

accuracy'. Unfortunately, the findings of the Commission were not accepted either by the Punjab or by Sind. It was decided to refer the matter to His Majesty's Government at London. At that stage informal meetings were held by the Chief Engineers of the Punjab and Sind with a view to finding a solution by agreement and a draft agreement was prepared in 1945. But no final accord could be reached. The matter was, therefore, referred early in 1947 by the Government of India to the Secretary of State for his decision. Immediately thereafter, there was division of India and the two dominions, India and Pakistan were set up. Indus basin was divided into two parts, one part falling in India and the other in Pakistan. What happened thereafter to the dispute is now a matter of history.

7. PRIME MINISTER OF JAMMU AND KASHMIR (1945)

B.N. Rau retired from the Indian Civil Service early in 1944 and, on being persuaded by Tej Bahadur Sapru, he agreed to become the Prime Minister of Jammu and Kashmir. However, within a short period, he tendered his resignation, as he could not get on with the Maharaja of Jammu and Kashmir. Sri Karan Singh, in his autobiography, writes about the tenuous relationship that used to exist between his father (the Maharaja) and his Prime Minister :¹¹

He selected his Prime Minister with great care, but no sooner had he appointed one than he would begin cultivating some one else as a sort of counterbalance. With the exception of N. Gopaldaswami Ayyangar who was Prime Minister of the State for six years from 1934 to 1939, this happened with all the succeeding incumbents—Raja Maharaj Singh, B.N. Rau, Colonel K.N. Haksar, Pandit Ramachandra Kak and General Janak Singh—right down to the crisis of 1947.

B.N. Rau gave up the post of the Prime Minister and wrote to the Maharaja a letter explaining the reasons for his

11. Karan Singh, *Heir Apparent* (Oxford University Press 1982) p. 12.

decision to resign :

Briefly, Your Highness, I have been conscious for some time that we do not see eye to eye on certain fundamental matters of external and internal policy. And that leads, as it must lead, to disagreement in many a detail. I have never questioned and I do not now question, the position that in all these matters Your Highness's decision must be final. The Prime Minister must accept it or resign. To accept it without conviction would not be fair, either to Your Highness or to the State and I am grateful to your Highness for letting me resign.... I need not repeat to your Highness that if in the days to come I can be of any service to the State wherever I may be, that service will be rendered gladly and freely.

The resignation of B.N. Rau from this high political office left him free to render service to the Nation in many other capacities.¹²

8. HINDU LAW REFORM COMMITTEE (1940-41, 1943-46)

An opportunity for contributing to Hindu Law Reform came to B.N. Rau in the following circumstances:

The Hindu Women's Rights to Property Act, 1937 came into force on 14th April, 1937. By the end of 1940, public opinion had been built up favouring the amendment of some of the provisions of the Act. Judicial construction of its provisions rendered it necessary to have a second look at them. A reference had been made to the Federal Court by the Governor-General under section 213 of the Government of India Act, 1935 asking the opinion of the Federal Court on the following questions, viz. (1) Does the Hindu Women's Rights to Property (Amendment) Act, 1938, operate to regulate (a) succession to agricultural land; (b) devolution by survivorship of property other than agricultural land? and (2) is the subject of devolution by survivorship of property other than agricultural land included in any of the entries in the three legislative lists in the Seventh Schedule to the

12. See also under "Judge of the Calcutta High Court", *supra* p. 5.