. Fund as at the close of business on 31st October, 1939 was Rs. 18,598-8-1 (Rupees eighteen thousand five hundred and ninetyeight, Annas eight and Pies one only) and the said balance was in my custody as on that date.”

The B. P. C. C. had no bank account upto 31st October, 1939, crossed cheques which were received had to be cashed through some persons having a bank account. At the request of the auditors later on, a pass-book of the B. P. C. C. was shown being an account of the B. P. C. C. with the Pioneer Bank Ltd. The Account appears to have been opened so late as the 21st November, 1939, with an ini-

tial deposit of Rs. 560. But a cheque for that amount appears to have been dishonoured twice and ultimately credited as late as 9th December, 1939. The final balance on the 13th December, 1939 was Rs. 12,389-9-0.

The following paragraph from the report deals with the cash balance and where and how it was held:—

“We asked the Office Secretary to explain the fact that on 31st October, 1939, the balance as per Cash Book was Rs. 18,598-8-1 and yet the Bank Account started 21 days later with a balance of Rs. 560 only. We wanted to know what happened to the large cash balances on 31st October, 1939. We were informed by the Office Secretary that the cash balance was with the Secretary and that it was in his own personal bank account and was being gradually credited to the B. P. C. C. account from time to time and in instalments, and that the balance at bank on December 13, 1939, after meeting expenditure was Rs. 12,368-9. We understand that this bank balance includes Rs. 4,163-0-6 from the A. I. C. C. surplus.”

It appears from the above facts that the Secretary of the B. P. C. C. failed to put its funds in a bank as he was bound to do. From the certificate it is quite clear that the Secretary was not in a position to produce the whole or any part of the balance of the funds, admitted by him to be with him on that day. From the manner in which the account was sought to be opened on November 21, 1939, it is clear that the monies were not easily forthcoming from where the same were held. The final balance in the bank includes Rs. 4,163-0-6 surplus from the A. I. C. C. meeting held at Calcutta. It is clear that a sum amounting to Rs. 10,371-3-7 was not produced nor banked by the Secretary upto December, 13, 1939 on which date and long prior thereto the whole of that money ought to have been with him and ought to have been ready for production and being banked. Besides this, the state of affairs as disclosed by the audit shows that books, papers and vouchers were not regularly kept.

The Working Committee consider this state of things to be extremely unsatisfactory and detrimental to the pres-

tige and efficient working of the Congress organisation in the Province. The Provincial Executive cannot be considered to have discharged their duty properly and functioned in terms of the Constitution of the B. P. C. C. which specifically requires that all monies should be duly banked. Even overlooking all other irregularities, and the absence of proper accounts, which should be easily available for inspection and audit, the Committee cannot tolerate that a large cash balance which at the lowest computation comes to over ten thousand rupees should remain unbanked or unproduced or otherwise unaccounted for even at the time of the special audit.

The Working Committee direct that the admitted cash balance should be handed over to the Treasurer, Mr. J. C. Gupta, and be deposited by him in a bank without the least further delay. The Treasurer is requested to treat the realisation and deposit of the fund as his personal responsibility and report to the President of the Provincial Congress Committee and to the General Secretary of the A. I. C. C.

In order that the state of affairs disclosed by the audit report may be rectified, the Secretary and the Treasurer should take immediate steps to keep proper accounts and see that monies are disbursed in strict accordance with the rules of the B. P. C. C. and the practice obtaining in all public organisations; in particular they should see that no cash remains with any individual beyond the amount permitted under the rules for petty expenses and that no monies are paid out except through bank and on proper sanction.

#### MEMBERSHIP FOR THE YEAR 1940

On a reference being made by the U. P. P. C. C. it was decided that the enrolment of the primary members for the next year may be commenced from now, care being taken that the new membership is kept separate from the membership of 1939.

#### FRACTION OF A LAC

On a reference being made by the Sindh P. C. C. it was decided that in the population of a district a fraction of less than half a lac be not taken into account and more than half

a lac be considered as one lac for fixing the number of delegates returnable by a district.

#### KASHMERE

It was decided that for the election of Congress delegates the Kashmere State was not under the jurisdiction of the Punjab P. C. C.

#### DELEGATES FROM MYSORE

The Executive of the Karnatak P. C. C. had requested that there be no election of delegates from Mysore in view of the political struggle going on in the State. The Committee had considered the representation and rejected it. They were again approached to reconsider their decision. The Committee saw no reason to alter their previous decision in the matter and decided that fresh elections of delegates be held for the next year in Mysore as in the rest of India.

#### PROVINCIAL CONSTITUTIONS

The constitutions submitted by the Bihar, Punjab and Delhi Provincial Congress Committees were placed before the Working Committee and were approved.

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*Wardha, January 19-21, 1940*

A meeting of the Working Committee was held at Wardha from January 19 to 21, 1940. Shri Rajendra Prasad presided.

The Members present were Maulana Abul Kalam Azad, Shris Jawaharlal Nehru, Vallabhbhai Patel, Pattabhi Sitaramayya, Bhulabhai Desai, Bidhan Chandra Roy, Shankerrao Deo, Profulla Chandra Ghosh, Harekrishna Mehtab, J. B. Kripalani.

Shri Rajagopalacharya was present by special invitation. Gandhiji attended the afternoon sittings of the Committee.

## ACCOUNTS: EXCESS EXPENDITURE 1938-39

Resolved that the excess expenditure incurred by the All India Congress Committee office under the following heads in the budget of 1938-39 be sanctioned.

	Rs.	as.	p.
Postage .. .. .	3,374	13	9
Telephonic charges .. .. .	576	11	4
Stationery .. .. .	561	7	7
Printing .. .. .	1,542	10	0

## TURKISH RELIEF FUND

Resolved that the action of the President granting Rs. 1,000 towards the Turkish Earthquake Fund be confirmed and the money be sanctioned and the Treasurer be instructed to pay the amount.

## AUTHORITY TO THE TREASURER TO APPOINT ATTORNEY

“Resolved that Seth Jammalal Bajaj, the Treasurer of the Congress is hereby expressly empowered:

- (1) From time to time to appoint, remove and re-appoint an attorney or attorneys to act either jointly or severally and to confer on such attorney or attorneys all or some of the powers and authorities of Seth Jammalal Bajaj as such Treasurer, provided, however, that such delegation will not absolve the Treasurer from any personal responsibility to the Working Committee.
- (2) Resolved further that Seth Jammalal Bajaj as such Treasurer is hereby expressly authorised to confer on such attorney or attorneys expressly all or any of the following powers:
  - (a) To open, continue and operate upon any banking account with any Bank, person, firm or company and to close such

- account whether such account be already opened or may be hereafter opened and to draw and sign cheques and otherwise operate upon such account.
- (b) To endorse transfer, negotiate any cheques, bills of Exchange, Hundies, and other negotiable instruments and securities.
- (c) To receive sums of money and securities on behalf of the A. I. C. C. (the Working Committee and the Congress) and to give effectual receipt and discharges for the same."

#### DATES FOR THE NEXT SESSION

The Committee fixed the following dates for Committee meetings and the open session at Ramgarh:

Working Committee	..	14, 15 and 16 March, 1940.
A. I. C. C.	..	17, 18 and 19 March, 1940.
Open session	..	19, 20 and 21 March, 1940.

Following resolutions were passed:—

#### ASSEMBLY BYE-ELECTION, PUNJAB

The Committee considered the resolution of the Working Committee of the Punjab P. C. C. regarding the nomination of the candidate for the Punjab Provincial Assembly in the West Multan Rural constituency. In the opinion of the Committee, it is within the competence of the Parliamentary Sub-Committee to make the final nomination for election to the legislatures. The Working Committee of a province is not justified in threatening resignation because its recommendation is not accepted by the Parliamentary Sub-Committee.

#### UTKAL

Considered the representation of Shri Nabakrishna Choudhry and the explanation of Shri Nilkanth Das and Godavaris Misra regarding the proceedings of the meeting

of the Utkal P. C. C. held on December 22, 1939.

In the opinion of the Committee the rulings of the Chairman were not correct and the resolution expressing want of confidence in the executive should have been permitted to be moved for the consideration of the meeting; but in view of the fact that the new elections are taking place, it is unnecessary to take further steps in this regard.

The Working Committee approved of the action of the President in entrusting the conduct of the elections in the province to Shris Gopabandhu Choudhry and Harihar Acharya with full powers.

### BENGAL

The Working Committee have considered the resolution of the B. P. C. C. recommending the postponement of Congress elections in Bengal. The decision to hold the Congress elections in the country was arrived at after much consideration at a previous meeting of the Committee. The Working Committee find no change in the political situation of the country since the previous meeting of the Committee to justify postponement of Congress elections. The decision of the B. P. C. C. has been taken at a time when all preparations were completed in all the other Provinces to hold the Congress elections. The Working Committee, therefore, do not consider it desirable to postpone the Congress elections in Bengal alone and direct the ad hoc committee to push through the elections as quickly as possible.

The Working Committee considered the request of the B. P. C. C. for permission to launch Civil Disobedience in the Province as normal working of Congress organisations is said to have become impossible. The Committee resolved that the Congress Committees in the Province should carry out all their normal activities at any cost. If they are prevented from carrying them out in Bengal by the Government under the Ordinance or the Defence of India Act the B. P. C. C. is free to take any steps it considers necessary to meet the situation there. It should be clearly understood, however, that any steps taken by the B. P. C. C. is in vindication of the ordinary civil right of the organisation to function, and for that limited purpose only, and should not be regarded as a

part of the general movement of Civil Disobedience for the attainment of the Congress goal.

The Working Committee have published their resolutions on the general question of civil disobedience in the country from time to time and there is nothing particular at this time to add to those resolutions.

The other resolutions regarding amendment of the Independence Pledge and action to be taken on the 26th January, 1940 did not call for a separate treatment. The first point was covered by the President's statement to the press, which he made under authority of the Working Committee and the second point did not arise as the Government of Bengal had withdrawn bans on the proceedings of 26th January.

The resolution asking for a revision of the Working Committee's resolution appointing the ad hoc committee is dealt with separately.

The Bengal Provincial Congress Committee had requested the Working Committee to reconsider their resolution by which they had appointed the Bengal ad hoc Committee to conduct the Congress elections in Bengal. The Bengal Provincial Congress Committee had deputed Shri Sarat Chandra Bose to argue its case before the Working Committee. Shri Sarat Chandra Bose pleaded the case of the Bengal Provincial Congress Committee before the Working Committee at great length. The Working Committee gave the following decision:

#### DECISION

The Working Committee heard S. Sarat Chandra Bose at great length on the 20th and 21st January, 1940 at Wardha regarding the resolutions of the Bengal Provincial Congress Committee, dated the 6th January, 1940, asking the Working Committee to reconsider their resolution, dated the 18th to 22nd December, 1939, appointing an ad hoc committee for conducting congress elections in Bengal and subsequently on the 22nd January 1940, S. Sarat Chandra Bose gave a note, summarising his arguments. After giving full consideration to S. Sarat Chandra Bose's arguments, the Working Committee regret their inability to alter their deci-

sion. The resolution of the Working Committee was arrived at after long and anxious consideration and was necessitated by a series of acts and omissions on the part of the Bengal Provincial Congress Committee and its Executive Council in defiance of the resolutions and policy of the Working Committee and the All India Congress Committee. It may be noted that there has been no change in that attitude of the B. P. C. C. and its Executive Council. When the Working Committee appointed the ad hoc committee, the Executive Council of the B. P. C. C. met on the 30th December, 1939 and passed a resolution, the operative portion of which was a definite refusal to accept the Working Committee's decision and ran as follows: "The Council, therefore, regrets its inability to accept this decision of the Congress Working Committee, regarding ad hoc committee and it resolves to continue functioning in accordance with the Constitution of the Indian National Congress and the B. P. C. C." This was followed up by a circular issued by the B. P. C. C. to all Congress Committees in the Province of Bengal and Surma Valley which after reciting the resolution of the Executive Council said: "All Congress Committees are, therefore, requested to send all suggestions regarding delimitation etc., to B. P. C. C. Office which is legally the competent body to deal in the matter. They are also directed not to co-operate with the ad hoc committee in all these matters." The B. P. C. C. met on 6th January, 1940, and passed a resolution criticising at length the resolution of the Working Committee recording its protest against it and asking it to reconsider the resolution. The B. P. C. C. took no notice of the resolution of the Executive Council refusing to accept the decision of the Working Committee and the circular issued by the Secretary asking all committees within the Province to disobey it and not to co-operate with the ad hoc committee. On the other hand the same resolution which asked for a review of the Working Committee's decision also contained a paragraph which "reiterates its full confidence in the present Executive Council and the President, Secretary and Office bearers of the Committee and requests them to deal with the situation as it arises." The action of the Executive Council in passing the resolution above mentioned and the circular issued by the B. P. C. C. to all Congress Committees of the Province are a clear defiance of the

resolution of the Working Committee and the B. P. C. C. has by its own resolution endorsed the action of the Executive Council and its office bearers, who were responsible for the resolution and the circular.

The Working Committee consider these the most recent actions of the B. P. C. C. and its Executive as being quite in keeping with the attitude they have adopted during the last several months and which had forced the hands of the Working Committee to appoint the ad hoc Committee.

The Working Committee in their resolution had expressly stated that they did not like to take drastic step in spite of sufficient provocation in view of impending elections, but had contented themselves with appointing the ad hoc committee to ensure fair and impartial elections. The need for such elections remains and the Working Committee are unable to alter their decision.

Regarding the points raised by Sj. Sarat Chandra Bose, it may be stated that the Working Committee did not like to repeat in their resolutions of 18th to 22nd December, 1939 all that had happened before and simply referred to the previous resolutions which had dealt with the situation as it had developed in Bengal during previous months and only mentioned some glaring facts. Regarding the point of disobedience of specific instructions, it may be mentioned that Election Tribunal passed certain interim orders to the effect that Sj. Saradindu Chakravarti should function as the Secretary of the Rajshahi D. C. C. pending final disposal of the dispute before it on the 29th September. On the 30th September the Secretary of the B. P. C. C. issued a notice through the press countermanding the order of the Tribunal and saying that Sj. Pravaschandra Lahiri should function as Secretary and this appeared in the papers of October 1, 1939. The matter came up before the President, who after receiving an explanation from the Secretary held on the 12th October that the ad interim order of the Tribunal should be given effect to and that Sj. Saradindu Chakravarty should function as Secretary. This was communicated to the B. P. C. C. and Sj. Saradindu Chakravarti and Pravaschandra Lahiri. The B. P. C. C. and Sj. Pravaschandra Lahiri took no notice of this order for more than 1½ months and when the Bengal affairs came up for review before the Working Committee on

18th to 23rd November, the Committee gave specific instructions that the order of the Secretary should be withdrawn and the withdrawal published in the press. It appears from what Sj. Sarat Chandra Bose stated before the Committee that after the resolution of the Working Committee the Secretary of the B. P. C. C. asked Sj. Pravaschandra Lahiri to hand over charge to Sj. Saradindu Chakravarti, that Sj. Pravaschandra Lahiri wrote to the B. P. C. C. that he had asked Sj. Radharamon Battacharya to hand over charge and some further correspondence passed to a similar effect. Sj. Radharamon wrote to the A. I. C. C. Office at Allahabad on 14th December informing the Secretary that he had been ordered to hand over charge but this letter was not received till the Secretary had left for the meeting of the Working Committee at Wardha and was not before him or the Working Committee when the resolution of the Working Committee was passed. It is admitted, however, that the other specific instruction of the Committee that the withdrawal should be published in the press was not carried out nor was the Tribunal at any stage informed of the fact that the countermanding order had been withdrawn by the Secretary of the Bengal Provincial Congress Committee. It is sought to explain that this was an omission or an oversight. The Secretary had thought it necessary to issue a press statement countermanding the Tribunal's order immediately after it had been passed but neither he nor the President of the B. P. C. C. nor the Executive Council considered it necessary to give effect to the order of the President of the A. I. C. C. from 12th October to 1st December, 1939 and when the Working Committee gave specific direction to withdraw and to publish the withdrawal, the Secretary failed to carry out the second instruction. Coming as it did on the top of all that had happened during the previous months, the Working Committee passed their resolution on the 18th to 22nd December and the fact that in respect of one point their information was not complete does not furnish sufficient ground for altering their decision. Sj. Sarat Chandra Bose has referred to certain other matters which are not germane to the question at issue and it is unnecessary to deal with them here. Sj. Sarat Chandra Bose has argued that while the Working Committee are competent to supersede a Provincial Committee, it is not open to

them to pass an order taking away and entrusting to an ad hoc committee one or some of their functions. If it is open to them to take away all the powers of a provincial committee, it is open to them to take away one of them.

In these circumstances, the Working Committee are unable to alter their previous decision. The ad hoc committee will conduct the elections. It is hoped that all Congress Committees including the P. C. C. and its Executive Council will co-operate with the ad hoc committee and thus ensure impartial and fair elections which is the intention behind the resolution of the Working Committee.

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