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S.R. Bhakshi

1.1 In accordance with Law, the parliament of England was vested with the power and responsibility of shaping India's political future. It, therefore, felt to demand clear guidance on the action, it should take, after the ten-year period of trial, laid down in the Act of 1919, had expired. Section 84-A of this Act provided that at the expiration of ten years from the institution of reforms, a Royal Commission should be sent out to India in order to report to parliament as to their progress and effects.¹ In 1927, the Montagu Chelmsford reforms had been in operation for the last only eight years and the statutory period as laid down in the Act, had not yet expired. But considerable pressure, agitation and criticism, mounting from numerous patriotic Indian elements, decided to anticipate the date of the Statuary Commission's appointment.²

1.2 It was, indeed, the fear of the probable adverse results of the general elections in 1929, in Great Britain, which prompted the Conservative party, headed by Stanley Baldwin, to think of accelerating the appointment of the Statutory Commission before the scheduled time. Lord Birkenhead wrote to Lord Irwin: 'We must not run the slightest risk of the delay in selection so much that an election might either interrupt our plans or even come soon enough to make it not wholly unreasonable to attempt some monkeying tricks without selection. It is, of course, obvious that the mere ante-dating of the Commission, would deprive us of nothing valuable. We can play with the time we want.'³ Obviously, it was the common belief in the high echelons of British politicians that the coming elections would return the Labour party to power. The Conservatives, therefore, wanted to gain a tactical advantage and could not afford to 'run the slightest risk that the nomination of the Commission should be in the hands of our successors.' Therefore, 'the Secretary of State felt that the acceleration of the Commission was our one card left and that it was a pity to play it until we are certain, it would take a trick'⁴

1.3 Besides, it was the general belief amongst the Conservatives that a Labour government would be more helpful, sympathetic and considerate in

acceding to the political demands of Indian leaders, and that it might also go a step further in granting them such concessions as would be compatible with the vested interests of Britain in India. They, therefore, thought that it would be a safe and prudent measure to appoint the Statutory Commission forthwith and thus forestall the Labour Government.⁵

1.4 There was another factor which also hastened the appointment of the Statutory Commission. The Swaraj Party⁶ was unhappy at the working of the reforms of 1919. It expressed much criticism and dissatisfaction in this regard. It had been pressing hard, time and gain, for more and more autonomy in the provinces and responsibility at the center. The objective, therefore, of the Conservative government was to utilize the appointment of the Statutory Commission as a bargain-counter and to disintegrate the Swaraj Party.⁷

1.5 The exclusion of Indians from the Statutory Commission was anticipated by no less a leader than Tej Bahadur Sapru, who had returned from England shortly before its announcement. He was not at all surprised at the action of the British government.⁸ When the names of the commissioners were made public, he said in the course of an interview: 'During my recent visit to England, short as my status was, there it became abundantly plain to me that the mind of Government had already been made up, that India could not hope for my support for the view-point from the Conservatives or Liberals, and that, at any rate, so far as some of the Labour leaders were concerned, they had placed serious limitations upon their liberty of action. I cannot understand why this scheme could not have fitted in with adequate representation of Indians on the personnel of the Commission. The fear of minority reports is as naive as it is disingenuous. Nor can I believe that Government could not find in the whole of the country even three or four Indians who could inspire confidence generally.'⁹

1.6 'It can only mean a complete want of confidence in the judgement and capacity of Indians to serve on a Commission which is to determine the future Government of their country. The utmost that can be said in favour of this scheme is that they want to associate us with them at some stages only to the extent of representing our views, but they deny to us the right of participation in the responsibility of framing of our constitution. I have no doubt that this commission, even though it be presided over by Simon, will inspire no confidence and will command no public support.'¹⁰

1.7 Pethick-Lawrence also warned the Conservative government. 'India, viewed from the standpoint of population, is the most important part of the British Empire, and with the future of India, in my opinion, is bound up not merely the destiny of that country, but of the British Empire. It is not only

those who sit on these Benches who are concerned with and committed to self-government for this great part of our Empire. That is a part of a policy which has been definitely set forward by the Government of this country and in all parts of the House of Commons. All parties are committed to a change in that direction....If either through lack of psychological imagination or of administrative capacity, we botch the business, no excuse will serve us. If in place of creating healthy self-Government in India, we produce in that part of the British Empire a festering sore, it will infect the British Empire and make it very doubtful whether that Empire can exist, except utterly weakened and enervated in the future.¹¹

1.8 Colonel Wedgwood opined, '.....I should say from my small acquaintance with the Indian people that they are very well capable of considering and reporting on the future government of their own country. I should say that there were men with sufficient capacity, sufficient confidence to make serious resolves and to deliver the goods.'¹²

1.9 The excuse given for not appointing any Indian on the Commission was that the framers of the Act of 1919 intended to confine its scope to only members of parliament. But it was a mere pretext.¹³ The terms of the Government of India Act of 1919 did not lay down arbitrarily that a purely Parliamentary Commission must examine the working of the reformed constitution.. There was no bar to the appointment of an outsider had the cabinet been inclined to make one. But even if the British government wanted to restrict the membership of the Statutory Commission to only the members of parliament, the availability of two prominent Indians in the British government was the relevant answer to this decision of the Conservative government. There were two well-known Indian members at the time in the British parliament; one was S.P. Sinha and the other was Shapurji Saklatvala. In fact, S.P. Sinha had been closely connected with various stages of the constitutional reforms in India and his inclusion as a member of the Commission would have been of great consequences.¹⁴

1.10 Defending the composition of the Commission, Earl Winterton, Under-Secretary of State for India, said in House of Commons, 'No Indian or European who knows India could for one moment suppose that two Indian gentlemen, of whatever position or intellectual attainments, could possibly represent all the various political, religious, racial and economic factors who go to make up British India.'¹⁵

1.11 The arguments against inclusion of Indians on the Commission were insuperable: it was argued by the British government that if only two or three Indian members were taken, it would not, in any sense, be considered as the

representative body of true Indian opinion. It felt difficult to include members from multifarious interests as such a Commission, it was feared, would become a body of very considerable size in which the prospects of an agreed report would be a difficult proposition. Moreover, Lord Birkenhead had never desired that the Statutory Commission should recommend a great measure of advancement, for which he believed that India was entirely unprepared.¹⁶ He wrote to Lord Irwin on March 23, 1927, 'I am well aware of the arguments in favour of the exclusion of natives, and my mind is absolutely open upon this, and indeed upon every other point; but you must remember that the arguments against the exclusion are *a priori* very strong. It will be said that the determination of this constitution, with all that it may mean for India, cannot be settled with the least appearance of authority by a Commission which contains no Indian member. It will also be pointed out that there are Indians of considerable distinction who have never taken up an irreconcilable attitude in relation to the present constitution, and that to deny the chance to membership to all Indians is to make evident to all the world the

'inferiority complex' with which we chose to brand the peoples of India.....

1.12 'Are you quite certain that the presence on the Commission, both of Hindu and Moslem representatives, that the controversy which would follow, that the probability of divergent Hindu and Moslem reports, might not be of great assistance to you and us if the Commission took the view that a very considerable advance was not to be recommended at the moment when they report?'¹⁷

1.13 If the Commission was to be a comparatively small body and at the same time to include Indians, the Indians would not be more than two or three in number, and these would have to be selected in some manner that would ensure that they were reasonably representative of all the cross currents of Indian views, a condition that was plainly unattainable.¹⁸ Almost a month prior to the appointment of Statutory Commission, Irwin directed all the Governors thus: 'It is possible that announcement of Statutory Commission may be made on November 8th. If this is so, I shall alter my tour and talk to certain leading politicians to come and see me at Delhi two or three days before hand, so that I can prepare the ground for announcement. I am particularly anxious that you should, if possible, see your leading men and editors in the same way.'¹⁹

1.14 On November 7, 1927, the Secretary of State sent a 'private and personal' telegram to the Viceroy: 'Statutory Commission announcement 5 P.M. Indian time, Tuesday, November 8th will be suitable time of release in India.'²⁰

In obedience to the orders of the Secretary of State, the Viceroy made an important announcement on November 8, 1927 in connection with the appointment of the Statutory Commission.²¹

1.15 It was decided that the Statutory Commission should proceed to India early in the next year. The purpose of this preliminary tour was not so much the intention of taking evidence as for the members to gain some experience of the working of legislatures, local- government institutions, educational centers and any other public department which mainly concerned the problem they had been set to unravel and also to 'form in the mind's eye' a clear picture of Indian conditions with which they were asked to deal.²²

1.16 The following persons were appointed as members of the Statutory Commission.²³

1. Sir John Allsebrook Simon (Chairman)
2. Viscount Burnham
3. Barton Strathcona
4. George Richard Lane-Fox
5. Edward Cecil George Cadogan
6. Vernon Hartshorn
7. Clement Richard Attlee

J.W.Bore and S.F. Steward were appointed secretaries of the Commission.

1.17 In the atmosphere, charged with excitement and agitation, the Statutory Commission, headed by John Simon, left for India on January 19, 1928 to undertake a preliminary survey of the Indian problems²⁴ When the *S.S. Rawalpindi* which brought the Commission to Bombay, came alongside the wharf, a posse of demonstrators, led by K.F.Nariman, gathered at the gate with placards inscribed, 'Simon go back,' 'No representation, no Commission,' 'Swaraj is our birth-right,' 'Down with the British Imperialism.' A part of student-demonstrators also assembled near the gate of the Alexandra Docks. They raised slogans against the Commission and the police assaulted them and dispersed them.²⁵

1.18 The arrival of the Commission was greeted with *hartals* and demonstration all over India. In Delhi, all business houses, with the exception of res-

taurants and vegetable shops, were closed. Everything looked quiet, but the vehicular traffic, remained undisturbed.

1.19 In Calcutta, *hartal* was observed, and all Hindu shops were closed and no business was transacted at the share and jute markets. Tramcars and tramway buses owned by Muslims were in operation under police guard. Attempts were, however, made by some boycotters to stop tramcars, but they were not successful. About fifty volunteers were arrested on the charge of obstruction. The *hartal* also affected proceedings of law courts in the city. About thirty percent of the lawyers attended the High court. Among the Swarajist barristers, who had cases and yet did not attend the courts, were J.M Sen Gupta and Subhas Chandra Bose.²⁶ In Madras, *hartal* was successfully observed on the call of the local leaders. Riotous scenes were, however, enacted before Harisons Caterers, on the Broadway, the excited crowd stoned the premises, broke glass panes and demanded closure of their business. Harisons was eventually closed. The tram service was dislocated. The number of persons injured was seventeen, of whom one died in Hospital. In all the fourteen districts of Hindustani Central Provinces a complete and peaceful *hartal* was observed, not in their headquarters alone, but in all their important centers throughout, and the day ended with huge public meetings in which resolutions prescribed were read and passed. The atmosphere was surcharged with excited sentiments. Several newspapers did not publish any issue on that day.²⁷ In Lahore, the center of educational, social, cultural, economic and political activities of north India, no general *hartal* was observed. A huge protest meeting, presided over by Dunni Chand, was addressed by Dr. Satyapal, Dr. Mohammad Alam, Sardul Singh Caveeshar, M. Zafar Ali Khan, Maulana Abdul Qadir of Kasur, and Amar Singh Jhabbal, President of the Punjab Pradesh Congress Committee. Maulana Abdul Qadir of Kasur moved the following resolution.²⁸

1.20 This meeting of the citizens of Lahore places on record its condemnation of the appointment of the Statutory Commission in utter disregard of Indian opinion and its firm resolve to have nothing to do with that Commission in any form or at any stage of its work. It calls upon all elected members of the Council of States, the Legislative Assembly and the Legislative Council and in particular the representatives of this city, to do everything in their power to oppose and prevent formation of a Committee of the Legislative in connection with the said Commission. This meeting places its opinion that the constitution of India strongly supports the proposal of a special convention to frame such a constitution.

1.21 There was complete *hartal* in Peshawar. A joint meeting of Hindus, Muslims and Sikhs was held in Islamia Club, where Abdul Ghaffar Khan presided.

Resolutions regarding the boycott of the Statutory Commission and the frontier reforms were unanimously adopted.²⁹

1.22 On September 26, 1928, the Commission set out from London for its second visit to India, which was destined to be a somewhat difficult undertaking than that of its previous experience. When it reached Aden, it received a communication from the Viceroy which confirmed the information about the composition of the Central India Committee from both the Central Legislatures, and its readiness to sit and work with commission.³⁰ John Simon and other members accompanied by Lady Strathcona and Lady Hartshorn arrived in Bombay on October 11, 1928 by s.s. *Majola*. They were received by the elite of the town. John Simon told the representative of the *Times of India*, O'Tell India we return fully conscious of the gravity of our task. We hope that our work will prove to be not only of value to India, but of value to the world.' About 500 anti- Simonite demonstrators had collected outside Ballardpier gate and shouted, 'Simon, go back' by waving black flags.³¹

1.23 The special train brought the members to Poona, the first place of their official halt, on October 12. The prominent persons who received them included the ministers and officials of the Bombay government, members of the provincial legislative council and members of the provincial committee and the central committee. Poona city presented a deserted appearance as complete *hartal* was observed in the town. Black flags were displayed in prominent places. K.F. Nariman, B.G.Khar, N.C.Kelkar, R.P.Paranjpye, M.V.Joshi and N.V.Gadgil led the procession of nearly eight thousand persons who waved black flags with shouts of 'Simon, go back,' 'India does not want you,' when the Commissioners came out of the station. Windows of the cars were open and John Simon and Burnham were seeing the boycott procession with interest and were all along smiling, while Attlee did not care to look at the procession and hung down his face.³²

1.24 The Commission arrived at Lahore on October 30, 1928.³³ Enthusiastic scenes were witnessed in the town on this day. A procession led by prominent leaders with several thousand followers carrying black flags with inscription, 'Simon, Go Back', started at about 1 P.M. from the municipal gardens towards the railway station. It passed through Circular Road via Lunda Bazar and halted at the Mool Chand Temple Road, a place about two hundred yards from the main gate to the railway platform. There it was confronted with barbed wire with strong wooden posts barricading the way to the railway station. In the first row near the barbed wires stood Lala Lajpat Rai, Maulana Zafar Ali and others. While the procession was perfectly non-violent, some police officials used their *lathis* on the first row of the procession, which in-

cluded Lalaji. One of them struck him hard in the chest which proved fatal after a few days.³⁴

1.25 On a public meeting, Lala Lajpat Rai condemned police officer's action and stated the whole incident thus: 'We were absolutely peaceful and gave no provocation to the police to attack us. But quite unprovoked, a police officer began to strike us with *lathis*. He had a knobbed *hunter* in his hand. He gave me two blows and two of his constables gave another two. One of these blows given to me was aimed at my heart, and very near my heart, I received a stroke which has caused a bruise sufficiently long and broad. Similar blows were struck at Raizada Hans Raj whose hand was bleeding profusely even there at the spot. Dr. Satya Pal and Dr. Muhammad Alam received blows on their arms which are still paining and I can swear that none of these gentlemen did anything which deserved this cowardly act treatment from the police. Every blow was hurled at us this afternoon was a nail in the coffin of the British Empire... I wish to warn the Government that if a violent revolution takes place in this country, the responsibility for bringing it about will fall on such officers as misbehaved themselves today. If the Government and its officers continue to behave, as they did today, I would not wonder if the young men go out of our hands and do whatever they choose with the objects of gaining the freedom of their country.'³⁵

1.26 Referring to the Statutory Commission, Lalaji said, 'If the Government did not wish that the Commission should see all those demonstrations, the best thing for them to do was to put bandages over their eyes and to take them to Government House.' Indeed, his unpretentious bearing his superb logic and unquestioned oratory, imbued his audience with respect and admiration for his dynamic leadership. Among other speakers in this meeting, prominent were Dr. Muhammad Alam, Dr. Satya Pal, Dr. Gopi Chand Bhargava, Maulana Atta Ullah Shah Bokhari and Dr. Kahn Chand Dev.³⁶

1.27 Lala Lajpat Rai received a large number of telegrams from his numerous friends. Gandhi wrote: 'Hearty Congratulations. Wire details, assault and condition of health.'³⁷ M.R. Jayakar wrote: 'Distressed to hear assault. Hope injury not serious.'³⁸ Motilal Nehru wrote: 'Returned last night. Just heard of the cowardly by official hooligans. Regards it as our first great victory. Blows aimed at you really hit the bureaucracy hard, and I see it tottering before us. Trust Lahore will march undaunted from victory to victory, and the other places that the Simon Commission visits will follow Lahore's example. Hope your injuries are not serious. Please write condition. I am ready to join you, necessary.'³⁹

1.28 Writing in *Young India*, Gandhi expressed his views thus,Nor are we to think that the Punjab incident is to be the 1st of the barbarities committed during the presidency of the Statutory Commission. The boycott of the Simon Commission is a continuing sore for the Commission and Government.....The moral, therefore, I would have workers to draw from this incident is not to be depressed or taken aback by the assault, but to treat it as part of the game, we have to play to turn the irritation caused by the wanton assault into dynamic energy and husband it and utilize it for future purposes.⁴⁰ Jawharlal Nehru said, 'I am not surprised at what happened at Lahore, It was but to be expected. I am glad Lahore has done well and I hope Lucknow would do better.'⁴¹ Dr. Annie Besant wrote in *New India*, 'Violence and bloodshed at Lahore are a forerunner of the coming troubles. Will England lose India as she lost the American Colonies? As in the latter case, the best brain and strongest hearts in India will not bear many repetitions of Lahore outrages.'⁴²

1.29 In spite of being wounded on October 30, Lajpat Rai carried on his work. On November 4, he attended a session of the AICC at Delhi and spoke there. But the physical strain was the great to bear and he had to return to Lahore before the Session ended. On November 8, he wrote in the *People*, 'The published report of my speech at the AICC is not quite correct. I was rather excited at the time. The wounds caused by the *lathis* of the police are not very serious but they have had a harmful effect on my health. All the while I was in Delhi, I was very depressed and fever prevented me from giving a lecture at a public meeting. Again influenza forced me to resign from the Nehru Committee. Even now wounds continue to trouble me.'⁴³

1.30 On November 16, he received visitors, amongst whom was also his personal physician Dharamvir. In order to divert his attention, a game of bridge was played in which Lalaji also joined. Later, when the Doctor examined him, he found that his fatigue manifested itself as a chronic pain. The pain in the right chest and back had assumed neurotic proportions, the temperature and pulse were normal and there was no sign of headache. The doctor noticed that formally, rest, massage and outings in the fresh air had brought him relief, but these were ineffective since October 30, and he was in a state of constant and utter exhaustion. Aspirin was prescribed, after which the doctor took his leave.⁴⁴

1.31 Early next morning, his servant was seen running towards the office of the Servants of People Society. All immediately rushed to his room where his wife, son and daughter and other relatives stood stunned and were waiting for the doctor. The doctor merely confirmed the fact that Lalaji lay in the peaceful sleep of death. The news spread like wildfire and people began pour-

ing in to pay their last respects to the leader. The funeral took place in the afternoon and the final rites were performed on the banks of the Ravi.⁴⁵

The mourning people afire with indignation and saw in the Simon Commission's visit the cause of his death. A vigorous demand for a commission of enquiry to look into the circumstances of his death was formally made through a resolution in the Assembly on February 15, 1929. But the Governor-General voted it.

1.32 The death of Lajpat Rai was avenged by prominent patriots like Bhagat Singh and his associates. They made up their mind to shoot J.A.Scott, the Senior Superintendent of Police of Lahore. But by mistake Saunders, a probationer Assistant Superintendent of Police who was hardly 23, was shot dead. Probably, in a huff the young revolutionaries could not distinguish between Scott and Saunders. The act, however, was done with aim of shooting at least a senior police officer to apprise the Raj about the great sympathy and love of the people for Lajpat Rai. At this point of time, the whole machinery of the government was geared up to spot out the culprit; but the young revolutionaries, as per their style of functioning, soon disappeared form the scene. But later on they were arrested, convicted and hanged.

1.33 The youth were yet to make an attempt on the life of Scott and they were looking for an opportunity in the near future. Scott indeed was fearful of these rumours, took long leave for a year and went to England. By the time he resumed his duty in the Punjab, Bhagat Singh and his associates had been hanged.

1.34 The bureaucracy might have appreciated the official work undertaken by Scott. Between 1930-47 he had been posted in several official positions in the province. The Congress circles, however, did not forget Scott and the episode attached to his official career. In 1947, he wished to be transferred from Rawalpindi to East Punjab as Dy. Inspector General of Police. Dr. Gopi Chand Bhargava, the Premier of East Punjab refused to accept him in his province. Scott served in Pakistan and left for England after retirement.

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