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## *Implementing Partition: Proceedings of the Punjab Partition Committee, July–August, 1947\**

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### **Abstract**

This article focuses on the workings of the Punjab Partition Committee in the crucial months of July and August 1947. In bringing new material to the historiography of partition, this article challenges the widely held assumption that the Punjab Partition Committee did not deliver. It argues that one must assess and value the large degree of cooperation and agreement between Punjab political leaders on the Committee, despite the charged political and communal atmosphere of the summer of 1947. Furthermore, it argues that the Committee created a limited sense of order during the disarray that prevailed in the run-up to the Transfer of Power. This order was brought about by the cooperation and work of the ‘middle tier’—the bureaucrats and other officials who are often missing from partition literature. The article shows the hard, bureaucratic—yet human—side of partition during these deliberations: at the same time as these people were carrying out partition, they were also suffering its effects. Finally, the Committee’s negotiations show how the soon-to-be-established provinces and dominions were setting up their respective states through the procurement of assets and resources.

### **Introduction**

In most works on the partition of Punjab, the Punjab Partition Committee is often just a useful footnote. Few scholars have explored the Committee in any detail, despite the fact that it carried out the *real* work of partition—from divvying up the typewriters in the Lahore High Court, to sharing out

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the bulldozers in the civil works department, and even separating the cars in use by the governor of Punjab. The work of the Committee was thus elaborate, intricate, and forensic. The sheer fact that the government of East and West Punjab did not fall apart on 15 August 1947 is testament to the partition machinery at work.

The discussion on partition and its machinery has been largely overshadowed by the controversial Radcliffe Boundary Commission, even though the partition administration was much larger and more complicated.<sup>1</sup> In terms of Punjab, an early work by Satya Rai simply narrates the Punjab Partition Committee as part of the administrative consequences of partition, while Tahir Kamran has more recently referenced it but within the context of the last few months of a united Punjab.<sup>2</sup> Only the work of Anwasha Sen has looked at the machinery of partition at the centre, and its role in the dividing up of assets.<sup>3</sup> Thus, the literature on the mechanism of *how* the partition of Punjab took place, aside from the Radcliffe Boundary Commission, is particularly underdeveloped and leaves a gap in our assessment of the actual mechanics of the process.

Despite the fact that partition was a time of confusion—even a ‘Hobbesian nightmare’ as some have called it—there were still certain moments of order.<sup>4</sup> The events of partition did lead to a general breakdown of law and order, and for a while it seemed that all forms of administration had evaporated, yet there were several civil servants who were still hard at work throughout this tumultuous period. The fact that even during the rush towards partition, a committee sat together for six weeks deliberating over every small aspect of the division exhibits a certain degree of control and order. The open and transparent manner in which the division was being made, with files, lists, and every single piece of information shared with members of both prospective

<sup>1</sup> For details on the Radcliffe Boundary Commission, see Lucy Chester, *Borders and Conflict in South Asia: The Radcliffe Boundary Commission and the Partition of Punjab* (Manchester: Manchester University Press, 2009).

<sup>2</sup> Satya M. Rai, *Partition of the Punjab* (London: Asia Publishing House, 1965); Tahir Kamran, ‘The Unfolding Crisis in Punjab, March–August 1947: Key Turning Points and British Responses’, *Journal of Punjab Studies*, 14.2 (Fall 2007), pp. 187–210.

<sup>3</sup> Anwasha Sengupta, ‘Breaking Up: Dividing Assets between India and Pakistan in Times of Partition’, *Indian Economic and Social History Review*, 51.4 (October–December 2014), pp. 529–548.

<sup>4</sup> See Ishtiaq Ahmed, *The Punjab: Bloodied, Partitioned and Cleansed* (Karachi: Oxford University Press, 2014), p. 537.

governments before decisions were made shows that there was a deliberative and measured process.

Historiography has largely focused on the disagreements between the two main political parties—the Congress and the Muslim League—pre-independence, and the quarrels, and later war, between the two nation-states post-independence. However, this almost singular focus has undermined several instances of cooperation and coordination, without which the partition process would have been even more fraught and complicated. While the political face emphasized conflict, several layers of cooperation underscored the actual functioning of both political parties, and later the two nation-states. A study of the Punjab Partition Committee provides an example of this underreported and ignored, yet critical, cooperation.

Partition studies has largely focused on either the high politics or the subaltern perspectives.<sup>5</sup> In doing so, the ‘middle tier’ has been overlooked. It is as if partition did not affect them at all, and they simply transitioned from one rule to another. Thus the lived, everyday experiences of such middle-tier politicians, bureaucrats, policemen, and others are also important if we are to grasp the full scale and impact of partition, just as Rakesh Ankit has recently done regarding the dilemma of a Muslim Indian police officer from the United Provinces.<sup>6</sup> These were the actual people who were carrying out the orders of the political high command and therefore their roles and importance in the partition process must not be forgotten. Similarly, the choices they made during partition, their hopes and fears, and their experiences are also important, precisely because they occupied that peculiar space between the decision-making politicians and the hapless subjects in this saga. As Catherine Coombs has recently noted, ‘the personal face of individual administrators at district level has been surprisingly neglected around the specific period of independence and partition’.<sup>7</sup>

A study of this middle tier is also critical because it is these bureaucrats and officials who went on to become the backbone of the newly created independent countries. More so than in the provinces that became part of either of the new dominions in their entirety, the challenges were

<sup>5</sup> For the development of partition historiography, see Ian Talbot and Gurharpal Singh, *The Partition of India* (Cambridge: Cambridge University Press, 2009), Chapter 1.

<sup>6</sup> See Rakesh Ankit, ‘G. A. Naqvi: From Indian Police (UP), 1926 to Pakistani Citizen (Sindh), 1947’, *Journal of the Royal Asiatic Society*, 28.2 (April 2018), pp. 295–314.

<sup>7</sup> Catherine Coombs, ‘Partition Narratives: Displaced Trauma and Culpability among British Civil Servants in 1940s Punjab’, *Modern Asian Studies*, 45.1 (January 2011), p. 202.

greater in the partitioned provinces of Punjab and Bengal, where one new province had to start from scratch and the other was severely compromised. Thus, the functioning—even survival—of the newly partitioned provinces on both sides of the Radcliffe Line in Punjab and Bengal became the first litmus test for the sustainability of the new dominion governments. With the violence surrounding partition peaking, mass migrations starting, and a host of issues arising from the actual partitioning of a vast province, the continued work of these officials then becomes central to the partition story and the setting up of the new countries. Their experiences are therefore fundamental to how the new countries interacted with each other post-independence. It was the work and connections of these officials that steered practical relations between the two countries, and especially the newly partitioned provinces, for years to come.

This article breathes life into the short existence of the Punjab Partition Committee, which was tasked with splitting into two the province of British Punjab following the partition announcement by the viceroy Lord Mountbatten on 3 June 1947 and its ratification by the Punjab Assembly on 23 June 1947. Thus, this Committee had the monumental task of efficiently and equitably dividing up the province of Punjab, which had been held by the British for almost a hundred years and developed as one unit.

This article primarily uses the records of the Punjab Partition Committee, the printed record of its agendas, and the typed minutes of its decisions. Scholars have seldom used these documents before and hence their importance in the partition narrative has remained undervalued. The absence from the historiography of the records of the Punjab Partition Committee is partly the result of them being overshadowed by the more controversial Boundary Commission, but also because of the inaccessibility of its files. The main files are not available at the India Office Library in London, and only the minutes are available at the Punjab State Archives in Chandigarh. In Lahore, the agenda file was only recently found (in 2017) in among a heap of miscellaneous documents. Read against the grain of the accepted historiography of the period (another reason why they might have been ignored), and within the context of other documents, these texts shed light on different, yet still critical, strands of the discourse on the partition of Punjab in 1947.

This article is divided in two main parts. The first part details the process that set up the Punjab Partition Committee. It is important to revisit this since it has not been previously examined in such detail, but also its

workings show how politicians at the regional level, even during the volatile months of July and August 1947, had the will and the capacity to work together. The second section then focuses on the workings of the Partition Committee, highlighting two critical issues: the split of the civil services and the decision made on the Punjab police. The choice of these two issues is special. The first covers the division of the services—the ‘steel frame’ that held the country as well as Punjab together. These were the men who actually ran the government machinery and splitting them, with as little disruption as possible, was a key task. The manner in which the services were divided, and the choices certain people made, were all important elements of the partition process. The second issue discussed is the division of the police, which is interesting because it was not done in the usual manner of dividing up a service before the Transfer of Power. What is even more striking is that its different treatment was agreed upon by all parties. The agreement on loans and working together on a number of issues also show that good faith and cooperation lasted well into the summer of 1947.

### **Setting up of the Punjab Partition Committee**

As soon as the 3 June 1947 plan was announced, the process of partitioning Punjab and Bengal began. While in Bengal there had been a ministry under the Muslim League premier Huseyn Shaheed Suhrawardy since April 1946, the Punjab ministry, under the premiership of Sir Khizar Hayat Tiwana, had resigned in March 1947. The Unionists had ruled Punjab since the introduction of elected responsible government under the Government of India Act 1935, but were routed by the Muslim League which had won the bulk of the Muslim seats in Punjab in the 1946 provincial elections (just short of a majority). Since no party had a clear majority, Sir Khizar was able to cobble together a coalition of his Unionist party, the Indian National Congress, and the Sikh Panthic parties, but the Muslim League had agitated against his ministry since almost the first day. By March 1947, protests against the ministry had picked up dramatically and the start of communal violence in early March 1947 weakened it so much that it buckled and resigned.<sup>8</sup> The

<sup>8</sup> For details of the 1946 provincial elections and the Khizar ministry, see Ian Talbot, *Khizar Tiwana: The Punjab Unionist Party and the Partition of India* (Richmond: Curzon, 1996).

Muslim League immediately demanded the right to form the government, but the governor, Sir Evan Jenkins, refused to let them form a single community government, fearing not just widespread violence but civil war. He noted to the viceroy Lord Wavell, 'There would then be immediate Sikh rising with Hindu support. Police, troops and myself would immediately be involved on the Muslim side in what would in fact be civil war for the possession of the Punjab.'<sup>9</sup>

The partition of Punjab put Sir Evan Jenkins in a quandary, since it was a complicated task, and without a ministry that had the confidence of the people of Punjab, it was not easy to carry out. Keeping in view the bad relations between the three communities in Punjab—the Muslims on the one side and the Hindus and the Sikhs on the other—Jenkins thought that the possibility of setting up a ministry, or a committee, was slim, under the circumstances. He wrote to the new viceroy on 6 June, with his own assessment and that of the Sikh leader, Sardar Swaran Singh, who also thought that 'the committee would [not] agree on anything at all'.<sup>10</sup> Therefore, Jenkins sought to take it upon himself to organize the machinery to manage partition and appointed M. R. Sachdev, an Indian Civil Service (ICS) officer who was secretary to the government of Punjab in the civil supplies department, as partition commissioner. The governor noted in his letter to the viceroy that he had wanted to appoint a more neutral person—that is, neither a Muslim, Sikh, or Hindu—but on further reflection thought that his first choice of Mr Justice Cornelius, an Indian Christian who sat on the bench of the Lahore High Court, might be inappropriate as it would be 'embarrassing for a Judge to be involved in what may be highly controversial decisions'.<sup>11</sup> The governor further appointed expert committees in every department so as to ascertain how partition would actually be enacted.<sup>12</sup>

News of the appointment of a Hindu as partition commissioner appalled the Muslim League and the president of the Punjab Muslim League, the Khan of Mamdot, Ifikhar Hussain Khan. On 8 June 1947, he angrily wrote to Jenkins: 'It is, therefore, most astounding that in this Province which is the most vital territory in the whole of the partition scheme, arrangements should already have been made by you without

<sup>9</sup> Jenkins to Wavell, 6 March 1947, Mss Eur F200/122, India Office Records, British Library (hereafter IOR).

<sup>10</sup> Jenkins to Mountbatten, 6 June 1947, Mss Eur F200/122, IOR.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

the prior consultation and approval of the leaders of the parties concerned.<sup>13</sup> Mamdot further noted that all decisions in the centre were being taken by the viceroy in consultation with the political parties, and therefore he was aghast to see that such decisions were being made without consulting him in the province. He categorically stated that all arrangements made ‘cannot meet with the approval of the Muslim League’.<sup>14</sup> Mamdot further emphasized the building animosity between the Muslim League and the governor of Punjab by completely dismissing all the decisions he had made thus far and even charged him with disobeying Delhi and Westminster. Mamdot wrote: ‘I strongly feel that any organisational framework connected with the Partition of the Punjab which may have been erected by you so far is contrary to the spirit of His Majesty’s Government’s statement and the broadcasts of the Prime Minister and Viceroy and must be held to be irregular and inoperative.’<sup>15</sup>

Sir Evan Jenkins was completely taken aback by the sharp attack from the Muslim League leader and quickly wrote back to him on 9 June 1947, explaining that the bureaucratic structure he was creating was in fact intended to help the politicians take the final decisions. Jenkins noted that the background paperwork for partition would be immense and therefore a strong team of bureaucrats would be needed to collate and put together the documents so that the politicians could make an informed decision. Jenkins wrote to Mamdot: ‘Since each subject to be dealt with concerns as a rule a number of departments the simplest (and indeed the only possible) plan is to direct the officials responsible for “key” subjects to form Committees, and to produce reports.’<sup>16</sup>

Jenkins then set about explaining the different committees that he had set up. The committee for financial liabilities and assets was to be composed of the financial commissioner for revenue (Ram Chandra) and the financial secretary (Abdul Majid); the committee for physical assets, which would report on equipment, materials, stores, and supplies, would be composed of the financial commissioner for colonization (Mr Kriplani), the chief engineers concerned (Mr Burt, Mr Freak, and Mr Thornton), and the financial secretary (Abdul Majid); the committee on services would consist of the chief secretary

<sup>13</sup> Mamdot to Jenkins, 8 June 1947, R/3/1/177, IOR.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*

<sup>16</sup> Jenkins to Mamdot, 9 June 1947, R/3/1/177, IOR

(Akhtar Hussain), the education secretary (Mr Chatterjee), and the secretary (central) of the Irrigation Department (Mr Burt). The committee reporting on the future of a host of common institutions would comprise the financial commissioner (Mr Chandra), the director of industries (Nasir Ahmad), the inspector general of civil hospitals (Lt-Col. Aspinall), and the education secretary (Mr Chatterjee). All these committees would then report to Mr Sachdev who would present their decisions to the political leaders for a final decision.<sup>17</sup> The governor underscored that no final decision would be taken on the partition of the province without taking into account all the stakeholders. He wrote: 'I can assure you there is no other way of doing the work; that no decisions can or will be taken by officials; and that the sole object in view is to present to the representatives of the political parties—or in other words to the Partition Committee—facts capable of verification on which they can form their conclusions.'<sup>18</sup>

The Khan of Mamdot was not satisfied with the governor's explanation and wrote back on 10 June 1947 with his own proposals. Mamdot argued that, first, a partition committee should be set up and then committees of official experts be organized in consultation with the political leaders.<sup>19</sup> He argued that he could not agree with the view that the 'communal complexion of the official machinery which is to prepare the necessary data for the Partition Committees is of no importance or consequence'.<sup>20</sup> He emphasized that, since these experts would not just present but 'prepare necessary facts and figures', they should 'be representative and satisfactory from the point of view of both parties'.<sup>21</sup> He further argued that appointments could be drawn from any rank within a particular department and should not be confined to administrative heads. He wrote: 'In order to ensure a satisfactory communal complexion of the machinery it may be desirable in certain instances to select officials holding somewhat lower positions in their Departments...'<sup>22</sup>

This missive deeply concerned the governor—if the officials were to be nominees of the political parties, they would most certainly make politically motivated decisions to, perhaps, never come to a decision.

<sup>17</sup> Ibid.

<sup>18</sup> Ibid.

<sup>19</sup> Mamdot to Jenkins, 10 June 1947, Mss Eur F200/122, IOR.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid.



Jenkins wrote to the viceroy on 11 June 1947, arguing that the proposed arrangements 'would be politically almost impossible'.<sup>23</sup> Furthermore, if this was how Punjab was to be divided, Jenkins maintained that 'I may have to decline further responsibility for Punjab affairs...I could certainly not preside over or assist in arrangements which implied a lack of confidence in civil servants, whether Indian or British, who are in my judgment competent to produce the factual studies required and whose integrity is not open to question.'<sup>24</sup>

Thus, on the eve of independence, the match was now no longer between the political parties themselves or the parties and the British, but between the civil servants and the political parties in Punjab. Was the division of Punjab going to take place along purely political lines or would the civilian bureaucracy play a large role? The answer to these questions would delineate the actual separation of East and West Punjab on 15 August 1947.

Sensing that a deadlock might persist in Punjab right at the start of partition proceedings, the viceroy's office decided to intervene in the matter. On 12 June 1947, Lord Ismay, Mountbatten's chief of staff, telephoned Jenkins and impressed upon him the need to consult all party leaders before making major decisions, especially on the formation of the expert committees, as had become the norm in the centre. Ismay emphasized that the viceroy 'hopes [the] Governor will realise that matter is now between the parties and that we cannot, in spite of need for speed, dictate to them'.<sup>25</sup> He, however, noted that Lord Mountbatten would see Mamdot that evening, explain to him the situation, and send him back to Lahore. If, upon reaching Lahore and meeting Jenkins, there was still no solution, Ismay noted, Jenkins could fly to Delhi or Ismay to Lahore for further discussions.<sup>26</sup>

Since Mamdot was in Delhi he apprised the leadership of the All India Muslim League about the governor's decisions. As a result, on 11 June 1947 Liaquat Ali Khan, the soon-to-be prime minister-designate of Pakistan, wrote a strongly worded letter to Mountbatten blasting Jenkins' actions. He noted: 'the Governor of the Punjab is creating unnecessary complications at a critical stage in our task. It is rather high-handed to force on the political parties concerned the help and

<sup>23</sup> Jenkins to Mountbatten, 11 June 1947, Mss Eur F200/122, IOR.

<sup>24</sup> *Ibid.*

<sup>25</sup> Note by Jenkins, 12 June 1947, Mss Eur F200/122, IOR

<sup>26</sup> See Note by Jenkins, 12 June 1947, R/3/1/177, IOR.

guidance of official committees, the composition of which is regarded by one party as wholly unsatisfactory.<sup>27</sup>

Concerned that the machinery for partition in Punjab might be stuck before it even started, Mountbatten immediately saw Mamdot and emphasized that the governor had taken no decisions, that the committees he had set up were just to find and compile the facts, and that they would 'not themselves be in a position to influence decisions'.<sup>28</sup> In order to placate Mamdot further, Mountbatten also took upon himself the blame for Jenkins not consulting the political leaders beforehand, noting that 'I myself had impressed upon you (Jenkins) the need for speed in setting up the administrative machinery, but had omitted to tell you (Jenkins) that I myself was consulting Indian leaders about the machinery to be set up at the Centre.'<sup>29</sup> However, Mamdot was still dissatisfied since Hindus chaired most of the committees and he simply did not trust their composition. When Mountbatten asked Mamdot whether he was casting aspersions over the impartiality and integrity of the civil services in this regard, Mamdot wryly retorted: 'Yes.'<sup>30</sup> Therefore, Mountbatten wrote to Jenkins instructing him to meet Mamdot and add Muslim members of the civil services to the committees.

Despite the viceroy's clear instructions, Jenkins was adamant and stuck to his guns. Before meeting Mamdot, he sent another letter to Mountbatten underscoring that he would not relent on the issue of the committees. He emphasized that this was not just an issue that concerned Mamdot: 'I am sure you will agree that the grievance—if there is one—is not solely a Muslim grievance and that if the personnel of the expert committees are to be changed to suit the politicians this must be done in consultation with the leaders of all parties.'<sup>31</sup> Standing by his decision to use officials for the partitioning task, Jenkins noted that only civil servants could be expected to work in an impartial manner in the current conditions. He wrote: 'Our services are organised like any other services and the members of them are debarred from taking part in politics. There are officials (who may, at any given time, be Hindu, Sikh, Muslim or British) whose business it is

<sup>27</sup> Liaquat to Mountbatten, 11 June 1947, Mss Eur F200/122, IOR.

<sup>28</sup> Telegram from Mountbatten to Jenkins, 12 June 1947, Mss Eur F200/122, IOR.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Ibid.*

<sup>31</sup> Jenkins to Mountbatten, 13 June 1947, Mss Eur F200/122, IOR.

to administer and to advise Government on specified subjects.’<sup>32</sup> Jenkins warned Mountbatten in very clear terms that if he were to be pushed further, he would have nothing to do with carrying out the partition plan. He wrote that if the party leaders wanted to appoint their own committees, they could go ahead and do so, but in that case he would only provide access but could not ‘be expected to take responsibility for their work; nor can a Head of Department in whom the politicians have proclaimed that they have no confidence be expected to comment on the work produced or to advise in any way’.<sup>33</sup> The simple solution, Jenkins retorted, was that ‘the politicians would be well-advised to leave the matter in my hands’.<sup>34</sup> Jenkins was very sceptical that the political leaders would be able to come to any agreement and thought that they did not, as yet, understand the seriousness of the task. Writing in his usual fortnightly report to the viceroy, Jenkins noted: ‘The politicians do not yet realise what they are in for, and my difficulty will be to get them to take the business seriously and to undertake the really arduous work which it involves.’<sup>35</sup>

Meanwhile, the setting up of the partition machinery without much political consultation had riled both sides of the divide. *The Times of India* noted that ‘the average person is bewildered by the suddenness and speed with which partition is going to take place’.<sup>36</sup> It further commented that non-Muslims in Punjab were ‘anxious and apprehensive about their future’.<sup>37</sup> The pro-Muslim League Urdu newspaper, *Paisa Akhbar*, was clearer, declaring its lack of confidence in the committees the governor had proposed. It noted that even though the final decision lay in the hands of the politicians, these committees would be tasked to gather the ‘facts and figures’ on which the decisions of the politicians would be based. Hence it stated: ‘We object to a Hindu ICS being appointed in charge of the partition office, and demand that someone on whose non-partisanship everyone can trust should be appointed to the post.’<sup>38</sup> The newspaper also complained that only one committee had a Muslim chairman and therefore it

<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

<sup>35</sup> Fortnightly Report No. 383, Jenkins to Mountbatten, 15 June 1947, Mss Eur F200/122, IOR.

<sup>36</sup> *The Times of India*, 9 June 1947, p. 5.

<sup>37</sup> Ibid.

<sup>38</sup> *Paisa Akhbar*, 24 June 1947, p. 3. (Translation, author’s own.)

feared that the ‘interests of the (Muslims) will be harmed, unless adequate representation is given’.<sup>39</sup> The newspaper further maintained that when compiling the records, the assets of western Punjab were being overstated so that a larger share would be given to eastern Punjab upon partition, and so issued a warning against robbing the Muslims of their legitimate share.<sup>40</sup> The newspaper later went so far as to declare that the ‘governor (Sir Evan Jenkins) has lost the trust of the Muslims’ in the province.<sup>41</sup> Describing Muslim opposition to the governor as ‘not emotional’ and the result of a lot of deliberation after observing his conduct, the paper strongly demanded the governor’s recall and noted the Muslim League party’s threat that it would boycott all partition-related committees until the viceroy made a drastic decision on the governor.<sup>42</sup> With such mounting public pressure, Sir Evan Jenkins had no choice but to get the political leaders on board.

He finally met the leaders of all the major political parties on the morning of 16 June 1947. Representing the Muslim League was the provincial president, the Khan of Mamdot, while the Indian National Congress was represented by its leader, Bhim Sen Sachar, and Sardar Swaran Singh was present for the Sikh Panthic parties. At the outset Jenkins emphasized that the task of partitioning Punjab meant that ‘a great mass of facts would have to be assembled and digested’.<sup>43</sup> Therefore, it would be necessary to form a committee that would present, assess, and decide upon these facts. He noted that this ‘Punjab Partition Committee’ would function like a ‘negotiating committee’ and not one where a majority vote would prevail. It would also be ‘autonomous with full authority’.<sup>44</sup> Sachar then asked what would happen in case of a deadlock, which was surely to be expected during the division, to which the governor replied that in that case the centre would be involved and its arbitration process utilized.<sup>45</sup>

The governor noted that a ‘Steering Committee’ would sit below this Partition Committee and act as its secretariat, as well as the expert committees that he had already appointed. Jenkins suggested a Steering Committee composed of Mr Askwith, an ICS officer who had gone on

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> *Paisa Akhbar*, 3 July 1947, p. 3. (Translation, author’s own.)

<sup>42</sup> Ibid.

<sup>43</sup> Jenkins to Mountbatten, 16 June 1947, enclosure note, Mss Eur F200/122, IOR.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

leave preparatory to retirement but had agreed to come back; Mr Sachdev, whom he had already appointed as partition commissioner; and Mr Zahid Hussain, who was presently the vice-chancellor of Aligarh Muslim University.<sup>46</sup> Jenkins then outlined the composition of all the expert committees and his reasoning for constituting them as such. Then, as directed by the viceroy, he noted that 'the personnel of the committees could be varied by agreement between the party leaders', but also quickly made it harder for any change to happen by adding, 'provided of course that the men whose names were suggested could be spared and that Heads of Departments and Administrative Secretaries would not be superseded by their juniors'.<sup>47</sup> The governor, however, accepted the suggestion of Sachar and Swaran Singh that advisers could be appointed to help the future governments of East and West Punjab prepare for the tasks ahead.

Governor Sir Evan Jenkins was very pleased with this meeting with the political leaders, during which the essential part of his scheme of bureaucratic partition was retained. He wrote to the viceroy that 'the meeting was quite amicable and I think we shall be able to get things going'.<sup>48</sup> About Mamdot, who had already launched a press attack against Jenkins concerning the committees, he noted that 'Mamdot said almost nothing and make no reference to his complaint...'.<sup>49</sup>

The leaders of the three parties met on the evening of 16 June 1947 and hammered out the details of the Partition Committee. In a letter to Jenkins the following morning, Mamdot, Sachar, and Swaran Singh noted that they agreed that the Punjab Partition Committee would be set up with two representatives from the Muslim League, one from the Congress, and one from the Sikhs. They also agreed that the governor would preside over the meetings of the Committee.<sup>50</sup> With regard to the Steering Committee, they torpedoed the governor's suggestion of Mr Askwith, and suggested that it should be composed only of Mr Sachdev, the partition commissioner, and Syed Yaqub Shah from the finance department of the Government of India.<sup>51</sup> Interestingly, they emphasized that, with the creation of the Steering Committee, the

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Mamdot, Swaran Singh and Sachar to Jenkins, 17 June 1947, Mss Eur F200/122, IOR.

<sup>51</sup> Ibid.

'Office of the Partition Commissioner shall become superfluous', thus cancelling the governor's first appointment.<sup>52</sup> Thus, it was agreed that the main groundwork for the partitioning of Punjab would be laid by expert committees composed of civil servants broadly representing East and West Punjab. Thus, despite severe conflict between the parties, these regional politicians had found an amicable way forward and had agreed upon a mechanism for cooperation.

Jenkins had hoped that with this agreement, work would commence immediately. However, after a week had elapsed, Jenkins had still not received names for the Partition Committee from the leaders. An exasperated Jenkins wrote to Mountbatten: 'I doubt if our local leaders are capable of putting the Partition through in a business like way. They are always out of Lahore and some of them are unaccustomed to sustained effort.'<sup>53</sup> The political leaders finally made their selection in the last couple of days of June 1947, with the Muslim League nominating Mumtaz Daultana, a Punjabi Muslim League leader, and Zahid Hussain, the vice-chancellor of Aligarh Muslim University. Gopi Chand Bhargava, the expected leader of the Congress in East Punjab, was nominated by his party, while the Sikhs kept Swaran Singh as their representative.<sup>54</sup>

Although the governor did not have high hopes for the Committee, he did think well of some of the nominees. Writing to the viceroy in his fortnightly report, Sir Evan noted:

Zahid Husain is not a Punjabi, and is, I understand, Jinnah's nominee. He retired not very long ago from the Indian Audit and Accounts Service and is now the Vice-Chancellor of the Aligarh University. He was my Financial Advisor in the Delhi Province and later in the Supply Department and I have the highest opinion of his ability and integrity. Daultana is clever but inexperienced. Gopi Chand Bhargava is an experienced politician who has never held office and Swaran Singh is of course the former Development Minister in the Coalition Government.<sup>55</sup>

Meanwhile the Steering Committee and the expert committees had already begun their work.

<sup>52</sup> Abbott to Abell, 17 June 1947, enclosure note, Mss Eur F200/122, IOR.

<sup>53</sup> Jenkins to Mountbatten, 25 June 1947, R/3/1/176, IOR.

<sup>54</sup> Jenkins to Mountbatten, 30 June 1947, R/3/1/178, IOR.

<sup>55</sup> Ibid.

## Meetings of the Punjab Partition Committee

The first meeting of the Punjab Partition Committee took place at 10 am on 1 July 1947, with the governor of Punjab, Sir Evan Jenkins, in the chair. As its first order of business it decided that if there was no disagreement, only decisions would be recorded at the meeting. If there was disagreement, short notes would give 'the views of members with a summary of arguments on which their views were based'.<sup>56</sup> The Committee also agreed on the terms of reference for the Steering Committee which was composed of the two bureaucrats, Yaqub Shah representing the Muslim League and Sachdev representing the Congress and the Sikhs. It was agreed that, together with their joint role as secretaries to the Partition Committee, the Steering Committee members would supervise the work of the expert committees, put up their proposals in 'a suitable form', and ensure that the decisions of the Partition Committee were 'implemented in time'.<sup>57</sup> Thus, it was the Steering Committee, composed of two civil servants, that would largely decide the actual partition of the province of Punjab, and only in the case of disagreement would the political Partition Committee have a significant role.

The Partition Committee dealt with the bifurcation of practically all departments of the government of Punjab, from the fate of the land-moving equipment of the civil works department, to the desks and *almirahs* (cupboards) in the secretariat, to the significant number of records that had to be split up—all items were put before the Partition Committee. While it is not possible here to tackle how and with what results the Partition Committee undertook all its tasks, a few issues merit closer study since they highlight several important aspects of the partition process.

### *Dividing the steel frame*

The first major issue under discussion by the Partition Committee was the bifurcation of the administrative services in the province. The split of the services was perhaps the most important decision the Committee had to

<sup>56</sup> Government of the Punjab, *Agendas of the Meetings of the Punjab Partition Committee* (Lahore: Government Printing, West Punjab, 1947) (hereafter *AMPPC*), p. 25.

<sup>57</sup> *Ibid.*

make. The day-to-day district and central administration of the province, revenue, judiciary, education, health, forests, canals, and irrigation were all controlled by a relatively small number of ICS officers and members of the Punjab Provincial Civil Service.<sup>58</sup> The ICS officers were centrally recruited and formed the elite cadre of the civil service in the Indian empire, while the Provincial Civil Service was composed of locally recruited officers who usually served under ICS officers, but at times rose to higher ranks too. Therefore, the question of how many men would remain in their posts on 15 August, how many would opt for either province, and how many British civil servants would want to remain or be needed were critical questions put before the Committee. Since the clock was already ticking, it was essential that the administrative framework of the new provinces be clear and at least partially set up by 15 August 1947 so that a complete breakdown could be averted.

Keeping in view the urgency of settling the issue of the services, it was discussed at length on the first day the Punjab Partition Committee met (1 July 1947). In discussing the non-gazetted staff, it was interesting that both sides agreed that ‘non-gazetted staff should stay where they happen to be on 15 August 1947 for a fixed period under a standstill agreement’, exhibiting that they clearly envisaged that East and West Punjab, despite being part of two independent and separate dominions, would be joined together administratively for at least a few months after independence.<sup>59</sup> On the All-India services the Committee followed the procedure of the central government, where all civil servants were asked to state their preference for either Pakistan or India.<sup>60</sup> Here again, both Yaqub Shah and Sachdev agreed that officers should be able to change their initial choice within a period of six months, further indicating that, at least for a while, they expected fluidity between the two partitioned wings.<sup>61</sup> Both officers also agreed that while Hindus, Sikhs, and Muslims might make clear choices, some British officials might opt to work on either side of the partition line. In this case, both argued, either extra staff could be ‘lent’ to the other side if there was a

<sup>58</sup> For more on the ICS, see, for example, Philip Mason, *The Men Who Ruled India* (London: W. W. Norton, 1985).

<sup>59</sup> *AMPPC*, p. 26. ‘Non-gazetted’ staff were those below officer rank who enjoyed fewer perks; ‘gazetted’ staff were the higher officials.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*, pp. 26–27.



shortage, and those who had indicated no preference could be preferentially allocated to the province in most need.<sup>62</sup>

*Choices of the civil servants*

By the time of the seventh meeting of the Punjab Partition Committee on 10 July 1947, the replies of all the Indian Civil Service officials serving in the administration of Punjab, the judiciary, the foreign office, and the commerce and finance pool had been received. Both sides were eagerly awaiting these replies as the future administration of East and West Punjab rested upon them. Both the Congress and the Muslim League knew that there would be a deficit of local civil servants, and so reliance on British officers would be essential, at least in the first few years. On the Western side, the anxiety was higher, as there were far fewer Muslim ICS officers than Hindu and therefore it would be hard to even fill existing high-level posts with the numbers at hand.<sup>63</sup>

From a total of 86 replies received, 19 officers, including one Muslim, P. M. Ismail, and one Indian Christian, S. M. Burke, declined to serve in either of the two new provinces.<sup>64</sup> This amounted to almost one-fifth of the total number of ICS officers in Punjab and so, from the start, the two new provinces had a smaller pool of qualified staff available to them. However, it is interesting to note that both these officers were recalled in the post-partition period, with Burke joining the Pakistan Foreign Service at the request of Jinnah, and Ismail working in various departments of the Government of India.<sup>65</sup> Thus, although it seemed that these officers had thrown in the towel and would not contemplate service beyond the date of the Transfer of Power, the shortages in both the dominions of India and Pakistan forced the successor governments to prevail upon them to rejoin the service, which they did for decades.

The remaining officers of the ICS largely chose their province along religious lines—Muslims opted for West Punjab, while Hindus and

<sup>62</sup> See *ibid.*, p. 27.

<sup>63</sup> For a discussion on the transfer of ICS officers to Pakistan, see Ralph Braibanti, 'Public Bureaucracy and Judiciary in Pakistan', in Joseph LaPalombara (ed.), *Bureaucracy and Political Development* (Princeton: Princeton University Press, 1963), pp. 362–383.

<sup>64</sup> *AMPCC*, p. 51.

<sup>65</sup> See S. M. Burke, *A Life of Fulfilment* (privately published, 1988). The record of the 1951 Census of India records P. M. Ismail as the secretary of local self-government and in charge of the Printing Press: *Census of India 1951, Vol. VIII, Part 1-A* (Simla: Army Press, 1953), Vol. XIII.

Sikhs opted for East Punjab. However, there were a few interesting exceptions, highlighting that these choices were not simple or straightforward and involved a lot of considerations. First, a number of British ICS officers decided to stay on; four of them—J. Ortcheson, R. E. C. Broadbent, E. J. Cocks, and J. A. Biggs-Davison—expressed a desire to serve in West Punjab. While documents are not available to ascertain motives behind their choices, some of them did indeed benefit from the decisions they made. For example, Biggs-Davison served in the Government of Pakistan as secretary for three years before retiring to the United Kingdom and embarking on a long career as a member of the House of Commons. John Ortcheson also served in various capacities in the judicial service until his elevation to the bench of the Lahore High Court in 1954. Justice Ortcheson then continued as a judge of the West Pakistan High Court, retiring as a senior judge in 1965, after which he was knighted by the Queen in the New Year's Honours List of 1967.

In 1947, the choice was not just between the Hindus and Sikhs, on the one side, and Muslims, on the other, with the British as an additional, though limited, party. Indian Christians were as affected by the partition of British India as any other community and also had a difficult choice to make in the summer of 1947. Since the option presented was between a predominantly Muslim West Punjab and an overwhelmingly Hindu and Sikh East Punjab, Indian Christians, who after the mass conversion movements of the late nineteenth and early twentieth centuries in Punjab were a community of nearly half a million strong, also had to make a decision about where their allegiance lay. While it is outside the scope of this article to look into the wider choices made by Indian Christians in Punjab during partition, it is interesting to note that out of the three remaining Indian Christians in the ICS (after Burke had chosen to retire), one, A. R. Cornelius, opted for West Punjab, while A. L. Fletcher and E. N. Mangat Rai opted for East Punjab. These officers excelled in their respective countries: Cornelius rose to become the chief justice of Pakistan from 1960–68; Fletcher served the Government of India in various capacities as commissioner, financial commissioner, and eventually as the founding vice-chancellor of the Agriculture University in Haryana; and Mangat Rai became chief secretary of East Punjab and later Jammu and Kashmir, while also serving in various high central government positions.

In his memoirs, Mangat Rai recollected the dilemma he faced in the summer of 1947. 'For a Christian, the choice between Pakistan and India was genuine, for he did not, by virtue of his religious label fall

automatically within one fold or another,' he noted.<sup>66</sup> However, he had 'no doubt whatever that I would opt for India, and not for Pakistan', and so he became an Indian citizen 'by choice'.<sup>67</sup> But this was not an easy decision at all and Mangat Rai had to think long and hard about the options that lay before him. He noted: 'Yet, as it was inevitable, when the choice was put to us in the form of either/or, many of us debated and considered an assessment of the future shape of things.'<sup>68</sup> The Mangat Rais were not unanimous in their choice, however, and his sister, Priobala Mangat Rai, remained in Lahore and rose to become the principal of Kinnaird College for nearly two decades.

The fact that all these Christian officers could shine in their fields, and Cornelius even became the chief justice in a Muslim-majority country, exhibited the varied nature of the polity that developed in India and Pakistan, at least in the initial decades. While it is perhaps no surprise that an Indian Christian reached a high position in 'secular' India, the rise to the top in his field of an Indian Christian in the Islamic Republic of Pakistan highlights a more nuanced understanding of the nature of the state, especially at the higher governance level, in Pakistan.<sup>69</sup>

The most fascinating choice among the ICS officers of Punjab, however, was that of M. A. Husain who opted for East Punjab. Husain thus became the only Muslim officer to opt for East Punjab straightaway, an exception among the 50-odd officers who recorded their clear preferences for either province along religious lines.<sup>70</sup> His decision might have been affected by the fact that he was a son of Sir

<sup>66</sup> E. M. Mangat Rai, *Commitment My Style: Career in the Indian Civil Service* (New Delhi: Vikas Publishing House, 1973), p. 115.

<sup>67</sup> *Ibid.* Mangat Rai never actually explained why he made this choice in his autobiography, but in his later writing he said that he had 'no doubt', despite his initial hesitation.

<sup>68</sup> *Ibid.*

<sup>69</sup> The choice made by an Indian Christian to opt for Pakistan could also give credibility to the argument posited by many scholars that Pakistan was not supposed to be an Islamic state but rather a secular, democratic country. However, it could just as well be argued that at its inception it was not clear what kind of a country Pakistan was going to be. For a larger discussion on this issue, see, for example, Yaqoob Khan Bangash, 'Jinnah's Pakistan: Debating the Nature of the State, 1947–49', in Aparna Pande (ed.), *Routledge Handbook for Contemporary Pakistan* (Abingdon: Routledge, 2018); Ayesha Jalal, *The Sole Spokesman: Jinnah, the Muslim League and the Demand for Pakistan* (Lahore: Sang-e-Meel, 2000); and Liaquat H. Merchant, 'Jinnah—Two Perspectives: Secular or Islamic and Protector General of the Minorities', in Liaquat H. Merchant and Sharif Al-Mujahid (eds), *The Jinnah Anthology* (Karachi: Oxford University Press, 2009).

<sup>70</sup> *AMPPC*, p. 51.

Fazl-i-Husain, one of the founders of the Unionist Party in Punjab, a mixed party of Muslims, Hindus, and Sikhs. In 1947, he was serving in the central government and continued working there as member of the Indian Foreign Service, holding several distinguished positions in later life. However, his family was also divided, and his brother opted for Pakistan, where he also joined the foreign service.<sup>71</sup> As chance would have it, both brothers were at one time ambassadors of their respective countries to Lebanon.<sup>72</sup>

Two Indian officers who had expressed their desire to serve in either province further qualified their choices by noting their inability to choose a side until matters became clearer. Interestingly, one of them was an Indian Christian and the other a Muslim. The Indian Christian ICS officer was H. D. Bhanot, who was a very senior member of the ICS, having served as chief secretary of Punjab in 1945. He clearly stated that he wished to serve in the province that contained his home *tehsil* (administrative area) of Ajnala, which was in Amritsar district. As it was unclear where the Radcliffe Line would fall (they had not finished their deliberations when these replies were sought), he was unable to pick a side. As an Indian Christian he was perhaps not interested in the communal lines along which East or West Punjab were being created, as he was not part of either of the opposing communities, but was only interested in the fate of his hometown, to which he was deeply attached. As it happened, Ajnala went to India and so did Bhanot.

The other person who was unsure was B. F. H. B. Tyabji, who stated in his reply that it was not 'possible for him to indicate now whether he would be willing to serve in the new Provinces of the Punjab and while he has really no desire to seek transfer from the Punjab, the force of circumstances might compel him to ask for another Province—Bombay being his first choice'.<sup>73</sup> Tyabji's family was originally from the Bombay presidency, and his father, Faiz Tyabji, had been a judge of the Bombay High Court, while his grandfather, Badruddin Tyabji, was the first Muslim president of the Indian National Congress. Yet it seems that he was really torn between the province of his commission (and of his religious community) and his ancestral province as well as his

<sup>71</sup> Interestingly, Azim Husain does not explain any reason for his choice of India in his autobiographical notes which were deposited in the British Library in the 1970s. See M. Azim Husain Papers, Mss Eur F180/68, 20–22, IOR.

<sup>72</sup> Mentioned in T. C. A. Raghavan, *The People Next Door: The Curious History of India's Relations with Pakistan* (London: Hurst, 2019), p. 24.

<sup>73</sup> *AMPPC*, p. 52.

nationalist Congress pedigree. But it seems that his dithering did not last long and soon he decided to opt for India. Writing to his father later he noted: ‘You will I am sure not be surprised to hear that I have elected to remain in India (Hindustan) and not to go over to Pakistan. I am absolutely opposed to the Muslim League ideology and mentality and it would have been a gross betrayal of all my ideals and hopes if I threw them over for the tempting posts that they are offering to Muslim officers.’<sup>74</sup> He would later rise to important positions in the Indian Foreign Service and also serve as the vice-chancellor of Aligarh Muslim University from 1962–65. (Interestingly, it is claimed that his wife, Surayya Tyabji, was responsible for the current shape of the Indian national flag with the Ashoka Chakra in the middle.<sup>75</sup>)

The allocation committee, which was headed by Akhtar Hussain, chief secretary Punjab, representing West Punjab, and Ram Chandra, financial commissioner Punjab, representing East Punjab, also noted that four British ICS officers were not to be offered employment by either province, while the replies of about 12 officers were still pending, mainly due to their absence from Punjab.<sup>76</sup>

After the tabulation of the officers who had made their choices clear—either not to serve in any province, or for East or West Punjab—the total number of officers available for both sides of Punjab was equal—exactly 27 for each. This part was simple: a large majority of ICS officers had made a clear choice and, according to the Government of India’s decision, their choices were to be respected, though the successor province had the option to refuse an ICS officer who had opted for it. However, at a time when ICS officers were so scarce, it was not expected that either East or West Punjab would refuse to accept many officers who had chosen it—in fact, the quarrel could be over the officers who were ready to serve in either of the new provinces.

Of the remaining 14 officers who were open to serving on either side of the (still-to-be-decided) Radcliffe Line, all except two (Bhanot and Tyabji, as discussed above) were British. Therefore, the 12 British officers were divided between East and West Punjab. J. C. W. Eustace and

<sup>74</sup> Quoted in Laila Tyabji, ‘How the Tricolour and the Lion Emblem Really Came to Be’, *The Wire*, 14 August 2018: <https://thewire.in/history/india-national-flag-emblem-suraiya-badruddin-tyabji>, [accessed 11 January 2021].

<sup>75</sup> See *ibid.* Also Trevor Royale, *The Last Days of the Raj* (London: Michael Joseph, 1989), p. 172; Gunwant Malik, *Susan’s Tiger: Essays of an Indian Sikh Diplomat* (London: WritersPrintShop, 2010), p. 108.

<sup>76</sup> *AMPPC*, p. 52.

K. H. Henderson were placed on both lists, and the decision was left to the new governments as to which one wanted to offer employment to either of them.<sup>77</sup>

*Provincial Civil Service*

The replies from the Provincial Civil Service were also largely along communal lines, with Muslims mostly opting for West Punjab and Hindus and Sikhs opting for East Punjab. However, there were again some exceptions. A few people, like Sardar Balwant Singh Ghuman, were unsure where they might want to live permanently, and provisionally they wanted to remain in the western half for six months, to ascertain what conditions would be like. Chaudhary Inayat Ali Khan was also initially unsure about leaving his home in the Sirsa *tehsil* in East Punjab, and it was only after the communal situation became worse that he decided to throw in his lot with West Punjab.<sup>78</sup> On the judicial side of the provincial service, Lala Gobind Ram Bhudhiraja was clear that he wanted to serve in the province where his home district of Jhang lay.<sup>79</sup> Similarly, D. Fazal-ud-din was clear that he wanted to serve in the province where his home of Sheikhpura would be located.<sup>80</sup> A magistrate, Puran Singh Multani from Amritsar, also wrote to the chief secretary wanting to change his initial preference of East Punjab to West Punjab because 'I have my home in Gujrat district and my property is also there.'<sup>81</sup> For these civil servants, therefore, their connection to home and hearth was stronger than their communal identities, and they did not want to leave their homes under any circumstances. It also seems that a larger number of the provincially recruited civil servants (as opposed to the ICS officers) were unsure about their final choices. This could perhaps have been because of the fact that the provincial services were considered junior to the ICS, with their officers less mobile (they were almost never posted outside the province), paid less, and generally enjoyed less prestige than the 'sahibs' of the ICS. As such, these provincial service officers were more tied to

<sup>77</sup> Ibid.

<sup>78</sup> Ibid., p. 66.

<sup>79</sup> Ibid., p. 67.

<sup>80</sup> Ibid., p. 68.

<sup>81</sup> Ibid., p. 150. He later changed his mind and opted for East Punjab on 9 August, *ibid.*, p. 211.

their regions, and presumably had more to lose in a dramatic shift, as their pay and terms of service were not as secure in the new dispensation as they were for ICS officers.<sup>82</sup>

*Partitioning the police*

The police in Punjab (and India) were the first line of defence for the imperial power. Organized on an All-India basis under the Police Act of 1861 according to the constabulary model, the police were given extensive powers of coercion and detention and the means to impose punitive measures. Writing on the police in India in 1911, Sir Edmund Cox noted: 'The Police department in India is the very essence of our administration. There is no other which so much concerns the life of the people.'<sup>83</sup> Certainly, villagers might never have encountered a soldier or civil servant in their lifetimes, but they certainly would have come across a policeman. Together with being broadly present, the police were also the most hated of government instruments, especially due to their pivotal role in controlling agitation.<sup>84</sup> By 1947, the police had largely Indianized, yet in most provinces its top officers were still British.

When the preparations for the partition of Punjab began, the Steering Committee of the Punjab Partition Committee wrote to the inspector general of police, Sir John Bennett, on 3 July 1947, asking for his views on the subject. Sir John replied on 10 July, noting that while the gazetted officers should be treated as any other gazetted officers (that is, given the choice to move to either province), all other cadres should remain where they were. He argued that 'It is my hope that all officers and men, no matter what their community, will continue to serve in the province of which they are resident, and I suggest that it will be for the new Inspectors General and their officers to persuade them to do so.'<sup>85</sup> He based this contention on two suppositions: first, he was hopeful that the police would not become communalized and therefore would remain disciplined. Secondly, since police officers, especially at the

<sup>82</sup> Beyond what is noted in partition records, we do not know much about the ultimate fate of these provincial service men unfortunately.

<sup>83</sup> Edmund C. Cox, *Police and Crime in India* (London: Stanley Paul and Co., 1911), p. 7.

<sup>84</sup> See, for example, David Arnold, 'Police Power and the Demise of British Power in India, 1930–1947', in David M. Anderson and David Killingray, *Policing and Decolonisation: Politics, Nationalism and the Police, 1917–1965* (Manchester: Manchester University Press, 1992).

<sup>85</sup> *AMPPC*, Letter from Sir John Bennett to Steering Committee, 10 July 1947, p. 61.

lower level, were usually more useful in their own locality where they knew the people, area, and issues, he sought to have them remain in familiar territory. Transferring large numbers of constables, hundreds of miles away from their home, for example, would not just dislocate them but make them less useful for policing purposes. He did suggest, however, that any policeman who wanted to move to the other province could apply for a transfer in the normal way, but that this should be a process spread over 'say a year to eighteen months, so that process may be gradual in order to avoid dislocation of work'.<sup>86</sup> The long wait for a transfer, Sir John thought, might lead some men to rethink their move because some 'may discover that their rights are adequately safeguarded in the province in which they are serving, and, may therefore, decide against applying for a transfer'.<sup>87</sup>

The response of the two members of the Steering Committee to Sir John's letter revealed significant differences of opinion. While Syed Yaqub Shah was of the view that all members of the police service should be given the choice to opt for either province, M. R. Sachdev opined that the police services should be dealt with in a three-tiered manner. First, the gazetted officers should confirm their choice according to the options given to other gazetted officers.<sup>88</sup> Then he agreed with the inspector general that constables should be made to wait for up to a year to make a transfer.<sup>89</sup> Most interesting was his contention that all Muslim inspectors, sub-inspectors, and assistant sub-inspectors belonging to East Punjab but serving in West Punjab, and vice versa, should be allowed to change over immediately.<sup>90</sup> This singling out of Muslim officers was interesting since he made no recommendation for non-Muslim officers. Maybe this was precipitated by the fact that an overwhelming majority of the police in Punjab were Muslim and therefore Sachdev thought that they would be easier to deal with in their home districts than if they were far away.

By 18 July 1947, 49 police officers had replied, while the preferences of a further five were awaited.<sup>91</sup> According to the replies, 21 British police officers, including the inspector general, Sir John Bennett, had declined to serve beyond 15 August 1947, while four British and four Indian

<sup>86</sup> Ibid.

<sup>87</sup> Ibid.

<sup>88</sup> See *AMPPC*, Note by Sachdev and Yaqub Shah, 16 July 1947, p. 61.

<sup>89</sup> Ibid.

<sup>90</sup> Ibid.

<sup>91</sup> Ibid., p. 76.



Muslim officers wanted to serve in West Punjab. The tally for East Punjab was 11 non-Muslim officers and just two British officers. However, James Alexander Scott, the deputy inspector general of police in Rawalpindi division at that time, categorically refused to serve under anyone junior to him. This meant that he would only accept the position of inspector general of police in East Punjab. But this was the same police officer who had ordered the beating of Lala Lajpat Rai in November 1928, which had led to his death, and who Bhagat Singh and his associates wanted to kill in revenge; instead they had mistakenly killed the assistant superintendent of police, Saunders.<sup>92</sup> Presumably there was little appetite to accept the person responsible for the death of Lala Lajpat Rai as inspector general or perhaps an even smaller desire to accept a British officer as head of the police force in East Punjab. In the end, Scott was not given the job and Sardar Sant Prakash Singh, five years his junior in the service, but also a deputy inspector general at Ambala, was appointed to the post. Another British police officer, G. T. Hamilton Harding, also wanted to serve in East Punjab, but he too did not want to work under anyone junior to him. He noted that if Scott became inspector general, he would be willing to serve under him as 'D.I.G./C.I.D.', and so he too was not picked up by the future East Punjab government.<sup>93</sup> Lastly, only five British Indian police officers expressed a desire to serve in either of the two future provinces.

The fact that more than half of the British officers in Punjab refused to serve beyond 15 August indicated two things: first, that since the police were at the forefront of restoring 'order', especially during the Quit India Movement and the later riots, they were fearful of possible reprisals from the new political governments. The very small number of British police officers who opted for East Punjab, which was supposed to have a Congress-led government, clearly signified that supposition. Secondly, Indian police officers were paid less than ICS officers and so they were concerned about their terms of employment such as pay, allowances, and leave, and were unsure that the new governments would be willing to allow even the current rates.

An insight into the possible rationale behind such decisions may be found in the demands of the British superintendent of police at Ambala, Mr McLintie, who wrote to the central Partition Council

<sup>92</sup> For details, see A. G. Noorani, *The Trail of Bhagat Singh: Politics of Justice* (Delhi: Oxford University Press, 1996), Chapter 3.

<sup>93</sup> *AMPPC*, p. 76.

outlining his terms for continued service. Interestingly, even though he was stationed at Ambala, which was going to be in East Punjab, he only wanted to serve in West Punjab, and then only if his terms were agreed to. These were: first, that he should be offered a three-year renewable contract, subject to cancellation by either party with a month's notice, with eight months' leave on full pay, including passage to the UK and back, if his contract were to be renewed. His second demand was for a dramatic rise in pay from about Rs 1,200 per month to about Rs 2,000, exclusive of taxes. Thirdly, he wanted 'suitable accommodation to be provided rent-free, and suitable motor transport provided at government expense'.<sup>94</sup> Fourthly, he wanted 'protection from malicious prosecution', which clearly referred to possible reprisals for actions taken by him either during the British period or later. The police officer was quite unequivocal about these demands and noted that if they were not met he would 'proceed on leave preparatory to retirement soon after August 15'.<sup>95</sup> Obviously these were extreme demands, especially since both sides of Punjab would be cash strapped for some time to come and would have to deal with other exigencies of partition. They could not just agree to the demands of one police officer and would have had to offer these terms to everyone, which would have created an untenable burden on finances and resources. McLintie must have known this, but it seems that he still tried his luck, perhaps expecting that the dire shortage of officers due to the retirement of so many high-ranking officials might work in his favour. Unfortunately for him, his gamble did not succeed.

Since the Steering Committee could not make a final decision on the police, the issue was sent back to the police department, and on 19 July 1947 Sir John Bennett and Qurban Ali Khan, the inspector general-designate of West Punjab Police, wrote a joint letter to the Committee underscoring the reasons why a different mechanism was needed for non-gazetted officers. Both officers argued that since every officer was able to ask for a transfer, such a process, which must be staggered, would be preferable to wholesale transfers. They maintained: 'It seems to us that the present is a particularly bad time for any officer or man to make a choice affecting his whole future career...'.<sup>96</sup> They

<sup>94</sup> See *AMPPC*, Letter from Superintendent of Police Ambala to Deputy Secretary, Partition Office, Government of India, 10 July 1947, p. 78.

<sup>95</sup> *Ibid.*

<sup>96</sup> *AMPPC*, p. 108.

underscored that such mass transfers 'would be against the best interests of the force itself and against the best interests of both Governments because already there are frequent demands for mixed bodies of police for certain duties—demands which could not be met from a force built up of entirely one community'.<sup>97</sup> Emphasizing the importance of a mixed body of police, they further stressed that such segregation would deprive the government of both sides of 'useful information concerning the minority communities'.<sup>98</sup> They also noted that if such a choice were given to all cadres, immediate transfers would not be possible and victimization would follow of those men who had chosen to move but had not yet done so. On the issue of constables, they were vehemently against any mass transfers, as that would jeopardize their usefulness to both the force and the administration. They wrote:

A Muslim constable resident of and at present serving in Rohtak or a neighbouring district who elects to transfer to the Western Punjab may find himself in Mianwali or Dera Ghazi Khan where he would be socially and officially very unhappy and very out of place. After a time he would agitate ceaselessly to get back nearer home either in his old province or the new.<sup>99</sup>

The Punjab Partition Committee considered the strongly worded letter by the two high-ranking police officers and agreed that their position should be adopted. However, they added the provision that the new inspectors general for East and West Punjab could transfer officers 'in the interest of efficiency and discipline'.<sup>100</sup> They also asked the new inspectors general to devise a mechanism for a smooth transfer of officials after the Transfer of Power.<sup>101</sup>

The level of commitment to the above agreed principles in the police force was soon exhibited when on 12 August 1947 there were some disturbances between police recruits, Hindu and Sikh, on the one hand, and Muslims, on the other, at the Police Recruiting Centre at Lahore. Frightened about their future, the Hindu and Sikh recruits from West Punjab were concerned about the 'threats of their Muslim comrades'.<sup>102</sup>

<sup>97</sup> Ibid.

<sup>98</sup> Ibid.

<sup>99</sup> Ibid.

<sup>100</sup> *Minutes of the Meetings of the Punjab Partition Committee* (hereafter *MMPPC*), p. 53, Punjab Archives Chandigarh. (The texts of the Agenda document and the Minutes file differ in detail, and so both have been utilized.)

<sup>101</sup> Ibid., p. 54.

<sup>102</sup> Fortnightly Report No. 704, Jenkins to Mountbatten, 13 August 1947, R/3/1/178, IOR.

As a result, the inspector general-designate of West Punjab, Qurban Ali Khan, visited the centre and impressed upon the recruits that no such threats would be tolerated. According to the governor, Qurban Ali Khan sent for the four Muslim constables who were the ring leaders and discharged them immediately.<sup>103</sup> Thereafter, 'The Muslim recruits then started shouting slogans and advanced on Khan Qurban Ali Khan, to whom they were most insolent.'<sup>104</sup> But this did not deter the future inspector general of West Punjab, and he impressed upon them that 'he would have to see that justice was done and that he could not have any of his men bullied'.<sup>105</sup> Thus, even on the eve of the partition of Punjab, while it was clear that communalism had seeped into the lower ranks of the police, the upper ranks were trying their best to keep matters on an even keel and ensure that the rights of all communities in the service were protected.

### *Collaborating and loaning*

Sensing that the transfer of such a large number of officers might not be that easy, the Partition Committee unanimously agreed on a 'loan scheme' during their meeting of 17 July 1947. Communal tensions had begun to rise by this time and attacks, stabbings, and arson were occurring on a large scale in Punjab.<sup>106</sup> However, the Committee was still able to maintain amity and both sides decided to help each other. According to the loan scheme, each government would be prepared to lend its surplus staff to the other side for an agreed period. This was to be done either individually or according to cadres, at the same pay and scales, with a deputation allowance added. The loaned officer, however, could ask for a reversion to his home province, and the loaning government could do so as well. There was a three-month limit within which such a reversion would have to be completed. The loan scheme also made provision for disciplinary action to be taken against a loaned officer, if merited, in consultation with the loaning government.<sup>107</sup>

<sup>103</sup> Ibid.

<sup>104</sup> Ibid.

<sup>105</sup> Ibid.

<sup>106</sup> For details of partition horrors in Punjab, see Ahmed, *The Punjab*.

<sup>107</sup> See *AMPPC*, p. 63. The disciplinary action included the withholding of increments, suspension, proceedings taken through the Public Service Commission, and immediate reversion.

In keeping with the reality of the times, the scheme also included a clause that envisaged the death or injury of officers in a communal disturbance. Hence, 'if a lent officer is injured or killed in a communal outrage or in a communal disturbance within the jurisdiction of the borrowing Government, the borrowing Government shall pay a lump-sum compensation or a family pension...'.<sup>108</sup> The loan scheme was supposed to be formalized within six months from 15 August 1947 and thereafter regularized, meaning that both sides had agreed that they might have to collaborate administratively in at least the medium term, if not the longer term. The political members of the Partition Committee not only approved of these measures, they also agreed to issue simultaneous statements supporting them.<sup>109</sup>

The agreement over the loan scheme meant that when the Partition Committee met the next day, the members of the Steering Committee were confident that they could now take some time to finalize the administrative division of the province. While noting the decision to divide up the members of the Provincial Civil Service in the executive and judicial branches, both Akhtar Hussain and Ram Chandra wrote: 'In view of the arrangement approved by the Partition Committee for the loan of officers borne on the cadre of one Government to the other, it will be possible to spread out the transfer of these officers over an appropriate period of time.'<sup>110</sup>

With a good working model for the transfer of officers achieved, the Partition Committee was now clear that nothing should be rushed in the run-up to the 15 August 1947 deadline. Once the mechanism was put in place, both sides were content that the process could take months, or even years, to complete. The ease with which this split of the services took place, and the contemplated long timespan for its full realization, clearly shows that the official machinery was still working in the summer of 1947 in Punjab. It also makes clear that there still existed a large degree of cooperation between not only bureaucrats belonging to different communities, but also their political bosses who ultimately agreed to and signed off these divisions.

In view of a large degree of agreement on the fate of gazetted officers, when it came to discussing the non-gazetted government officials on 19 July 1947, it was decided that their transfer should take up to six

<sup>108</sup> *Ibid.*

<sup>109</sup> *MMPPC*, p. 43.

<sup>110</sup> *AMPPC*, p. 66.

months. They were also asked to make a decision, but were told not to worry if they were not working in the province of their choice by 15 August. It was decided that ‘every effort will be made to ensure their safety and they are guaranteed their present pay and conditions of service. They are further assured that there will be no victimisation of any kind and that the two Governments would do their utmost to meet their wishes in the matter of choice of the Province in which they wish to serve.’<sup>111</sup> Hence, rather than a violent and disagreeable divorce, it seemed that East and West Punjab were planning for a cooperative and orderly separation.

Cognizant of the fact that allaying the concerns of the services was of major importance if some semblance of administration were to transfer to the successor provinces, the members of the Punjab Partition Committee also released a press statement. A joint note by Mumtaz Daultana, Zahid Hussain, Gopi Chand Bhargava, and Sardar Swaran Singh stated:

In view of the recent background of communal bitterness in the country, there is probably a feeling of apprehension in the minds of officials about their future when separate Governments are established in Western and Eastern Punjab. We, as representatives of the two future Governments, wish to convey an assurance of security and goodwill to all members of the Services who will be employed under either Government to whatever community they might belong.<sup>112</sup>

The political leaders were doing all they could so that the “‘change over” took place smoothly and efficiently’.<sup>113</sup>

Thus, as the different communities of Punjab were gearing up for a pitched battle in the late summer of 1947, in July it seemed that the bureaucratic and even political task of actually partitioning Punjab was being carried out without any major hurdles. The fact that the leaders met and even agreed on many items on the agenda without much fuss constituted a real success. In total, the Committee met 24 times before 15 August 1947 and its agenda items and decisions show a broad agreement over a wide spectrum of issues. The agreement among the bureaucrats, both from the Steering Committee and the expert committees, as well as other officials, also exhibited a great deal of cooperation and professionalism, which one would not expect from that

<sup>111</sup> *Ibid.*, p. 100.

<sup>112</sup> *Dawn*, 24 July 1947, p. 2.

<sup>113</sup> *Ibid.*

time. One might call it a certain ‘secularization’ of the process, as Joya Chatterji put it, whereby communal ministers and bureaucrats put ‘the interests of the state above the interests of their (religious) “community” and “nation”.’<sup>114</sup>

*Resolving differences and disagreements*

With such a monumental task in front of them and the charged communal atmosphere, it was not going to be all smooth sailing for the Partition Committee, despite its agreement on several issues, as noted above. Since in such situations the decision was not to be taken by majority vote but by mutual agreement, even the governor, as chairman, would be unable to resolve a deadlock if both sides had decided to dig in their heels. In fact, in one of his reports the governor characterized the meetings of the Partition Committee as ‘a peace conference with a new war in sight’.<sup>115</sup> But the task at hand was certainly immense and it could not be expected that all matters would be decided by the Transfer of Power date of 15 August 1947. The governor, Sir Evan Jenkins, was quite realistic and noted: ‘In the time available it will be quite impossible to make a clean job of partition, and even if we can check disorder up to 15 August, and the new governments can maintain themselves thereafter, there will be appalling confusion. In the civil administration, certain things cannot be done properly in a matter of days or weeks.’<sup>116</sup>

The initial meetings of the Punjab Partition Committee made slow progress, but the degree of agreement was remarkable. Almost all major issues, especially those regarding the split of the services and institutions, were agreed upon. Yet, despite this progress, by the middle of July 1947 three critical issues—all relating to the implications of boundary determinations—remained a matter of vehement disagreement and it was decided that these would be referred to the central Partition Council for advice.

In a covering letter, the governor explained to the viceroy that the issues were: ‘Should the partition proceedings continue on the basis of “notional” boundary, or should they be stayed pending the report of

<sup>114</sup> Joya Chatterji, ‘Secularisation and Partition Emergencies’, *Economic and Political Weekly*, 48.50 (December 2013), p. 49.

<sup>115</sup> Governors Appreciation, 11 July 1947, Mss Eur F200/127, IOR.

<sup>116</sup> *Ibid.*

the Boundary Commission?’<sup>117</sup> Here the governor explained that the representatives of West Punjab were happy with the notional boundary, especially because it gave them Lahore, but that the representatives of East Punjab were strongly against moving ahead with working on the basis of the notional boundary, since they maintained that ‘their claims are likely to be prejudiced if partition proceedings continue on the basis of that boundary’.<sup>118</sup>

The second issue was whether both governments should remain in Lahore pending the award of the Boundary Commission. Here the stance of the West Punjab representatives was that it would be rather embarrassing for the East Punjab government if it remained in Lahore and the city were to go to West Punjab.<sup>119</sup> Therefore, they suggested that the main functionaries of the East Punjab government should move to one of the East Punjab districts, with a representative office remaining in Lahore.<sup>120</sup> The East Punjab representatives, still hoping against hope that Lahore would be allotted to them, vehemently opposed this suggestion and stuck to their demand that both governments should function in Lahore until a Boundary Award was made.<sup>121</sup>

The third issue was ‘what arrangements should be made for the administration of the districts likely to be affected by the orders passed on the Report of the Boundary Commission’.<sup>122</sup> These districts, as defined by the Partition Committee, were: in the Jullundar Division: Hoshiarpur, Jullundur, Ludhiana, and Ferozepur; in the Lahore Division: Gurdaspur, Amritsar, Lahore, Sheikhpura, Sialkot, and Gujranwala; in the Amballa Division: Hissar; and in the Multan Division: Montgomery and Lyallpur. Here the West Punjab representatives did not want any changes made until after the award, while the East Punjab representatives wanted both sides to jointly appoint the administration of these districts.<sup>123</sup>

On the face of it, these problems were not insurmountable, but they did relate to the core function of the Partition Committee. But the Committee

<sup>117</sup> Draft Covering Note for the Central Partition Council (no date), Mss Eur F200/123, IOR.

<sup>118</sup> Ibid.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

<sup>122</sup> Ibid.

<sup>123</sup> Ibid.



could not undertake a part of its work until these three decisions were made, and so an appeal was made to the central Partition Council to make a final decision on them. The reference was perhaps also made because similar issues could also arise in Bengal where the same Boundary Commission was to demarcate the border between the two new provinces.

The central Partition Council, which included national representatives of the Muslim League and the Congress, discussed the issues referred by the Punjab Partition Committee in its meeting on 17 July 1947. After examining them, it recommended that while both the governments of East and West Punjab could stay in Lahore for the time being, it would be wise for the government of East Punjab to move to Simla, the summer capital of Punjab, 'without prejudice, of course, to the decision of the Boundary Commission regarding Lahore'.<sup>124</sup> It also suggested that the Boundary Commission might be asked to decide the case of Lahore early so that the governments might have a chance to move with adequate notice. On the appointment of officers, the Partition Council advised that for the moment the notional boundary should be used for postings and transfers without prejudice to the final settlement. The appointment of joint officers, as suggested by the representatives of East Punjab, was deemed to be untenable, as it would 'lead to confusion and a breakdown of the administration'.<sup>125</sup> The central Partition Council also suggested that both governments should be set up by 1 August 1947 so that they could take over control of their districts, especially in terms of law and order. It was also agreed that the viceroy would go to Lahore and meet the Punjab Partition Committee in a few days in order to achieve an agreement.<sup>126</sup>

As a result of the decisions of the central Partition Council, Lord Mountbatten visited Lahore and attended the meeting of the Punjab Partition Committee on 20 July 1947. At the outset he made it clear that the political leaders should rest assured that any moves on the part of the administration before the award of the Boundary Commission would have no effect on its proceedings.<sup>127</sup> To this, Dr Gopi Chand Bhargava, the leader of the Congress party, replied that since that was the case, he would agree that after the split of the Punjab Secretariat

<sup>124</sup> Proceedings of Partition Council, 17 July 1947, Mss Eur F200/123, IOR.

<sup>125</sup> *Ibid.*

<sup>126</sup> *Ibid.*

<sup>127</sup> Viceroy's Meeting with Punjab Partition Council, 20 July 1947, Viceroy's 22nd Miscellaneous Meeting, Mss Eur F200/123, IOR.

on 5 August, the whole secretariat would close down on 10 August, and that the East Punjab Secretariat would open in Simla on 14 August 1947. He further 'undertook to ensure that, if Lahore was placed in West Punjab, the Government of East Punjab would evacuate the city by midnight 14<sup>th</sup>/15<sup>th</sup> August. The last party to leave could easily go to Amritsar at the last moment.'<sup>128</sup> Similarly, Zahid Hussain, on behalf of the incoming West Punjab Government, noted 'that full arrangements would be made, and plans completed, for the Government of West Punjab to move out of Lahore by 15<sup>th</sup> August if the city was included in East Punjab'.<sup>129</sup> With the location of the governments and their possible move agreed, the Committee also adopted the suggestion of the governor that British deputy commissioners and superintendents of police would remain in place in the three most disputed districts of Lahore, Gurdaspur, and Amritsar until 15 August 1947. For the moment, the new governments could appoint shadow officials with no executive authority, and the government under whose control these districts ultimately fell would take control as soon as the boundary was clear.<sup>130</sup>

During the meeting it was patently clear that the real sticking point at this time was the decision of the Boundary Commission. Many decisions depended upon the award of the Commission, not just the location of the capitals of the new provinces, but also issues relating to law and order, supply, canals, and communications. The Congress delegation impressed upon the viceroy that the award should be made public as early as possible, and Lord Mountbatten agreed that he would request Radcliffe to issue the award by 10 August 1947.<sup>131</sup> The real danger was that one or more of the communities would not accept the award and that violence, descending into civil war, would ensue. Mountbatten regretted what he called 'wordy warfare' between the Muslim League and the Sikhs where both had recently declared that they would not accept the award unless it met their demands.<sup>132</sup> Nevertheless, the leaders of both the Muslim League and the Sikh Panthic parties reiterated at the meeting that all sides would accept the award as agreed. The viceroy hailed the 'successful' meeting of the Punjab Partition Committee, and reported back to the central Partition Council

<sup>128</sup> Ibid.

<sup>129</sup> Ibid.

<sup>130</sup> Ibid.

<sup>131</sup> Ibid.

<sup>132</sup> Ibid.

that 'the Punjab partition committee was tackling the problems facing it in a realistic and business-like way'.<sup>133</sup>

The minutes of the Punjab Partition Committee show that cooperation between the different communities in Punjab lasted almost until its last meeting on 11 August 1947, just a few days before the Transfer for Power. In a letter to the viceroy, the governor explained his reasoning behind setting this date, primarily that one of the West Punjab representatives was needed elsewhere and also that the Pakistan member of the Steering Committee was required at the Pakistan Secretariat in Karachi. The governor admitted that 'There will inevitably be many loose ends, and many of our decisions may have to be modified', but he saw no point in continuing until the very last day.<sup>134</sup> However, even at their last full meeting on 11 August 1947 several important, mutually agreed decisions were taken, showing that collaboration between the communities had not broken down. For example, on 10 August, it was agreed that the government Police Training School at Phillaur, which would soon lie in East Punjab, would cater to students from both provinces.<sup>135</sup> Since the police formed the first line of government control, in the increasingly charged atmosphere of August 1947, it was certainly exceptional that both the future inspectors general of East and West Punjab agreed to work together on training for the time being. Similarly, when Sachdev mentioned that the government of East Punjab might not have adequate printing facilities in Simla, the government of West Punjab, rather than pointing them in the direction of the Government of India (which had its own establishment at Simla), readily agreed to 'afford whatever facilities were possible to Government of East Punjab to get their printing work done at the Government Printing Press at Lahore'.<sup>136</sup> Thus, until the last moment, despite a few communal skirmishes, it was clear that the Punjab Partition Committee was taking its role seriously and striving to achieve as much as possible, in an amicable and constructive fashion.

Even though the Punjab Partition Committee had achieved a lot during its five-week existence before the Transfer of Power, it was clear that its work would have to continue in one form or another after the date of partition. It was agreed that two ministers from both provinces would be part of the

<sup>133</sup> Proceedings of the Partition Council, 22 July 1947, Mss Eur F200/123, IOR.

<sup>134</sup> Jenkins to Mountbatten, 6 August 1947, Mss Eur F200/123, IOR.

<sup>135</sup> *MMPPC*, p. 89.

<sup>136</sup> *Ibid.*, p. 90.

Committee and meet alternately in East and West Punjab, with the governor of the host province acting as chairman.

It is in the post-partition period, however, that the breakdown of cooperation becomes evident. The communal bloodbath that followed independence and the award of the Boundary Commission on 17 August 1947 placed extreme strain on relations between the two provinces. With disagreements already mounting between the governments of the two new dominions over finances, Kashmir and Hyderabad, as well as the huge influx of refugees, instances of mass murder and religious cleansing, and an unstable government, there was no love lost between the governments of East and West Punjab. As a result, the cooperation often seen before the Transfer of Power withered away and now there was disagreement on almost everything.<sup>137</sup> It seems that the Punjab Partition Committee met after 15 August 1947, and that by November 1956 it had met a further eight times.<sup>138</sup> In all instances, it was clear that agreement was no longer forthcoming. Therefore, gradually a number of matters were referred to the Arbitral Tribunal set up on 15 August 1947 under the chairmanship of the retiring chief justice of India, Sir Patrick Spens. By 2 December 1947 the Punjab Partition Committee had sent seven references to the Tribunal, with another 26 sent later in December, with the permission of the chairman.<sup>139</sup> The Tribunal examined these matters and then gave final awards in March 1948,<sup>140</sup> and in August 1948, an implementation committee was set up to realize the decisions of the Tribunal.<sup>141</sup>

<sup>137</sup> See H. M. Patel's Interview Transcript, No. 90, Nehru Memorial Museum and Library, New Delhi, quoted in Sengupta, 'Breaking Up': 'it has been argued in this interview that the environment of cooperation and mutual trust was disrupted by the outburst of communal violence in Punjab after partition'.

<sup>138</sup> See Government of East Punjab, *Note Containing Information about Third Party Claim Committee and Intervals of Meetings of the Implementation Committee* (Chandigarh: Partition Branch), quoted in Rai, *Partition of the Punjab*, p. 60. See also *The Times of India*, 13 February 1953, p. 8, which notes that the joint committees of both Punjabs continued to meet to resolve outstanding issues, and that even at the height of tensions, electricity was being supplied by East Punjab to West Punjab.

<sup>139</sup> See Sir Patrick Spens, 'The Arbitral Tribunal in India 1947-48', in *Transactions of the Grotius Society*, Vol. 36: Problems of Public and Private International Law, Transactions for the Year 1950 (1950), p. 67.

<sup>140</sup> For the decisions of the Arbitral Tribunal, see Kirpal Singh (ed.), *Select Documents on Partition of Punjab—1947, India and Pakistan* (Delhi: National Bookshop, 1991), pp. 584-610.

<sup>141</sup> See Government of East Punjab, *Constitution of the Punjab Partition—Implementation Committees, Their Functions and Other Information Relating Thereto* (Chandigarh, 1958).

Despite the fact that cooperation had broken down to a large extent in the aftermath of partition in August 1947, it did not end completely. Notwithstanding their differences, and an almost undeclared war between India and Pakistan over Kashmir by the end of 1947, out of the over 50 references to the Arbitral Tribunal, in only six cases was there a disagreement between the nominees of the governments of India and Pakistan where the chairman, Sir Patrick Spens, had to impose his own decision as final.<sup>142</sup> Thus, while cooperation did not continue between the two Punjabs, this middle tier continued to work together on a number of issues. In this case they were not bureaucrats but judges: Mohammad Ismail, a retired judge of the Allahabad High Court representing Pakistan, and Sir Harilal Kania, the chief justice of the Federal Court of India, on behalf of India. In the context of the Boundary Commission for both Bengal and Punjab, where the nominees of India and Pakistan disagreed on a number of major considerations, such a high level of agreement on the Arbitral Tribunal by the nominees, especially after such communal carnage, was certainly exceptional.

### Conclusion

Most scholars have relied on the assessment of the governor of Punjab, Sir Evan Jenkins, of the Punjab Partition Committee.<sup>143</sup> Utterly disgusted by the manner in which partition and the independence of India and Pakistan was taking place, Jenkins had little hope for the Partition Committee from its inception. In one of his reports to the viceroy, he noted: 'It would be difficult enough to partition within six weeks a country of 30 million people which has been governed as a unit for 98 years, even if all concerned were friendly and anxious to make progress.'<sup>144</sup> Jenkins further noted that 'the members of the Partition Committee are friendly enough to me, and as a rule outwardly civil to one another; but there is a background of fear and suspicion and much time is wasted on trivialities'.<sup>145</sup> The governor remained unhappy with the whole process, and when the Committee concluded its work on 11 August, he reported to the viceroy in his last fortnightly report that

<sup>142</sup> Spens, 'The Arbitral Tribunal in India 1947-48', p. 67.

<sup>143</sup> For example, see Kamran, 'The Unfolding Crisis in the Punjab', pp. 198-200.

<sup>144</sup> Fortnightly Report No. 698, Jenkins to Mountbatten, 30 July 1947, R/3/1/178, IOR.

<sup>145</sup> *Ibid.*

its decisions 'are a poor collection put together very hurriedly and drafted by various hands'.<sup>146</sup> The governor never wanted political involvement in the business of partition; he saw it as an administrative affair and so always lamented its speed, work ethic, and decisions, even though both the viceroy and Sir George Abell, Mountbatten's private secretary, noted that the Punjab Partition Committee had done well compared to the Bengal committee and had made considerable progress during its existence.<sup>147</sup> Thus, it is clear that, despite the misgivings of the governor, the Punjab Partition Committee did rather well and that the governor was rather too harsh in his assessment.

Writing a few days before the Transfer of Power, Sir Penderel Moon, the veteran ICS officer, remarked that during his visit to Lahore 'I could not help reflecting that we were leaving Lahore in the same state of turmoil as we had found it almost exactly a century earlier.'<sup>148</sup> This became the usual tone of works written on the partition of India by the first generation of British historians, especially former ICS officers, who emphasized the end of 'order' as soon as the British left India. Of course, the violence that accompanied partition defined this assessment, and its extent and dreadfulness led scholars to imagine that there was little functioning on either side of the Radcliffe Line—yet there were instances of order, as well as cooperation, even at the height of the violence.

While commenting on the harrowing partition violence, Swarna Aiyer has further noted that even at the worst times, there was never a total disintegration. She emphasizes that 'a closer examination reveals that at no time was there a complete collapse of either the colonial state or the successor states, during this period'.<sup>149</sup> This partial, or even occasional, order was possible mainly because it was being conducted by the middle tier. These bureaucrats were neither too close to the political

<sup>146</sup> Fortnightly Report No. 704, Jenkins to Mountbatten, 13 August 1947, R/3/1/178, IOR.

<sup>147</sup> See Abel's note on a conversation with Jenkins, 12 July 1947, F200/123, IOR.

<sup>148</sup> Sir Penderel Moon was an ICS officer who resigned from service in 1944. He served as the revenue minister in Bahawalpur state in 1947 (which later joined Pakistan), and then became, successively, the chief commissioner of Himachal Pradesh and adviser to the Planning Commission in independent India. Penderel Moon, *Divide and Quit* (London: Chatto and Windus, 1961), p. 115.

<sup>149</sup> Swarna Aiyer, "'August Anarchy': The Partition Massacres in Punjab, 1947", *South Asia: Journal of South Asian Studies*, 18:1, 1995, p. 35.

leaders, and hence were less affected by communal passions,<sup>150</sup> nor were they at the lower rung where they had no power to affect anything. As very few of the politicians making the grand decisions had any practical experience of governance—most Punjab Muslim League politicians had never even held political office—they were unable to grasp the practical realities of their sweeping decisions. When the Punjab Assembly voted to dismember itself one fine Monday morning in June 1947, its decision to partition the vast province was not something that could be dealt with in a corresponding morning. Scores of officers had to put in hundreds of hours of work and effort, sift through millions of files, documents, and data, and make several plans and options, for that fateful decision to take effect. This ‘behind the scenes’ work, so to speak, was done by this middle tier, without whom the partition of British Punjab would have been an utter disaster.

The setting up and workings of the Punjab Partition Committee (and its work post-partition) also strongly exhibits the start of the decolonization process. Perhaps for the first time there was very little involvement by British civil servants in the process. From the various heads of committees, to the members of the Steering Committee, most members were Indians. Although the ICS had been rapidly Indianizing, British officers were still dominant in its higher ranks and ultimately made the decisions. However, in the Punjab Partition Committee, it was the Hindu nominee of the Sikhs and the Congress and the Muslim nominee of the Muslim League who held power, with the British governor a figurehead with no power of veto. The relatively smooth functioning of the Committee without British involvement was therefore testament to the ability of the administration and governance of the new governments-in-waiting. Thus, when British officers could not contemplate ‘order’ without themselves in the saddle, these Indian ICS officers were already exhibiting a certain degree of control and order—something which then formed the backbone of the new dominions.

Furthermore, there was certainly a sense of Punjabi distance from the political decisions surrounding the discussions on independence and the partition of the province. Even though the Punjab Assembly formally voted for partition in late June 1947, the general feeling in the province was that it was the centre that was making decisions and the province was simply following suit. Talbot and Singh have therefore rightly

<sup>150</sup> Of course, a number of them did have political leanings, but they were largely muted during this period.

noted that ‘Punjab’s future was settled in Delhi’.<sup>151</sup> Ayesha Jalal augments this argument by stating that ‘the imposition of an all-India solution on the Punjab and the response it generated in a society pulverised by colonial constructions is a tragic tale of woe’.<sup>152</sup> She further notes that ‘It was arrangements at the centre, not the problem of individuals and communities inhabiting contested spaces in the region, which allowed Mountbatten to dictate the terms of the all-India settlement to Jinnah and the Congress leadership.’<sup>153</sup> The lack of support for partition among the communities was clear to Governor Jenkins too when he noted that ‘There is a complete lack of enthusiasm for the partition plan—nobody seems pleased, and nobody seems to want to get on with the job.’<sup>154</sup> Thus it is entirely plausible that a certain sense of regional identity and connectedness positively affected the workings of the bureaucrats. Since the new nation-states had yet to develop a sense of identity, it was this regional personality that provided the common ground for both sides to cooperate.

In addition to the above, another important reason for the cooperation between Punjab officials was the fact that most of them were from the Punjab cadre of the ICS where a sense of connectedness aided the functioning of the process. The Punjab cadre of the ICS was unique in many ways, not least in the extent of the power it held and its comparatively close and direct contact with the people of the province. Clive Dewey has noted that since the ‘Government of the Punjab presided over the most interventionist regime in India’, it might be the case that they were more connected to their province and its people and so their care and concern about its future might have been greater than was the case in other cadres.<sup>155</sup> The Punjab ICS was also seen as ‘elite’ when compared with other provincial ICS cadres, and it was said that ‘They got so many of the plum jobs at the centre that Civilians from Madras and Bombay complained about the Punjabi takeover of the Government of India.’<sup>156</sup> Thus, this special sense of difference does

<sup>151</sup> Talbot and Singh, *The Partition of India*, p. 41.

<sup>152</sup> Ayesha Jalal, ‘Nation, Reason and Religion: Punjab’s Role in the Partition of India’, *Economic and Political Weekly*, 8 August 1998, p. 2187.

<sup>153</sup> *Ibid.*

<sup>154</sup> Fortnightly Report No. 383, Jenkins to Mountbatten, 15 June 1947, Mss Eur F200/122, IOR.

<sup>155</sup> Clive Dewey, *Anglo-Indian Attitudes: The Mind of the Indian Civil Service* (London: Hambledon Press, 1993), p. 201.

<sup>156</sup> *Ibid.*



seem to have played a part in the cooperation exhibited by almost all officers in Punjab.

The proceedings of the Punjab Partition Committee certainly reveal the manner in which both sides were setting up their prospective states. As Anwasha Sengupta argues, ‘the process was as much about division as about procurement of assets ... the story of the making of two new nation-states’.<sup>157</sup> The ‘imagined’ states of Pakistan and India were now becoming a reality and therefore the scramble was no longer an existential yearning for independence (for the Congress) or escape from Hindu domination (for the Muslim League) but the setting up of two viable nation-states. The quarrels over small quantities of radium or the odd typewriter were not mere ‘squabbles’ but difficult discussions about the discrete, practical elements needed to set up a new country.<sup>158</sup> The minutes of the Punjab Partition Committee therefore showcase the seriousness with which the representatives of both sides took their task and the keenness with which they planned for their future. Limited, though still significant, cooperation continued between these civil servants beyond the partition date simply because the nation-building process for both India and Pakistan was a long and fraught one.<sup>159</sup> As Pallavi Raghavan asserts: ‘Collaborative exercises in bilateral relations were thus carried out as part of the exercise of willing the post-colonial states of India and Pakistan into existence.’<sup>160</sup> Thus, with little to bind people to the new nation-states, and with such fluidity in the two partitioned provinces, ‘state actions’ such as negotiations over the partition process, both pre- and post-partition, became critical acts of state.

The issues discussed above also exhibit both the professional and human side of partition. The people discussed above—civil servants and police officers—are seldom mentioned in the discourse on partition as actually being affected by it. In assessing this middle tier, the often

<sup>157</sup> Sengupta, ‘Breaking Up’, p. 546.

<sup>158</sup> See Agenda, 8 August 1947, *AMPPC*, pp. 199–201. The total stock at the Mayo and Lady Willingdon hospitals in Lahore was just under 800 mgs of radium.

<sup>159</sup> As senior officials in the new states, the civil servants in the ICS and the police discussed above (and others) certainly played a critical role in the manner in which the new countries were set up, and their imprint on both India and Pakistan is clear. For example, Chaudhari Mohammad Ali, the Muslim League nominee in the central Partition Council, rose to become the prime minister of Pakistan in 1955, while former ICS officers held top posts in both India and Pakistan into the 1990s. See Arun Bhatnagar, ‘Hall of Fame: The ICS Served Pakistan Well’, *Dawn*, 4 September 2011.

<sup>160</sup> Pallavi Raghavan, *Animosity at Bay: An Alternative History of the India-Pakistan Relationship, 1947–1952* (London: Hurst, 2020), p. 3.

'faceless' bureaucrats are humanized in the process since they were also dramatically affected by partition on a personal level. They are at once both the executors and victims of partition, and as much part of it as anyone else. The above assessment clearly shows that far from being a foregone conclusion—Muslim for West Punjab, and Hindus and Sikhs for East Punjab—it was not such a simple decision for many in the civil service, just like leaving hearth and home was not easy for the teeming millions. The dilemmas of several civil servants and police officers noted above shows their uneasiness, and perhaps incomprehension, over the events taking place that fateful Indian summer. Their trepidation over which side of the future Radcliffe Line to choose; their contesting allegiances to their religion, province, and ideals; and their partition tasks at hand—all had to be juggled, contemplated, and decided upon in a short space of time. Not knowing where their home districts would be, for example, made them feel as if they were in 'no man's land', uncertain of where to go since they were not even sure where their homes were any longer.<sup>161</sup>

The choices made by the British officers who left, and especially those who remained or wanted to remain, are also interesting since they give the perspective of not just a departing power, but that of men who had given the best years (mostly decades) of their lives to the civil service in India.<sup>162</sup> The decisions of Indian Christians, who did not have an obvious choice to make in 1947 (certainly from a religious perspective), are also important to assess, as they add another layer to our often two-dimensional understanding of the partition of Punjab. Thus, choices based on religion were neither given, nor inevitable.<sup>163</sup> There were many ifs and

<sup>161</sup> This dilemma was masterfully illustrated by author Saadat Hasan Manto in his short story 'Toba Tek Singh', in which the protagonist Bhishan Singh is terribly confused as to where his home district of Toba Tek Singh lay following partition. The story poignantly goes: 'Now he began asking where Toba Tek Singh was to go. But nobody seemed to know where it was. Those who tried to explain themselves got bogged down in another enigma: Sialkot, which used to be in India, now was in Pakistan. At this rate, it seemed as if Lahore, which was now in Pakistan, would slide over to India. Perhaps the whole of India might become Pakistan. It was all so confusing! And who could say if both India and Pakistan might not entirely disappear from the face of the earth one day?' For a full translation of the Urdu story in English, see <http://www.sacw.net/partition/tobateksingh.html>, [accessed 11 January 2021].

<sup>162</sup> For more on this, see Coombs, 'Partition Narratives', pp. 201–224.

<sup>163</sup> Other scholars, like Yasmin Khan, have also noted how several officials, especially from the lower ranks, were uncertain about their choice. See Yasmin Khan, *The Great Partition: The Making of India and Pakistan* (London: Yale University Press, 2017), pp. 119–120.

but, and several highly placed and experienced people had doubts and had to think long and hard about their futures. The province was being divided along religious lines, but it was not easy for its people to decide their fates solely on the basis of their religion.

Thus, as Ian Talbot and Gurharpal Singh argue, partition was not 'the inevitable outcome of entrenched Hindu-Muslim differences'.<sup>164</sup> A number of factors led to the independence of India and Pakistan and the partition of the British provinces of Punjab and Bengal—and until the 3 June 1947 announcement it was unclear which way things would end.<sup>165</sup> It was never a given that relations between the governments of India and Pakistan would not be cordial. In fact, the cooperation between Punjab officials, from all communal backgrounds, clearly shows that it was not partition per se that led to distrust and discord between India and Pakistan, but the bloodbath that ensued in the weeks following 15 August 1947 which set such a pattern. Indeed, despite the tensions, members of all communities were trying to work together to achieve an amicable partition, and it was not inconceivable that a largely peaceful agreement could have been achieved. These moments of cooperation and order are often lost in partition historiography, and it is seldom acknowledged that had it not been for the numerous decisions taken by the Punjab Partition Committee, the division of East and West Punjab would have been a lot more complicated and contested, and the setting up of the new provinces would have been fraught with further confusion and difficulties.

<sup>164</sup> Talbot and Singh, *The Partition of India*, p. 57.

<sup>165</sup> See, for example, *ibid.*, Chapter 2.