

Chapter 6

Conclusion

Traversing the historical evolution of the electoral system that came to be established in India and the electoral method that was used, it is evident that the concept of reserved constituencies for those social groups who were oppressed and historically discriminated against is a unique occurrence in the history of world electoral systems. The prime reason for the emergence of this uniqueness lies in the historical conditions that existed under the colonial government, the national freedom movement and the leadership of the Depressed Classes. The electoral method that was originally conceptualized and formulated was later moulded and amended by India's leaders. However, the unique existence of the electoral system with reserved constituencies in favour of the Untouchables, who were historically and are presently discriminated against on the basis of their birth into a caste, needs to be acknowledged. However, this was complicated by the different approaches of the political leadership that led to changes in the electoral method from the original demand for separate electorates in 1930 to the abolition of double member constituencies in 1961. Yet, it was again the political situation in the country that renewed the current system of single member reserved constituencies for every ten years since 1960.

To arrive at an objective study of the electoral method used in the reserved constituencies to elect the Scheduled Caste candidates to Lok Sabha and State Assemblies, it was important to understand the nature of the government, the nature of politics and the political leadership especially, Dr.B. R. Ambedkar and M. K. Gandhi. The untested use of the electoral method of primary election and final election in reserved constituencies in 1937 quickly changed the electoral politics in the 1946 elections. The 1937 and 1946 elections were held under the constant demand for separate electorates for the Scheduled Castes.

Electoral system and usage of a particular electoral method were also seen as one of the emancipatory tools within a larger democratic framework. The proposition of affirmative action for political representation of Scheduled Castes faced resistance from certain groups or individuals. Gandhi was the first person to oppose any such representation to Untouchable communities in 1930s. But later, although he agreed for representation, he opposed the separate electoral method for them. Similarly, Sardar Vallabhbhai Patel, during the making of the new

Constitution, opposed certain electoral methods initially, and later succeeded in completely abolishing reserved seats for any community. Despite opposition by Gandhi and Sardar Patel, it was due to relentless struggle of Ambedkar that electoral representation for Scheduled Castes survived. Though it was meant to be only for ten years from 1950, it was extended for ten years more. After the first extension of ten years, the existing system of political representation for Scheduled Castes has been extended six more times and as such does not seem to be getting abolished at least in the near future.

There is no doubt that the demand for political representation to Scheduled Castes by Ambedkar was similar to the pattern granted to the Muslim community under the British colonial rule. However, he strongly demonstrated that the conditions of Untouchables were radically different from that of other minorities. Ambedkar, therefore, had opposed the method of nominated seats. He argued for representation in a democratic way, solely on the basis of percentage of population of Untouchables. He had to overcome the resistance of a very powerful personality of Gandhi, which he could till a certain point. Gandhi, who declared that he would resist separate electorates and separate reservation with his life, did so by declaring a fast unto death on 20th September, 1932 after the announcement of the Communal Award by the British Government. It is very important to understand that the opposition was to a particular electoral method, and that was the method of election through separate electorates. The elections in 1937 and 1946 were under the electoral system of first past the post (FPTP), which is a colonial legacy that the Indian electoral system continues to use even today.

Ambedkar tried to prove that the electoral compromise arrived through Poona Pact in 1932 had resulted in election of such representatives of the Depressed Classes who were like “dumb driven cattle” and failed to represent the interests of the Scheduled Caste communities. The first of the electoral methods demanded by Ambedkar was separate electorates. Ambedkar believed that such representatives who got elected solely by the votes of a particular community would speak up and advocate on behalf of their aspirations and struggles towards their quicker

emancipation. He had agreed to a limited time frame with a hope that the emancipation of the Untouchables was possible within that period.

It is very important to note that Gandhi's fast unto death in Poona in 1932 was merely to oppose electoral method and separate electorates. Whatever may have been the intentions of Gandhi, it changed drastically the representative character of Scheduled Castes elected on reserved seats. The Poona Pact arrived at a two stage election process. Firstly, separate primary elections to be held for reserved seats out of which a panel of first four candidates would face the secondary election. The time lag between the primary and secondary elections varied. In 1946 the primary elections were held in the month of December, 1945 and the secondary election in February, 1946. But within four months of the signing of Poona Pact, Ambedkar proposed a change in the electoral method seeking to abolish the two stage elections which he found cumbersome and costly. He approached Gandhi in January 1933 and proposed a change in the scheme where he said that instead of a two stage election, the same may be converted into a one-time election. In this, Scheduled Castes would poll in two separate ballot boxes and proposed a stipulation that the winning candidates from among the Scheduled Castes should receive at least 25% vote of the Scheduled Castes to be eligible to be declared elected.

This was the first change in the electoral method proposed in the history of electoral system in India. By 1933 there were three electoral methods that were known: (i) Separate electorates (ii) Two stage elections with a panel system of four candidates from the primary elections and (iii) Single election where the winning candidate should receive a 25% of his own community. Eventually, Gandhi rejected the proposal of 25% votes as criterion for eligibility to be elected and hence the elections of 1937 and 1946 instead used the Poona Pact method of two stage election with a panel of four candidates.

The two stage election of the elections of 1937 and 1946 had its drawbacks since these elections were limited by the lack of universal adult franchise and the electoral rolls was limited to very few people who were tax payers and land holders. Despite these limitations, Ambedkar

published his analysis of the 1937 elections in 1945 titled *What Congress and Gandhi have done to the Untouchables*. The analysis of the 1946 elections was published in a memorandum submitted to the Constituent Assembly in 1947. In both the instances, Ambedkar proposed separate electorates as the best method to ensure the best possible representative character of the Scheduled Castes.

Ambedkar put forward two propositions based on the available electoral data to prove the inefficacy of the system. First, on a political front he wanted to prove that Congress was not the sole representative of the Untouchables, as claimed by Gandhi. In this he succeeded. Secondly, he proved that the candidate, who stood first in the primary elections, being the choice of the Scheduled Caste voters, was never elected in the secondary election by the general electorate. He attributed this to the lower ratio of votes of Scheduled Castes against the general electorate. Further, he tried to bring forward the issue that the method arrived under the Poona Pact in 1932 in lieu of separate electorates had failed to elect a candidate whom the Scheduled Caste voters felt was their best representative. He further pointed out that the Congress party had put up only such candidates from among Scheduled Castes who were virtually illiterate. Ambedkar commented that the behaviour of the Scheduled Caste representatives elected under the Congress Party failed to represent concerns and issues of the Untouchables.

Until 1947, Ambedkar put forward his demand for separate electoral method before the British and later he engaged with the Indian political leadership on two fronts for arriving at the best electoral method possible for the Scheduled Castes in reserved seats. On the first count, on the political front, he engaged with Sardar Patel, who after the assassination of Gandhi, was at the helm of affairs in the Congress party. Sardar Patel's response appeared to suggest that he was trying to settle political scores over Ambedkar for his criticism of Gandhi rather than having an impartial look at his demand for the electoral method that would facilitate the best representation of the Scheduled Castes. On the second front, Ambedkar introduced the other best possible electoral method in the Constituent Assembly. Accordingly, he advocated for *qualified joint electorate*, wherein a minimum number of Scheduled Caste candidates had to poll a minimum

number of stipulated votes for he/she to be declared elected. This was first proposed in the Minorities Sub-Committee by Ambedkar which was actively defeated at the behest of Sardar Patel. Nevertheless, Ambedkar, along with one Congress member, moved a resolution in the Constituent Assembly proposing that a minimum 35 % votes of his/her own community were to be secured by a Scheduled Caste candidate for him/her to be declared as elected. This resolution, that was introduced by Sardar Nagappa, a Congress member in the Constituent Assembly, was withdrawn at the insistence of Sardar Patel. A similar proposition by a Muslim member was also defeated in the Constituent Assembly.

After the partition of the Country in 1947, Sardar Patel proposed abolition of all reserved seats. Only at the insistence of Ambedkar were reserved seats extended only for Scheduled Castes that too for a period of ten years. The 1950 elections were held under the new Constitution that had retained the FPTP electoral system and the feature of double member constituencies in certain reserved seats. The system of primary election was abolished and both the Scheduled Caste and non-Scheduled Caste voters voted together, as in the case of secondary election. Technically speaking, the electoral method under the new Constitution had changed from what was agreed under the Poona Pact of two-stage election with a separate electoral roll for Scheduled Caste voters for the primary elections to a single election on a common electoral roll. The new Constitution of India, under Article 325, stipulated that there shall be no separate electoral rolls on the grounds of religion, caste, race or sex. Further, the elections under the new Constitution under article 326 were on the basis of adult suffrage and a person who was above 21 years was eligible to be included in the electoral rolls (The 61st amendment to the Constitution lowered the age to 18 years in 1989). Ambedkar described this method as *joint electorate*. The feature of the double member system resulted in defeat of Ambedkar in the 1951-52 elections. Further, the same feature resulted in some Scheduled Caste candidates and Scheduled Tribe candidates capturing both the seats in a double member constituency. The latter became the reason for the government to dispense with the feature of double member constituency also. By 1961, under the FPTP electoral system, the electoral method of joint electorate under reserved seats came into force. Under this method, constituencies in every state, both for the Assembly

and Parliament, were reserved based on the percentage of the population of the Scheduled Caste in that particular state. The number of reserved seats was marginally changed due to delimitation process. The joint electorate system under a single member reserved constituency has seen elections in the past 50 years, since the provision of reserved seats was extended after every ten years under article 334 of the Constitution.

It is evident that the historical processes, socio-political permutations, ideological perspectives and personalities and so on led to changes in the electoral method for the reserved constituencies between 1931 proposal for separate electorates and the 1961 abolition of double member constituencies. The electoral method changed from two stage election with separate electoral rolls for Scheduled Caste voters in the primary elections to double member constituency under joint electorate and then finally to single member reserved constituencies, in the first 40 years. The next 50 years, from 1961 onwards, were strictly under the feature of single electoral roll with a joint electorate of both Scheduled Caste and non-Scheduled Caste voters under a single member reserved seat.

Findings

This study has attempted to understand the origins and development of the Indian electoral system, electoral methods and the legal framework with reference to the way in which they have impacted the nature of political representation of the Scheduled Castes candidate elected from the reserved constituencies to the Parliament and State Assemblies. Apart from a thorough review of literature and examination of secondary data on the subject, a field survey was conducted to understand how these methods have either promoted or hindered the true representation of Scheduled Caste voters by the Scheduled Caste representatives. The field study has analysed the representative character of the Scheduled Caste representatives elected on reserved seats under the joint electorate system. The survey also looked into the question as to whether the present electorate system ensured a true representation of the candidates elected

from the reserved seats, and has attempted to explore the possible alternative electoral methods that may be carved out in future.

The field survey was conducted in two states, namely Andhra Pradesh and Punjab. These two states were selected because of the existence of strong anti-caste movements which worked towards the emancipation of the Scheduled Castes. In particular, the two constituencies chosen in each State—Hoshiarpur in Punjab and East Godavari District in Andhra Pradesh—have a very high concentration of Schedule Caste population. In each district, two assembly segments were selected, out of which one was a non-reserved constituency. In Punjab, the constituencies were Hoshiarpur and Sham Churasi, and in Andhra Pradesh they were P. Gannavaram and Mandapeta. The sample size in both the States included was 177 and all the respondents were Scheduled Caste voters.

The results of the survey showed that a total of 76.8 percent of respondents said “NO” to the question as to whether their MLAs have ever raised issues of Scheduled Castes in the Legislative Assembly. This percentage comes down sharply when the question is about MPs. A good 57.6 percent replied in negative in response to a question whether their MPs have ever raised the issues of Scheduled Caste in the Parliament.

The reasons the respondents gave for the neglect of the Scheduled Caste community by their elected leaders is directly related to the electoral system. Respondents figuring 49.2 percent felt that the MLA and MPs do not raise the issues related to Scheduled Castes community because they had to depend on non-Scheduled Caste voters, who are the preceding factors in their elections.

Out of those who met/requested their MLAs/MPs (91 respondents) for some work related to the Scheduled Caste community, more than two-thirds (61.5%) felt that the response of MLA/MP was negative. Similarly, nearly 60 percent felt that their MLA/MP had not helped them in getting basic amenities such as house, drinking water, road or transport for Scheduled

Castes; 82.5 percent of the respondents felt that the MLA/MP did not help the Scheduled Castes in getting other education facilities and 91.5 percent expressed dissatisfaction with the role of their MLAs/MPs in helping them in getting employment.

On the issue of atrocities against Scheduled Caste by non-Scheduled Castes, nearly 70 percent of the respondents felt that atrocities take place in their locality. Among them a significant number (every sixth respondent) felt that the frequency of such incidences was very regular (everyday); every 12th respondent said that the incidents were repeated once or twice in a month. However, an overwhelming majority (81.2 percent) felt that the response of their MLAs/MPs on these issues, when approached, was negative

Thus, with all these, when we tried to measure their satisfaction with the present electoral political system, only 8.5 percent of the respondent felt that they were satisfied with the system of political representation for Schedule Castes. A good 65 percent was not satisfied and 21 percent were little satisfied.

To a leading question whether they wanted some change in the electoral system, majority (56.5 per cent) replied in the affirmative. In fact, nearly 50 percent of the respondents expressed their agreement with the idea that a Schedule Caste representative should be elected only by Schedule Caste voters. Among those who opposed this idea, about 72 percent agreed that the Schedule Caste members should compulsorily secure at least one third of the Scheduled Caste votes in that constituency. Thus, on the whole it became evident that out of 177 respondents, 135 (76.27 per cent) felt that there should be a change in the electoral system.

In other words, among other things, the findings of the field study have established the co-relation between the perceptions of Scheduled Caste in the reserved constituencies and the performance of the MLAs and MPs on the following factors : (i) Raising of issues related to Schedule Castes in the State Assemblies (ii) Raising issues related to Scheduled Castes in the Parliament (iii) Performance on the issues of basic amenities (iv) Access to educational facilities,

(v) Access to employment (vi) Interventions on atrocities against the Schedule Castes. On all these counts, the findings demonstrate that the Scheduled Castes representative in these constituencies were not representing the interests of the Scheduled Castes.

While answering the question as to whether they were satisfied with the present system of political representation of Schedule Castes (and if so, why), 77 respondents categorically replied in the negative because it was the non-Scheduled Castes voters who ultimately were the deciding factors in the election of Scheduled Caste candidates. While seeking solution as to whether a separate electorate method should be used, 66 respondents were emphatically in favour of the proposition. 80 respondents (45 per cent) who were not or little satisfied with the present system of political representation sought separate electorates, and out of those who rejected the separate electorate (i.e. 67) 36 respondents (i.e. 53 per cent) sought qualified joint electorates. There was a clear division in the opinion of respondents from Punjab and Andhra Pradesh on the choice of the new electorate method. It is evident that a majority of the respondents were not satisfied with the present system of political representation and are looking for a change. While the respondents from Punjab found qualified joint electorate as a better method; the respondents from Andhra Pradesh preferred the separate electorate method. But, invariably, the majority of the respondents were not satisfied with the present system and they replied in affirmative on the option for a change in the electoral method.

Implications of the Study

While the present study recognizes the larger connected structural issues and the question of electoral reforms, the findings of the study categorically demonstrate the fact that the present electoral method has failed to promote or ensure the true representation of the cause of the Scheduled Castes by Scheduled Caste representatives elected from the reserved constituencies to Parliament and State Assemblies. The outcome of the study establishes the compelling need to bring the debate of present electoral method and the nature of political representation of the Scheduled Castes to the public domain for critical and thorough discussion on all its dimensions.

The findings of the study suggest the need for considering both separate electorates as well as qualified joint electorates with the necessary changes in the legal framework as possible alternatives for the future.

Limitations of the Study

Knowing well the vastness and complexities of the Indian society and polity, and given that the electoral methods are such a contentious issue, the present study, with all humility, acknowledges its limitations. Due to constraints of time and resources, it was not possible to undertake an in-depth study of interventions made by the MLAs and MPs in the Parliament and the State Legislative Assemblies but had only informal discussions with them. There are 79 reserved Parliamentary constituencies and 543 reserved Assembly constituencies in the country. Given this vastness, the sample of four constituencies selected for the study in two states is only a small attempt to understand the issues related to the subject. The study also confined itself to Scheduled Caste respondents though it could have had respondents from non- Scheduled Caste communities also.

The study also does not delve into the theoretical question as to whether the candidate elected from the reserved seats should represent only the Scheduled Castes or all other voters in the constituency. It only assumes that the elected Scheduled Caste candidates have special obligations not only to represent the Scheduled Castes of the concerned reserved constituencies but also to represent the cause of the Scheduled Caste communities in general.

APPENDICES

APPENDIX I

*Address presented to H. E. Lord Minto, Viceroy and Governor General of India by a Deputation of the Muslim Community of India on 1st October 1906 at Simla; and Reply thereto*¹

ADDRESS

"May it please your excellency,—Availing ourselves of the permission accorded to us, we, the undersigned nobles, jagirdars, taluqdars, lawyers, zamindars, merchants and others representing a large body of the Mahomedan subjects of His Majesty the King-Emperor in different parts of India, beg most respectfully to approach your Excellency with the following address for your favourable consideration.

This document has a great importance and significance in the history of India. It marks the beginning of the British Government's policy of giving favourable treatment to the Muslims in the administration of India which, it is alleged, was intended to wean them away from the Congress and to create a breach and disunity between the Hindus and the Musalmans. It has also acquired a certain amount of notoriety in the minds of the Indians in view of the statement made by late Maulana Mohammad Ali in his address as President of the Congress, stating that "it was a command performance", meaning thereby that the address was arranged by the British Government. On this account there has been a great deal of curiosity on the part of many Indians to know the text of the address and the reply given by Lord Minto. I had made a long search to obtain the same. I had even approached elderly Muslim politicians prominent in those days for a copy but none of them had it or knew where it was available. Newspapers of that day do not appear to have carried the text of the address and the reply. I was however lucky to get a copy of it from my friend Sir Raza Ali, M.L.A. (Central), who happened to have kept a cutting of the *Indian Daily Telegraph*—a paper then published from Lucknow but had long ago become defunct, in which the full text of the address as well as of the reply was printed. I am grateful to Sir Raza Ali for a loan of the cutting. As the document marks a historic event in the political history of British administration in India, it might be of some interest to reproduce details about the function which the Simla correspondent of the *Indian Daily Telegraph* had published in its issue of October 3rd, 1906. Says the correspondent:—

"The representatives of the Mahomedan community who were to present the address to His Excellency the Viceroy this morning at Viceregal Lodge collected in the Ballroom at 11 A.M. They numbered thirty-five and were seated in a horse-shoe facing His Excellency's chair. Precisely at 11 A.M. Lord Minto, preceded by his staff, entered the room, all standing to receive him. His Excellency was taken round and personally introduced to each member by the Aga Khan. The Khalifa from Patiala then asked, permission for the presentation of the address and the Aga Khan then advanced and facing His Excellency read the petition given below, all the representatives standing."

Those who formed the deputation were:—His Highness Aga Sir Sultan Mahomed Shah Aga Khan, G.C.I.E., (Bombay), Shahzadah Bakhtiar Shah, O.I.E., Head of the Mysore family, Calcutta; Hon'ble Malik Omar Hayat Khan, C.I.E., Lieutenant 17th Prince of Wales' Tiwana Lancers, Tiwana, Shahpur (Punjab) ; Hon'ble Khan Bahadur Mian Mohomed Shah Din, Bar.-at-Law, Lahore; Hon'ble Maulvi Sharfuddin, Bar.-at-Law, Patna; Khan Bahadur Syed Nawab Ali Chowdhury, Mymensingh (Eastern Bengal); Nawab Bahadur Syed Amir Husan Khan, C.I.E., Calcutta; Naseer Hussain Khan Khayal, Calcutta; Khan Bahadur Mirza Shujaat Ali Beg; Persian Consul-General, Murshidabad, Calcutta (Bengal); Syed Ali Imam, Bar.-at-Law, Patna (Behar); Nawab Sarfraz Husain Khan, Patna (Behar); Khan Bahadur Ahmad Mohiuddin Khan, Stipendiary of the Carnatic family (Madras); Maulvi Rafiuddin Ahmed, Bar.-at-Law (Bombay); Ebrahimbhoy, Adamji Peerbhoy, General Merchant (Bombay) ; Mr. Abdur Rahim, Bar.-at-Law, Calcutta; Syed Allah-dad Shah, Special Magistrate and Vice-President, Zamindars' Association, Khairpore (Sindh); Maulana H. M. Malak, Head of Mehdi Bazh Bohras, Nagpur (Central Provinces) ; Mushir-ud-Doula Mumtazal-ul-Mulk Khan Bahadur Khalifa Syed

¹ B.R. Ambedkar, (1946), *Pakistan or the Partition of India*, Bombay, Thacker and Co. Appendix XII. Also available at http://www.columbia.edu/itc/mealac/pritchett/00ambedkar/ambekar_partition/appendices/12app.html

Moha-med Hussain, Member of the State Council of Patiala (Punjab); Khan Bahadur Col. Abdul Majid Khan, Foreign Minister, Patiala (Punjab); Khan Bahadur Khwaja Kusuf Shah, Hony. Magistrate, Arnritsar (Punjab) ; Mian Mahomed Shafi, Bar.-at-Law, Lahore (Punjab); Shaikh Ghulam Sadik, Arnritsar (Punjab); Hakim Mohamed Ajmul Khan, Delhi (Punjab); Munshi Ihtisham Ali, Zamindar and Rais, Kakori (Oudh); Syed Nabi Ullah, Bar.-at-Law, Rais Kara, Dist. Allahabad; Maulvi Syed Karamat Husain, Bar.-at-Law, Allahabad; Syed Abdulraoof, Bar.-at-Law, Allahabad; Munshi Abdur Salam Khan, retired Sub-Judge, Rampur; Khan Bahadur Mohamad Muzammil Ullah Khan, Zamindar, Secretary, Zamindars' Association, United Provinces, and Joint Secretary, M. A. O. College Trustees, Aligarh; Haji Mohamed Ismail Khan, Zamindar, Aligarh; Sahabzadas Aitab Ahmad Khan, Bar.-at-Law, Aligarh; Maulvi Mushtaq Hussain, Rais, Arnroha, United Provinces; Maulvi Habibul Rahaman Khan, Zamindar, Bhikhanpur, United Provinces; Nawab Syed Sirdar Ali Khan, son of the late Nawab Sirdar Diler-Ul-mulk Bahadur, C.I.E., Hyderabad (Deccan); Maulvi Syed Mahdee Ally Khan (Muhsin-ul-Mulk), Hony. Secretary, M. A. O. College, Etawah, United Provinces.

The following gentlemen intended to have attended the presentation of the address to the Viceroy, but were prevented by illness or other causes:— Hon'ble Nawab Khwaja Salimulla, Nawab of Dacca, Hon'ble Nawab Haji Mohamed Fateh Ali Khan, Qazel-bash, Lahore; Hon'ble Syed Zainul-Edros, Surat, Khan Bahadur Kasim Mir Ghayas-uddin Peerzadah of Broach; Khan Bahadur Raja Jahandad of Hazara and Shaik Shahid Hussain of Lucknow. The correspondent of the *Telegraph* adds:—

Lady Minto, the Ladies Elliot and the Hon. Mrs. Hewett were present at the function.

At the presentation of the address today most of the deputies wore ordinary European dress with a fez as distinguishing head-dress, but the Patiala representatives, Lieut. Hon. Malik Omar Hayat Khan, Khan Bahadur Ali Choudhary, Khan Bahadur Ahmad Mohiuddin Khan and a few others, were in Indian dress, while a few others wore uniforms with gold lace. His Excellency the Viceroy was in morning dress with the Order of the Star of India on his frock coat.

Garden Party at Viceregal Lodge

This afternoon a garden party was held in the Viceregal Lodge grounds when the Mahomedan representatives were received by the Viceroy, who spoke with each deputy individually.

The Hon. Mr. Baker, Financial Secretary, has invited the following Bengal gentlemen of the Mahomedan deputation to lunch tomorrow :—

Nawab Amir Hosein, Mirza Shujat Ali, Nawab Nasar Hossein, Hon. Shurfuddin and Ali Imam.

We fully realise and appreciate the incalculable benefits conferred by British rule on the teeming millions belonging to diverse races and professing diverse religions who form the population of the vast continent of India, and have every reason to be grateful for the peace, security, personal freedom and liberty of worship that we now enjoy. Further, from the wise and enlightened character of the Government, we have every reasonable ground for anticipating that these benefits will be progressive, and that India will in the future occupy an increasingly important position in the comity of nations.

One of the most important characteristics of British policy in India is the increasing deference that has so far as possible been paid from the first to the views and wishes of the people of the country in matters affecting their interests, with due regard always to the diversity of race and religion which forms such an important feature of all Indian progress.

Claims of the Community

Beginning with the confidential and unobtrusive method of consulting influential members of important communities in different parts of the country, this principle was gradually extended by the recognition of the right of recognised political or commercial organisations to communicate to the authorities their criticisms and views on measures of public importance, and finally by the nomination and election of direct representatives of the people in Municipalities, District Boards, and above all in the Legislative Chambers of the country. This last element is, we understand, about to be dealt with by the Committee appointed by your Excellency with the view of giving it further extension, and it is with reference mainly to our claim to a fair share in such extended representation and some other matters of importance affecting the interests of our community, that we have ventured to approach your Excellency on the present occasion.

Past Traditions

The Mahomedans of India number, according to the census taken in the year 1901, over sixty-two millions or between one-fifth and one-fourth of the total population of His Majesty's Indian dominions, and if a reduction be made for the uncivilised portions of the community enumerated under the heads of ani-mist and other minor religions, as well as for those classes who are ordinarily classified as Hindus but properly speaking are not Hindus at all, the proportion of Mahomedans to the Hindu majority becomes much larger. We therefore desire to submit that under any system of representation extended or limited a community in itself more numerous than the entire population of any first class European power except Russia may justly lay claim to adequate recognition as an important factor in the State.

We venture, indeed, with your Excellency's permission to go a step further, and urge that the position accorded to the Mahomedan community in any kind of representation, direct or indirect, and in all other ways affecting their status and influence should be commensurate, not merely with their numerical strength, but also with their political importance and the value of the contribution which they make to the defence of the empire, and we also hope that your Excellency will in this connection be pleased to give due consideration to the position which they occupied in India a little more than hundred years ago and of which the traditions have naturally not faded from their minds.

The Mahomedans of India have always placed implicit reliance on the sense of justice and love of fair dealing that have characterised their rulers, and have in consequence abstained from pressing their claims by methods that might prove at all embarrassing, but earnestly as we desire that the Mahomedans of India should not in the future depart from that excellent and time-honoured tradition, recent events have stirred up feelings, especially among the younger generation of Mahomedans) which might, in certain circumstances and under certain contingencies easily pass beyond the control of temperate counsel and sober guidance.

We therefore pray that the representations we herewith venture to submit, after a careful consideration of the views and wishes of a large number of our co-religionists in all parts of India, may be favoured with your excellency's earnest attention.

European Representative Institutions

We hope your excellency will pardon our stating at the outset that representative institutions of the European type are new to the Indian people; many of the most thoughtful members of our community in fact consider that the greatest care, forethought and caution will be necessary if they are to be successfully adapted to the social, religious and political conditions obtaining in India, and that in the absence of such care and caution their adoption is likely, among other evils, to place our national

interests at the mercy of an unsympathetic majority. Since, however, our rulers have, in pursuance of the immemorial instincts and traditions, found it expedient to give these institutions an increasingly important place in the Government of the country, we Mahomedans, cannot any longer in justice to our own national interests hold aloof from participating in the conditions to which their policy has given rise. While, therefore, we are bound to acknowledge with gratitude that such representation as the Mahomedans of India have hitherto enjoyed has been due to a sense of justice and fairness on the part of your Excellency and your illustrious predecessor in office and the heads of Local Governments by whom the Mahomedan members of Legislative Chambers have almost without exception been nominated, we cannot help observing that the representation thus accorded to us has necessarily been inadequate to our requirements, and has not always carried with it the approval of those whom the nominees were selected to represent. This state of things was probably under existing circumstances unavoidable, for while on the one hand the number of nominations reserved to the Viceroy and Local Governments has necessarily been strictly limited, the selection on the other hand of really representative men, has, in the absence of any reliable method of ascertaining the direction of popular choice, been far from easy.

The Results of Election

As for the results of election, it is most unlikely that the name of any Mahomedan candidate will ever be submitted for the approval of Government by the electoral bodies as now constituted unless he is in sympathy with the majority in all matters of importance. Nor can we in fairness find fault with the desire of our non-Muslim fellow-subjects to take full advantage of their strength and vote only for members of their own community, or for persons who, if not Hindus, are expected to vote with the Hindu majority on whose goodwill they would have to depend for their future re-election. It is true that we have many and important interests in common with our Hindu fellow-countrymen and it will always be a matter of the utmost satisfaction to us to see these interests safeguarded by the presence in our Legislative Chambers of able supporters of these interests, irrespective of their nationality.

A Distinct Community

Still, it cannot be denied that we Mahomedans are a distinct community with additional interests of our own which are not shared by other communities, and these have hitherto suffered from the fact that they have not been adequately represented. Even in the provinces in which the Mahomedans constitute a distinct majority of the population, they have too often been treated as though they were inappreciably small political factors that might without unfairness be neglected. This has been the case, to some extent, in the Punjab, but in a more marked degree in Sind and in Eastern Bengal.

Before formulating our views with regard to the election of representatives, we beg to observe that the political importance of a community to a considerable extent gains strength or suffers detriment according to the position that the members of that community occupy in the Service of the State. If, as is unfortunately the case with the Mahomedans, they are not adequately represented in this manner, they lose in the prestige and influence which are justly their due.

Employment in Government Service

We therefore pray that Government will be graciously pleased to provide that both in the gazetted and the subordinate and ministerial services of all Indian provinces a due proportion of Mahomedans shall always find place. Orders of like import have at times been issued by Local Governments in some provinces, but have not, unfortunately, in all cases been strictly observed on the ground that qualified Mahomedans were not forthcoming. This allegation, however well founded it may have been at one time, is, we submit, no longer tenable now, and wherever the will to employ them is not wanting the supply of qualified Mahomedans, we are happy to be able to assure your excellency, is equal to the demand.

The Competitive Element

Since, however, the number of qualified Mahomedans has increased, a tendency is unfortunately perceptible to reject them on the ground of relatively superior qualifications having to be given precedence. This introduces something like the competitive element in its worst form, and we may be permitted to draw your Excellency's attention to the political significance of the monopoly of all official influence by one class. We may also point out in this connection that the efforts of Mahomedan educationists have from the very outset of the educational movement among them been strenuously directed towards the development of character, and this we venture to think is of greater importance than mere mental alertness in the making of good public servants.

Mahomedans on the Bench

We venture to submit that the generality of Mahomedans in all parts of India feel aggrieved that Mahomedan Judges are not more frequently appointed to the High Courts and Chief Courts of Judicature. Since the creation of these Courts only three Mahomedan lawyers have held these honourable appointments, all of whom have fully justified their elevation to the Bench. At the present moment there is not a single Mahomedan Judge sitting on the Bench of any of these Courts, while there are three Hindu Judges in the Calcutta High Court, where the proportion of Mahomedans in the population is very large, and two in the Chief Court of the Punjab, where the Mahomedans form the majority of the population. It is not, therefore, an extravagant request on our part that a Mahomedan should be given a seat on the Bench of each of the High Courts and Chief Courts. Qualified Mahomedan lawyers eligible for these appointments can always be found, if not in one province then in another. We beg permission further to submit that the presence on the Bench of these Courts of a Judge learned in the Mahomedan Law will be a source of considerable strength to the administration of justice.

Municipal Representation

As Municipal and District Boards have to deal with important local interests affecting to a great extent the health, comfort, educational needs and even the religious concerns of the inhabitants, we shall, we hope, be pardoned if we solicit for a moment your Excellency's attention to the position of Mahomedans thereon before passing to higher concerns. These institutions form, as it were, the initial rungs in the ladder of self-government, and it is here that the principle of representation is brought home intimately to the intelligence of the people, yet the position of Mahomedans on these Boards is not at present regulated by any guiding principle capable of general application, and practice varies in different localities. The Aligarh Municipality, for example, is divided into six wards and each ward returns one Hindu and one Mahomedan Commissioner, and the same principle we understand is adopted in a number of Municipalities in the Punjab and elsewhere, but in a good many places the Mahomedan tax-payers are not adequately represented. We would, therefore, respectfully suggest that the local authority should in every case be required to declare the number of Hindus and Mahomedans entitled to seats on Municipal and District Boards, such proportion to be determined in accordance with the numerical strength, social status, local influence and special requirements of either community. Once their relative proportion is authoritatively determined, we would suggest that either community should be allowed severally to return their own representatives as is the practice in many towns in the Punjab.

Fellows of Universities

We would also suggest that the Senates and Syndicates of Indian Universities might be similarly dealt with, that is to say, there should, so far as possible, be an authoritative declaration of the proportion in which Mahomedans are entitled to be represented in either body.

Nomination to Provincial Councils

We now proceed to the consideration of the question of our representation in the Legislative Chambers of the country. Beginning with the Provincial Councils, we would most respectfully suggest that as in the case of Municipalities and District Boards the proportion of Mahomedan representatives entitled to seats should be determined and declared with due regard to the important considerations which we have ventured to point out in paragraph 5 of this address, and that the important Mahomedan landowners, lawyers, merchants and representatives of other important interests, the Mahomedan members of District Boards and Municipalities and the Mahomedan graduates of universities of a certain standing, say five years, should be formed into Electoral Colleges and be authorised, *in* accordance with such rules of procedure as your Excellency's Government may be pleased to prescribe in that behalf, to return the number of members that maybe declared to be eligible.

The Viceroy's Council

With reward to the Imperial Legislative Council whereon the due representation of Mahomedan interests is a matter of vital importance, we crave leave to suggest (1) that in the cadre of the Council the proportion of Mahomedan representatives should not be determined on the basis of the numerical strength of the community, and that in any case the Mahomedan representatives should never be an ineffective minority; (2) that as far as possible, appointment by election should be given preference over nomination; (3) that for the purposes of choosing Mahomedan members, Mahomedan landowners, lawyers, merchants and representatives of other important interests of a status to be subsequently determined by your Excellency's Government, Mahomedan members of the Provincial Councils and Mahomedan fellows of universities should be invested with electoral powers to be exercised in accordance with such procedure as may be prescribed by your Excellency's Government in that behalf.

The Executive Council

An impression has lately been gaining ground that one or more Indian Members may be appointed on the Executive Council of the Viceroy. In the event of such appointment being made we beg that the claims of Mahomedans in that connection may not be overlooked. More than one Mahomedan, we venture to say, will be found in the country fit to serve with distinction in that august chamber.

A Mahomedan University

We beg to approach your Excellency on a subject which must closely affect our national welfare. We are convinced that our aspirations as a community and our future progress are largely dependent on the foundation of a Mahomedan University which will be the centre of our religious and intellectual life. We therefore most respectfully pray that your Excellency will take steps to help us in an undertaking in which our community is so deeply interested.

Inconclusion, we beg to assure your Excellency that in assisting the Mahomedan subjects of His Majesty at this stage in the development of Indian affairs in the directions indicated in the present address, your Excellency will be strengthening the basis of their unswerving loyalty to the Throne and laying the foundation of their political advancement and national prosperity, and your Excellency's name will be remembered with gratitude by their posterity for generations to come, and we feel confident that your Excellency will be gracious enough to give due consideration to our prayers. We have the honour to subscribe ourselves) Your Excellency's most obedient and humble servants.

LORD MINTO'S REPLY

Appreciation of Mahomedan aspirations

After the address; His Excellency rose and delivered a most sympathetic reply, which was frequently punctuated with cheers and cries of "Hear, hear" from the members of the deputation, particularly when his Excellency declared that he was entirely in accord with the views of the deputation that any electoral system must take cognizance of the various religious beliefs of this great Empire and that the British Government would always in the future as in the past safeguard the political rights of the different communities entrusted to their charge. The Viceroy concluded by thanking the deputation for affording him the unique opportunity of meeting so many representative men.

The Viceroy said :—

Your Highness and Gentlemen, Allow me before I attempt to reply to the many considerations your address embodies, to welcome you heartily to Simla. Your presence here to-day is very full of meaning.

To the document which you have presented me are attached the signatures of nobles, of Ministers of various States, of great landowners, of lawyers, of merchants and of many others of His Majesty's subjects. I welcome the representative character of your deputation as expressing the views and aspirations of the enlightened Muslim community of India. I feel that all you have said emanates from a representative body basing its opinions on a matured consideration of the existing political conditions of India, totally apart from the small personal or political sympathies and antipathies of scattered localities, and I am grateful to you for the opportunity you are affording me of expressing my appreciation of the just aims of the followers of Islam and their determination to share in the political history of our Empire.

As your Viceroy, I am proud of the recognition you express of the benefits conferred by British rule on the diverse races of many creeds who go to form the population of this huge continent. You yourselves, the descendants of a conquering and ruling race, have told me to-day of your gratitude for the personal freedom, the liberty of worship, the general peace and the hopeful future which British administration has secured for India.

Help in the Past

It is interesting to look back on early British efforts to assist the Mahomedan population to qualify themselves for the public service. In 1782 Warren Hastings founded the Calcutta Madrasah with the intention of enabling its students to compete on more equal terms with the Hindus for employment under Government. In 1811 my ancestor, Lord Minto, advocated improvements in the Madrasah and the establishment of Mahomedan Colleges at other places throughout India. In later years the efforts of the Mahomedan Association led to the Government resolution of 1885 dealing with the educational position of the Mahomedan community and their employment in the public service, whilst Mahomedan educational effort has culminated in the College of Aligarh that great institution which the noble and broad-minded devotion of Sir Syed Ahmed Khan has dedicated to his co-religionists.

The Aligarh College

It was in July 1877 that Lord Lytton laid the foundation stone of Aligarh, when Sir Syed Ahmed Khan addressed these memorable words to the Viceroy : " The personal honour which you have done me assures me of a great fact and fills me with feelings of a much higher nature than mere personal gratitude. I am assured that you, who upon this occasion represent the British rule, have sympathies with our labours and this assurance is very valuable and a source of great happiness. At my time of life it is a comfort to me to feel that the undertaking which has been for many years, and is now the sole object of my life has roused on the one hand the energies of my own countrymen, and on the other has won the sympathy of our British fellow-subjects and the support of our rulers, so that when the few years I may still be spared are over, and when I shall be no longer amongst you, the College will still prosper and succeed in educating my countrymen to have the same affection for their country, the same feelings of loyalty for the British rule, the same appreciation of its blessings, the same sincerity of friendship with our British fellow-subjects as have been the ruling feelings of my life."

SIR SYED'S INFLUENCE

Aligarh has won its laurels. Its students have gone forth to fight the battle of life strong in the tenets of their own religion, strong in the precepts of loyalty and patriotism, and now when there is much that is critical in the political future of India the inspiration of Sir Syed Ahmed Khan and the teachings of Aligarh shine forth brilliantly in the pride of Mahomedan history, in the loyalty, commonsense and sound reasoning so eloquently expressed in your address. But, gentlemen, you go on to tell me that sincere as your belief is in the justice and fair dealings of your rulers, you cannot but be aware that "recent events " have stirred up feelings amongst the younger generation of Mahomedans which might "pass beyond the control of temperate counsel and sober guidance."

Policy in Eastern Bengal

Now I have no intention of entering into any discussion upon the affairs of Eastern Bengal and Assam, yet I hope that without offence to anyone I may thank the Mahomedan community of the new Province for the moderation and self-restraint they have shown under conditions which were new to them, and as to which there has been inevitably much misunderstanding, and that I may at the same time sympathise with all that is sincere in Bengalee sentiments. But above all, what I would ask you to believe is that the course the Viceroy and the Government of India have pursued in connection with the affairs of the new Province, the future of which is now I hope assured, has been dictated solely by a regard for what has appeared best for its present and future populations as a whole, irrespective of race or creed and that the

Mahomedan community of Eastern Bengal and Assam can rely as firmly as ever on British justice and fairplay for the appreciation of its loyalty and the safeguarding of its interests.

The unrest in India

You have addressed me, gentlemen, at a time when the political atmosphere is full of change. We all feel it would be foolish to attempt to deny its existence, hopes and ambitions new to India are making themselves felt. We cannot ignore them—we should be wrong to wish to do so—but to what is all this unrest due? Not to the discontent of misgoverned millions—I defy anyone honestly to assert that—not to say uprising of a disaffected people.

Fruits of Western Education

It is due to that educational growth in which only a very small portion of the population has as yet shared, of which British rule first sowed the seed and the fruits of which British rule is now doing its best to foster and to direct. There may be many tares in the harvest we are now reaping. The Western grain which we have sown may not be entirely suitable to the requirements of the people of India but the educational harvest will increase as years go on, and the healthiness of the nourishment it gives will depend on the careful administration and distribution of its products. You need not ask my pardon, gentlemen, for telling me that "Representative institutions of the European type are entirely new to the people of India" or that their introduction here requires the most earnest thought and care. I should be very far from welcoming all the political machinery of the Western world amongst the hereditary instincts and traditions of Eastern races. Western breadth of thought, the teachings of Western civilisation, the freedom of British individuality can do much for the people of India, but I recognise with you that they must not carry with them an impracticable insistence of the acceptance of political methods.

Political Future of Mahomedans

And now, gentlemen, I come to your own position in respect to the political future; the position of the Mahomedan community for whom you speak. You will, I feel sure, recognise that it is impossible for me to follow you through any detailed consideration of the conditions and the share that the community has a right to claim in the administration of public affairs. I can at present only deal with generalities. The points which you have raised are before the Committee, which, as you know, I have lately appointed to consider the question of presentation (? representation), and I will take care that your address is submitted to them, but at the same time I hope I may be able to reply to the general tenor of your remarks without in any way forestalling the Committee's report.

The Question of Representation

The pith of your address, as I understand it, is a claim that in any system of representation whether it affects a Municipality, a District Board or a Legislative Council, in which it is proposed to introduce or increase an electoral organisation, the Mahomedan community should be represented as a community. You point out that in many cases electoral bodies, as now constituted, cannot be expected to return a Mahomedan candidate, and that if by chance they did so it could only be at the sacrifice of such a candidate's view to those of a majority opposed to his own community whom he would in no way represent, and you justly claim that your numerical strength both in respect to the political importance of your community and the service it has rendered to the Empire entitle you to consideration. I am entirely in accord with you; please do not misunderstand me. I make no attempt to indicate by what means the representation of communities can be obtained, but I am as firmly convinced as I believe you to be that any electoral representation in India would be doomed to mischievous failure which aimed at granting a personal enfranchisement regardless of the beliefs and traditions of the communities composing the population of this continent. The great mass of the people of India have no knowledge of representative institutions. I agree with you, gentlemen, that the initial rungs in the ladder of self-government are to be found in the Municipal and District Boards and that it is in that direction that we must look for the gradual political education of the people.

An Assurance

In the meantime I can only say to you that the Mahomedan community may rest assured that their political rights and interests as a community will be safeguarded in any administrative reorganization with which I am concerned and that you and the people of India may rely upon the British Raj to respect,

as it has been its pride to do, the religious beliefs and the national traditions of the myriads composing the population of His Majesty's Indian Empire.

Your Highness and Gentlemen, I sincerely thank you for the unique opportunity your deputation has given me of meeting so many distinguished and representative Mahomedans. I deeply appreciate the energy and interest in public affairs which have brought you here from great distances, and I only regret that your visit to Simla is necessarily so short.