

Boundary Commission Award: The Muslim League Response

Farooq Ahmad Dar*

Abstract

Announcement of the Boundary Commission Awards on August 17, 1947, came as a big shock for the All India Muslim League, especially its leader, Muhammad Ali Jinnah. Jinnah, who trusted the British judicial system, was not expecting a biased decision from Radcliffe. He, like most of the Pakistanis, thought that the Muslims' interests were forfeited in the Award, as a number of areas in both the Punjab and Bengal with Muslim majority population were given to India. It was also believed that the head works of canals which were to irrigate Pakistani land were awarded to India. Furthermore, the allocation of a part of district of Gurdaspur to India provided a corridor through which it got access to Kashmir.

Introduction

The real problem started when the Congress leaders demanded that if the country was to be divided on communal bases, provinces of the Punjab and Bengal should also be divided on the same line. The idea was to frighten the Muslim League leadership to stop demanding Pakistan. They thought that their demand would put Jinnah in an awkward position. If he agreed to the

* Assistant Professor, Department of History, Quaid-i-Azam University, Islamabad.

partition of the two Muslim majority provinces, there would be violent reactions from the Muslims of these provinces and they could stop supporting the Muslim League¹ and that was something, the party could not afford.

As expected, the idea of dividing the Punjab and Bengal was strongly opposed by the Muslim League. Jinnah considered it as an evil move as it was based on fundamentally wrong notion. He believed that the idea was floated with the intention of creating conditions in which Muslims of India should only be given a truncated or mutilated, moth-eaten Pakistan.² He firmly stated that he could not agree to the partition of the provinces³ and suggested that the power should be transferred to provinces as they exist. However, he proposed the option for the provinces to group together or to remain separate according to the wishes of the people once the partition was done.⁴

Jinnah warned the British government that the division of the Punjab and Bengal would create more difficulties for them than any other issue and hoped that Mountbatten and the British Government would not commit a blunder of dividing the two provinces.⁵ However, Mountbatten had made up his mind to divide the Punjab and Bengal in case of the partition of India even before he took over as viceroy. He discussed this idea with the British Cabinet as early as March 13, 1947.⁶ When in early

1 Views expressed by Azad in Interview between Mountbatten and Azad, April 12, 1947, in Nicholas Mansergh and Panderal Moon ed. *Constitutional Relations Between Britain and India: Transfer of Power 1942-47*, Vol. X. (London: Her Majesty's Stationery Office, 1981), 215-17.

2 Jinnah's Statement May 4, 1947, PRO, FO 371/63533.

3 Minutes of Meeting of Viceroy with Indian Leaders, June 2, 1947, IOR, L/P&J/10/81.

4 E. Mievile to Mountbatten, April 30, 1947, in Mansergh and Moon, (ed.) *Transfer of Power*, Vol. X, 487-88.

5 Jinnah's Statement May 4, 1947. PRO, FO 371/63533.

6 Minutes of Meeting of Ministers on Indian Questions, March 13, 1947, IOR, L/P&J/10/78.

April, Jinnah appealed to Mountbatten to keep the two provinces intact on the basis of their common history and common ways of life, Mountbatten replied that the arguments presented by Jinnah should also be applied on India as a whole.⁷ Jinnah, however, argued that it was improper to compare the principle of the demand of Pakistan with the demand of the division of the provinces.⁸ Mountbatten stuck to his opinion and clearly told Jinnah that he would not agree to the partition of India without the partition of the Punjab and Bengal.⁹

Hussain Shaheed Suhrawardhy, the last Chief Minister of united Bengal wanted to save the unity of the province. When it became clear that Mountbatten would not allow the whole province to join Pakistan, Suhrawardhy proposed that Dominion Status be presented to the province. John Tyson, the Secretary to the Governor of Bengal supported the idea in the Governor's Conference on the basis that if Bengal was to be partitioned it would soon become a rural slum and it would never be able to feed itself.¹⁰ Burrows thought that East Bengal without Calcutta would not be economically viable.¹¹ Against the expectations of Mountbatten, even Jinnah did not oppose the suggestion of an independent Bengal.¹² Mountbatten to begin with also supported the idea¹³ but later on due to

7 Interview between Mountbatten and Jinnah, April 8, 1947, in Z.H. Zaidi, (ed.) *Jinnah Papers*, Vol. I, Part II (Islamabad: Quaid-i-Azam Papers Project, Cabinet Division, Government of Pakistan, 1993), 642-44.

8 Jinnah's Statement May 4, 1947, PRO, FO 371/63533.

9 Interview between Mountbatten and Jinnah, April 8, 1947, in Zaidi, (ed.) *Jinnah Papers*, Vol. I, Part II, 642-44.

10 Minutes of Governor's Conference, April 15, 1947, IOR, L/PO/6/123.

11 Note by Christie, April 27, 1947, in Mansergh and Moon, (ed.) *Transfer of Power*, Vol. X, 457-58.

12 Viceroy's Personal Report, April 24, 1947, IOR, L/PO/6/123.

13 Mountbatten directed George Abell to arrange a meeting with Suhrawardhy at the earliest so that he could discuss the idea with him in details. However, later on, he dropped the idea of discussing the issue with Surhawardhy.

opposition of the Congress¹⁴ he changed his mind and stuck to his previous decision which was to divide Bengal and the Punjab.

In his meeting with Mountbatten on June 2, 1947, Jinnah, on behalf of the Working Committee of the Muslim League, strongly opposed the partition of these provinces and asked Mountbatten to hold a referendum in the two provinces. Mountbatten made it clear to Jinnah that he was not ready to make any amendment in the plan unless it was agreed by both the Congress and the Muslim League.¹⁵ Jinnah, who knew that the Congress would never accept his proposal, had no choice but to accept the June 3 Plan in total. According to the Plan, the non-Muslim majority districts of the two Muslim majority provinces were to be included in India provided the members of the provincial assemblies representing those areas decided so.¹⁶

In accordance with the June 3 Plan the Bengal Assembly met on June 20 and the Punjab Assembly had a meeting on June 23. Though in the joint sessions of both the Assemblies the majority voted against the partition of the provinces but then according to the June 3 Plan the members representing Muslim and non-Muslim areas in the Assemblies had separate sessions. In both cases, the sections representing non-Muslim majority areas opted for partition while the Muslim majority areas voted against the partition.¹⁷ Since both the Muslim League and the

14 Nehru believed that though the province would be called independent in the beginning but it had all its sympathies for Pakistan and a way would be searched to link it with Pakistan later. Interview between Mountbatten and Nehru, April 22, 1947, in Mansergh and Moon, (ed.) *Transfer of Power*, Vol. X, 361-62.

15 Viceroy's Personal Report, June 5 1947, IOR, L/PO/6/123.

16 For full text of the Statement of 3 June 1947, see Mansergh and Moon, (ed.) *Transfer of Power*, Vol. XI, 89-94.

17 Keesings Contemporary Archives, Vol. VI, 1946-48, June 21-28, 1947 (Bristol: Keesings Publications Limited), 8679 quoted by Pervaiz Iqbal Cheema, *Pakistan's Defence Policy, 1947-58* (London: MacMillan Press, 1990), 25.

Congress had accepted the June 3 Plan, which provided that if simple majority of either sections of the Assembly vote for partition, the provinces should be divided. It was decided to partition the two Muslim majority provinces.¹⁸

The decision to partition the Punjab and Bengal was taken and the next step was to establish the proper mechanism. Initially it was proposed that the task of demarcating the boundaries of the Punjab and Bengal should be given to the United Nations or the International Court of Justice. Jinnah supported the suggestion but Nehru opposed it on the grounds that it would involve undue delay.¹⁹ Mountbatten, who sought to placate the Congress, dropped the idea. Jinnah then proposed that three judges of the Judicial Committee of the Privy Council in Britain should be appointed as the members of the Boundary Commission. Mountbatten again rejected this proposal on the ground that the elderly judges would not be able to withstand the heat of the Indian summer.²⁰

Mountbatten then came up with the final idea of appointing two Boundary Commissions in the Punjab and Bengal. It was decided that Bengal Commission would also deal with Assam.²¹ To satisfy both the parties, the Congress and the Muslim League, it was decided that each Commission was to be composed of four High Court Judges, two Muslims and two non-Muslims, under the command of an English man as Chairman. The Muslim judges were to be nominated by the Muslim League and the non-Muslim judges by the Congress. It was also agreed that one of the two judges nominated by the

18 Keesings Contemporary Archives, Vol. VI.

19 Alan Campbell-Johnson, *Mission with Mountbatten* (London: Robert Hale, 1972), 124.

20 H.V. Hodson, *The Great Divide: Britain-India-Pakistan* (Karachi: Oxford University Press, 1985), 346; Chaudhri Muhammad Ali, *Emergence of Pakistan* (Lahore: Research Society of Pakistan, 1973), 204.

21 It was thought that the establishment of a separate Commission for Assam would cause delay. Minutes of Viceroy's Staff Meeting, June 25, 1947, in Mansergh and Moon, (ed.) *Transfer of Power*, Vol. XI, 634-36.

Congress for the Punjab Commission should be a Sikh.²² Mountbatten also suggested that same person should be appointed as Chairman of both the Commissions so that he would be able to adjust any slight loss one state might have to suffer in one particular area by compensating it in another.²³

At the Partition Committee's meeting on June 26, 1947, Mountbatten nominated Cyril Radcliffe for the joint Chairmanship of both the commissions. Both the Congress and the Muslim League had no other option but to accept nomination of Radcliffe. The two political parties recommended their nominees as the members of the two commissions. The Muslim League nominated Abu Saleh Mohammad Akram and S.A. Rahman for the Bengal Boundary Commission and Din Mohammad and Mohammad Munir for the Punjab Boundary Commission.²⁴ While the Congress nominated C. Biswas and B.K. Mukherji for the Bengal Boundary Commission and Tej Singh and Mehr Chand Mahajan for the Punjab Boundary Commission. Thus, the two Boundary Commissions were finalized on June 30.²⁵ The Muslim League wanted the Chairman of the Boundary Commission to act as a business manager rather than an arbitrator,²⁶ but that was never the case. The Boundary Commission was instructed to demarcate boundaries of the two parts of the Punjab and Bengal on the basis of Muslim and non-Muslim majority population. However, it was also to take into account "other factors", while making a decision. Interestingly, the term "other factors" was kept vague and

22 Minutes of Viceroy's Miscellaneous Meeting, June 13, 1947, in *Ibid.*, 320-29.

23 Minutes of the Special Committee of the Indian Cabinet, June 26, 1947, in *Ibid.*, 650-57.

24 Jinnah to Mountbatten, June 24, 1947, IOR, R/3/1/157.

25 The Gazette of India Extraordinary Notification, June 30, 1947, IOR, R/3/1/157.

26 Interview between Ismay and Liaquat, June 20, 1947, IOR R/3/1/157.

the Commission had every right to have its own interpretation of the term.²⁷

The problem with the composition of the two Commissions was that due to charged conditions prevailing at that time it was obvious that the Muslim members would favour Pakistan and the non-Muslim members would favour India. This gave the final verdict and thus the future of the Punjab and Bengal rested in the hands of one man, i.e. Radcliffe. It was a responsibility too big to be performed by a single individual, no matter how competent he might be. Another handicap was that Radcliffe was not familiar with the Indian society and political life and processes of partition and had never visited the country before. His only briefing for the hard task of partitioning the Punjab and Bengal was a thirty minute session with a permanent Under Secretary of India Office on a map.²⁸ He was given four to five weeks time to accomplish his assignment whereas he himself viewed that it was a job which would take years to decide.²⁹ Last but not the least, Radcliffe himself lacked interest in the task assigned to him. His cold attitude could be understood from the fact that he had refused to come in June due to scorching heat in India.³⁰

No doubt in such conditions Radcliffe had to mainly rely on Mountbatten's advice. On his arrival in Delhi on July 8, Radcliffe stayed with Mountbatten for a couple of days where he was briefed about the situation.³¹ It is significant that Radcliffe was entrusted with entire re-

27 *The Statesman*, Calcutta, July 7, 1947.

28 Mohamed Raza Khan, *What Price Freedom: A Historical Survey of the Political Trends and Conditions Leading to Independence and the Birth of Pakistan and After* (Karachi: Indus Publications, 1977), 270.

29 Minutes of Mountbatten's Staff Meeting, July 8, 1947, in Mansergh and Moon (ed.) *Transfer of Power*, Vol. XII, 162-63.

30 Abul Kalam Azad, *India Wins Freedom: An Autobiographical Narrative* (Bombay: Orient Longmans, 1959), 200.

31 Radcliffe was also a personal friend of Mountbatten. See Viceroy's Personal Report, July 11, 1947, IOR, L/PO/6/123.

sponsibility for drawing the boundaries before both Commissions started functioning.³² This shows that he was already briefed that Muslim and non-Muslim Judges would hardly agree on anything and thus ball will ultimately fall in his court. Even otherwise Radcliffe did not want to meet the members of the Commission as he was not much in favour of consultation. His philosophy is apt to be abridged in a quotation he once copied into his commonplace book, "Free speech is alright as long as it does not interfere with the policy of the government".³³

The Bengal Commission sat at Calcutta from July 16 to 24 and again from August 4 to 6 and the Punjab Commission remained in session at Lahore from July 21 to 31. Radcliffe had brief visits to Calcutta and Lahore but he actually set up his headquarters at Delhi. Proceedings of the two Commissions were reported to him on daily basis and he considered it sufficient to read the record of the Commissions' sessions and their respective reports.³⁴ As expected, the differences arose between the Muslim and non-Muslim members and a unanimous decision of the commission became practically impossible and the importance of the casting vote of the Chairman further increased.

Since the two Commissions could not arrive at a consensus, the final Awards were mainly authored by Radcliffe. The Muslim League believed that while demarcating the borders, Radcliffe failed to provide justice. In the Punjab, using the "other factors" as a justification, the Award gave vast area with Muslim majorities to the East of the river Ravi to India. The tehsils of Gurdaspur

32 For details see Justice Din Muhammad's Report, quoted by Muhammad Zafrulla Khan, "The Reminiscences of Sir Muhammad Zafrulla Khan", unpublished manuscript II, Oral History, Research Office, Columbia University, New York, 298-301.

33 Patrick French, *Liberty or Death: India's Journey to Independence and Division* (London: Harper Collins Publishers, 1997), 321.

34 William Golant, *The Long Afternoon: British India 1601-1947* (London: Hamish Hamilton, 1975), 245.

and Batala in the district of Gurdaspur with a Muslim majority of 52.1 percent and 55.06 percent respectively, were placed in India. The same happened to the Muslim-majority tehsils of Jullundur with 51.1 percent Muslim population and Nakodar with 59.2 percent Muslim population, in Jullundur District. The tehsils of Zira with 65.2 percent Muslim population and Ferozpur with 55.2 percent Muslim population were given to the East Punjab on the plea that the decision in favour of Pakistan would disturb communications. Pathankot tehsil and the rich Muslim industrial town of Batala were given to India. Even a part of Lahore district was broken off as Radcliffe decided to draw a village to village boundary. Muslim majority tehsil of Ajnala in Amritsar District with 59.4 percent Muslim majority was also united with India.³⁵ On the contrary, not a single Hindu majority tehsil in the Punjab was awarded to Pakistan

Similar state of affairs was seen in Bengal as well. Bengal Boundary Award was also based on the "other factors" and thus the Muslim majority districts of Murshidabad and Malda along with the two third of the Muslim majority district of Nadia and two *thanas* of Jessore were awarded to India. The Award also provided India with a corridor to Assam. In total over six thousand square miles of land with a Muslim population of three and a half million which should have been included in East Pakistan were awarded to India.³⁶ However, the Chittagong Hill Tracts, where the population was almost entirely Buddhist, were included in Pakistan.³⁷ As regards Sylhet District of Assam, the Bengal Boundary Commission

35 *The Pakistan Times*, Lahore, August 19, 1947.

36 Zaidi (ed.) *Jinnah Papers*, Vol. V, 379.

37 The reason for the allotment was that 'the district was completely isolated from West Bengal. Confidential Report for Secretary of State for Commonwealth Relations on the Events in India and Pakistan, August 15-20, 1947, IOR, L/I/1/42/12. According to Mountbatten, the whole life of the people of the Hill Tracts depended upon East Bengal. Viceroy's Personal Report, August 16, 1947, IOR, L/PO/6/123.

took away the whole of the district minus four *thanas* from the province of Assam to East Bengal.³⁸ Yet the areas of Karim Ganj and Badarpur, despite their Muslim majorities were given to India.

While declaring the Awards the term “other factors” was profusely used to provide benefit to India getting some Muslim majority areas in the Punjab. But at the same time it was ignored by Radcliffe, when it came to the decision on Calcutta. The commercial hub of Bengal was awarded to India on the basis of non-Muslim majority in the city. However, it was totally ignored that in Calcutta neither Muslims nor Caste Hindus were in a majority. The Muslim League claimed that the Scheduled Caste, who had the decisive vote, was aligned to the cause of Pakistan. Jinnah also demanded a plebiscite in the city as the Muslim League was quite sure that it would come out in favour of Pakistan.³⁹ To make the case of the Muslim League further strong, it was pointed out that the majority of the people living in the suburbs of Calcutta were also Muslims.

The economy of East Bengal was based on the city of Calcutta, which besides being the only major port of the province was also the centre of industry, commerce, communication and education. To add to it the city was developed mainly with the resources of East Bengal. All the raw material especially jute, which was used by the mills in Calcutta, was provided by East Bengal. The port workers and seamen working in Calcutta mostly came from East Bengal. In view of the above mentioned facts, Jinnah always believed that it would be economically very difficult for East Bengal to function without Calcutta and

38 Mountbatten to Secretary of State for India, August 14, 1947, PRO, D.O. 133/59.

39 K.F. Yusuf, *Political Legacy of Jinnah* (London: Pakistan Muslim League, 1985), 68.

thus would become a rural slum in case the city joined West Bengal.⁴⁰

The importance of Calcutta for East Bengal was also admitted by the British. Hence, Burrows suggested that in case of the division of Bengal, Calcutta should be excluded from both the parts and administered by a council.⁴¹ When Mountbatten rejected the idea,⁴² Burrows warned him that the inclusion of Calcutta in West Bengal would make the situation further complicated in Bengal and might cause riots in Calcutta.⁴³ Radcliffe himself was aware of the importance of Calcutta for both the countries and thus discussed the idea of dividing the city between the two states in the meeting of the Boundary Commission.⁴⁴ However, in the end all the above factors were ignored and Calcutta was awarded to India. This demonstrates that Radcliffe's interpretation of the phrase; "other factors" did not favour Pakistan. While drawing the boundaries at places he applied the formula of giving non-Muslim majority areas to India but at the other places he used the provision of "other factors" for giving Muslim majority areas to India. At some places he drew the boundaries on

40 Viceroy agreed with Jinnah that the "moth-eaten" Pakistan was almost unworkable, but that was all he could offer him. However, a paper on the economic viability of Pakistan by Maurice Zinkin and Commander Nicholls, concluded that economically a "moth-eaten" Pakistan could be made to work. Interview between Mountbatten and Jinnah, April 10, 1947, in Zaidi (ed.) *Jinnah Papers*, Vol. I, Part II, 648-51.

41 Note by Christie, April 27, 1947, in Mansergh and Moon (ed.) *Transfer of Power*, Vol. X, 457-58.

42 Mountbatten to Burrows, April 28, 1947, in *Ibid.*, 471-72. Mountbatten was probably referring to the provision in the Plan Balkan which gave each province the choice to decide its own future. However, as the question whether or not to partition Bengal could only be decided by a majority vote of both communities, it seems impossible to have kept Bengal united. The Congress stood firmly against it. Without its support, Bengal could not opt to remain united.

43 Viceroy's Personal Report, May 1, 1947, IOR, L/PO/6/123.

44 Cyril Radcliffe on Boundary Awards in Bengal, August 12, 1947, in Latif Ahmed Sherwani, ed. *Pakistan Resolution to Pakistan 1940-1947: A Selection of Documents Presenting the Case for Pakistan* (Karachi: National Publishing House, 1969), 261-63.

the basis of existing districts, while at times he even divided tehsils and sub-tehsils.⁴⁵

Realising the gravity of his "achievement", Radcliffe left India before the Awards were announced and never came back. Responding to a question, he articulated that he would not return to India even if the people of the land so desired. He was sure that he would be shot dead immediately at first sight by the people who had suffered due to his injustice.⁴⁶ He also destroyed all his papers in connection with the boundary commission so that the truth might never be known publically.⁴⁷ When asked by Z.H. Zaidi, the Editor-in-Chief of the Quaid-i-Azam Paper Project who was then staying at London, in 1967, said that he had destroyed his papers because he wanted to maintain the validity of the Awards.⁴⁸ Probably, he knew that exposure of the facts would hurt the legality of the Awards. In an interview with a newspaper a few months before his death, he did show his dissatisfaction about what happened in the Punjab in 1947.⁴⁹

Now the question arises that was it Radcliffe alone who was responsible for the unjust Awards or was there somebody else behind him as well? Mountbatten tried to give the impression that he never discussed the issue with Radcliffe and thus never tried to influence him. However, the popular belief in India at the time of declaration of the Awards was that Radcliffe was only following Mountbatten's advice and thus the Awards were a commanded performance.⁵⁰ Some of the British officers also reported that it was commonly believed that Radcliffe

45 Justice Din Muhammad on Radcliff Boundary Award in the Punjab in *Ibid.*, 277-78.

46 Leonard Mosley, *The Last Days of the British Raj* (London: Weidenfeld and Nicolson, 1961), 200.

47 Andrew Roberts, *Eminent Churchillians* (London: Weidenfeld and Nicolson, 1994), 97.

48 Zaidi (ed.) *Jinnah Papers*, Vol. V, xiii.

49 French, *Liberty or Death*, 330.

50 *The Eastern Times*, Lahore, August 28, 1947.

would do whatever Mountbatten dictated.⁵¹ Besides, the Muslim members of the Boundary Commission believed that it was merely due to Mountbatten's instructions that the Awards were revised and altered in favour of India. The non-Muslim members also acknowledged that the commission was just a farce and that decisions were actually taken by Mountbatten.⁵² One of the British Foreign Office Files also claims that Mountbatten altered the Boundary Awards at Pakistan's expense.⁵³

No document is available to show that Mountbatten issued any written instruction to the Boundary Commission. May be he was too conscious and keen to show his impartial role in history and therefore he was careful not to leave any document to prove otherwise. Yet, there are quite a few evidences which revealed the influence of Mountbatten in drafting the Boundary Awards. As already discussed, after reaching Delhi Radcliffe was given first briefing by Mountbatten⁵⁴ and his briefing had a great impact on Radcliffe's future course of action. Mountbatten's Deputy Private Secretary, Ian Scott, disclosed that the Viceroy himself attended a meeting of the Boundary Commission in Lahore on July 22. According to Radcliffe, he showed the first draft of the proposed Awards to Mountbatten and then endorsed the amendments recommended by him in the revised draft.⁵⁵ In a letter to Ismay, Mountbatten himself admitted asking Radcliffe to compensate the Sikhs while demarcating the Punjab border.⁵⁶ Mudie also found a map in the safe of Jenkins, which was supplied to Jenkins, much before the announcement of the Awards, by Abell, the then Secretary

51 J. M. Short to Stafford Cripps, August 3, 1947, PRO, CAB, 127/150.

52 Mehr Chand Mahajan, *Looking Back: The Autobiography* (Bombay: Asia Publishing House, 1963), 114.

53 See File No. 1060/6/85, February 6, 1948, PRO, FO 371: 69706.

54 Viceroy's Personal Report, July 11, 1947, IOR, L/PO/6/123.

55 Radcliffe gave this information to Arthur Henderson. Noel-Baker reported this in a note to Attlee, February 26, 1948, IOR, L/P & J/10/119.

56 Mountbatten to Ismay, April 2, 1948, MA, EUR I. III, 7/24.

to Mountbatten.⁵⁷ The map found in Jenkins' safe was almost the same as that of the final Awards. This means that even if the Awards were not authored by Mountbatten, he at least knew about the decisions much before they were announced.

Another factor which indicates that Mountbatten was involved in finalizing the Awards was the intentional delay in their announcement. It is on record that the members of the Boundary Commission, like Jinnah and Nehru, wanted to announce the Awards before the independence of Pakistan and India.⁵⁸ Radcliffe himself intended to finish his assignment latest by August 10 because he realized that there was a big risk of disorder if the Awards were delayed till the very last minute. Mountbatten had also supported the idea when he requested Radcliffe to get the Awards ready at latest by August 10.⁵⁹ Nevertheless, Mountbatten delayed the announcement that lingered on after the independence.

Mountbatten claimed that the Awards were not ready till August 13 and since he was busy in Independence day ceremonies first at Karachi and then at Delhi on August 14 and 15 respectively, he had no time to discuss them with Nehru and Liaquat before August 16.⁶⁰ He also claimed that he had himself not seen the Awards till August 16.⁶¹ However, Pakistani authorities claim that Jinnah had documentary proof that the report of the Boundary Commission was with Mountbatten by August 7 and he could have easily announced the decision before the independence.⁶² Even if one does not accept Pakistani claim, in the minutes of the Viceroy's Staff meeting of

57 Firoz Khan Noon, *From Memory* (Lahore: Ferozsons, 1966), 219.

58 Viceroy's Personal Report, July 11, 1947, IOR, L/PO/6/123.

59 Mountbatten to Radcliffe, July 22, 1947, IOR, R/3/1/157.

60 Evan Jenkins to Louis Mountbatten, April 7, 1948, IOR, L/P&J/10/119 also see Viceroy's Personal Report, August 16, 1947, IOR, L/PO/6/123.

61 Meeting of the Cabinet held on Friday, August 15, 1947, at 10 a.m. Case No. 3/1/47. NDC, 24/CF/47.

62 Sir George Cunningham Diary, 1947-48, MSS, EUR D. 670/41.

August 9, it is mentioned that by the evening Radcliffe would be ready to submit his report. Mountbatten intentionally delayed the process because he was scared that an early announcement of the Awards would have made him responsible for the disturbances.⁶³ According to the Associated Press of India, Radcliffe submitted his findings to the Viceroy before August 11, 1947.⁶⁴

H.M. Seervai believes that Mountbatten decided to withhold the Awards because he thought that the award of Chittagong Hill Tracts to Pakistan might provoke Indians and that would spoil the Independence Day celebrations.⁶⁵ According to a careful estimate, however, Mountbatten in fact was apprehensive of the Muslim League reaction to the "unjust" Awards. He knew that the Muslim League and Jinnah would be left with no other option but to accept the Awards if they were to be announced after the independence of Pakistan and India. He further wanted to use the additional time to make some more changes in the Awards. The two Muslim members of the Punjab boundary commission claimed that Radcliffe had assured them that Ferozepore and Zira tehsils would be included in the West Punjab.⁶⁶ A.N. Khosla, Chairman, Central Waterways, Irrigations and Navigation, had also recorded that Radcliffe's mind was working in the direction

63 Minutes of Viceroy's Staff Meeting, August 9, 1947, in Mansergh and Moon, (ed.) *Transfer of Power*, Vol. XII, 610-612. For details see Hugh Tinker, "Pressure, Persuasion, Decision: Factors in the Partition of the Punjab, August 1947", *The Journal of Asian Studies* 36 (August 1977), 699-700.

64 *Civil and Military Gazette*, Lahore, August 12, 1947.

65 H.M. Seervai, *Partition of India: Legend and Reality* (Bombay: Emmenem Publications Pvt. Ltd., 1990), 162.

66 Justice Mohammad Munir stated that when he was arguing for Muslim claims about Ferozpur head-works, Radcliffe told him that he need not to say anything about them as it was already decided that they would become part of Pakistan. See Masooma Hassan (ed.) *Pakistan in the Changing World* (Karachi: Institute of International Affairs, 1978), 94. Justice Din Mohammad reported to the Government of Pakistan that Radcliffe had stopped him from arguing 'so obvious a case' as the tehsils of Zira and Ferozpur. Quoted by Ali, *Emergence of Pakistan*, 219.

of giving Ferozpur and Zira to Pakistan.⁶⁷ The two tehsils were also shown on Pakistani side of the border in the map and the note of Christopher Beaumont⁶⁸ sent by Abell to Jenkins on August 8.⁶⁹ The Map also included some parts of Gurdaspur in Pakistan.⁷⁰ Chaudhri Muhammad Ali had seen in Ismay's office a map, which showed the tehsils of Ferozepur and Zira on Pakistan's side.⁷¹

The change of boundaries by Mountbatten at the last moment was designed basically to satisfy the Congress and its leaders. Nehru wrote a letter to him on August 9 in which he indicated that Radcliffe was working in the direction of awarding Ferozepur and Zira tehsils to Pakistan and requested him to reverse the decision.⁷² Regarding Gurdaspur, Mehr Chand Mahajan revealed in his autobiography that according to the provisional boundaries the entire district of Gurdaspur was assigned to Pakistan.⁷³ But since Mountbatten was determined to give India a gateway to Kashmir, he decided to award Gurdaspur to the East Punjab. He himself told the Nawab of Bhopal and the Maharaja of Indore that Kashmir could

67 Note by A. N. Khosla, n.d, in Mansergh and Moon (ed.) *Transfer of Power*, Vol. XII, 619-20. It may be remembered that under the National Award, Ferozpur district was included in Eastern Punjab while the Gurdaspur District was in West Punjab.

68 Christopher Beaumont, Secretary to the Punjab Boundary Commission, admitted in a statement that Mountbatten did manipulate the boundary award in India's favour and persuade Radcliffe to change his mind about Ferozepur and Zira. See *The Daily Telegraph*, London, February 25, 1992.

69 Cyril Radcliffe to Carter April 13, 1948, IOR, L/P&J/10/119. Also see Note by Abell to Abbott, August 8, 1947, IOR, R/3/1/157. Mountbatten maintained that Abell sent this letter without his knowledge. See Mountbatten to Ismay, April 1948, IOR L/P&J/10/119. However, it seems that Mountbatten intentionally wanted to send the information. Mountbatten to Jenkins, August 6, 1947, in Mansergh and Moon (ed.) *Transfer of Power*, Vol. XII, 557.

70 Jenkins to Michael, November 27, 1967, MSS, EUR, D. 807/3.

71 Ali, *Emergence of Pakistan*, 118-19.

72 Nehru to Mountbatten, August 9, 1947, IOR R/3/1/157.

73 Mahajan, *Looking Back*, 264-65.

join any of the two Dominions, if part of Gurdaspur were given to India by the Boundary Commission.⁷⁴

Likewise, the Award of Sylhet was also changed at the last moment. When Justice S.A. Rahman pleaded the case for the Muslim majority areas of Karim Ganj and Badarpur for Pakistan, he was assured by Radcliffe that the areas would be connected with Pakistan. However, few days later, when the Awards were announced the areas were included in India. Justice Rahman was convinced that it was due to some "external influence" that made Radcliffe change his mind.⁷⁵ The award of Calcutta to India was also due to tremendous pressure of the Congress on Mountbatten and also owing to the friendship between the two. The Congress leaders were quite confident that the award of Calcutta to India would make Pakistan unviable. Thus they considered that any solution which gives Calcutta to Pakistan would be unstable and impractical.⁷⁶ Mountbatten always pleaded the Congress arguments in his discussions with Jinnah on the issue of Calcutta.⁷⁷ Patel, in a public speech in Calcutta on January 15, 1950 acknowledged that the Congress had only accepted the partition on the condition that India would not lose Calcutta, because to him losing Calcutta was like losing India.⁷⁸

When everything was ready to the satisfaction of Mountbatten, he asked Pakistan's Prime Minister to visit Delhi on August 16, 1947 along with one of his cabinet colleagues to discuss the Boundary Awards. The Muslim

74 Interview between Mountbatten and the Nawab of Bhopal and the Maharaja of Indore, August 4, 1947, in Mansergh and Moon (ed.) *Transfer of Power*, Vol. XII, 505-09.

75 Abdul Hamid, *Muslim Separatism in India* (Karachi: Oxford University Press, 1967), 245.

76 British Cabinet Meeting on Indian Question, March 13, 1947, IOR, L/P&J/10/78.

77 Interview between Mountbatten and Jinnah, April 10, in Zaidi (ed.) *Jinnah Papers*, Vol. I, Part II, 648-51.

78 Report by the Chairman of the Bengal Boundary Commission, August 12, 1947, in *Ibid.*, Vol. V, 43-45.

League by then had got some clue that Radcliffe was going to give Gurdaspur to India. Liaquat had also discussed the issue with Ismay and told him that if the rumour was correct then it would be considered as a "grave injustice" and "breach of faith on the part of the British". Ismay, however, denied the charges.⁷⁹ On the instructions of Jinnah, Chaudhri Muhammad Ali also tried, in vain as it turned out, to convince Ismay on August 10, 1947, that the decision to give Gurdaspur to India would have serious repercussions.⁸⁰ Liaquat accompanied by Fazlur Rahman, Justice Din Mohammad and Chaudhri Muhammad Ali arrived at Delhi to discuss the matter in the meeting of Joint Defence Council of India. Before leaving for Delhi, Liaquat in a cabinet meeting gave assurance that he would not accept any modification of the Awards, which was not definitely to the advantage of Pakistan.⁸¹ However, in the meeting Mountbatten made it clear to Nehru and Liaquat that they had no other option but to accept the Awards. He also told them that the Awards would be publicly announced the next day.⁸²

When the Awards were announced the general belief in Pakistan was that the main purpose of the Awards was to please India by giving vast area with Muslim majority to India. The head of the Boundary Commission was criticized in Pakistan for going beyond his terms of reference. The Muslim League's mouthpiece, the daily *Dawn* considered the Awards "Territorial Murder". It claimed that Pakistan was cheated and deprived of large portions of "the Punjab, Bengal and Sylhet which inalienably belonged to it".⁸³

79 H.L. Ismay to Liaquat, August 11, 1947, IOR R/3/1/157

80 Ali, *Emergence of Pakistan*, 218-19.

81 Meeting of the Cabinet held on Friday, August 15, 1947, at 10 am, Case No. 3/1/47. NDC, 24/CF/47.

82 Report for the Secretary of State on events in India and Pakistan for period August 15 to 26, 1947, IOR, L/1/1/42.

83 *The Dawn*, Karachi, August 21, 1947.

The newspaper claimed that “a trusted judge” was turned into a “partisan” and termed the decision as “Rape of the Punjab”.⁸⁴ According to daily *Pakistan Times*, the Awards were given by “one-man Boundary Commission” and considered it as “nothing more than a hoax perpetrated on the Muslims of India”.⁸⁵ Justice Munir’s first reaction to the Awards was that India belonged to the British and their Viceroy gave it to whomsoever they wanted.⁸⁶ Diwan Bahadur S.P. Singha, leader of the Christian community in Pakistan, considered it as “One Sided Award” which was “most unfair to Pakistan”.⁸⁷ Even a segment of the British intelligentsia accepted that the Awards had adverse effect on the Muslims more than any other community.⁸⁸

The Muslim League leadership reaction to the Awards was very severe. Sardar Abdur Rab Nishtar dubbed the Awards, which to him were “extremely unfair and unjust to Pakistan”, as a “parting kick by the British”.⁸⁹ Ghazanfar Ali Khan called the Awards as “disgusting and unfair” and thought that the decision might “not persuade Pakistan to remain in the Commonwealth”.⁹⁰ I.I. Chundrigar also supported Ghazanfar’s idea that the decision might take Pakistan out of the British Commonwealth.⁹¹ Sardar Shaukat Hayat termed the Awards as “deliberate

84 *Ibid.*, August 27, 1947.

85 *The Pakistan Times*, August 19, 1947.

86 Quoted by Muhammad Zahid Khan Lodhi, *Mountbatten’s Anti-Pakistan Role* (Islamabad: National Book Foundation, 1995), 60.

87 *The Pakistan Times*, August 19, 1947.

88 *Ibid.*, September 16, 1947.

89 *Civil and Military Gazette*, August 20, 1947.

90 *The Pakistan Times*, August 19, 1947.

91 Report from UNHC (I) to Secretary of State for Commonwealth Relations, August 19, 1947, IOR, L/WS/1/1034.

perversity of justice” and “last act of treachery of the British”. He believed that the decision “has clearly shown whose real friends the British are”.⁹² To Begum Shah Nawaz “British have gone back on their words”. According to M.A.H. Ispahani the Award was “abominable” as it violated “fundamental and accepted principles of contiguous majority areas”.⁹³ The Working Committee of the Muslim League in Britain also condemned the Awards for its partiality and appealed to the British Government to recall Mountbatten as he was working as an enemy of the Muslims in India.⁹⁴

Jinnah declared the Boundary Awards “unjust”, “incomprehensible” and even “perverse”. He considered decision of the Boundary Commission as a big blow to the already existing problems of Pakistan. He termed them as “political” Awards and not judicial one. He also knew that besides many other losses, the award of Calcutta to India would be the most serious blow to Pakistan and it would be economically very difficult for East Bengal to function without that important city.⁹⁵ Yet, since he had pledged to accept the Awards of the Commission,⁹⁶ he said that he and

92 *The Pakistan Times*, August 19, 1947.

93 *Ibid.*

94 *The Eastern Times*, August 28, 1947.

95 Viceroy agreed with Jinnah that the moth-eaten Pakistan was almost unworkable, but that was all he could offer him. Interview between Mountbatten and Jinnah, April 10, 1948, in Zaidi (ed.) *Jinnah Papers*, Vol. I, Part II, 648-51.

96 In a meeting of Partition Council held on July 22, 1947 a statement was issued in which all parties agreed to abide by the awards of the Boundary Commission and would enforce them. See Press Note by Partition Council in *The Pakistan Times*, July 25, 1947. Also see Viceroy's Personal Report, August 16, 1947, IOR, L/PO/6/123.

the people of Pakistan would accept the Awards.⁹⁷ Jinnah tried to make the people realize that the Boundary Commission's Awards were final and unalterable and thus they should not react to the decision.⁹⁸ He advised his countrymen to bear this misfortune with courage and hope.⁹⁹ The people, who had profound respect for Jinnah, accepted his advice and did not agitate against the Awards.

When the issue of Kashmir was being discussed in the Security Council of the United Nations, the British delegation reported to the Commonwealth Relations Office in London that the Government of Pakistan was thinking of introducing the issue of the last minute alterations in the Radcliffe Awards. They also had apprehensions that Zafarulla might talk about Mountbatten's involvement in the issue as Zafarulla had told a member of the British delegation in private that he had evidence to prove that the Boundary Awards were tampered and its publication was intentionally delayed.¹⁰⁰ The British Government decided to discourage Zafarulla from raising this issue in the Security Council.¹⁰¹ In a confidential message to Zafarulla, he was informed that such an act on his part would compel the British Government to challenge Pakistan's stance as the allegations would directly affect the honour and reputation of the King's

97 Broadcast Speech from Radio Pakistan, Lahore, October 30, 1947 in *Jinnah: Speeches and Statements 1947-48* (Karachi: Oxford University Press, 2000), 73-76.

98 Meeting of the Cabinet held on Wednesday, August 20, 1947 at 6 p.m. Case No. 0-10/2/47, NDC 20/CF/47.

99 Broadcast Speech from Radio Pakistan, Lahore, October 30, 1947 in *Jinnah: Speeches and Statements*, 73-76.

100 Mountbatten thought that the evidence quoted by Zafarulla was probably the letter from Abell to Abbott of August 8. Mountbatten to Jenkins, March 19, 1948, IOR, L/P & J/10/119.

101 Note by Noel-Baker to Attlee, February 26, 1948, IOR, L/P & J/10/119.

representative in India.¹⁰² As Pakistan did not intend to annoy the British Government at that time, Zafarulla decided to drop the case and not to raise it in the Security Council.¹⁰³

Conclusion

Thus it can safely be concluded that the Muslim League failed to achieve its objective of convincing the British to give an objective verdict regarding the future of the Punjab and Bengal. It was not due to the lack of competence or commitment on the part of the party's leadership but because of the fact that the judgment was biased. Both Mountbatten and Radcliffe had a preconceived agenda in their mind and were not ready to consider any logic or argument. However, the time has proved that the Muslim Leagues' demand was justified. East Bengal failed to progress without Calcutta, while both the major issues between India and Pakistan, i.e. Kashmir and the water dispute have their roots in the unfair decision of the Boundary Commission Awards.

102 Noel-Baker to Zafrulla, February 27, 1948, IOR, L/P & J/10/119.

103 Ismay to Mountbatten, March 9, 1948, IOR, L/P & J/10/119.