

The Cabinet Mission Plan, 1946: A Way To Constitutional Government

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Abstract: It was the day of February 19, 1946 when Lord Pethick Lawrence made a crucial and very important announcement in the House of Lords that a mission of Cabinet Ministers consisting of the noble Lord himself, the President of the Board of Trade, Sir Stafford Cripps and the First Lord of Admiralty, A.V. Alexander would go to India to seek in association with the Viceroy an agreement with Indian Leaders of the principals and procedures regarding the all constitutional issues in the country. Therefore, regarding the above state the British Prime Minister Mr. Attlee declared that we are going to be mindful of the rights of the minorities to live in India without any fear. Consequently, on 24 March 1946, the Cabinet Mission reached in Delhi and

prolonged discussions with Indian leaders of all parties and allied groups. The congress and the Muslim league could not come to any agreement on the fundamental issue of the unity or partition of India. Therefore, the Cabinet Mission put forward its own plan for the solution of the constitutional problem of India; which is regarded as the Cabinet Mission Plan. The present research paper highlights some important facts about the proposal made by the mission in the way of constitutional development in India.

Keywords: Cabinet Mission Plan, House of Lords, Congress, Muslim League, Constitutional Problems, Interim Government, Constitutional Assembly.

Introduction: It is a well-known fact that the failure of Shimla Conference naturally added to the sense of frustration in the country but soon a silver lining throw the Cabinet mission was seen in India. However, the course of British policy towards India also changed due to some other reasons; nevertheless, the increasing international complications and hostilities in Europe enforced the British rulers to think about the problem of Indians regarding the establishment of responsible government. Though, this work could not be possible without the help of the Britishers. That is why; the British Prime Minister Mr. Attely announced his decision to send a mission to review the all constitutional problem in India.

In term of the Muslim League's demand for Pakistan, the mission rejected it on several grounds as under:

- The establishment of Pakistan would not be able to solve the problem of communal minorities because the percentage of Non-Muslims living in the North-West zone of Pakistan would be about 38 percent and those living in the North-Eastern zone it was only 48 percent of the total population.
- Moreover, the pre-dominantly Non-Muslims districts of Bengal, Assam and the Punjab could not be justified by this demand.
- There was no use of creating a smaller state of Pakistan involving a division of Punjab and Bengal because it would be against the interest of a very large population of these provinces of India.
- It would be very injurious to disintegrate the transportation, postal and telegraph system of India.

- The division of armed forces would lead the gravest dangers in the country.
- The Princely states of India would feel difficulty to join one or the other country named Pakistan and India.
- On geographical grounds, the two halves of the proposed Pakistan would be dependent on the good will of India.

Keeping the above facts in view, the Cabinet Mission recommended that the Government of India should frame its constitution on the following basic principles:

- There should be the Union of India embracing both British India and the States, which should deal with the foreign affairs, defence and communication; and it should have the powers to raise the finance required for the above purposes.

- The Union should have an Executive and a Legislature constituted from British India and the States' representatives. Any question raising a major communal issue in the legislature should require for its decision on the majority base.
- The provinces would enjoy full autonomy in terms of the subject other than the Union subjects.
- All the residuary powers should be vested in the provinces.
- The provinces should be free to form **Groups** with Executive & Legislature and each **Group** could determine the provincial subjects in common.
- The six Hindu majority provinces (Madras, Bombay, U.P., Bihar, Orissa and Central Provinces) would form **Group – A**.
- The Muslim provinces in the North-West would form **Group**

– B, and Bengal and Assam would form **Group - C**.

- The Chief Commissioners of the Provinces of Delhi, Ajmer and Marwara would join **Group – A** and One (Baluchistan) would join **Group - B**.

Thus the above plan was suggested by the Cabinet Mission provided full autonomy to all the provinces; but it was obvious that **Group- B & C** would be under absolute control of the Muslims. Nevertheless, the intention of the Cabinet Mission was to pave the way in the direction of the constitutional development in India. It is said that it set a motion to constitute an Assembly to frame its own constitution by Indians. According to the plan, the Constitutional Assembly would be elected by the Provincial Legislative Assemblies based on adult suffrage having been ruled out as it would involve delay in the making of Indian constitution. The member of each provincial legislative assembly was to be divided in to three

groups – General, Muslims and Sikhs having its own representatives to the Constituent Assembly by each representative group in the country. Moreover, the numbers of the representative were allotted to each province and community in proportion to the population roughly in the ratio of one to a million. However, some different arrangement also made with regard to the four Chief Commissioners Provinces. On the whole a total of 292 members were to be added four members from the four Chief Commissioners' provinces and not more than 93 members from the Indian states.

According to the Cabinet Mission Plan the Constituent Assembly would concluded a treaty with Britain to provide for certain matters for arising out of the transfer of power. In term of the Indian states, the Mission declared that when the new constitution comes into force, the British government would seize to exercise the powers of

paramountancy. In that case all the rights would be returned to India and all the political arrangement between the states and British India would be brought to an end in the perspective of all political powers exercised by the British Crown. Moreover, the Cabinet Mission contemplated the setting up of an Interim Government in which all the portfolios were to be held by Indian leaders having the supports of all major political parties of India.

Importance of the Cabinet Mission

Plan: Its main importance lies in the fact that it paved the way to the constitutional development in India. Most of the scholars assumed the fact that it suggested to constitute an assembly to frame the constitution of India on the democratic principle of strength of people. Furthermore, it delineated the Idea of Pakistan and All India Union was envisaged by it.

Conclusion: To conclude we can say that the Cabinet Mission Plan was a very important constitutional

development in British India which ensured the way to the transfer of power to the Indians. It proposed a two tiers federal plan which expected to maintain national unity while considering the largest measure of regional autonomy. Ultimately, this plan was accepted by the both Congress and Muslim League; but both of them could not agree on the plan for an Interim Government. The two also put differing interpretation which they had agreed earlier. In the end of Sept. 1946, an Interim Cabinet was formed by the Congress under the leadership of Pandit Jawahar Lal Nehru. However, Muslim League joined the cabinet after some hesitations; but it boycotted the constituent assembly.

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