

Wednesday, 16th March 1932

THE LEGISLATIVE ASSEMBLY DEBATES

(OFFICIAL REPORT)

VOLUME III, 1932

(14th March to 6th April, 1932)

THIRD SESSION

OF THE

FOURTH LEGISLATIVE ASSEMBLY,
1932



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Legislative Assembly

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LEGISLATIVE ASSEMBLY.

Wednesday, 16th March, 1932.

The Assembly met in the Assembly Chamber of the Council House at Eleven of the Clock, Mr. President in the Chair.

QUESTIONS AND ANSWERS.

MOTOR MAIL CONTRACTS IN BOMBAY, MADRAS AND BENGAL.

818. ***Rao Bahadur B. L. Patil**: Will Government be pleased to state:

- (a) the names of different places to which postal mails and other articles are carried on a contract basis in motor vans and lorries in the Presidencies of Bombay, Madras and Bengal together with the names of the contractors and the amount of the contract;
- (b) who is the authority negotiating and sanctioning such contracts;
- (c) whether the Director General is the final authority;
- (d) whether the contractor is one and the same man both in Madras and Calcutta; and
- (e) whether it is a fact that the Calcutta contract was given to the Madras contractor on much better terms and conditions than actually advertised; and
- (f) whether they propose to hold auctions for smaller circles?

Mr. T. Ryan: (a), (b) and (c). Heads of Postal Circles have power to make contracts for the carriage of mails at costs up to Rs. 1,000 per mensem in each case. Government have no particulars of such contracts. Larger contracts require the approval of the Director General of Posts and Telegraphs, and in certain cases of the Government of India. A list of such contracts is being prepared and will be laid on the table.

(d) Yes.

(e) I can find no ground for the Honourable Member's suggestion. Government placed the mail contract with the present contractor after considering all tenders received in response to the advertisement.

(f) The question is not understood. Mail contracts are placed under the usual tender system.

GRIEVANCES OF THE MUSLIM COMMUNITY AGAINST THE PUBLIC SERVICE COMMISSION.

819. ***Maulvi Sayyid Murtuza Saheb Bahadur**: (a) Has the attention of Government been drawn to:

- (i) a series of letters voicing the grievances of the Muslim community against the Public Service Commission which have appeared in the *Eastern Times*, Lahore, from time to time;

(ii) the letter from Mr. D. Reynell, I.C.S., the Secretary, Public Service Commission, which was published in the issue of the 14th December, 1931, of the *Eastern Times*, Lahore; and

(iii) the rejoinder to Mr. Reynell, which appeared in the issue of the 24th December, 1931, of the same paper?

(b) Is it a fact that the Public Service Commission did not reply to the rejoinder mentioned in item (iii) above? If not, why not?

The Honourable Sir James Orerar: (a) Yes.

(b) No reply was sent because the Government of India who were consulted by the Public Service Commission did not consider it desirable to pursue the matter in the Press.

Dr. Ziauddin Ahmad: I hope the Honourable Member has read the article of 24th December. There are some serious allegations there.

Mr. President: The Honourable Member is not asking a supplementary question.

Dr. Ziauddin Ahmad: I am just asking whether the Honourable Member has read the article dated the 24th December himself and whether he has read the serious allegations made against the Public Service Commission in that article?

The Honourable Sir James Orerar: I regret to say that the article is not in my possession and I have not had the opportunity of perusing it. If the Honourable Member will be good enough to send me a copy, I shall be glad to look into it.

Dr. Ziauddin Ahmad: I will send it.

VACANCIES FOR MEMBERS OF MINORITY COMMUNITIES IN CENTRAL GOVERNMENT DEPARTMENTS.

820. ***Maulvi Sayyid Murtuza Sahab Bahadur:** (a) Will Government please say whether, prior to holding their 1931 examinations, the Public Service Commission asked the various offices of the Central Government to state their requirements of (i) members of the minority communities, and (ii) Muslims?

(b) If so, what were the requirements of each office under each category?

The Honourable Sir James Orerar: (a) Yes.

(b) I presume the Honourable Member is referring to the requirements in connection with the 1931 examination. A statement giving the information is laid on the table.

Statement showing the demand of each office for members of minority communities and Muslims in respect of vacancies which occurred during the period 1st April, 1930 to 30th September, 1931.

Departments or Offices.	1st Division.		2nd Division		3rd Division.		
	Minorities excluding Muslims.	Muslims.	Minorities excluding Muslims.	Muslims.	Minorities excluding Muslims & Lady clerks.	Muslims.	Lady clerks.
1. Department of E., H. and L.	1	1	..	..	..	..
2. Department of I. and L.	1	..	..	1	..	..
3. Home Department	1	..	..	..
4. Director of Civil Aviation.	1	..	..	..	..	..
5. Indian Stores Department	1	..	1	..	..	..
6. Public Service Commission	1	..
7. Director, Intelligence Bureau	1	..	..
8. Central Printing Office	1	..
9. Assistant Director of Ordnance Services (Provn).	2	..	..
10. Military Adviser-in-Chief, Indian State Forces	1	..	..
11. D. G., I. M. S.	1	..	..
12. R. A. F. Headquarters	3	..	..
13. Military Secretary's Branch	1	1	..
14. Medical Directorate	2	..	1
15. Q. M. G.'s Branch	3	3	4
16. Master General of Ordnance Branch	6	2
17. G. S. Branch	11
18. A. G.'s Branch	1	9
19. E.-in-Chief's Branch	4	2
Total	4	1	2	15	17	29

APPOINTMENT OF MUSLIMS TO MINISTERIAL ESTABLISHMENT OF THE
CENTRAL GOVERNMENT.

821. *Maulvi Sayyid Murtuza Saheb Bahadur: (a) Is it a fact that the Public Service Commission, in its communiqué, dated the 16th October, 1930 announcing* the competitive examination for the selection of candidates for the ministerial establishment of the Central Government stated that not less than 15 of the Third Division appointments would be reserved for Muslims?

(b) How many Muslim candidates were actually declared qualified by the Public Service Commission against these 15 reserved appointments?

(c) How were the 15 vacancies reserved for Muslims disposed of?

The Honourable Sir James Crerar: (a) Yes.

(b) Eight.

(c) Six were filled by qualified candidates from the competitive list, one by a qualified candidate from the qualifying examination held for departmental candidates and six by appointment of temporary Muslim clerks who qualified at previous examinations. I have no precise information about the remaining two, but the orders of the Home Department are that unqualified Muslims may be employed temporarily in permanent vacancies reserved for Muslims until qualified members of that community are available.

Dr. Ziauddin Ahmad: May I ask whether these examinations are held every year or are they held only periodically?

The Honourable Sir James Crerar: As requirements arise.

Dr. Ziauddin Ahmad: Is it not desirable to hold the examination on fixed dates every year, irrespective of the fact whether there are vacancies or not. These are not competitive examinations.

The Honourable Sir James Crerar: I take note of the Honourable Member's suggestion.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

822. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the *Public Service Commission is the only recruiting agency for the offices of the Government of India?*

(b) If the Public Service Commission has failed to meet in full the requirements of the various offices in respect of the Muslim candidates what steps do Government propose to take to assure the requisite supply of Muslims?

The Honourable Sir James Crerar: (a) Recruitment to the clerical staff in most of the offices at the headquarters of the Government of India is made through the Public Service Commission.

(b) The Government of India have arranged that unqualified Muslims should be allowed to continue to hold temporarily permanent vacancies reserved for members of that community until qualified candidates are available.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

823. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the Public Service Commission notified 48 appointments in the Third Division for the competitive examination, but passed more than 100 candidates against those appointments?

(b) Was the number of passed candidates in excess of requirements determined by communal considerations? If not, why not?

(c) What is the communal composition of the first 48 passed candidates and of those passed in excess of that number?

The Honourable Sir James Orerar: (a) and (b). I would refer the Honourable Member to the reply given in this House on the 24th September 1931 to question No. 946.

(c) Of the first 48, 3 were Muslims, 4 were Anglo-Indians and 41 were Hindus. Of the others, 5 were Muslims, 4 were Anglo-Indians, 2 were Sikhs and 41 were Hindus.

Dr. Ziauddin Ahmad: May I repeat that if the examinations are held and dates fixed every year, all these difficulties will automatically disappear.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

824. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Has the attention of Government been drawn to the following statement made in a letter published by the *Eastern Times*, Lahore, in its issue of the 14th December, 1931, in the name of Mr. Reynell, Secretary, Public Service Commission, concerning the 1931 examinations of the Commission:

"It is untrue that in the 1926 examination the qualifying marks were lowered in order to admit of the appointment of more minority community candidates."

(b) Is it a fact that the names of all the candidates who passed the 1926 examination were published in the *Gazette of India*, dated the 22nd March, 1927?

(c) Is it a fact that certain candidates who appeared at the 1926 examination but whose names were not published in the *Gazette of India*, dated the 22nd March, 1927, were subsequently appointed to permanent posts in the offices of the Government of India with the cognisance of the Public Service Commission, and that some of them are still permanently employed in those offices?

(d) Is it a fact that the marks obtained by the candidates referred to in part (c) above were less than those obtained by the candidates whose names were published in the *Gazette of India*?

(e) If the reply to part (d) above is in the affirmative, will Government please state whether Mr. Reynell's statement quoted in part (a) above is correct?

The Honourable Sir James Orerar: (a), (b) and (d). Yes.

(c) and (e). The position is explained in the reply given in this House on the 24th September 1931 to part (a) of question No. 947.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

825. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Has the attention of Government been drawn to the following statement made by the Secretary, Public Service Commission, in a letter published in the *Eastern Times* of Lahore, dated the 14th December, 1931, in connection with the 1931 examinations:

"The Government of India decided that the proper course was to wait until the next examination to obtain qualified Muslims for places reserved for that community

and in the meantime to make temporary appointments of unqualified Muslims to vacancies for which Muslims had failed to qualify at the examination, the existing temporary incumbents being retained where that was desirable."

(b) Will Government please say how many unqualified Muslims have been recruited since the 1st July, 1931, in compliance with the above decision of the Government of India, and how many Muslims have been turned out from temporary posts during the same period, specifying, in each case, the offices by which such recruitment or discharge has been carried out?

(c) Is it a fact that in his letter referred to above, the Secretary, Public Service Commission stated that there was no possible foundation for the allegations made against the Commission about tampering with the answer books of the 1931 examinees?

(d) Will Government please state whether any enquiry was made in the matter, and if so, the methods by which it was ascertained that answer books had not been replaced and that correct answers had not been crossed through?

The Honourable Sir James Orerar: (a) Yes.

(b) The information is being collected and will be placed on the table when complete.

(c) Yes.

(d) At the first suggestion of tampering, a careful examination of the answer books was made, which showed that there was no foundation whatever for this allegation. The Commission took the same precautions in this examination as they do in all other examinations. They offered to give, and are still willing to give, any impartial person full facilities for investigation.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

826. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Have Government seen a letter published in the *Eastern Times*, Lahore, of the 24th December 1931, in reply to a letter published in the same paper in its issue of the 14th December 1931, in the name of Mr. Reynell, Secretary, Public Service Commission?

(b) Is it a fact that the Public Service Commission did not reply to the allegations made against it in the letter referred to in part (a)?

(c) Will Government say whether the following statements occurring in the reply to Mr. Reynell's letter are correct:

"(a) There are about a dozen people who failed in the 1926 examination whose names are not included in the Home Department Notification No. F-166/27, dated the 22nd March, 1927, but who were subsequently declared qualified by the Public Service Commission for employment in the 2nd and 3rd Divisions and who at present hold permanent appointments in the offices of the Government of India."

"(b) The Home Secretary issued these orders on July 17, 1931, after receiving a deputation of Muslims, but the Commission did its worst to nullify these orders as it took full two months, I understand, in communicating them to the Army Department, who had reserved some 40 vacancies for the Muslims. How can the Commission then claim that it has played fair with the Muslim community? I may add for Mr. Reynell's information that the Army Department issued instructions on August 20, 1931, that is more than a month after the issue of the Home Department orders. that

the vacancies reserved for the minority communities *must* be given to the Hindus. These curious instructions were cancelled on October 6, 1931.²²

(d) Are Government prepared to consider the advisability of making a full statement in the Press in regard to the action taken by the Public Service Commission after the 1926 examination?

The Honourable Sir James Ozerar: (a) Yes.

(b) Yes, for the reasons stated in reply to part (b) of question No. 819.

(c) No. The facts are not as stated.

(d) Government have ascertained that at the outset no qualifying mark was fixed at all because only a limited number of vacancies was offered. When it was found that a sufficient number of candidates from minority communities to fill the vacancies reserved for these communities were not at the top of the list, the Commission went down the list, taking these candidates in order of merit. Eventually the question arose how far down the list the Commission could probably go; and a qualifying mark was then fixed for the first time. Thus the mark was not reduced in order to admit Muslim candidates. It was fixed for the express purpose of excluding unqualified candidates.

Dr. Ziauddin Ahmad: Is it not a fact that the fixation of the qualifying marks is a purely arbitrary problem and it would depend on the nature of the question paper and would vary from year to year?

The Honourable Sir James Ozerar: The Honourable Member is asking for an expression of opinion.

Mr. Gaya Prasad Singh: Is it a fact that some candidates who failed to obtain the requisite number of qualifying marks were awarded additional marks in order to enable them to pass the examination?

The Honourable Sir James Ozerar: I have no information of that kind.

Mr. N. M. Joshi: May I ask when Government observe certain proportions and reserve seats for a particular community, whether they also reserve a certain proportion for the working classes?

(No reply was given.)

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

827. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the Public Service Commission recently suggested to the Home Department that the vacancies reserved by the different offices of the Government of India for the Muslims should be filled by candidates belonging to other communities, as Muslims had failed to pass the prescribed examinations of the Commission in sufficient numbers?

(b) Is it a fact that as a result of the Ministerial Selection Branch examination held in 1926, Muslims did not pass in sufficient numbers to hold the appointments reserved for them?

(c) Is it a fact that the Public Service Commission selected some of the failed Muslim candidates in 1927 to fill certain vacancies in the Government of India offices?

(d) If the reply to part (c) above is in the affirmative, will Government please state as to why similar action was not taken by the Commission in 1931?

The Honourable Sir James Orerar: (a), (b) and (c). No.

(d) Does not arise.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

828. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that in connection with the 1931 competitive examination of the Ministerial Selection Branch the Public Service Commission notified that one vacancy in the First Division, one in the Second Division and fifteen vacancies in the Third Division would be reserved for the Muslims?

(b) Is it a fact that the Public Service Commission nominated two Muslims for the First and Second Division vacancies?

(c) Is it a fact that the Public Service Commission did not nominate fifteen Muslims for the Third Division vacancies?

(d) Do Government propose to consider the advisability of nominating Muslims for the Third Division vacancies on the same principle as was observed in nominating Muslims for the First and Second Division vacancies?

The Honourable Sir James Orerar: (a) The Public Service Commission notified that one vacancy in the First Division and 15 in the Third Division would be reserved for Muslims. One vacancy in the second Division was reserved for a member of a minority community.

(b) The Public Service Commission nominated 4 Muslims for the First Division vacancies and two for the Second Division vacancies.

(c) Yes; because that number of qualified Muslims was not available.

(d) The Commission observed the same principle for all three Divisions and would have nominated more Muslims for the Third Division if a sufficient number of qualified members of that community had been available.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

829. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) Is it a fact that the names of the candidates who passed the 1926 examination of the Ministerial Selection Branch of the Public Service Commission were published in the *Gazette of India*?

(b) Is it a fact that the Gazette Notification included a list of the members of the minority communities who had been selected in preference to members of the majority community with a higher number of marks?

(c) Is it a fact that the Gazette Notification stated that the list referred to above could be added to if the demands were received for candidates belonging to communities unrepresented or not adequately represented in the various offices of the Government of India?

(d) Is it a fact that the Public Service Commission added to the list in 1927 and declared qualified a number of candidates who had failed in the 1926 examination?

(e) Do Government propose to consider the advisability of taking similar action to make up communal inequalities in connection with the 1931 results?

The Honourable Sir James Crerar: (a) to (c). Yes.

(d) and (e). I would refer the Honourable Member to the reply given in this House on the 24th September, 1931, to parts (a) and (d) of question No. 947.

RECRUITMENT OF MUSLIMS BY THE PUBLIC SERVICE COMMISSION.

830. ***Maulvi Sayyid Murtuza Saheb Bahadur:** (a) How many candidates passed the competitive and qualifying examinations, respectively, of the Public Service Commission (Ministerial Selection Branch) held in 1931, and what was their communal composition?

(b) Will Government please state:

(i) the number of candidates who were recruited to fill temporary, officiating and permanent vacancies in the Departments of the Government of India and their subordinate and attached offices during the period, 1st May, 1931 to 31st January, 1932; and their communal composition; and

(ii) how many of the candidates referred to above were "passed" men and how many of them were nominated by the Public Service Commission?

(c) Is it a fact that there are no passed Muslim candidates available with the Public Service Commission for employment in clerical establishments of the Government of India offices?

(d) If so, what steps do Government propose to take to assure a supply of Muslim candidates?

(e) When do the Public Service Commission intend to hold the next examination of the Ministerial Selection Branch?

The Honourable Sir James Crerar: (a) The number of candidates who passed the competitive and qualifying examinations for the typist and routine grade was 100 and 25 respectively. Their communal composition is as shown in the statement laid on the table. No pass standard was fixed for the examination for 1st and 2nd Divisions.

(b) The information is being collected and will be furnished to the House in due course.

(c) Yes (except one candidate who desires appointment of a kind which is not available) in respect of the typist and routine grade only.

(d) The manner in which it is proposed temporarily to get over the difficulty has been stated in reply to previous questions. Government hope that a permanent solution will be found in the entrance of Muslim candidates with high qualifications for the various competitive examinations so that there will be no difficulty in obtaining qualified Muslim candidates for the places reserved for them. I hope the Honourable Member and other influential Muslims will assist in this respect by encouraging candidates to enter.

(e) The Commission are not now in a position to say when the next examination will be held.

Communal composition of candidates who passed the 1931 competitive and qualifying examinations for the typist and routine grade.

Competitive Examination—

Hindus	79
Muslims	8
Sikhs	2
Jains	3
Anglo-Indians	8
	<hr/>
	100

Qualifying Examination—

Hindus	18
Indian Christians	1
Anglo-Indians	3
Sikhs	1
Muslims	2
	<hr/>
	25

THE RAILWAY SYSTEM OF ACCOUNTING.

831. ***Dr. Ziauddin Ahmad:** (a) Has the attention of Government been drawn to the article under the heading "The balance sheet of Indian Railway and Railway system of Accounting" published in the *Indian Accountant*, Lahore, dated December, 1930 (pages 85-86)?

(b) What action do Government propose to take on the points raised in the article?

Mr. P. R. Rau: Government have not seen the article referred to but my Honourable friend has promised to send me a copy of the article and I shall have the question examined.

Dr. Ziauddin Ahmad: Will my Honourable friend try to get a copy from the Public Information Office?

Mr. P. R. Rau: I believe, Sir, that the article my Honourable friend is referring to was not among those circulated to the Railway Board by the Director of Public Information.

Dr. Ziauddin Ahmad: Did he try to get a copy?

Mr. P. R. Rau: I suppose the office did; but I cannot say definitely.

Mr. M. Maswood Ahmad: Do Government want to get a copy now?

Mr. P. R. Rau: My Honourable friend has already promised to supply me with a copy, Sir.

RE-EXAMINATION OF CERTAIN TRAVELLING TICKET INSPECTORS.

832. ***Dr. Ziauddin Ahmad:** (a) Is it a fact that the Superintendent of Allahabad Division has issued a circular demanding that the T. T. Is., who had already passed the Departmental examination before their confirmation, should appear again in the said examination?

(b) Have such instructions been issued by the Superintendents of other Divisions in the East Indian Railway?

Mr. P. R. Rau: I have called for certain information and will lay a reply on the table in due course.

Dr. Ziauddin Ahmad: May I just ask that as the examinations are announced by the 15th of April, he will kindly complete his enquiry before the examinations are actually held?

UNSTARRED QUESTIONS AND ANSWERS.

OCCUPATION OF POST OFFICE INSPECTION HOUSES BY A DEPUTY POSTMASTER GENERAL.

186. **Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that Mr. R. F. Kalberer, Deputy Postmaster General, United Provinces Circle, occupied the Post Office Inspection house at Allahabad on several occasions and more recently in February, 1932, but did not pay any rent for the occupation as required by the rules?

(b) Is it also a fact that Mr. Kalberer and his wife, who was then working as Assistant Postmaster General, while on leave occupied the Post Office inspection quarters at Mussooree about the year 1929 for over a month and a half and paid no rent for them?

(c) If so, what action has been or is proposed to be taken by Government in the matter?

Mr. T. Ryan: Replying to questions Nos. 186 to 190, together: an enquiry has been instituted and when their information is complete Government will take such action as may be necessary.

CONTRACTS FOR THE CONVEYANCE OF MAILS IN THE DEHRA DUN AND JHANSI POSTAL DIVISIONS.

†187. **Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that during the last few months a number of contracts for conveyance of mails in Mr. Kalberer's range in Dehra Dun and Jhansi Postal Divisions were given without calling for any tenders, and is it a fact that this is known to the Director General, Posts and Telegraphs?

(b) If so, what action has been taken in the matter?

CONTRACTS FOR THE CONVEYANCE OF MAILS IN THE DEHRA DUN AND JHANSI POSTAL DIVISIONS.

†188. **Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that the contract for conveyance of mails in Dehra Dun was given to one Tewari on Rs. 700 a month in the face of a lower tender for the same work of about Rs. 340 a month only?

(b) Is it a fact that the lower tenderer sent a telegram to the Director General and asked for an enquiry into the case?

(c) Will Government state whether they are prepared to investigate into the *modus operandi* of this and all other tenders for the conveyance of mails in Dehra Dun, Jhansi and Aligarh Divisions and Agra head office during the last twelve months?

†For answer to this question, see answer to unstarred question No. 186.

(d) Were the notices calling for tenders issued in the name of the Postmaster-General in all cases? If not, why was this Deputy Postmaster-General allowed to put his name in any case?

EAST INDIAN RAILWAY PASSES ISSUED TO THE DEPUTY POSTMASTER GENERAL, UNITED PROVINCES CIRCLE.

†189. **Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that the East Indian Railway have issued third class passes to the Deputy Postmaster General in the United Provinces Circle and when asked have informed the Postmaster-General that their action in issuing 3rd class passes was due to the fact that a Deputy Postmaster-General misused the first class pass?

(b) If so, who was this Deputy Postmaster General and in what way did he misuse the pass?

RECRUITMENTS IN THE UNITED PROVINCES POSTAL CIRCLE.

†190. **Mr. Muhammad Anwar-ul-Azim:** (a) Is it a fact that during the month of February, 1932, 26 new recruits have been appointed in the Circle Office at Lucknow out of whom only one belongs to the minority community?

(b) Is it a fact also that three of these recruits have passed only the primary examination?

(c) Is it a fact that approved candidates who are graduates and who have been candidates for the last three or four years have protested to the Postmaster General against these recruitments in total disregard of their superior qualifications and claims?

(d) If so, will Government state what action they propose to take to redress the grievance? Had Mr. Kalberer, Deputy Postmaster General, United Provinces Circle, anything to do with this recruitment?

THE GENERAL BUDGET—LIST OF DEMANDS—contd.

DEMAND No. 28—EXECUTIVE COUNCIL—contd.

Avoidance of Income-tax.

Mr. John Tait (Burma: European): Sir, I move:

"That the Demand under the head 'Executive Council' be reduced by Rs. 100."

My object in moving this cut, is to call attention to what we consider to be the inadequacy of the remarks of the Honourable the Finance Member in his Budget speech when referring to the very important question of income-tax evasion. Honourable Members will remember that on the occasion of the debate on the Supplementary Finance Bill, this Group called the attention of Government to the widely held view that evasion or avoidance of income-tax was rampant throughout the country; and in the speech I delivered on that occasion I put forward the theory—not to prove any specific case or cases of evasion or avoidance of income-tax,—but

†For answer to this question, see answer to unstarred question No. 186.

attempting on broad lines to show that there existed a disparity as between provincial assessments of such arresting dimensions as to compel the inference that there could be no other explanation but that evasion or avoidance of income-tax was prevalent amongst a very large section of those liable to taxation or, what amounts to the same thing, that there was inefficiency in assessing the tax by the department concerned.

Now, while it never was claimed that the figures submitted absolutely established evasion or avoidance of income-tax to the extent deduced, the case was in our view sufficiently clearly delineated to warrant the conclusion being drawn that an enormous loss of revenue to Government from non-assessment or under-assessment of income-tax was in fact being experienced, not only to the disadvantage of the country's revenues at large, but in particular to the detriment of those tax-payers who always have, and who continue to meet their legal liabilities. It was therefore urged by those whose interests we on these Benches represent that it was up to Government to examine in the closest detail the case we had propounded, on the supposition that the deduction drawn from the figures reflected what either in whole or in part was the true state of affairs existing in the country.

Sir, we were afforded much encouragement by the promise of the Honourable the Finance Member in the reply he gave us in November last. He promised then that he would inquire into the figures with the object, in his own words, of finding out how near the truth we had got and not for the purpose of proving that we were wrong; and that, Sir, is all that we have asked for. We expected to be told at this time, after the lapse of four months, what had resulted from that inquiry. Did our figures really provide a reasonably accurate picture of the true state of affairs with regard to the provincial assessments, or did they under microscopic examination prove nothing at all? Did a comparative analysis of all the figures show that the assessments on business profits and on properties in some provinces produce less proportionately than the same assessments in other provinces, considering all the connected circumstances of each, or did the figures prove so nebulous as entirely to fail to justify any change in the official opinion towards this disputed question of evasion or to bring that opinion more into line with the very definite views on the subject held generally in Mercantile Circles? And I put it to the Honourable the Finance Member, does he honestly think that the indefinite reference to this very serious question in his Budget speech was an entirely adequate answer to the case we had put forward? Sir, if Sir George Schuster could shed the restraint of officialdom for a moment and assume again that matter-of-fact attitude of mind to which I am sure he was accustomed in many a Board room in the past, I do not think there could be any doubt as to what his answer would be. That, then, Sir, is the business community's complaint. We want to be told quite frankly and clearly whether Government agree that very serious avoidance of income-tax is widespread in the country today; and if they do so agree, can they give us a clear assurance that every step, and entirely adequate steps, will be taken with the least possible loss of time to remedy the position?

Sir, the Honourable the Finance Member complains in his speech that no specific instances of evasion have been put up to him, and I put it to him, does he really expect us to put up any specific case or cases of evasion? And if we had been able to put up any specific case or cases of evasion,

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what, I ask, would the country or he himself have thought of his own department? For surely nobody outside that department should be in possession of such confidential information as to be able to put up specific cases of where a man was under-assessed or not assessed at all to income-tax. If anybody became in possession of such information in the course of professional connection with the persons concerned, does he really think that that person would be free to disclose such confidential information? On reflection, Sir, I suggest to the Honourable the Finance Member, he will agree that he has no right to expect any such information from outside. As regards suggestions for remedying the irregularities, here again I do not think the Honourable gentleman can complain, for, in point of fact a great number of suggestions were put up to his Department here in November last and since then in other places and we must assume that all such suggestions have eventually reached his table. I do not therefore propose to review such suggestions, because it is obvious that matters of such detail can be dealt with much more conveniently elsewhere than on the floor of this House. But I would only mention what is perhaps our most important suggestion, and that is that a small expert Board consisting of two or three Members, which may or may not be wholly official, but in any case should be unquestionably highly qualified, be appointed, and that they should visit each centre to examine the effectiveness of the assessments in each circle. That is our basic suggestion, for we are confident that on the facts which an unhurried penetrating survey by that Board would bring to the light of day, a much more effective administration of income-tax assessment could be built up.

It may well be that many of the suggestions which have been submitted are not considered practical in all the circumstances. We do not know if that is so but we have no shadow of doubt that all of them are not impractical, and that an application of even a few of them would unquestionably effect very marked improvement in the existing unsatisfactory state of affairs. It may be also that the proposed action so mysteriously inferred in the Honourable the Finance Member's speech will do all that the position calls for at the present time. But, Sir, the inherent vagueness of the remarks quite frankly leave the mercantile community with an uneasy feeling that the position is not really appreciated and that very little is likely to be done. Rightly or wrongly, we are constrained to believe that the department does not accept the view that evasion or avoidance is nearly as extensive as most non-officials are convinced it is, and quite possibly the department cannot appreciate why we here are pressing this question at this time. But in the non-official view there is no alternative but to press for the relief we seek, when it is remembered that our case, if it is as well founded as we are convinced it is, really means that those of us who are to-day paying Rs. 300 a year as income-tax should only be paying about Rs. 200, and that those who are paying Rs. 1,500 a year, should only be paying about Rs. 1,000 a year, and that those firms which are paying Rs. 9 lakhs a year are really paying 3 lakhs too much because somebody else is avoiding taxation and paying nothing at all. The most urgent claim both on our sympathy and on our consideration however is of those unfortunate people whose salary is Rs. 1,000 a year or Rs. 83 a month, who would be freed from the taxation which we subjected them to in November last under the present financial emergency. Speaking for myself, I can frankly say that, amongst a host of objectionable

items in the Finance Member's Supplementary Bill, this feature whereby the minimum taxable income was reduced from Rs. 2,000 to Rs. 1,000, was the feature which caused me the greatest misgivings.

There is one thing more which I wish to say. In replying to me last November, the Honourable the Finance Member, in his own words, generated considerable heat in the defence of his department, and no one will blame him for that. But—and I should like to make this perfectly clear—there was not then and there is not now any suggestion in my remarks attacking the honesty of his department. I have no reason whatever to think that the integrity of the members of the Income-tax Department stands any lower than the very high standard which makes the Civil Service of India as a whole the admiration of the world. We do claim, however, that there is something very definitely wanted in the effectiveness of the assessment of income-tax. We believe the fault lies in the system and, in the absence of adequate powers, more than in the actual working of the department. But whatever the cause, we do appeal to Government to do everything that may be necessary to put matters right.

Sir, I move.

Mr. B. Das (Orissa Division: Non-Muhammadan): Sir, when I read the cut motion I thought that my friend Mr. Tait would say that there was a great deal of evasion of income-tax, but when I heard his speech I felt that he had a good deal of sympathy with those who are heavily taxed especially on account of the lowest limit of income-tax having been reduced to Rs. 1,000, and also he had a great deal of sympathy for a rebate of taxes. I think every one of us who is a human being would like to show sympathy with those who evade payments. When my friend Mr. Tait travels in a first class compartment and some stranger tries to get in, he tries to stop the gentleman from coming in and thereby the Railway Company loses its income and there is thus the evasion of railway dues. Then, Sir, the other day, when a certain income-tax Bill was introduced by my Honourable friend the Finance Member by means of which he wanted to tax all foreign investments, all my friends on my left were against it. That is also a sort of evasion of payment of income-taxes. Sir, being human, we all want to evade taxes, but I had thought that I would hear from my friend, Mr. Tait, a tirade against such evasions. Those who evade payment of taxes are not certainly moral wrecks. I find that my friend did not hold that view. It is human nature to evade income-tax, and it cannot be avoided. I had thought that this token cut was a vote of censure on the Government or on those who evade taxes, but his speech has not brought out that point at all. My Honourable friend expressed a good deal of sympathy with those who evade taxes, and I too express a good deal of sympathy with those who try to evade, because Government impose such taxes as they like and the tax-payer has no say in the matter. So, rightly and naturally, there is a desire on the part of every one to evade those taxes. Then, taking into consideration the fact that to-day the tax-payer is heavily taxed, naturally there would be such evasions. On the other hand, one aspect must be recognised that the low grade Income-tax Officers exercise too much control and recover extra taxation and cause lots of annoyance in the country side. Since the recruitment of the new staff by the Finance Department to collect all additional income-taxes, I think the police are held in as much terror as the income-tax officers are feared in the districts. The Finance Member himself knows that at present there

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is very little trade in the country, but the newly recruited Income-tax Officers want promotion. So they want to show that they can increase the amount of receipts of the income-tax, of the district by so many lakhs of rupees. So they go to the shops of every *Panwala* and *Biriwala* every oilman and grocer and tell them that their income is something like Rs. 5,000. These poor people have no accounts and it is their wives and children who sell the *pans* and the *biris* and eke out a bare living.

These are cases where these people are going to be taxed through over zealousness. In spite of my being hauled up under some sort of an Ordinance, that I am assisting a certain party in evasion of taxes, I will rather help that party whenever that man's income is Rs. 500 a year and the Income-tax Officer assesses him at having an income of more than Rs. 1,000. So I think this debate coming on the floor of the House at least teaches us one lesson. I do hope it will make the Honourable the Finance Member a little more humane and he will ask his Income-tax Officers and the Central Board of Revenue to be a little bit more human and not to apply the income-tax rules too strictly to those whose incomes are very low and who may not have paid income-tax unless an over-zealous Income-tax Officer evaluated and assessed their income at Rs. 1,000 or more.

Sir Hugh Cocke (Bombay : European) : Mr. Das said that it was human nature to evade income-tax. Well, I do not know that I should like to agree with him that it is human nature to evade income-tax, but it is certainly human nature to avoid income-tax, but still I accept his statement with his great knowledge of India. I accept his statement as applying to India. That being the case, I think it is very strong support to the fact that there must be very extensive evasion. I remember once a young man about to enter life and he was considering whether he should become an Inspector of Taxes in the United Kingdom and some one who was advising him said, "There is a great field in the future for Inspectors of Taxes because it is said that if everybody paid the income-tax they should, there would be no other taxes at all." That probably was something of an exaggeration and it is certainly not true today in the United Kingdom. But to what extent it is true in India, I should have very grave doubts. I have no doubt in my mind whatever that there has been tremendous evasion, mostly from the small merchants and shopkeepers. Mr. Das says that it is human nature. Well, whether it is human or not, I do not know, anyhow it is a very natural thing not to announce your profits and not to go out of your way to have your income assessed. Therefore I suppose that it is a natural process for the ordinary small shopkeeper and merchant, of whom there are thousands and thousands in India, to evade assessment to income-tax. Now that the limit has been reduced from Rs. 2,000 to Rs. 1,000, of course it will be very much more serious. Many more thousands of people are now to be drawn into the net and it is a question how many and what proportion of the total can be brought in. It is with this object in view and that of trying to tighten up the administration, that this matter was raised last November and is raised again to-day. We have been asked to make constructive suggestions. First of all, we have been asked to prove our case. That I think is impossible to prove with facts and figures, but I think by inference it is self-evident, and I think Mr. Das'

remark that it is human nature to evade income-tax is a sufficient indication that no one will deliberately return his profits to assessment unless he is forced to do so and if he is forced to do so, so far as he can in accordance with his conscience, if he has a conscience, he will naturally minimise his profits. Another fact which causes the profits to be minimised in the commercial world is undoubtedly the fact that there is no allowance for losses. When a man makes a lakh of rupees, he says, "I may make a loss of a lakh of rupees next year and therefore I must reduce this year's profit of a lakh of rupees by every means I can to a smaller figure so that I may not be mulcted in income-tax on a large figure this year when I get no redress for making a loss next year. Coming to the actual suggestions, many people have been thinking about this subject during the last few months, and certain suggestions have been put up which I think would bear mention in this House. One is the fact that to-day there is no obligation upon anybody, any private trader or individual to send in a return unless he is called upon to do so by the authorities. I think the time has come to take up this suggestion. The point was debated by the Select Committee that sat on the Income-Tax Bill in 1921. They decided that, having regard to the state of India then, the state of education and general learning, it was not possible to make it obligatory upon every individual to file his return whether he was asked to or not. But I think the time has come now when it should be made incumbent upon an individual to do that. It would place the authorities in a much stronger position because anybody who has not sent in his return is supposed to know the law and he is supposed to know that if his profits or income exceed Rs. 1,000 he ought to have sent in his return, and ignorance of law is no defence. That is a very important matter which requires attention from the authorities.

Then, there is another point about income-tax prosecutions. Any one who has been reading the English papers for the last five years will be struck by some almost famous cases which have been brought into the courts and they are of well known men who have swindled the income-tax authorities for many years and who have received sentences. These cases naturally make other people, who have been doing the same, very nervous, and possibly it makes them declare with perfect correctness their figures which they have not done in previous years. I am told that certain prosecutions have been launched in India but that the fines inflicted have been so trifling, in fact much less than what the income-tax authorities could themselves have imposed, that it has not been worth bringing other cases. Well, publicity ought to be very useful in this matter, and I hope that public opinion may force the courts to take a more serious view of these cases and to impose heavier fines, and in that way to make people return their incomes correctly who have not done so in the past.

Then there is the further point as to whether more inspection should not be done from headquarters. After all you can easily have a certain number of experts attached to your Income-tax Department, who in the light of their experience gained in Bengal, can go to Madras or Bombay and use that experience and possibly show up lines of assessment, which are not appreciated locally. Take a bookshop. The experience in Bengal may be that an average bookshop in the bookshop locality makes a certain figure as profit. Possibly that man goes to Madras and finds that similar bookshops are not being assessed on the ground that their income is not large enough to be assessed. That experience of experts going round the

[Sir Hugh Cooke.]

country may assist to show up irregularities in the income-tax administration of particular provinces and would be a great moral check on the personnel of the Income-tax Department, as they would know that there would be some one coming along once or twice a year, who was a great expert in his subject, and who would pounce on a given street and ask why bookshop No. 171 had not been assessed, or why only assessed at so much, when its turnover must be so and so. These are the sort of things in which experts travelling round the country from headquarters could assist. I should be very interested to hear from the Honourable the Finance Member how they have been thinking on this matter in the last few months and what steps they have in their mind. It must be obvious, I do not think it can be denied, that now that the income-tax limit has been reduced to one thousand rupees, evasion will be far more serious than it has ever been before, that is to say, as regards the number of cases,—whether it will be in the actual revenue is another matter. Therefore I think this matter should be ventilated and any step possible to bring in the correct amount of tax from individuals should be pressed.

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, the Honourable the Leader of the European Group was saying that Mr. Das was speaking in favour of the evasion of income-tax.

Sir Hugh Cooke: That is rather an exaggeration. I merely said that in his view it is human nature to evade it.

Mr. C. S. Ranga Iyer: I am glad the Honourable the Leader of the European Group has generously removed the wrong impression that I at any rate had about his speech and perhaps some others also on this side of the House. Because I think nobody would stand up on the floor of the House and no responsible man would say out in the country that any one should evade the income-tax. As a matter of fact, I do not think there can be any controversy about the stated object of the motion that the European Group has moved today. I think Government themselves will welcome a motion of that kind because it is calculated to strengthen their hands. But the only objection that I have to that motion is the plea that the Honourable the Leader of the European Group put forward, namely, that there should be a severity of punishment for evasion which he says there has been in his own country. I am quite willing to admit that England is one of the most heavily taxed countries in the world; it is also a well-known fact that England is also one of the most educated countries in the world; it is also a well-known fact that England is one of the richest countries in the world; and most important of all, it is worthy of note that England is a country which is governed by Englishmen and the Government is responsible to the people and the taxes which are put upon the people are put with the people's own consent. On the floor of this House we rejected the Finance Bill, and with the power which is not shared by the people that England has in this country, the Finance Bill was certified. If the House of Commons had rejected the Finance Bill, Englishmen would have had to go and consult their people in a general election and a new Government would have come into existence. Therefore, Sir, I would ask the Honourable the Finance Member not to take the very mischievous advice of the Honourable the

Leader of the European Group and chastise those who evade income-tax not only with whips but with scorpions. That is what the Leader of the European Group implied when he said that the fines were trifling. He wants very severe punishment; he wants sharp exposure of the offenders. All that will come when power is transferred from that side to this side. Till then, I will only ask the Finance Member to secure our moral sympathy and support against the evasion of income-tax, but not to tax the tax-payer with a heavier tax, namely, a savage punishment for evasion. That would be a disastrous thing when the Government have no responsibility whatever and when the House has given them no power to tax the people.

Mr. H. P. Mody (Bombay Millowners' Association: Indian Commerce): Sir, the issue before the House is of such a simple and straightforward character that I do not think there need have been any disagreement amongst ourselves. There is no doubt about it that a great deal of evasion of income-tax takes place. My Honourable friend Mr. B. Das said that it was a very common every-day affair.

Mr. B. Das: I did not say that.

Mr. H. P. Mody: He said it was human nature to do it. I entirely agree

Mr. B. Das: Do you want to pay any income-tax on your foreign investments?

Mr. H. P. Mody: I think this interruption was unnecessary, because I was going whole-heartedly to agree with my Honourable friend. As a matter of fact I have already said on the floor of this House that many people regarded it as a sort of religious duty to dodge the income-tax collector. And whether it reflects upon human nature or not, I think I was stating what was an absolute fact. I cannot say that I personally know of a great many people who do that, but I have not the least doubt that a very large number of people exist who think it morally right and justifiable that they should try and escape the clutches of the income-tax collector. That being so, the only question that arises is whether Government propose to take any action, and if so, what. My Honourable friend who moved this cut referred to the speech of the Finance Member in reply to his general observations last year, and he said that the Honourable the Finance Member had generated a certain amount of heat. Well, Sir, I also was unable to follow the Honourable the Finance Member in his observations last year. It is no reflection upon the Income-tax Department. After all you must remember that there are a great many people who are out to cheat the income-tax authorities and who have resources and who probably know the rules of the game better than the income-tax people. And therefore it is no reflection upon the income-tax authorities that a certain number of people should escape them, and I do not think that my Honourable friend the Finance Member should take it as a reflection upon those people who are running the income-tax law in this country. And therefore this is an issue which in my opinion ought to receive a very sympathetic consideration from the Finance Member. When however, the Finance Member in his Budget speech this year said that he had received very little advice or guidance from those people whom he had openly invited to assist him in this matter, I think he was right. The fault however is not altogether with the leaders

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of commercial opinion in this country. So far as I am concerned at any rate and people in Bombay are concerned, the Finance Member was going to that city and those people who were arranging his programme had asked a number of people to appear before him and to assist him with whatever they thought was reasonable in this matter. I at any rate was willing to appear before the Honourable the Finance Member, but he did not turn up and I have not the least doubt that when he tours the principal cities of India next time, when he goes to Calcutta, Madras and Bombay, he will find a few people at any rate who will be able to tell him something about the way in which income-tax is evaded and how the control can be tightened up. The Mover of the cut, my Honourable friend Mr. Tait, suggested the appointment of a committee, not necessarily of officials but of at least people who know something about this business, and I think it is a suggestion which might be carefully adopted in this connection. After all, the income-tax authorities may not be the best people to judge how far the tax is being evaded and what measures should be adopted for the purpose of getting round that evasion. Some commercial men, if they are associated with the income-tax authorities, might be able to give a hint or two which may prove very useful; and therefore, Sir, I submit that the suggestion of my Honourable friend ought to be received with considerable sympathy by the Government Benches.

As regards the observation of my Honourable friend, Sir Hugh Cocke, while it is true that in England the law is much more severe upon people who dodge the tax there than it is here, I entirely agree with what my Honourable friend, Mr. Ranga Iyer has said in that connection. I am not saying that because England is a richer country and India is a poorer country, therefore the people are justified in evading the tax and in escaping this light punishment. That is not the point of view. I take his point of view to be, and that is a point of view with which I am in agreement, that owing to ignorance a great deal of evasion may take place which is not necessarily criminal in intent; and therefore before the machinery of the income-tax law is tightened up and more severe punishment is meted out to defaulters, a great deal of circumspection requires to be exercised. Therefore, Sir, I hope that this motion before the House will not be construed as arming the authorities with larger powers of meting out punishment to defaulters, but as conveying to them the deliberate opinion of this House that a great deal of evasion is taking place and that the Government, with all their resources, might look into that question and in their examination of it they will be certainly entitled to assistance from those people who know something about the administration of the Income-tax Act.

Mr. K. P. Thampan (West Coast and Nilgiris: Non-Muhammadan Rural): Sir, may I say a word in this connection? I am speaking about the condition of affairs in the villages and not in big towns like Madras, Calcutta, Bombay and other places. Before the introduction of the reforms and income-tax became a central subject, income-tax was recovered through the agency of the village headman and other revenue authorities. I remember in my place the village headman forwarded a list of people liable to be assessed to the Revenue Inspector; both the village headman and the Revenue Inspector knew more or less intimately about these people, and if they had any grievance they had naturally the right of making their representations to the Tahsildar. The

Tahsildar who was very often a native of the taluq also knew the conditions of the people and so there was no trouble at all. Avoidance of payment was a good deal less in those days. After the centralisation of income-tax a separate agency was created. As a matter of fact now in my place there is an Income-tax Officer stationed at Palghat for three taluks. This Income-tax Officer whose jurisdiction is wider than a revenue division has got only his establishment in his head office. There is no one who is in contact with the people to help him. I really do not know who sends him the list of people of the remote villages who are liable to pay income-tax. My own conjecture is that he gets his information from all kinds of people, with the result that there is a good deal of avoidance or evasion of payment of income-tax. Another aspect of the question is this: it would be considerably cheaper to go back to the old arrangement. The village officer, the Revenue Inspector, the tahsildar the Divisional Officer and the Collector are all paid more now than in the old days, though much of the work they were doing before has been released and taken away from them. Formerly the Collector was in charge of the District Board, salt, income-tax and other things, and he is not likely to demur to take up the income tax administration also. So the best way to manage income-tax in the districts is to revert to the old system; and it will save a good deal of expense also. Probably the Local Governments might want a contribution for managing this branch of the administration; and it is but well and proper that a certain amount should be given to them. I command this suggestion for the consideration of the Government.

Mr. T. N. Ramakrishna Reddi (Madras ceded Districts and Chittoor: Non-Muhammadian Rural): Sir, when my friend, Mr. B. Das said that there was a human tendency to avoid income-tax, I expected he would be liable to be misunderstood in this House, and the Honourable the Leader of the European group was not slow in giving expression to my expectation. I do not think he has interpreted correctly what Mr. Das meant when he said that. What Mr. Das said was that on account of the over-zealousness of the Income-tax Officers they levy income-tax indiscriminately and some of those persons who do not have any taxable income are on that account brought under their purview, and hence there will be a tendency to escape such inhuman and unjust taxes. I think that was what he meant when he made that statement; and it is exactly so. When my friend the representative of the millowners Association, Mr. Mody, supported the statement that there was a good deal of evasion of income-tax in this country, I do not think he said that with any knowledge of those income-tax assesses who come under lower grades of incomes. I think perhaps he spoke on behalf of the class or interest which he represents, that is, the millowners. It may be that they are out to escape the income-tax, and for that I invite any rigorous application of rules from the Government. I will support Government in their endeavour to prevent that; but when he wants to talk about other income-tax assesses who come under lower grades, I enter a caveat. My friend may laugh at me but it is a fact, and I will be supported by any one who knows anything about the working of the Income-tax Act in the interior villages, that many of those who do not earn that amount of income also come under its purview. What the income-tax assessing officers do is just to issue notices to some persons about whom they have got some private information that they earn some income and assess them to income-tax and ask them to produce their accounts and other information. Generally, these small shopkeepers and others do

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not keep any accounts, and so when they come to the Income-tax Officer and say that they do not maintain any accounts, they are assessed arbitrarily and the amount has to be paid; and once they come within the tax, it continues whether they continue to get any income or not. Once an assessee always an assessee—Naturally these people being illiterate, even though they have to pay from year to year, they are not able to maintain any accounts as required by the Act; so it is more of exaction than of evasion that we have to deal with. Instead of stressing that aspect the whole debate has taken an one sided affair, that is, regarding the evasion of income-tax. Now that the minimum incidence of the income-tax has been lowered, it is all the more necessary that we should confine ourselves to the question of exaction rather than evasion, because a larger number of persons will come under the purview of these Income-tax Officers; and so it is all the more necessary to see that there should be no exaction. But not a word has been said about exaction so far by any of the previous speakers are concerned. Everything has been said about evasion alone. For instance, take an individual, the motor bus owner: no doubt he gets 5 or 6 or even 10 rupees a day on his bus service. But look at the expense: he has to pay not less than Rs. 1,000 as tax to the Government per year and about 6-8-0 per seat to the District Board; also he would have borrowed amount for the purchase of the bus itself; he does not keep any account of all these things: in addition he has to pay interest and the pay of the conductor and driver and running charges; he does not keep an account of all these things. What the Government looks at is that he earns so much per day, and therefore he comes under that category. I say therefore that there will be more cases of exaction than there have been heretofore. I do not deny the fact that there may be cases of evasion; but it is very easy for the officers to check the accounts and statements in the absence of accounts, and if they find that the accounts or statements are not correct then they can investigate them and bring defaulting people to book. But at the same time you must take note of this fact also namely exactions.

My Honourable friend the Leader of the European Group said that the punishment for defaulters is not so rigorous in this country as it is in England. That has been sufficiently answered by my friend, Mr. Ranga Iyer. There are also other reasons. In England the tax is levied on most humanitarian grounds. They levy income-tax on a person after giving allowance for his maintenance, for the maintenance of his wife and children, and if there is any dependant, they make allowance for him also, and tax him on the extra income if there is any. So there is no reason

12 NOON. why he should evade the payment of income-tax, whereas in India Government do not take any notice of the circumstances of an assessee, they do not take any note of the peculiar social customs of the people nor of the large joint family system under which only one member earns while there are a number of dependants on him. He may have a number of children and a number of daughters to marry for whom he may have to give large amounts by way of dowry and also incur huge marriage expenditure,—all these things the Income-tax Officers do not take into consideration, and in assessing an individual they will not make any deductions for all this expenditure. That is one thing.

Then with regard to companies, here also they do not make any allowance for losses in the previous year, and if the assessee gets a little income

the next year within the assessable limit, then he is taxed. So I submit, Sir, that you should not apply the rule so rigorously in this country as you do in England where the conditions are altogether different.

Further, Sir, here the appellate authority and the authority who levies the tax is one and the same person or rather the same department, whereas in England the appellate authority is quite different; the representatives of the people of that county namely, Income-tax Commissioners will sit as an appellate authority, and so there is not so much rigour in England. Therefore, Sir, for all these reasons I oppose the Motion moved by my friend and also in view of the fact that the actual facts are quite different from what the Honourable the Mover has stated.

Mr. B. Sitaramaraju (Ganjam *cum* Vizagapatam: Non-Muhamadan Rural): Sir, I am largely in agreement with the remarks made by the Honourable gentleman who has just sat down. I do admit that the avoidance of income-tax is bad, but I must at the same time say that unjust imposition of income-tax is worse. There is no judicial control over these assessments. A Bill is now awaiting introduction in this House to which most of the Members of the Opposition have appended their signatures, and unless and until we are satisfied that the assessments have been properly made, and unless there is a guarantee that those assessments would be capable of being reviewed by a judicial tribunal, I for one, Sir, can never have any sympathy for the proposition put forward which would merely strengthen the arms of the executive. I know, Sir, that there may be here and there cases of avoidance of income-tax, but to say that there is a large number of such cases is not to pay a compliment to income-tax officers. At the same time, I know for a fact that there are several cases where unjust imposition has been made without any redress. There was one case recently where a tax of a lakh of rupees was imposed on a man and the man being unable to pay the Income-tax Officer had to negotiate for the sale of his estate. There was also another case in which a heavy tax was imposed on a man and he had to file a petition to declare himself insolvent. Several instances of that kind can be multiplied, and I am surprised that my Honourable friend Mr. Mody had no sympathy . . .

Mr. H. P. Mody: It is entirely beside the issue.

Mr. B. Sitaramaraju: It is not entirely beside the issue, because when you say that there is an avoidance of income-tax, if you do not at the same time admit that there is in very many cases injustice done by way of imposing heavy taxation, that would be avoiding a material point in issue. I for one am not prepared to support any proposition which would go to support the arms of the executive unless such judicial control is accorded to us.

Sir Hari Singh Gour (Central Provinces Hindi Divisions: Non-Muhamadan): Sir, I did not intend to take part in this debate, but I should be failing in my duty if I did not inform the Members on this side of the House what are the implications of the motion moved by Mr. Tait. I should have expected that, after the lucid eloquence on the last occasion when he indulged in generalities and avoided specific recommendations, he would be content with the assurance that was given to him by the Finance Member, but now that he has returned to the charge with the same vagueness, with

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the same generalities and with no constructive suggestions, I feel surprised whether the Honourable gentleman has not contracted some sort of monomania or, shall I say, magalomania for evasions and avoidance of this tax. May I remind the Honourable the Mover of this Resolution that the question of avoidance or evasions is not really germane to income-tax. We have the customs duties, and I am quite sure that the Honourable gentleman when he goes to England, opens a closed box of cigars because he finds that an open box is not liable to customs duty. (Laughter.) And I have no doubt that Honourable occupants of benches on the other side follow his good lead in that direction. If you have a scent bottle, you rip open its cover and take a few drops into your handkerchief, not because you need that refresher, but because if a full bottle was to cross the channel it would be subjected to a heavy duty in the port of London. (Laughter.)

Honourable Members entirely forget that whenever a person has to do an act or make a statement against his personal or pecuniary interest, there is always a disposition to make a statement most favourable to himself. It is a part of the human trait, and I say to the Honourable gentlemen occupying the centre group that nobody on this of the House has any objection,—indeed we are entirely at one with the underlying purpose of this Resolution. Our difficulties become apparent the moment we descend from the cloudy heights of generalities into the dusty level of particulars. Let us now come to close quarters and ask what is the specific recommendation which he would ask the Finance Member to translate into action? On that the Honourable the Mover of the Resolution was ominously silent, and knowing that fact, his leader ran to his rescue, but in running to his rescue, I am afraid, he has run with a hurry without making any speed. He said that the time has now come when everybody should be called upon to file a compulsory statement of his income. Now, I wish to ask the Honourable the Mover, the Honourable the Leader of the European Group, as everybody is not liable to pay income-tax, how can you call upon everybody to prepare and file a statement? Are you going to introduce, some sort of Doomsday Book in this country and ask everybody to prepare on the first day of our Lord a statement and then sanctimoniously hurry to the nearest post office or the Income-tax Department and file it and say, "This is my confession of faith for the ensuing year"

Sir Hugh Cocke: I was careful to explain that point. I did not say that everybody should be called upon to file a statement; I said that those who were liable should be called to file a statement.

Sir Hari Singh Gour: If my friend were a lawyer, he would understand that he has got into a vicious circle. How do you know that the man is liable unless he prepares his statement? Why should he prepare a statement? Because he is liable. As my Honourable friend Sir Abdur Rahim has pointed out, he has got into deeper waters than the Honourable the Mover of the motion by making that suggestion. We have been often told that the shoemaker should be wary of going beyond his last, and gentlemen who wish to advise upon matters which are the special domain of lawyers should indeed be wary before they offer their advice. Then we are told by the Honourable the Leader of the European Group that you must pillory everybody who has been found guilty of evasion and avoidance. The very

man who taxes is the man who is the final judge. Then, my Honourable friend on the other side says that such is the law of England. I wish again my Honourable friend to go and consult some lawyer expert in the English law of income-tax. The whole procedure in England is diametrically opposed to the procedure prescribed by the Indian taxing law. You have Income-tax Commissioners who are drawn from the people, who assess the tax. You have then Income-tax Commissioners who are drawn from the people, who modify the tax and hear appeals against that tax. You have the High Court and special commissioners who modify and hear final appeals. They are all representatives of the people, chosen by the people, and trusted of the people. Then, you have a whole system of judicial machinery for the purpose of controlling undue assessments upon the assessee. Have you got that machinery here? As my Honourable friend Mr. Raju very pertinently pointed out, that income-tax law here is a relic of the old bureaucratic system of *hic volo, hic jubeo* order. "This is what I wish; this is what I ordain." It is an entirely antediluvian system, against which Members on the Opposition Benches have registered a written protest, and it is not as my Honourable friend has pointed out, that that largely signed Bill is still awaiting introduction. It has been duly introduced, and some of us have written to the Honourable the Finance Member to co-operate with us in sounding public opinion before its further progress during the next Simla session. What response we shall get to our very just appeal, I wait to see. But the question with which we are directly concerned here is this. We all admit, and we must admit, that in all taxation, and particularly, in the case of the income-tax, there must be evasions and avoidance, but that is not the main question. The question is not that there is evasion and avoidance; the question is whether the doctor's cure would not be worse than the disease. And that is a point upon which Honourable Members on this side of the House are not at one with the Honourable Members in the Centre Group.

What remedy can you suggest for the purpose of mitigating the evil? That is the whole question with which we are concerned.

Then, it has been pointed out by my Honourable friend Mr. Thampan that we have now a new system of procedure, and that the special assessing department that has been installed ever since income-tax became a central subject has led to large abuses. Those are abuses implicit and inherent in the system. When you give any department the sole control and right of levying taxes, and whether you wish or not, the assessor believes that his efficiency will be judged by the measure of success that he attains in collecting money for his masters, there is always an incentive. I do not say you encourage it, but I say that there is always an incentive inherent in the system,—that the Income-tax Officers are inclined to become over-zealous in the discharge of their duties. Therefore, what we now require is a salutary control over their over-zealous discharge of duty.

Honourable Members have said that we must have a committee. That is a question to which I think there can be but one reply. Only yesterday, we heard from Sir Abdur Rahim and his colleague Mr. Mitra, and we agreed with them, that when you have been spending large sums of money upon committees and commissions which turn out voluminous reports that load the archives of the Government of India and are afterwards forgotten and never given effect to—what is the good of having one more committee? If my Honourable friend, Mr. Tait, who seems to be an expert in this subject, is taken into the confidence of the Finance Member—he seems to

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know, or he seems to have a particular knowledge of evasions, and he will tell him how evasions take place. I know, Sir, that the Income-tax Officers do employ informers, and the informers go and give information which is out of all proportion to the reality of the facts for which they vouch. That has led to the accumulated volume of public opinion against the Income-tax Department. It is true that the Honourable the Finance Member has time and again from his place supported that department. I have nothing whatever to say against the personnel of the department, and I do not think that any Member on this side of the House is saying anything against the personnel of that department. What they are attacking is the vicious system, the system that lends to abuse, and it is a system therefore which must be speedily, if not immediately, put an end to.

One more word and I have done. We know as a matter of fact that income-tax will in the very near future be a concern of the Local Governments. ("Question" from the European Group.) My Honourable friends on the other side say "Question". At any rate if it is a question, it is a question which can admit of two answers. It will either entirely go to the Local Governments, as they demand, or they will certainly have a share therein. But, whether it is one or the other, the fact remains that the future of income-tax is on the lap of the gods, and I have been of opinion that we should not now change the policy for the purpose of tightening up the collection of income-tax till we really know where we are. If it is a concern of the Central Government in the future constitution, then let the future constitutionalists, who will take our place, decide how they will levy that tax. If, on the other hand, it goes out of our cognisance and becomes a matter for provincial legislation, you would be anticipating their decision by launching out on a scheme of our own which, on fuller consideration, we may find not only to have been premature but perhaps positively mischievous.

Mr. C. C. Biswas (Calcutta: Non-Muhammadan Urban): I was not present when the Mover of this Resolution spoke, but from the speeches of the last speaker, I gather that he entered some sort of protest against the avoidance or evasion of income-tax which is now supposed to be going on, and that there have been protests from this side of the House against some of the proposals which have been put forward from the centre Benches. The objection, it seems to me, if I have been able to follow the speeches correctly, is against the suggestion to further tighten up the income-tax law in order to ensure that no one who is liable to payment of the tax does escape taxation. Sir, I must confess that I do not quite appreciate the attitude of those who wish to maintain that people who are under the law liable to taxation should not be taxed. As to whether or not evasions of the income-tax are going on on an extensive scale, I have no information, but it is common property in Calcutta at any rate, that various parties who have at their command a sufficiently long purse have the means of avoiding their just obligations under the income-tax law. (Mr. B. Das: "Is that so?") My friend over there may express surprise that this is so, but they must be as much aware of such reports about evasion of taxes as anybody else in this House, only that some of my friends may not wish to admit that fact on the floor of the House. I am at one with Sir Hari Singh Gour and others in saying that the rigours of the

income-tax law ought to be lightened, that its administration must be made less irksome, that the Income-tax Officers should behave with greater consideration towards the public. Upon that, there can be no question. There have been instances within my own knowledge and that of other Honourable Members, where income-tax officers were unduly severe. I know of cases where, for instance, for very good and valid reasons parties have asked for a short postponement of the date for production of papers and documents, but the Income-tax Officer has peremptorily refused such application and has proceeded, after refusing such application, to deal with the case as if no proper return had been submitted. These are real hardships against which all of us ought to enter our protest, and it is up to the authorities here to see that such unduly severe proceedings are not allowed. Then, again, I will not say it is common experience, but it is the experience of many of us, that the Income-tax Officer when confronted with some difficulty or other, invariably goes up to his superior authority, the authority which later on might have to hear the appeal in that case. The Income-tax Officer goes to him and takes his directions, and he proceeds to make the assessment in accordance with such directions. The result is that when an appeal is taken to that higher authority, the appeal turns out to be purely illusory, because the judgment of the Income-tax Officer was *de facto* the judgment of the appellate authority, although it did not purport to be so. I am quite aware that, in reply to certain questions which were put in this House, the House was informed that directions were being issued in order to prevent anything of that kind happening. I only hope that the instructions will be scrupulously followed by those for whom they are meant. The instructions are to this effect, that if an Income-tax Officer finds it necessary to consult his superior officer in regard to any case, then that superior authority will not hear the appeal.

Then, Sir, hardships of a different character are well known to many of us. I refer to those cases where small holders of Government securities have to submit to the deduction of income-tax on their securities at the source at the maximum rate, and in most cases it happens that although the parties concerned are entitled to apply for a refund, the procedure involved in applying for a refund is found to be so inconvenient that the deduction is never claimed. Poor Hindu widows, Muhammadan widows, minors and various other parties similarly situated have found it, I will not say impossible to, but as a matter of fact they do not, apply for some reason or other. Therefore this deduction of income-tax at the maximum rate at the source on the interest of Government securities does often involve a great hardship to persons who are hardly in a position to bear it. There are many directions in which there can be no doubt the income-tax law ought to be modified, so as to lighten the burden upon the taxpayers as much as possible without at the same time endangering revenue.

I will not refer now to the question of the rates of taxes, because for present purposes it must be taken as no longer an open point. The rates are unduly high in certain cases. Then, again, the lowering of the limit of taxation which had to be imposed recently, that again entails a great hardship on a large number of people who should have been exempted from the payment of income-tax altogether. While I concede all this, the fact cannot be gainsaid that there are still many loopholes left through which

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it is possible for many people who do not deserve any sympathy whatsoever to escape. My own feeling is that such a thing is hardly possible in most cases except with the connivance of the Income-tax Officers themselves, or at any rate, if not with their connivance, at any rate through lack of vigilance on their part.

There is just one other matter to which I might refer in this connection, and that is the provisions of the section which provides for assessment of income-tax on incomes which had escaped assessment originally. Section 34 lays down that if it is found that anyone has escaped the payment of income-tax or has been under-assessed, then the income-tax authorities may proceed against him *de novo* or proceed against him for the recovery of the deficiency within one year. Sir, this limit of one year I think is much too short, and it does admit of abuse in many ways. What happens is this. Suppose any party finds it possible, by arrangement with the particular Income-tax Officer, to escape the payment of the full share of his proper tax, and if that particular officer remains in office for one year, then the chances of detection are reduced to *nil*. Generally,—I suppose that is a fact,—Income-tax Officers are not transferred very frequently from one place to another. You can safely take more than one year as the period during which he will remain at a particular place. If, on the other hand, instead of making it one year, you extend the period, it is more likely that another officer may come later on to the same section, and the very fact that another will be there, to whom it will be open to check the assessments made during the preceding period, will itself act as a deterrent on any particular officer from making any arrangements with any party. Either you extend that period of one year to two or three years, or see to it that your officers are more frequently changed from one office to another. I know this does involve a reflection on the officers concerned, but I venture to suggest that an inquiry might be made by the Finance Department into this matter to ascertain whether or not there is any ground for the apprehensions expressed.

Then there are certain defects in section 41. As a matter of fact there has been a decision of the Calcutta High Court, to which I do not wish to refer at length, which has held that after an assessee dies, it is not open to the income-tax authorities to proceed against his legal representatives. I do not see why that should be so. My point is this: if we have got to pay the tax, let us all be placed on the same basis. I do not like the idea that I should have to pay my full quota, whereas my friend over there will somehow or other manage to escape. That is not fair. As my Honourable friend, Sir Hari Singh Gour, has pointed out, you cannot help evasions of any law, however stringent the law may be, but if there are patent defects in the law, then there is no reason why you should not remove those defects or any possible loopholes which you can anticipate. That is my view. I know of a case where the executor of an estate was served with a notice of assessment on behalf of the estate which he was representing. Proceedings went on up to a certain point, and then that executor died. Another executor came in his place, and this executor took the point that under section 41 he was not liable. The proceedings which had been taken against the former executor, it was said, came to an end on the death of that executor, and could not be revived against the present executor. The present executor could be held liable

in respect of only the period that he was in office. Sir, that point has been taken, I know. The point has not yet been finally settled in the sense that the High Court has not yet had an opportunity of pronouncing a final opinion on that question. But I think, Sir, the law ought not to be left in any state of uncertainty. You have in section 41 certain categories of persons specifically mentioned. There is no reason why you should not specifically include also the case of an executor. Therefore I say, if you examine the matter impartially, there can be no question that there are many directions in which the law can be improved, I mean, not in the sense of tightening its rigour, but for the purpose of securing that those who are liable are really made to pay. That is all I have to say.

Several Honourable Members: The question may now be put.

Sir Abdur Rahim (Calcutta and Suburbs: Muhammadan Urban): Mr. President, I shall not take much time of the House. I am sorry I was not present when the Honourable Member, Mr. Tait, moved his motion, but, as I gather, he has not put forward any definite proposition before this House. He has complained of the laxity of the administration of the income-tax law and suggested that the penalties provided in the Act should be made heavier and more deterrent than at present. Well, that is a proposition of a very general character, and as has been rightly pointed out by my Honourable friend, Sir Hari Singh Gour, it does not lead anyone anywhere. I wish specially to point out this that the income-tax law as it is is not of a character which has satisfied any portion of the public. There are provisions in it which do require re-examination in the light of the experience we have had of its administration. Sir, if the suggestion was that the whole of the income-tax law ought to be reviewed and a fresh Act drafted, then we should be prepared to support such a proposition. As regards the evasion of income-tax and of the Income-tax Officer, I do not think that is a phenomenon that obtains only in this country. As has been pointed out so nicely by Sir Hari Singh Gour, customs duties in Europe, for instance, are systematically avoided,—and I know they are avoided by persons placed in very high positions in life, persons very rich. They think that to evade the customs officers in different countries is no crime at all. I do not think this statement will be challenged by anyone. The tax-gatherer has never been popular in any country, and I am sure he is not so in England and has never been so if I have read the history of that little island aright. But one serious point which I want to bring to the notice of the House is this. Under the Finance Bill as it has been passed by Government, 350,000 assesses have been added to the list. I want the Government just to imagine what that means. Government have provided for, I believe, 18 lakhs of rupees in order to meet the expense which the administration of the law, as now extended, will involve. 350,000 assesses means a very large number of people whom the Income-tax Officer will have to assess, men whose incomes are only Rs. 1,000. That would mean a class of people who are not in the habit of keeping accounts, such as, small shopkeepers, small traders and men who do very small business in all parts of the country. Sir, I really shudder to think, when the Act is in full force, and when 350,000 people are brought under the operation of the income-tax gatherers, what the political consequences will be. Nobody likes to pay income-tax and when you are going to exact a certain amount of money from people with such a small income as Rs. 1,000, you may take it that the popularity of Government will diminish in that proportion. I am really afraid that one

[Sir Abdur Rahim.]

certain result of the extension of the income-tax to this large class of people with very small incomes will be that the political unrest in the country will be aggravated. I should therefore like to warn the Government to see that the administration of the Act is so carried on that the least hardship may be caused to the large class of people now brought under the operation of the Act. I feel that when I am giving this warning and advice to the Government, I am not exaggerating the situation. I believe that they themselves will realise that it is rather a serious undertaking to assess 350,000 people in the country, and they cannot be too careful in seeing that the administration of the Act is not carried on unduly harshly.

The Honourable Sir George Schuster (Finance Member): Sir, in some respects my task in replying to the original motion is a somewhat easy one for, if I am to oppose the motion, I think I have had a good deal of support for that line of action coming from my Honourable friends opposite. But I am sure that they will not quarrel with me, if, though I welcome their support, I prefer to put my own case in a slightly different way. I think it is very important that we should endeavour to be clear as to the exact issue which is before the House, and I confess that, although my Honourable friend from Bombay, Mr. Mody, said that the issue was a very clear and simple one, I was—at least until he had spoken and thrown the illuminating light on the subject which he generally throws on any situation,—in some difficulty in understanding exactly what was the case with which I have had to deal. I have tried to clear up my own mind on the subject and I will if I may try to clear up the minds of Honourable Members in the House on the issues.

In the first place, I would like to say at once that I am not concerned with the moral issues; I am looking at this matter entirely from a business point of view. Although I am sure all of us are grateful for the illuminating confessions about his own human weaknesses in the matter of evading Customs duties which fell from the lips of my Honourable friend the Leader of the Nationalist Party, we need not really concern ourselves with that aspect of the matter. Now, Sir, if I come back to the speech of my Honourable friend on my right, who moved this motion. I think I might interpret what he said in three alternative ways. In the first place, he did say that his reason for moving this cut was his dissatisfaction with the reply which I had given in the case which he made last November in my Budget speech. That is a point which I can explain later. The second possible interpretation—and I am very much afraid that this is the interpretation which my Honourable friend himself would put on his motion—is this; that there does exist in this country today an abnormal amount of evasion of income-tax which by the exercise of ordinary efficiency on the part of the Income-tax Department we could prevent, and that, if we could prevent that, we should achieve such revolutionising effects in our returns of income-tax that we should be able to relieve other tax-payers to the extent of several crores. Sir, if that is my Honourable friend's case, I must contest it to the last ditch. The third possible interpretation is this, that there exists in India today, as in all countries, a substantial amount of avoidance of income-tax. I might further expand this interpretation by saying that, conditions being what they are in India, the extent of the avoidance of taxation which goes on here may be larger than it is in other countries which have a higher standard of education and a smaller area to be covered by Government authorities in collecting a tax of this kind,—as for example in

England. But,—to continue this interpretation of the case,—it is, as I have already said, that there is in India a substantial amount of evasion as in all other countries and that it is the duty of Government to pay vigilant attention to the matter, to be constantly endeavouring to improve and make more efficient their machinery for preventing this evasion, and to be ready to listen to suggestions which may come from the business community or from other unofficial quarters as to improvements which they could effect. If that is my Honourable friend's case, I am perfectly prepared to accept it.

Now, Sir, going back over these three interpretations, I am sure the House will appreciate that I did not attempt to deal exhaustively with this case of evasion of income-tax in my Budget Speech. I am sure the House will agree with me that my Budget speech was long enough without that and that there was no room for its enlargement to the extent that would have been necessary on that particular topic. But I did try to put in a few words some account of what I had done since this matter was discussed last November. I think my Honourable friend is perhaps a little ungracious in having characterised that account as totally unsatisfactory and insufficient. He knows perfectly well that I have been in correspondence with the members of his Group, and that I have expressed my willingness to discuss their suggestions in detail with them as soon as the urgent pressure of work which falls upon a Finance Member's shoulders during the discussion of the Budget and Demands for Grants is over. I repeat the assurance which I have given that I am very anxious to go into the points which my Honourable friends have raised and to consider whether there is room for some improvement in our machinery.

Then, Sir, if I turn to the second interpretation, an interpretation which implies that there is an abnormal amount of evasion going on which could be stopped by the exercise of the ordinary efficiency, and which would improve our revenue in terms of crores, I must take the line that my Honourable friend has entirely failed to establish his case. He said he would have liked to hear from me how we, on further consideration, viewed the figures which he put forward last November. I thought that I had given some answer to him in the course of the debates in November. My Honourable friend's case rested mainly on this ground, that according to statistics which he collected from Burma it was clear that if in Bengal there was the same efficiency of collection as he maintained was exercised in Burma, then we should gain three or four crores. I doubted the figures on which my Honourable friend based his case. But I took the broad line with him that it was quite impossible for us to believe that we had in the Income-tax Department in Burma an example of all that was perfect, of the greatest possible efficiency which could be achieved in this world, whereas in Calcutta we went to the other extreme and reached the actual basic limit of inefficiency: I put it to him that on the face of it that was an impossible thesis. Since then, I have had most carefully examined the statistics on which he based his case. I am afraid it will be impossible for me to go through those figures in the time available to-day, but I should be very glad to furnish my Honourable friend with what I think he will accept as a complete answer to that particular line of argument. Nevertheless, my Honourable friend repeats, as far as I understood him, the case which he put forward before and he bases his argument entirely on his own "conviction". In the meanwhile since last November, I have, as I informed the House, taken

[Sir George Schuster.]

such opportunity as was possible to consult with the various business organisations on this matter. It was, I am afraid, as my Honourable friend Mr. Mody has pointed out, impossible for me to go down to Bombay and meet certain business representatives there, but I did have the occasion to go very fully into the matter in Calcutta, and I confess that I was disappointed with the way in which evidence came forward for establishing this case for evasion. My Honourable friend admits that now, and his answer is that it would be foolish, and it must surely have been beyond anything that I could have expected, to hope that I should get from himself and his business associates any direct evidence of evasion. But I put it to my Honourable friend that, while it may be very difficult for him to produce that evidence, nevertheless if he spoke entirely without evidence from what did he derive his conviction? It is a little hard to understand the line which my Honourable friends on the right are taking. It seems to me that the case is rather like this, if I may give him a homely example. Supposing one of my Honourable friends is held up between Old Delhi and New Delhi for exceeding the speed limit in his motor car, and he asks the policeman who holds him up, what evidence he has got that he was driving at sixty miles an hour. The policeman says, "I have not got a stop-watch. I do not know. But you have a speedometer in your car and you must know whether you have exceeded the speed limit." It seems to me that that is rather the line which my Honourable friends are taking. If they expect us to accept the position that there is a large amount of culpable evasion on the scale which my Honourable friend's figures indicated, then I do submit that it is up to them to produce at least some evidence to us of concrete cases. I would go further and say that their general line of argument is—and it was implied in what fell from the Honourable the Mover,—their general line of argument is that we who work in Government offices in some way or other divest ourselves of that matter-of-fact common sense which we might have enjoyed when we were indulging in other and more profitable occupations. That I take it implies that my Honourable friend, who still enjoys that easier and more profitable form of life, does in his own person preserve that matter-of-fact common sense which he so much admires and of which I, apparently, and my official colleagues have long ago divested ourselves. I appeal to my Honourable friend, why does he not come forward to give us the benefit of that matter-of-fact common sense and tell us how we can overcome this great evil on which he has enlarged so eloquently before the House? I think that on these lines the case put forward is, if I may say so, an unreasonable one. But I do not wish to stress that point too much and I hope that on reflection both the Honourable the Mover and those who sit with him on those Benches will be able to accept the third and the more modest interpretation which I have given to their position, the interpretation that is that there is evasion, that is a normal feature of the administration of income-tax law in any country, that the probabilities are that it exists owing to the nature of the case to a larger extent in India than in some other countries, and that it is our duty to do our best by detailed measures to improve the machinery which we have for preventing it. On those grounds I am prepared to discuss the matter with my Honourable friend.

Now, I have here material which could easily form the subject of a speech for another hour and a half, dealing fully with 12 suggestions that

have come recently from the Bombay Chamber of Commerce and with half-a-dozen other suggestions which have come from other quarters, but I do not propose to go through those to-day. I propose to discuss them with my Honourable friends. A good many of them will require legislation in some form or other, and judging from what has fallen from the lips of my Honourable and learned friend the Leader of the Nationalist Party, I think a good many of them will encounter a fairly strong opposition in this House. That does not mean that we shall not necessarily proceed with them, but the matter is not quite so simple as my Honourable friends think and it does require very careful consideration as to the exact form in which we should put forward these proposals. Now, I do not want to frighten the House by what I have said. The proposals which I have in my mind and which would require legislation are all fairly simple and not of a very drastic nature, and I am afraid I cannot hope that they are going to produce any very sensational results. They are exactly of the nature of the measures to which I have already referred, small points of detail which will to some extent tighten up our machinery and thus, we hope, improve its efficiency. It is measures of such a kind which we have been considering, and which we are prepared further to discuss; and if there are any other suggestions on those lines, whether they come from my Honourable friends on my right or from my Honourable friends opposite, I say here that we shall be very glad to receive them and that we shall give them our most careful consideration. I think, Sir, that is all that I need say on the subject. Before I sit down, I would therefore sum up what I have said by inviting my Honourable friends on my right to accept the modest, and I think I may say the common sense, interpretation which I have put upon the motion moved by my Honourable friend; and, having taken it in that light, I would suggest to them that, in view of what I have now said, they should not press the matter to a division.

Mr. John Tait: Sir, I do not propose to take up much time of the House

1 P.M.

because I feel that I have more or less established my case as regards evasion of income-tax. With probably one exception the Honourable the Leader of the Independent Party every other speaker has clearly admitted that evasion does exist and does exist to a serious extent. My Honourable friend Mr. Das went further and pleaded with Government to make it more easy for the evasion to continue. Several of his friends made an attempt to whitewash that speech which was an extraordinary statement, but I am afraid they signally failed to do so. However, the fact remains that there was not one single speaker who got up to say that evasion did not in fact prevail.

There was much complaint made about the oppressive tactics of the Income-tax Department, and with that I have a fair amount of sympathy. But I do contend that the fact that honest people are harassed by the Income-tax Department is no argument that dishonest people should be allowed to escape. It is one of our complaints that the time and energy of the Income-tax Department is in a great many cases expended fruitlessly in harassing honest people when their time could be much better employed in seeking for new assesseees.

It was somewhat difficult to find from the speech of the Honourable the Leader of the Nationalist Party what his attitude towards evasion of

[Mr. John Tait.]

income-tax was, but one thing that was clear from his opening remarks was that there is very little regarding evasion which the Honourable gentleman is not perfectly aware of.

However, we are very grateful indeed to the Honourable the Finance Member for what has fallen from him today and I can say that he will be perfectly justified in taking all the three alternative interpretations as the purport of my speech. However, as he has given us an assurance that it is intended to institute such measures as circumstances may require to put matters right and that we will have an opportunity of discussing these things with him, I think our case is met. We have no intention of being unreasonable at all. We still adhere to the view that very extensive evasion is practised in the country, and because of that other people are paying more than they ought to do. However, as he has said the matter can be best discussed in committee or at a meeting; that meets our case and therefore, Sir, in view of these circumstances, with your permission and with the leave of the House, I desire to withdraw my motion.

Mr. President: Has the Honourable Member leave of the House to withdraw his motion?

Several Honourable Members: No.

Mr. President: The Honourable Member has not got the leave of the House to withdraw.

The question is:

"That the Demand under the head 'Executive Council' be reduced by Rs. 100."

The motion was negatived.

The Assembly then adjourned for Lunch till Twenty Minutes Past Two of the Clock.

The Assembly re-assembled after Lunch at Twenty Minutes Past Two of the Clock, Mr. President in the Chair.

Indianisation of the Army.

Mr. Muhammad Yamin Khan (Agra Division: Muhammadan Rural): Sir, I beg to move:

"That the Demand under the head 'Executive Council' be reduced by Rs. 100."

It is a subject which has been debated many times in this House for a very long time, and again I wish to bring to the notice of the Government and of this Honourable House how far this subject has advanced and what achievement India has made since the beginning of the reforms.

In 1923, I moved on the 24th January a Resolution which was worded as follows:

"This Assembly recommends to His Excellency the Governor General in Council to be pleased to get King's Commission for Indians by direct recruitment and by

promotion from the rank of Viceroy's Commissioned Officers in such number that all vacancies in the Indian Regiments be in future filled by such Indian Officers only till all Indian Regiments are wholly Indianised."

My object in moving this Resolution was that it should apply to the regiments in which the sepoys were Indians and I confined it to Indians when I used the words "Indian Regiments" that is that it should apply only to those regiments where the sepoys are Indians, and it did not concern the British troops at all; and while moving that Resolution, I said at that time what I am ready to say now :

"I am not actuated by any racial feeling and I do not wish to minimise in any way the great services rendered to the Indian Army by the British officers for a very long time past. British officers in India have played a great part in teaching discipline to the Indian Army and in maintaining peace and order in the country. The great quality of a Britisher of knowing his duty is well known to all Members of this Honourable House, and the whole House, I hope, will agree with me and will support me in appreciating the services which British officers have been rendering to India. They have taught such good discipline that the fruits of it were found on the battlefields of France, Mesopotamia, Palestine, South Africa, China and other places. British officers have led the Indian troops in a remarkable way, and they have won great fame for the Indian Army."

I still pay that tribute to British officers serving in Indian regiments; and when I move this cut and bring the same Resolution forward for consideration, it is not in any way because I minimise the great services rendered by the British officers serving in the Indian Army; my intention is totally different; and it is this, as it was then, that the Indian officers who are the Viceroy's Commissioned Officers serving in the Indian regiments, with a few exceptions, as I will show, have proved their worth on many battlefields and they have rendered such signal services that, in spite of their having never received proper education or the training that is given to the British Officer at Sandhurst, these people proved their worth during the war and that they were second to none in their loyalty, in their valour and in their ability to lead troops. This fact was very well recognised by His Excellency the late Lord Rawlinson when he was replying to my speech. He said :

"In the first instance, during the war and since, 371 Honorary King's Commissions have been granted mainly as war rewards to Indian Officers holding the Viceroy's Commission in the Indian Army. In addition to these, there are now some 66 Indian Officers holding the full King's Commission and serving in the Regular Indian Army, or doing the normal period of attachment with a British regiment"

He further said :

"Many of them have received the King's Commission, largely as a reward for gallantry and distinguished service in the field and we shall continue to recognise such distinguished services by the grant of further King's Commissions to this class as time goes on."

This very fact shows that when 371 King's Commissions were granted as a reward to the officers who were holding Viceroy's Commissions, they were placed on the same footing as the British Officers during the war and after the war, when thousands of them had perished on the battlefields and laid down their lives for the cause of the Empire they showed that they were really fit and proper persons to have a great regard from this country and from the Government as well. Their services were recognised; but I think

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they were still not recognised quite adequately, because though the number was 371, a great number, still it was really because thousands of them had perished who would really have obtained the King's Commissions if they had survived the war. After seeing this, when we can find amongst the martial races people who are quite capable of conducting armies and of fighting in the war equally as well as any British officer or any European army can fight, I see no reason why any stigma should remain on the face of the Indian Army, that it cannot produce a sufficient number of officers to officer their own regiments. That is the motive which impels me today to bring in the same Resolution. I think that the policy which the East India Company had pursued in getting Indian sepoys who were officered by the Europeans should be abandoned now. The time has changed and is changing every day; with the increasing power in the civil departments, the increasing responsibility in the military also must come to Indians. Unless we have the Indian Army Indianised, the Indians will still be incapable of defending their shores, and they will be unfit absolutely for home rule or any rule whatsoever. I think His Excellency Lord Rawlinson speaking at that time realised this very factor and I will quote from his memorable speech one sentence and that will strengthen my cause. He said:

"Now it will be idle to ignore on the other hand the desire for change that comes very naturally with changing times and I can readily understand that as the people of India claim increasing independence they should also claim increasing opportunities to fit themselves for self-defence. The desire that the Indian Army should be Indianised follows as a natural sequence, and Government, as I have already said, have for a considerable time recognised that a demand of this kind is inevitable and they have spent much time and pains in investing the best means of assisting the people of India to realise their ambition without at the same time sacrificing even for a time the traditional efficiency of the Indian Army."

Sir, the late Lord Rawlinson and the Government of India and the Home Government recognised that with the change of time this demand will be inevitable and this demand will be made every time. After the ten years that have elapsed since then, I still feel justified and I stand here justified in moving this motion. I was advised by my Honourable friends of the then Democratic Party—and out of that party I find I have here my old, respected and learned friend, Sir Hari Singh Gour,—to withdraw my Resolution. My friend took part in that debate, and I find from the division that although we had that very morning a very strong majority, yet on account of an unfortunate incident,—I call it an incident,—which occurred, I could not get a sufficient number of votes, and I was advised to withdraw my Resolution on account of a statement made by His Excellency Lord Rawlinson. I thought I should not withdraw the Resolution, for I felt that posterity would blame me if I did so, and that I should have no ground to justify myself in the future if I accepted that statement, and today, Sir, I feel justified in not having accepted that statement. Sir, this Resolution was moved on the 24th of January, but the time was very short. It was moved in the afternoon, and after a reply from the Commander-in-Chief and a speech from Dr. Sir Deva Prasad Sarvadhikari, the debate was postponed till the 17th of February. In his speech the Commander-in-Chief had made one remark on the 24th of January as follows:

"From the statements already made in this House, Honourable Members are aware that the Government is still not able to set on foot any specific scheme of Indianisation or even to say really now when this will be possible. It is hoped, however, that it

will be possible to make an announcement at no very distant date when the correspondence which is still proceeding between the Government of India and the Secretary of State will be concluded. The correspondence has been prolonged and the consideration given to the matter has been very thorough, as indeed the importance of this matter deserves."

Now, Sir, this was said on the 24th of January, when the correspondence between the Government of India and the Secretary of State had not been concluded, and when the Commander-in-Chief said that he would be able to make an announcement as soon as possible. Then on the 17th of February, to which date this Resolution was postponed for further discussion, His Excellency came into the House and was the first to get up and make an announcement, which perplexed practically everybody for the time being; it practically dazzled or I may say captured the minds of everybody, because they did not then realise fully the importance of that announcement. They thought the announcement would go a long way and accelerate the pace of Indianisation of the Army, but what do we find today? This is what the Commander-in-chief said:

"In the short interval that has elapsed the correspondence which I then said was proceeding has been concluded, and I am able to announce to the House the following decision, that the Government consider that a start should be made at once so as to give Indians a fair opportunity of proving that units officered by Indians will be efficient in every way. Accordingly it has been decided that 8 units of cavalry or infantry be selected to be officered by Indians. This scheme will be put into force immediately. The 8 units to be wholly Indianised will be merely infantry units, but there will be a proportion of cavalry."

Now, Sir, this announcement really cast a spell on the whole House on that day. Honourable Members thought that from Second Lieutenants officers would at once be promoted to Colonels and Majors as if by magic, and that these officers would go and lead the Army without acquiring much experience, or that people selected from schools and colleges would be appointed as Captains and Majors, (*An Honourable Member*: "From factories")—probably from factories also as the Members then thought, in fact Members then thought that the underlying object of my Resolution had been achieved, but I found that the decision of the Assembly was wrong and that wrong decision still stands today

Mr. B. Das: Nobody expected anything better from that Assembly in 1923.

Mr. Muhammad Yamin Khan: Let me see what you will do today. I realised then, Sir, that these 8 units would be absolutely separated, they would be treated something like the depressed classes in the Army Department, and my apprehensions on this ground were fully justified. I find there is a general grievance among Indian officers serving in those regiments that they are socially isolated, in fact there is a strong feeling among these officers that they are not treated or respected in the same way as British officers are treated, with the result that nobody likes to go into those units; everybody wishes to be shifted from those units. I thought that as vacancies occurred, in the higher ranks of the British Army these officers would be promoted as Captains or Majors and thus the process of Indianisation would be accelerated, and if this method had been followed it would have taken 24 years for a King's commissioned officer to come up to the rank of a Lieut.-Colonel. If that scheme had been accepted then, probably by this time we would have had Indians

[Mr. Muhammad Yamin Khan.]

as officers holding the ranks of Captains and serving under British officers, and who would in the natural course of things have occupied the rank of Majors and Colonels according to seniority, and it would also have proved the sincerity on the part of the Government to prepare India for self-government. But, Sir, what do we find today? This 8 units scheme was not and is not acceptable to anybody even after a lapse of 8 years, and I would like to hear what our Honourable friend the Army Secretary has to say on behalf of the Army Department in support of the policy which they adopted at that time. I do not like that incidents that happen in the House here in connection with Army questions or the incidents that happen outside this House should in any way interfere with the loyalty, the unswerving loyalty, of our officers in the Army: I am anxious that the Army should be kept absolutely free from the criticisms of politicians; I want that the Army should live as the Army and not as politicians; but, Sir, the policy which is pursued, the wrong policy which is pursued by the Government of India today, is dragging the Army unfortunately into politics. Politicians in the districts think that they should invade the Army by making capital out of the discontent that exists among the Army officers, by creating discontent in their hearts, by showing them that they are not treated properly and so forth, and this will continue as long as the Government persist in their present policy; and it will be a very deplorable state of affairs indeed if the Army really begins to feel in the way they are made to feel. I say, the Indian officer, whether he be a Viceroy's commissioned officer, or a King's commissioned officer, has proved his loyalty beyond any suspicion or doubt. You cannot impeach his integrity; you cannot impeach his loyalty. He is ready to give his life, he is ready to sacrifice his children and all his pleasures for the sake of the Empire, as has been proved on many battlefields. He had gone ungrudgingly outside India to fight the wars of the Empire. Why? Because these people come from the martial races who delight in taking part in warfare, whose business, whose job, whose training from their very cradle is warfare. They can never rest content unless they have somebody to fight with. You are limiting their sphere up to Risaldar Major, or Havildar Major, or something like that, which means that you deprive the best people of the country, the most loyal people. You narrow down the limits of their ambition—that is Government's present policy. Their policy is to stop these people from rising higher and shining as their forefathers did before. It is not that the martial classes did not produce any capable officers before the British came to India. We had Indian armies which went out of India, the Rajputs and the Mussalmans went outside India. The Army which was led by Aurangzeb to Central Asia was composed not of Persians but of the Mughals, Pathans, and the Rajputs. The Rajputs had shown the same valour as the Mughal armies had done. Their names are written down in history. Before the Mussalmans came to this country the Rajputs were in the front; thereafter we had the Pathans and the Mughals who were conspicuous. The valour of Porus who met Alexander the Great is written in history. We find that though not only in Indian history, but it is to be found in the Greek history, how bravely Porus fought against the disciplined army of Alexander the Great. He had received eight or nine wounds, and he was absolutely injured, but still he never left his command. He stopped there keeping his army cheerful all the time. So, it shows that in valour the Indian army is not wanting. In loyalty they are

not wanting. The only thing that they are wanting in is proper training. May I ask, whose fault it is that they are not properly trained? At the time when Babar came, the Indian armies fought against the Mughal armies with great distinction. When the Indian armies went to the south of India to conquer it, the record of their achievements is all there. Sivaji's exploits are there, the Mughal army's exploits are all there. The officers in the Indian States' armies are all Indian, practically no English officer serving in the Indian regiments of Indian States. The Hyderabad contingent, the Gwalior forces, etc., distinguished themselves in the War. The Hyderabad regiment went to fight in Palestine, Egypt and other places. I find in the records of the War, some Indian friends of mine, at least one Indian friend of mine who belongs to the Indian Legislature though to the other place, led a British regiment in France when all the British officers had been killed. He was the only officer left, and he commanded the British regiment and did so with great distinction. His name was reported in despatches, and here in this House I find that we have got distinguished men. We have got our friend sitting behind me Captain Sher Muhammad Khan. He has fought in China, the frontier, Egypt, Gallipoli, and the Black Sea, with great distinction. We have got as your Marshall a gentleman who rose from the lowest rank to the highest which could be allowed to an Indian officer. He got an M. C. in the War. He afterwards got a King's commission, but, instead of wasting the best part of his life as a sepoy, if he had been given the opportunity of enrolling himself and becoming a King's commissioned officer, he would not have been a mere Captain Nur Ahmad Khan, but General Nur Ahmad Khan in the Indian Army. Is there anybody whom you can call a General in India among the Indians? There were Generals, and Field Marshals, in the past, before the advent of the British. Why should they be kept down? Why should this policy be adopted which keeps them down and down although they have got all the other qualities except the one quality of training? These people are not responsible for their lack of training. The responsibility lies on the Government to select the best people out of the martial classes in sufficient numbers. You give them a chance to be educated in the schools. If these people cannot educate their children properly on account of the insufficiency of the salaries that they get, it is the duty of the State to provide money for free education of the children of those people who are serving in the Army. If you give them the same education, the same opening, they will shine as well as anybody in the Empire, for the benefit of the Empire. They will serve as loyally as they are serving now, and they will be a great asset to the Empire in the future, and the Government will be proud that they possess very efficient officers who are a decoration to the Empire. Indian officers can never think of living outside the Empire. They will serve as loyally in the future as they have been serving in the past. It is not enough to provide only 60 cadetships in Sandhurst. I find that there are 141 Indian regiments. There are 120 regiments of Indian infantry and 21 regiments of Indian cavalry. Now, Sir, this policy that a British officer must serve side by side with Indian officers in the Indian regiments gives the Indian soldier the feeling that the Government feel a kind of suspicion against him. A very ridiculous speech, rather a speech like that of a buffoon, was made in 1923 by an old man, who called me a rash young man at that time.

Mr. B. Das: Was he a Member of the Assembly?

Mr. Muhammad Yamin Khan: Yes.

Mr. B. Das: Is it fair to call him a buffoon?

Mr. C. S. Ranga Iyer: On a point of order. Is it proper for an Honourable Member of this House to describe an ex-Member of this House, who is no longer present to answer him, as a buffoon?

Mr. President (The Honourable Sir Ibrahim Rahimtoola): It appears to the Chair that it is a question of good taste. The Honourable Member will be well advised not to use such language when referring to ex-Members of the Assembly.

Mr. Muhammad Yamin Khan: I will take your advice, but if my Honourable friends had a little patience I would have shown them that I was called rash. If my Honourable friends will read Khan Bahadur Zahir-ud-din's speech they will have no other opinion but that it was a buffoon's. From top to bottom, there was no seriousness in it, and he was swearing at everybody in the House. He called me the same thing to my face. I shall not waste the time of the House. I am sorry my friends interrupted me when I was dealing with a subject like this. The interruptions which they are accustomed to make do not stop when even a serious subject is discussed. I found that the Indian officers were discredited by one of my countrymen, who happened to be a Member of this Assembly and he wanted to rouse in that speech the Indian officers serving in the Indian regiments, and I am glad that it had not created that effect. The Indian officer in the Indian Army is so unswerving in his loyalty that no amount of propaganda can drag him into politics. He remains a soldier from beginning to end. I want, Sir, that opportunity should be given to the Indian soldier and his son to get proper openings, so that the stigma may be removed that the policy which had been adopted by the East India Company had been accepted by the British Government, after the transfer of power from the Company to the Sovereign. I think that 60 recruits will not be sufficient. Sir, I do not approve of the policy of placing British officers in Indian regiments, which makes the Indians exclaim, "Why should not there be Indian officers in British regiment?". The reply will be given that the British soldier will not be willing to serve under an Indian officer. That will again drag politics into this question. I want to avoid that. The policy should be to discard this communalism in the Army. If you place British officers in the Indian regiments, the Indian officer will equally claim that he should be placed over British regiments. The Indian officer will say, "If I am good enough to lead my caste fellows, why should not the British troops be willing to serve under me?". This question will crop up in another ten years time if the Government do not take the hint today. If you do not concede this point in time, it will involve India in great danger, and you may have to yield much more later than what will content the people today. I would include in the category "Indian" the "Anglo-Indian" also, because some of the Anglo-Indians and Europeans made their home in India in the past and they distinguished themselves in the Army. We all know the names of Gardener and Skinner and others who formed regiments and they led them. I am quite willing to recognise that the Anglo-Indians, who have made India their home, should be

treated as Indians and they should be allowed full opportunity along with other Indians, and in the future their feelings are bound to be the same as those of other Indians. Future events and changing circumstances will teach them that they must consider India their home and they should not look to any other country but India as their motherland. I will confine my remarks only to this which is the same as what I advocated before, namely, that Indian regiments should be officered by Indians only and I still advocate the same principle. With these words, I move my motion.

Mr. C. S. Ranga Iyer: I rise to congratulate my friend Mr. Yamin Khan who on behalf of his party made a speech which is a reply to one school of thought, whose views were expressed by Professor Keith in the following words:

“Self-government without an effective Indian army is an impossibility and no amount of protests or demonstrations or denunciations by the Imperial Government can avail to alter that fact.”

Mr. Yamin Khan was very nearly expressing the views of the Nehru Report so far as the Indianisation of the Army is concerned and the views of the Nehru Report embodied in these words; and, incidentally, they also constitute a reply to the pungent observations of Prof. Keith:

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“This is true, but we do not accept the constitutional position that without an Indian or Dominion Army India cannot obtain Dominion Status. In the first place, the Indian Army is not to be created. It exists there already. In the next place, historically the position taken by our critics is not correct.”

I have not got much to add on the speech of my Honourable friend, Mr. Yamin Khan; and if I had to interrupt him, I can assure him that it was not with a view to interrupting the eloquent flow of his reason and the array of his arguments; it was only incidentally to place on record that, whatever might have been the record of Members who are today not present here, I think it would be very much in keeping with the dignity of Members in this House not to describe a gentleman as a “buffoon” or a speech as the speech of a “buffoon”. If he had said that it was something of the nature of buffoonery, it would have been less offensive though the bad taste would remain. Sir, I have not had as yet the opportunity of reading the speech of the Honourable gentleman who appears to belong to the same community as Mr. Yamin Khan. I am not therefore looking at it from a communal point of view but from a parliamentary point of view. In his reply he tried to show that Honourable Members on this side are accustomed to interrupt. Yes, but we are not accustomed to interrupt Mr. Yamin Khan of all. We generally, as an Opposition, are accustomed to interrupt the Treasury Benches and sometimes the European Benches when they are in agreement with the Treasury Benches without the “responsibility”, as pointed out this morning rather parenthetically by the Honourable the Finance Member himself when he referred to their comfortable case or some such expression which I cannot recall, but my impression I believe is correct. I must tell Mr. Yamin Khan that I had no intention of giving him the honour of my usual interruptions which I think it is the privilege of the Opposition to indulge in.

With these few remarks I may now embark on a few observations on the important question of the Indianisation of the Army. My Honourable

[Mr. C. S. Ranga Iyer.]

friend, Mr. Yamin Khan, referred to the great Anglo-Indian community, whom no one on this side of the House wants to deprive of their great possibilities in the field of the Army, just as in the field of the Railway Department. Sir, I do not think they have got the same consideration in the Army as they have got in the railways. The inroad we are making into the railways will I think be compensated by the inroad they are welcome to make into the Army, and therefore I endorse the observations of Mr. Yamin Khan that the Anglo-Indian community must be given their opportunity in the Army of the future. (Hear, hear.)

Then I would also say that though my Honourable friend, Mr. Rajah, is not present here today, the depressed classes must be given the same opportunity. Sir, Mr. Yamin Khan referred to the East India Company days, and his reference reminds me of the part the depressed classes played in those days, when they fought the battles of Clive and Tippu for and against Great Britain. Sir, who fought those great battles of Clive for Great Britain? The depressed classes. It was also they who fought the battles of Tippu against Great Britain. Sir, Tippu and Hyder Ali had a large number of soldiers and officers drawn from the depressed classes. Similarly in South India the depressed classes were the trained officers of Lord Clive, the founder of the British Empire in India whose statue faces very rightly the India Office, commemorating one of the greatest events in the career of a man who came on an adventure because he was unwanted by his parents and founded a great kingdom for his mother country. He enunciated a principle, since perhaps forgotten, of equality on the battlefields when the depressed classes people were quite willing to share their *conje* with their European officers, or for that matter their Indian officers. Sir, I want the spirit of those happy days to be revived.

Sir, the Report of the Simon Commission contemplated the introduction of a Dominion Army in India. Without going into that controversy, I think we may say that a Dominion Army is a necessity if India is to be a Dominion, and to have a Dominion Status, and you cannot have a Dominion Army without Indianising the Army; and therefore I would ask the Army Secretary what steps the Government propose to take in the direction of the acceleration of the pace of Indianising the officer strength of the Indian Army.

Sir, it has been stated that a military college will be established in Dehra Dun or somewhere else in India. At present we have got a so-called military college in Dehra Dun. Some Members on this side of the House have had the opportunity of visiting that "military college" as guests of the Government. I think that opportunity was given to us by the late Lord Rawlinson, the great Commander-in-Chief that he was, who wanted the Opposition to have an opportunity of understanding the possibilities opening before Indians. Sir, the good Adjutant-General, Sir John Shea, was with us at Dehra Dun when the officers and professors in charge showed us round the college—I am not casting any reflection when I say, it is not a military college, but that it is a very good public school for the training of students who have aspirations for a military career.

Captain Sher Muhammad Khan Gakhar (Nominated Non-Official): It is a public school.

Mr. C. S. Ranga Iyer: I agree. My friend is perfectly right, it is a public school; I was about to say it is misnamed "The Prince of Wales Military College". (*An Honourable Member:* "Then change the name.") I do not want to change the name, as my friend suggests, with his usual sense of humour; I want that it should be as good as its name; I want to see that it is made a military college. I do not want to be understood as saying that there should be only one military college in India. India, Sir, must have as many military colleges as its size and its population justify. Take the size of England and the population of Great Britain. How many military colleges have they got? Take the size of India and the population of India and how many military colleges should India have? Sir, I say, Sandhursts. Woolwiches and so on must dot every part and province in India. Take the case of the United Provinces, which has as large a population and size as Great Britain. Every province in India must have a military college. Many more military schools like the Dehra Dun school, many more feeders for the military colleges must come into being in this country. Sir, if the Government are genuinely keen about promoting self-governing institutions in this country—and that would seem to be the case, otherwise we would not have had the Round Table Conference and the Consultative Committee—I would very earnestly appeal to the Government to take, without delay, all steps in the direction of introducing military colleges and feeder schools therefor in India, and thus give the British Indian people opportunities for military careers, and opportunities to show their military valour not only in the interests of India but also in the interests of Great Britain, for, united we stand, as we proved in the last war by our united stand not only for the good of India but for the good of Great Britain and all she stands for.

Sirdar Harbans Singh Brar (East Punjab: Sikh): Sir, this opportunity which has been afforded to us by Mr. Yamin Khan to discuss the Indianisation of the Army has come at the right moment. Sir, although India was not afforded the opportunity of obtaining the King's Commission before the year 1920, she had a class of officers who were gallant and had a marvellous record of chivalry and were drawn from the ranks of the peasants. They were not very much educated but were very well trained for the art of warfare. I am referring, Sir, to that class of officers who were known as the Viceroy's Commissioned officers.

(At this stage Mr. President vacated the Chair which was taken by Sir Hari Singh Gour.)

Our demand on this side of the House for Indianisation of the Army and of the higher ranks, though listened to with courtesy and consideration and acceded to in very small degrees, is now having a great reaction. In 1920 an expert Committee of the Army Department recommended that about 110 Indian Cadets should be trained every year for the King's Commission. But last year we had a Committee, which was composed of military experts as well as persons drawn from the public life, which reduced the pace of Indianisation almost by half. Our total figure per year for appointments in the King's Commission has roughly been about 200. If every year we recruit all these 200 men from the ranks of Indians, it will take about 30 to 35 years to Indianise the whole Army. But if we accept the figure recommended by the Sandhurst Committee of last year, it will take about 100 years to Indianise the King's Commission. Another most reactionary decision, we are told by that Committee, was that the

[Sirdar Harbans Singh Brar.]

Government have decided upon doing away with the Viceroy's Commission. Sir, in the Viceroy's Commission we have thousands and thousands of Indian soldiers drawn from the martial classes in the countryside who by their great chivalry and merit rose from the ranks of sepoy to the ranks of officers. Although they do not become King's Commissioned Officers, they do become Subedar Majors, and some of them even retire as Honorary Lieutenants or as Honorary Captains on decent pensions for the valuable services which they rendered to the Army. Sir, the Viceroy's Commission encouraged the people from the villages to take to the Army as a profession because it produced a great field for becoming officers in the future. Now, Sir, this measure of Indianisation in the King's Commission is not large enough for the resources which India provides. It will be the cause of great dissatisfaction and discontent to the lower ranks of the Army if they are told that they should not hope to become in years to come Jamadars, Subedars, Subedar Majors and so on. I am sure it will shatter their hopes for all time to come. We have been asking that, in addition to what we are enjoying in the officer's ranks, we should get more officer's jobs. Sir, we are expecting to get now 60 officers every year. They will be admitted in the college, and out of them at least 10 will fail and we will have only 50 passed officers. Even in England they fail about 2 out of every 10. So we will be having only 50. For having this number of King's Commissions we are being deprived of Viceroy's Commissions for many thousands of our countrymen who in the past have done wonderfully well in the Army, not only within the borders of India but also beyond. Is it fair, Sir, now that India is going to have its own management of affairs, that we should have the total abolition of the Viceroy's Commission? When I say this, I voice the feelings of my constituency, which is a great recruiting ground in the Punjab for the Army. At least half the Army recruited from the Punjab is recruited from that area. I am sure the soldiers in the Army will be very much discontented and the peasantry in the countryside will rise up against the Government if, instead of giving us more ranks in the Army as officers, you deprive thousands and thousands of young men from rising to the Viceroy's Commission. They will very much resent the idea that they should remain as sepoys for all time to come. My friends Captain Lal Chand and Captain Sher Muhammad, who have been in the Army and who have come in contact with the marvellous feats which the sepoys have displayed in the battlefields of the Empire, will be able to bear testimony to this fact. Sir, it is nothing but fair that these sepoys should be afforded the opportunity which they have had so long, *viz.*, that in addition to the King's Commission, they should also enjoy the Viceroy's Commission. Sir, these men might not have been good linguists, but they are certainly good soldiers, and as such deserve good treatment at the hands of the Government. Government should provide them with free higher education in the Army and should make military training compulsory in Government and Government aided schools throughout the country. With these few words, I press for the Army Secretary's consideration of the case of the ordinary layman in the Army, namely, the soldiers. I request him to remember that it is the sepoys who form the backbone of the Army, and it is they who fight the battles and therefore they should not be deprived of opportunities for getting what is their due, and that they should be given every facility to rise to the higher ranks of the Army.

Captain Sher Muhammad Khan Gakhar: Sir, I feel it my duty to thank you first for giving me an opportunity of presenting my views on the subject of defence which forms a most important and integral part of the Budget. I propose to have a plain talk with the politicians, and ask them to give the authorities all that they need and think necessary for our safety as well as that of our motherland. It is essential that they should in the very beginning appreciate the facts that it is the proper authorities who are the saviours of the country, and not they who should be the judges of our needs and equipments necessary for the defence of the country.

Ever since the inauguration of the Montford Reforms, and the present Assembly, there has always been a heated discussion on the military side of the annual Budget; and Government have often been accused of feeding their own countrymen at the expense of the Indian tax-payer, and have been constantly and persistently asked to replace the British King's Commissioned officers by Indians, a process which is generally known as the Indianisation of the Indian Army.

Undoubtedly to all lovers of India the defence of India must ultimately be the concern of the Indians themselves; and it is extremely gratifying to note that as a result of the Round Table Conference deliberations, the principle has not only been accepted but put into practice as well. Our long cherished desire for the establishment of an Indian Sandhurst has been fulfilled; and the annual intake of 60 young Indians out of an annual wastage of about 100 is going to begin in a few months. This means a very substantial advance.

Ever since the publication of the Indian Military College Committee's Report a storm of criticism has been raised and objections levelled against its recommendations by Nationalists and their press. Although the general sense of the Committee, on which I had the honour of serving, was satisfactory, yet some of the members have appended minutes of dissent to it and the burden of the song has been an increase in the pace of Indianisation.

I, as a soldier and a man of action, who has spent a greater portion of his life in the Army and on active service, venture to differ from my esteemed friends, the politicians. They forget that the question of Indianisation cannot admit of a mathematical solution. It involves considerations of efficiency, equipment, and *esprit-de-corps*. Under a zeal for Indianisation we should not overlook these facts. We should remember that an army without efficiency is as useless as a rifle without ammunition. The question of the defence of India is too important for us to trifle with. Most of our politician friends had emphasized the desirability of fixing a period for complete Indianisation. To this, with all due respect for their pious wish, I would most emphatically say that no one, at least no military authority, on earth can fix the exact period. In the words of Mr. Thomas, Chairman of the Defence Sub-Committee of the Round Table Conference:

"It is not a question of saying Smith, Brown or Robinson is entitled to be called General, but it is that Smith, Brown or Robinson have graduated through a period of experience and of training that fits them and makes them competent to be Generals. Therefore that cannot be determined by a resolution: you could declare, if you like, that on and after five years every officer should be an Indian. It might sound popular, but in practice when worked out you knew perfectly well that in five years they would not be competent to take that position, not because they would not be competent because they were Indians but because they would not have the necessary experience."

[Captain Sher Muhammad Khan Gakhar.]

My Honourable friends should appreciate this fact, that without experience and experiment there can be no step forward towards Indianisation.

It was with this object in view that His Excellency the Commander-in-Chief, when addressing the Indian Military College Committee in Simla, declared that an immediate start would be made to Indianise a complete Division of the Indian Army of all arms. It was a very wise step taken by him. He could very easily have declared that a start would be made with two or more Divisions, but that would have jeopardised the safety of the defence of India. He could not sacrifice competency and experience simply for the desire of accelerating the pace of Indianisation. It is pleasing to see that Government have promised to accelerate Indianisation when the experiment with the Indianised Division is completed. By that time the young officers now in the Army would have assumed command; and in the words of His Excellency:

"With fourteen years' service, I feel convinced that these young officers will have shown themselves fit or not fit and it will then be an easy matter to increase Indianisation because by that time the Government will have no doubt in their minds as to whether they are conducting an experiment or building up an Indian Army that will be a reliable instrument for carrying out the onerous duties of the fighting forces in India."

I, once more, repeat what I have said above, that it would be simply useless and highly dangerous to determine a period of Indianisation unless we were certain that, "Indianisation which was dependent on competency and experience would materialise by the experience that would be gained in that time".

So much for Indianisation of the Army. I now venture to make a few remarks on the elimination of Viceroy's Commissioned officers of the Indian Army under the new scheme about which my Honourable friend Sirdar Harbans Singh Brar was very anxious. I was at one time against this elimination; but on deeper thought I have come to the conclusion that the existence of this class of officer in the Indianised units would be unnecessary. The reasons are not far to seek. Under the present system a sepoy joining the Army hopes to receive the Viceroy's Commission after putting in a long service of say about 15 or 20 years; but in the Indianised unit he would hope to secure the King's Commission within a comparatively short period of about three or four years, which he could never dream of otherwise.

Sirdar Harbans Singh Brar: Only if he is well educated in English.

Captain Sher Muhammad Khan Gakhar: Yes, that is right. It is argued that the abolition of the Viceroy's Commission would work as a check upon the flow of the low-educated Indians to the Army, and my Honourable friend said that the sepoys will be discontented and they will be disappointed to learn that the Government have eliminated the Viceroy's Commission, but I do not agree with him. I cannot agree with this view, for the process will be so slow and gradual that no one will feel it. Moreover, it will serve as an impetus to better and higher education among the people who now join the Army. However, to lessen such apprehensions, I would most strongly suggest the Government should create Warrant Officers' rank, for example Battalion Havildar Major, Battalion Quartermaster, Havildar, etc., as in the British Army for men who would not have sufficient education to receive the King's Commission.

Sir, last but not least I wish to raise the point, the question of martial and non-martial or what are sometimes known as enlisted and non-enlisted classes of the Indian Army. I have every sympathy with the non-enlisted classes, and I, for one, whole-heartedly wish that they should be afforded the opportunity of building up a military career. But it would not be wise to allow them to join the ranks without any restrictions. An experiment may again be made. I am glad to see that the Indian Military College Committee have done away with this distinction; but still I consider it of utmost importance for the military authorities to see that the College or the Army is not unduly overcrowded by the young men of the non-enlisted classes.

I reiterate what I said at the Round Table Conference that if the Army of New India is to be efficient, it must contain the flower of its manhood. It must contain men who are determined and prepared to die, and not logicians, to whom mere abstractions make greater appeal than solid realities. Hence the martial races and the martial provinces must be specially utilised for the purpose. This seems to me to be an indispensable preliminary to any successful experiment in the creation of a national army.

One thing more, Sir, and I have done. Government have been blamed for the creation of a distinction between the martial and the non-martial classes. In the minute of dissent of Sir C. P. Ramaswami Aiyar and Major-General Rajwade appended to the Report of the Indian Military College Committee they say:

"This policy was founded not so much upon the innate differences in the characteristics of the people as upon the distrust engendered by the participation of particular classes of soldiers in the Mutiny. Recruitment to the army was determined by the opinion of the military authorities as to the reliability or otherwise of particular classes of people for loyalty to the Government."

Now, Sir, this is absolutely wrong and misleading. There were times when Mahrattas, Gurkhas, Sikhs and other martial classes fought against the British; but they were not debarred from entering the Army on this account. I belong to the famous Gakhar tribe of the Punjab, and my tribe also fought against the British, but Government have never objected to our enlisting in the Army; on the other hand our young lads are accepted with pleasure and are honoured.

Now, Sir, one word more about education. My Honourable friend Mr. Yamin Khan pressed this point. There are already existing three what we call King George's schools at Jhelum, Jullundur and Ajmer. There the sons of sepoys and Indian officers get practically free education.

Maulvi Sayyid Murtuza Saheb Bahadur (South Madras: Muhammadan): None in Southern India where there are thousands and thousands of Moplahs.

Captain Sher Muhammad Khan Gakhar: Recently Government have sanctioned one English teacher for each school specially to teach the English language to the boys, because the idea is that boys from these schools will go to the Kitchener College which has been started at Nowgong. And with a complete knowledge of English from this College, these boys will be prepared to take part in the competition or to be selected for the King's Commission to be trained at the Dehra Dun Military Academy. With these few remarks, Sir, I resume my seat.

Hony. Captain Rao Bahadur Chaudhri Lal Chand (Nominated Non-Official): Sir, the Honourable the Mover has done a real service to the country generally and to the martial classes in particular by drawing attention to this most important subject. He has made out a good case

[Hony. Capt. Rao Bahadur Chaudhri Lal Chand.]

for speedy action. Government have accepted the principle and we are all grateful for that. The introduction of the Indian Air Force Bill in this House is an earnest of the efforts of Government in this direction. The starting of an Indian Sandhurst at Dehra Dun is proof of the fact that Government mean some business, and the doors are now being opened freely for Indians to be trained in India. There are also the schools referred to by the previous speaker, at Jhelum, Jullundur and Ajmer, for the training of young boys who are sons of Indian soldiers. But the point remains, with what speed are you moving? The speed proposed and the methods suggested and sanctioned are open to very serious objection. The Honourable the Mover has pointed out that the slow rate at which we are proceeding is not commensurate with the aspirations of the people, and I only support him in the desirability of accelerating the speed. Let caution be the watchword and efficiency be not sacrificed, but the present speed needs acceleration.

As regards method. I crave the indulgence of the Honourable Members who belong to the non-military classes to bear with me when I say that there is great discontent among the military classes over the opening of the Army Commissions to non-military classes. Without meaning any disrespect to those non-military classes, I say that if there is anything in the old traditions and old sentiments they are all out of court. India is probably the only country where the distinction of non-military and military classes has existed from times immemorial. The military classes have always been known as Kshatriyas. Their past history is full of heroic deeds and sacrifices for the country. They have defended the frontier; there are families among those classes where for several generations they have contributed their quota at the frontier. They have been tried in many ways both here and outside India. During the Great War they displayed very high qualities of heroism and sacrifices which were characteristic of their forefathers, in the frozen fields of Flanders and burning sands of Mesopotamia alike. The classes which have preferred the pen to the sword and the office chair to the back of the horse are now coming forward to claim an equal share in the higher ranks of the Army. The Government always goes on lines of least resistance and judges the amount of discontent in the country from the articles that appear in the Press, which is all manned by the non-military classes. Government, acting on these easy ways, has agreed to throw open 50 per cent. of Commissions to competition, which does not consist of riding, tent-pegging and the like, but simple arithmetic and composition. This is a very serious inroad on the rights of the military classes. These classes had not got these rights and privileges by mere chance or on account of any favour. They shed their richest blood in securing this monopoly. In the name of those brave soldiers who laid down their lives for the upholding of the supremacy of democracy over autocracy, in the name of those brave sons of India who left the shores of India from 1914 to 1918 never to return to their motherland, I appeal to Government not to forget these sacrifices and promises so soon. Even this very House in 1923 accepted the principle that the officer ranks should be given to those classes in proportion to the number of recruits they supply. So far that is one defect in the methods that have been sanctioned by Government.

Another defect is the abolition of the Viceroy's Commission in future as has been so rightly pointed out by our friend Sirdar Harbans Singh.

Sir, if the officers' ranks had not been thrown open to the non-military classes, I would not have brought this point forward. But as I find that future recruitment to the officers' ranks will be based on knowledge of arithmetic and mensuration, the military classes will find themselves greatly handicapped. Every despatch is full of the graphic accounts of the deeds of these brave Indian Officers; and their abolition, without even giving them a chance of a hearing, is being greatly resented, not only by them but by the military classes as a whole. If they have done well in the past as a connecting link between the rank and file and the officers, there is no reason why they should not be allowed to do so in future also. So, this decision, if it has been arrived at already, should be reconsidered. The methods employed in effecting Indianisation of the Army remind me of an old story of Kashmir State. Probably it was the grandfather or great grandfather of the present Maharaja who was approached by the people, who said that it was not proper to spend money on Dogras and Sikhs in forming his army, and it was pressed upon him that an army of Kashmiris should be raised. The Kashmiris are very fine-looking fellows; they could carry heavy loads on their backs and being so hardy, the principle was agreed upon. A battalion was raised and with their military uniforms they looked very nice and smart when they went up hill and down hill; and after a year a report was made in the durbar to the Maharaja that the unit was ready for action. The Commandant of the battalion saluted and made this report himself. The Maharaja at once ordered that they should be ordered to relieve a Sikh battalion which was serving on the Gilgit frontier. The Commandant, instead of retiring, saluted him again and the Maharaja looked at him and became furious. "What is it you want now" he asked, "Why do you not go back?". The Commandant said, "I want half a dozen Sikh sepoy to guard my armoury at night". The Maharaja was very furious; but the Commandant was pressing, saying that it was in the interests of the State and of the Maharaja himself that he was asking for these sepoy and that it meant only about a hundred rupees a month which was not much, and further that the whole army would remain safe. The result was that the Maharaja ordered the battalion to be disbanded at once.

(At this stage Mr. President resumed the Chair.)

In the pre-Reform Council of the Punjab I had been pressing for a share for the zemindars in the public services of the province. A Committee was appointed in order to survey the situation in the province and I was on that Committee. Sir John Maynard presided and it was proposed that a survey of all services should be taken in regard to the present occupants whether they were zemindars or non-zemindars; and the President asked me, as it was at my suggestion that the Committee had been appointed, whether the zemindars were willing to give up any particular service in the province, and I at once said, and my zemindar colleagues in the Committee agreed, that we did not want to be treasurers and accountants and those services were given up to them. About other services our share was defined, but those services were left to the non-military classes. Similarly the Army is our monopoly; and if that is taken away, not only will the Indian Army be discontented, but the efficiency will suffer. Pray, do not play with the whole of the Army; if you want to try an experiment, let the Government begin with one unit and one battalion be raised separately from non-military classes

An Honourable Member: The territorials are raised already from those classes.

Hony. Captain Rao Bahadur Chaudhri Lal Chand: The territorials are not a mixed unit, they are not solely of the classes that do not go in for soldiering. The history of the Punjab University Corps and the Bengal Company is fresh in our minds, and so it is no use getting old history repeated. My point simply is this: that the speed should be accelerated and the methods adopted should be revised. The military classes should not be deprived of the monopoly that they have enjoyed; they have earned it on account of their past sacrifices not only during the British period, but from the Hindu period onwards.

An Honourable Member: Whose battles are you fighting?

Hony. Captain Rao Bahadur Chaudhri Lal Chand: We are fighting for the King and country.

Mr. S. C. Mitra (Chittagong and Rajshahi Divisions: Non-Muhammadan Rural): Sir, I had no intention to take part in this debate, but I am tempted to say a few words due to the offensive and senseless remarks of some of the Members from the so-called military classes. Some of these people fight for a mere 20 rupees, and they are speaking ill of other Provinces. When the British came to India, where were these military classes? They had to recruit soldiers from Madras and from Bengal: the famous red army consisted of Madrasis and Bengalis who conquered some parts of India for the British. Now, for some reasons or other—for political reasons—they have ceased recruiting men from these intelligent classes and confine recruitment to less advanced communities. Warfare nowadays does not depend so much on mere muscle; it requires brains. The time for warring with mere swords, one man going for another man like brutes, has passed; even in the last war it was found that it was the brain and the better organisation that won and not brute force or animal energy

Hony. Captain Rao Bahadur Chaudhri Lal Chand: Let the penal laws be withdrawn for two days only, and then you will see the result.

Mr. S. C. Mitra: These gentlemen have had a chance of speaking, and now they will allow me my few minutes to reply to them. I am ready to accept the challenge. Bengal will take care of itself. Had it been mere muscle that could have won the war, I think some of the gentlemen who espouse the cause of the martial races could offer some argument. What are these brave people they are speaking of? What is the origin of the brave Sikhs? Guru Govind Singh, for political reasons, trained mere cultivators, and they gradually grew to be very heroic and self-sacrificing. I do not find fault with the military races; but what I ask is, what really makes people military? When the British used to recruit soldiers from the United Provinces, the United Provinces Brahmins and Khatrias were considered as the military races; my friend, Mr. Gaya Prasad Singh, who comes from a military race, is a Khatri but now Government has ceased recruiting from these Provinces. According to that

brave hero over there, all other races are non-military, as if in England and America and Europe they come to India to recruit their soldiers from the so-called martial races! In all the world over there is no special martial class. I am not at all against giving some preference to these people who have got vested interests, being in the military classes; but when they make a fetish of this theory of martial races, I say they make the whole position absurd. There is no such false and frivolous theory of martial races anywhere else in the world. Are these martial races? What country are they governing now by their heroism? They are slaves, and they are helping to make other nations slaves in the whole of Asia. When there is trouble or war in China, these so-called mercenary military people go for 20 rupees and shed other people's blood. I could understand their bravery and their heroism if they were independent and stood on their own legs at least in their own country.

Hony. Captain Rao Bahadur Chaudhri Lal Chand: Can a Bengalee regiment be raised for China?

Mr. S. C. Mitra: If they speak of heroism and fearlessness, I can cite any number of cases. Even our Bengalee girls are much more heroic than some of these stalwarts who come and boast here of their

Hony. Captain Rao Bahadur Chaudhri Lal Chand: I rise to a point of order, Sir. The word "heroism" has been used in connection with terrorism. Firing upon the civil population is not a heroic deed. Heroism has to be shown in fighting battles. This is cowardice.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): That is not a point of order.

Mr. S. C. Mitra: I merely wanted to point out that it requires more of brains than of bulk and muscle in these days in warfare. My point is, if for any purpose Government want to make a class martial they can do so; by recruiting men from Bengal, Madras or from Bombay, they can create a martial class within a few years because, after some time, the people will get the necessary training and they will become a martial class. Martial instincts are not confined to the people of the Punjab or the North-West Frontier Province alone; there are martial classes all over India and all over the world. Therefore, I say that, not that India is going to have full Dominion Status, Government should pursue the policy of recruiting and training men from all provinces and from all classes of people in India, but if unfortunately some of our friends argue the case in the manner they have done, I think the motion of my Honourable friend Mr. Yamin Khan, which is very proper and reasonable may be lost in this House.

Mr. G. M. Young (Army Secretary): Mr. President, I do not propose to follow the last speaker into his somewhat unfortunate digression, because it is not disputed in this House that the provision that Government are making for the Indianisation of the officer ranks of the Army includes ample representation of the non-enlisted classes. I will, therefore, confine my observations to the subject-matter of the motion before the House.

[Mr. G. M. Young.]

In rising to take my part, for the sixth year in succession, in the debate on the Army, I find myself in an unfamiliar but not altogether uncomfortable position. Throughout the strenuous debates that we have had for the last five years on this subject, I have come to regard two very formidable lines of attack hitherto as inevitable. One of these was the attack on the level of military expenditure, based upon the well-known figure of 50 crores laid down by the Inchcape Committee. So long, Sir, as military expenditure was above that level, I found it very difficult, in fact impossible, to satisfy Honourable Members opposite that Government had every intention of ultimately coming down to that figure. As the House is now well aware, the Budget figure for this year is several crores below the ultimate aim recommended by the Inchcape Committee. Whether it will remain at that figure or not, of one thing we may be tolerably certain, that we shall never see a Military Budget, in peace time, of as much as 50 crores again. My Honourable friend Mr. Yamin Khan, the Mover of the motion, has accordingly very wisely confined the scope of this debate to the other burning topic that always comes up in the course of the discussion of the Army Department grant, namely, Indianisation. Here again the main attack that I have experienced in the last five years has been based upon a figure laid down by a Committee. The figure this time was not a monetary figure; it was a date. The Indian Sandhurst Committee, better known as the Skeen Committee, recommended that an Indian Military College should be established in the year 1933. The Government at the time were unable to commit themselves to this recommendation, and their refusal to do so aroused a storm of impatience and condemnation. It was in vain that I, and other speakers on behalf of Government, endeavoured to point out that Government did not say that there would not be an Indian Military College in 1933; they said it might be possible to have it in that year, it might not be founded till later, or it might even be founded earlier. This last suggestion was received with frank incredulity and I well remember a Member of this House drawing a picture of myself running about in the year 1932 with bricks and mortar, in order to slap up as quickly as possible a building for the Indian Military College, if it were decided to establish one in 1933. Well, Sir, we have the building, we have decided to found the college; the first examination will take place in July next, and the college itself will open early in October of this year. (Applause.) We shall hear no more of the year 1933 in connection with the establishment of a military college, just as we shall hear no more of the figure of 50 crores in connection with our Military Budget

Mr. B. V. Jadhav (Bombay Central Division: Non-Muhammadan Rural): No credit to the Government of India.

Mr. G. M. Young: I followed very carefully the speech of my Honourable friend Mr. Yamin Khan. I wondered what it was that he was trying to impress upon Government. Towards the close of his speech I gathered that what he was advocating was the total cessation of recruitment of British officers to the Indian Army. Sir, nobody who has the efficiency of the Indian Army at heart could for a moment entertain such a suggestion. Government are all for accelerating the pace of Indianisation to the greatest possible measure consistent with efficiency, but to stop all recruitment of British officers to the Indian Army would lead to disaster.

I should like, however, to take this opportunity of informing the House of what has been done in the last few years. My Honourable friend spoke as if nothing had been done since the memorable debate in which he took part in this House in 1923; but of course that is not the case. Let me go back for a little while to the publication of the Skeen Committee's Report and the debates that took place in this House at that time. There were then only 10 vacancies available for Indians at Sandhurst. There were no commissions for Indians in the Artillery or the Engineers or the Signals; there were no vacancies for Cranwell, that is to say, there was no means of entry for Indians into the Air Force. Even the 10 vacancies for Sandhurst had not been regularly filled. I think I am right in saying that in no one year could we get all the candidates that we wanted, although we were allowed to carry over from one year to another. The average for some years was 6 or 7; it sometimes dropped to 2 or 3. As a result of the deliberations of Government on the Skeen Committee's Report, the number of vacancies at Sandhurst was raised from 10 to 20, Woolwich was thrown open to Indians for the first time, and vacancies were also thrown open to Indians at Cranwell for the Air Force. We also established a competitive examination in this country (previously the examination had been a closed one), and in accordance with one of the recommendations of the Skeen Committee we took all possible steps to make the new facilities for Indian candidates intending to join the Army known throughout the country. The fact that we did so was amply proved by the number

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of applications that we received from every corner of the country. The first results were not quite as satisfactory as we had hoped. In the first half-yearly examination 7 boys, I think, out of 10 passed for Sandhurst, none for Woolwich, and none for Cranwell. In the second examination, we had 10 for Sandhurst, none for Woolwich and none for Cranwell. In the third examination the results were better. Not only did we fill the ten places for Sandhurst, not only did boys successfully pass for Cranwell and Woolwich, but we had for the first time a number of boys who qualified but did not succeed in obtaining places, that is to say, we had, for the first time, effective competition. In the next half-yearly examination the result was not so good, but still steady progress was made, with the result that by 1930 the Government of India in their despatch to the Secretary of State on the Simon Commission's Report, definitely recommended further expansion in the rate of Indianisation of the Army, and also revived the question of the establishment of an Indian military college, with the result that we all know. With the inauguration of the Indian Military College, the number of vacancies has been increased from a maximum possible of 37 to 60. The number of units selected for Indianisation has been expanded so as ultimately to form a complete division of all arms and a cavalry brigade. This progress I think will be admitted by Honourable Members to be considerable, and it has been done in what I venture to suggest is the only possible way, that is, not by laying down a time table or programme for a definite number of years ahead, regardless of what might happen in the meantime, but by looking forward as far as it is safe to look forward, and deciding then to halt and take stock of the position and consider what the next step should be. The successive steps that have been taken were at intervals of about five years. It was 5 or 6 years, from the time that Indians first went to Sandhurst, to the recommendations of the Indian Sandhurst Committee. It is about 5 years from the time those recommendations were submitted to the Government till to-day. Five or six years hence will be the time for the

[Mr. G. M. Young.]

next move; and it is precisely that time to which His Excellency the Commander-in-Chief referred last year in his inaugural address to the Indian Military College Committee. He then said as follows:

"At the present moment, the young Indian officers in the eight units have seven years' service. This is obviously not long enough for us to tell whether they are going to be fit to administer and train a unit in peace and lead it in war. In seven more years, however, they will have had fourteen years' service, and by that time I feel pretty certain we shall be able to give a definite opinion whether they are going to be a complete success or not; and we need not wait until a further seven years, which would bring young officers now in the Army up to 21 years' service and approaching the time when they would command units, before we decide to carry the experiment further."

I submit, therefore, that Government are proceeding in the most expeditious as well as the most effective manner, to expand Indianisation in the Army; and that it would not be better to adopt proposals which have been put forward several times in the past for a regular programme of Indianisation extending over a period of 25 or 30 years; still less would it be better to adopt the proposal of my Honourable friend and close down British recruitment altogether.

I pass on to a subject which has exercised the minds of a good many of those who have taken part in the debate, namely, the prospects of the Viceroy's Commissioned officer, and of the rank and file of the Indian Army who have hitherto entered the Army in the hope of attaining to Viceroy's Commission rank. Now, this problem has exercised the mind of Government ever since it was originally decided,—now nearly five years ago—that in an Indianised unit you can only have one type of commissioned officer. I need not go into that controversy again, but the Government of India realised that if you started regimental establishments on the British pattern in Indian units with some 28 full King's Commissioned officers, the need for the Viceroy's Commissioned officer would clearly disappear, and something would undoubtedly have to be done to keep the prospects of the rank and file at least as good as they were before. In their despatch of September, 1930 on the Simon Report, the Government of India, in speaking of the conversion of the officer establishments to the British pattern, said:

"It will then be necessary either to set apart more units for Indianisation or to begin the conversion of the officer establishment to the British pattern, or to introduce a combination of both these measures. We have not yet decided which procedure we shall adopt. An important factor in the decision must naturally be the necessity of securing the rights and prospects of the Viceroy's Commissioned officers, and of the sepoys and sowars who enter the army with the ambition of being promoted to Viceroy's Commissioned rank."

Now, I will try and explain to the House exactly what the prospects amount to, and what we hope to be the effect of the measures that we have introduced. In the first place, we have time on our side. It will be some time yet before the first Indian King's Commissioned officers under the new system is posted to an Indianised unit in a place hitherto reserved for a Viceroy's Commissioned officer. The first batch of cadets will enter the Military College next October. Half of them will be men who have themselves come from the ranks of the Army. Their course at the College will be for 2 years. After that, they will be attached for one year to a

British battalion, and then join their unit in the Indian Army. Some of them no doubt will occupy places hitherto reserved for Viceroy's Commissioned officers, but that will not be till the autumn of 1935, and the boys who in this way displace Viceroy's Commissioned officers will themselves have come through the ranks. The same will apply to the next half-yearly entry, in the summer of 1936. In the autumn of 1936 the first Indian officers who entered the Indian Military College by direct competition will be posted to their units, and it will not be till then that any one who has not himself been through the ranks of the Indian Army will find himself in a position hitherto reserved for the Viceroy's Commissioned officer. I think Honourable Members will agree

Mr. B. V. Jadhav: Is that distinction desirable between those who go to the Military Academy through the ranks and those who go through direct examination?

Mr. G. M. Young: I do not think I can go into that question now. It was a question to which the Committee and the Government gave a great deal of thought. They ultimately decided that Indians who enter through the ranks will require only a two years' course at the College, as distinct from the three years required for those who enter by open competition. I am now merely explaining what will be the effect on the posts which have hitherto been held by Viceroy's Commissioned officers. Then, we must remember that the post of Viceroy's Commissioned officer will continue for a very considerable time in the other regiments and battalions which have not been selected for Indianisation. Broadly speaking Indianisation will proceed in all probability by units within groups, and the other units of the same group will still be officered for some time on the old pattern of British officers and Viceroy's Commissioned officers. It will therefore be possible to space out the total number of posts of Viceroy's Commissioned officers in such a way as to provide for the promotion of non-commissioned officers from the Indianising units, who would under the old system have aspired to the post of Viceroy's Commissioned officer in their own units. Then, besides that, as Honourable Members know, half the vacancies every year are to be reserved for Indian Army cadets, that is to say, cadets who enter through the rank of the Indian Army. Although, as my Honourable friend Sirdar Harbans Singh did suggest, that will not bring in the same class of person as now hold the Viceroy's Commission, we do hope that, by means of the King George Schools and by encouragement of the enlisted classes to educate themselves up to the standard required for King's Commissioned officers, in time we shall get a continuous flow of officers fully qualified to take the King's Commission, and that the number of men in the ranks who could not hope for anything beyond the Viceroy's Commission will steadily decline. The enlisted classes as a whole will certainly not suffer by the change. I have no hesitation in saying that their prospects will be better than they have been before. My Honourable friend Captain Sher Muhammad Khan made a suggestion for the creation of the posts of Warrant Officers. That suggestion is at this moment under consideration. I am unable to make any definite statement about it; but it is obviously a suggestion that has to be considered in any re-organisation of the officer establishments of the units of the Indian Army, so as to bring them into line with those of the British Army.

[Mr. G. M. Young.]

I do not think I need weary the House any more. I have dealt fully with the one aspect which has found expression to-day in the course of debate, namely, the prospects of the rank and file of the Indian Army under the new conditions. I should like to repeat the assurance that Government will always keep the interests of that class in mind, whatever may be the future course of Indianisation in the Army.

Mr. B. V. Jadhav: I was very sorry to see that some bitterness was introduced into the discussion on this cut by unnecessarily bringing in the question of martial and non-martial races. I belong to an acknowledged martial race and therefore I do not lay myself open to a charge of partisanship when I say that the distinction now sought to be made is not at all desirable. In the history of India, we shall find that every race has distinguished itself at some time or other as opportunities occurred. Even in Bengal, which is now looked upon as a non-martial province, there were big kingdoms and people have fought there and have raised their armies. I do not think I need pursue this unprofitable subject. The Government of India have decided to admit eligible young men, whatever community they may belong to, if they find them suitable for the Army and I think that has been a very wise decision. My friend the Army Secretary has given a succinct history of the Indianisation of the Army and therein he has tried to justify the present decision of the Government of India to do away with the Viceroy's Commissions as far as the Indianised units are concerned. I may point out that, however, necessary or wise that resolution may be, it will work to the prejudice of the best interests of India. In the first place this new decision will retard the rate of Indianisation. Up to this time 12 King's Commissioned officers were required to fully Indianise a battalion. Under the present resolution no less than 28 King's Commissioned officers will be required for that work, which means that the rate of Indianisation will be retarded by two and one-third times. That is one objection to the scheme. Another objection to the scheme is that it will prove very costly from the very beginning and the cost will increase as Indianisation proceeds. The 16 or 17 Viceroy's Commissioned officers are paid a very moderate salary every month. All of them will have to be replaced by King's Commissioned officers who will be getting at least 400 or 500 rupees a month. So the total expenditure on this branch will be a very heavy item when all the units are ultimately Indianised, and in this way the expenditure on the Army will be very materially increased. Praises have been sung here and the pages of the military history of India are replete with the efficiency and the brave deeds of the Viceroy's Commissioned officers ever since that service was instituted. If they were quite efficient all these years and if they have done valuable service in the Indian Army, there is no reason why they should now be dispensed with and their places should be given only to King's Commissioned officers. As I pointed out just now, the introduction of that system will retard Indianisation nearly three times, and at the same time it will entail very heavy expenditure. Hopes are held forth that new posts of warrant officers will be created in order to satisfy the higher aspirations of those men who have now enlisted in the battalions which are going to be Indianised. That too, I may point out, will entail further expenditure and the Indianisation on the whole it appears is going to cost the treasury of India a very heavy amount. Sir, we always press for Indianisation with

the object that when any department is Indianised, it will save something to the country. But the policy of the Government has always been to increase the expenditure. I had no opportunity of speaking yesterday, but I was going to show how in every department where Indianisation was attempted, the Government have always increased the expenditure and did not take proper care to reduce it. So in the case of the Army too, I am afraid, they are going to follow the same policy of increasing expenditure in the name of Indianisation. I have pointed out that by the abolition of the Viceroy's Commission the expenditure on the officers' pay bill will be very heavily increased and if, as was given out by my friend, Captain Sher Muhammad, warrant officers are to be also added, then again further expenditure will be entailed. As for the question whether a Dominion Army should be raised, I ought to say a few words. A dominion or provincial army, Sir, as has been described in the Simon Report, will be the ruin of India. (*Some Honourable Members*: "Why?") Do we expect that the autonomous provinces in the near future are to fight with each other with their own armies under their own commanders? (Laughter.) If these provincial armies are raised, they will be under the orders of the Provincial Governments with the Member in charge or the Minister in charge. There will be some differences with a neighbouring province and ultimately that may lead to a war. If India as a nation is to go ahead, then there ought to be a unified army under a unified command, and I do not subscribe to the view that there should be a provincial army for every province

Mr. O. S. Ranga Iyer: Sir, when I used the phrase "Dominion Army", I was referring to a Dominion Status for India, and was speaking of India as a Dominion and not as a province!

Mr. B. V. Jadhav: I am very glad my Honourable friend, Mr. Ranga Iyer, does not want a provincial army, but that he is claiming a Dominion Army. If the whole of the Indian Army as now maintained by India is to be called a Dominion Army, I have no objection.

As for the suggestion that there should be a military college for every province, I may point out that it calls for very heavy cost, and besides so many officers are not wanted. All the officers passing out of a military college have the prospect of being employed in the Army, and the Sandhurst College in England is now sufficient to turn out all the officers required for the whole of the Indian Army. In the same way, the new academy at Dehra Dun will in time be able to supply officers for the whole of the Indian Army. There will be no necessity of having another college, because we in future look for reduction in the Army. And if the size of the Army is going to be reduced, then to that extent the number of officers will have to be reduced at the same time. So I do not support the idea of having a military college in every province. We do want Indianisation, and that, as I say, for the purpose of reducing expenditure. But the whole system of English military education and the military career of the cadets are very expensive. Lieutenants are paid very high salaries from our point of view. But the Lieutenants recruited in England do come from very high and rich families and they have very expensive habits and we know that many of these—at any rate a very large proportion of the English

[Mr. B. V. Jadhav.]

Lieutenants and Captains—are indebted to the *banyas* in the bazaar. (Laughter.) (*Captain Sher Muhammad Khan Gakhar*: “Their salary evidently is not enough.”) And I know that even the Indian cadets, after they leave to Sandhurst and come back, and are serving in the Army, are in the same sad plight. There is a son of a friend of mine who is an officer in the Army. Although the boy is a very well-behaved boy and does not drink or smoke, still he finds it difficult to make both ends meet, and his father has to supply him with a few hundreds at the least at the end of every year. (*Captain Sher Muhammad Khan Gakhar*: “Then they are not adequately paid.”) Certainly not, according to the ideas of Captain Sher Muhammad Khan. But I think they are more highly paid than the Captains and Lieutenants in the German or the French or the Japanese Army: and if these men are to do the work which the Viceroy’s Commissioned officers have been doing up to this time, then I do not understand why they should run into debt and adopt extravagant habits of life in order to keep up their position. With these words, Sir, I would like to support the cut.

An Honourable Member: I move that the question be now put.

Mr. President (The Honourable Sir Ibrahim Rahimtoola): Order, order. The Chair would like to ascertain the wishes of the Honourable House as to when they wish to adjourn to-day. Honourable Members are aware that in accordance with the arrangement which has been arrived at, this motion must conclude to-day either by taking it to vote or by being talked out. Either alternative is open to the House. But the Chair would like to be enlightened as to when the House proposes to adjourn to-day. The Chair is asking this question because at the conclusion of Mr. Jadhav’s speech, about half a dozen Honourable Members stood up to address the House. If each one of them is to get a chance to take part in the discussion, the House will have to sit till a very late hour. The Chair is entirely in the hands of the House as to what their wishes are. (*Cries of*: “Let the House adjourn at half past four.” “A quarter to five.”) Well, one Honourable Member has asked for a closure. I take it that the House is agreeable to my accepting the closure. (*Voices*: “Yes.”) I accept the closure. The question is:

“That the question be now put.”

The motion was adopted.

Mr. President: Now I want to know if the Honourable Member, Sir George Schuster, wishes to reply.

The Honourable Sir George Schuster: No, Sir.

Mr. President: Mr. Yamin Khan. I hope the Honourable Member will not be very long.

Mr. Muhammad Yamin Khan: Sir, I wanted to hear during this debate the views of all the Honourable Members of this House, but unfortunately the time at my disposal has not been very

long. I was sorry to see that there had been some kind of a conflict of opinion on such a resolution, or some kind of heated discussion on such a question which should I think have got the support of the whole House. If I did not get support for my Resolution in 1923, I expected at least that in 1932, the whole House would support my Resolution. (*An Honourable Member*: "Press it to a division and we will vote for it.") Now I find my motion has not been opposed by Government, and that it has met with a very cordial reception from my Honourable friend, the Army Secretary. I had of course met with a good reception even in 1923 from the late lamented Lord Rawlinson, who was a great friend of mine, at that time. But for this incident, there should not be a feeling of heart-burning of the nature that we have witnessed, nor should the feelings run so high on such serious questions. Personally, I feel very sorry for this. If anything is said on either side which has been offensive, then I am ready to apologise on behalf of my friends on one side or the other. I think when they give their minds to such serious affairs, they should for the time being forget their own feelings, but should coolly and deliberately think on the point under discussion only. I know from the way the House has expressed itself that it is really fully supporting me. I do not want the vote of the House, which is really quite explicit because I know that the House is with me even if I do not divide it. What I really wanted was the expression of the feelings from different sides of the House, and also I wanted to see whether they receive my suggestion well or not. Sir, it has been urged by me that in future the recruitment of the officers in the Indian Army should be entirely from amongst Indians. That is the only principle. I am convinced that even the Government will accept this advice but perhaps after some time. I may tell Government that it is better to act a little too early rather than to act a little too late, which is not right.

Sir, as the House had expressed its desire that we should adjourn at half past four, and as I have already exceeded the time limit by two minutes, I would like to conclude my remarks as I do not want that the Members who are to be entertained by you after half an hour should be deprived of their entertainment in any way. I do not think, therefore, Sir, that it will serve any purpose if the motion is put to the vote of the House.

Mr. President: Order, order. Does the Honourable Member ask the leave of the House to withdraw his motion or does he want the Chair to put the question?

Several Honourable Members: Put the question.

Mr. Muhammad Yamin Khan: I do not withdraw.

Mr. President: The question is:

"That the demand under the head 'Executive Council' be reduced by Rs. 100."

The Assembly divided:

AYES—63.

Abdul Matin Chaudhury, Mr.
 Abdur Rahim, Sir.
 Ahmed, Mr. K.
 Anklesaria, Mr. N. N.
 Anwar-ul-Azim, Mr. Muhammad.
 Azhar Ali, Mr. Muhammad.
 Bhuput Singh, Mr.
 Chandī Mal Gola, Bhagat.
 Chinoy, Mr. Rahimtoola M.
 Das, Mr. A.
 Das, Mr. B.
 Dudhoria, Mr. Nabakumar Sing.
 Dutt, Mr. Amar Nath.
 Fazal Haq Piracha, Shaikh.
 Ghuznavi, Mr. A. H.
 Gidney, Lieut.-Colonel Sir Henry.
 Gour, Sir Hari Singh.
 Gunjal, Mr. N. B.
 Harbans Singh Brar, Sirdar.
 Hari Raj Swarup, Lala.
 Ibrahim Ali Khan, Lt. Nawab
 Muhammad.
 Ishwarsingji, Nawab Naharsingji.
 Ismail Ali Khan, Kunwar Hajee.
 Isra, Chaudhri,
 Jadhav, Mr. B. V.
 Jog, Mr. S. G.
 Joshi, Mr. N. M.
 Lahiri Chaudhury, Mr. D. K.
 Lal Chand, Hony. Captain Rao Bahadur Chaudhri.
 Liladhar Chaudhury, Seth.
 Maswood Ahmad, Mr. M.
 Misra, Mr. B. N.
 Mitra, Mr. S. C.

Mody, Mr. H. P.
 Muazzam Sahib Bahadur, Mr.
 Muhammad.
 Mujumdar, Sardar G. N.
 Munshi, Mr. Jehangir K.
 Murtuza Saheb Bahadur, Maulvi.
 Sayyid.
 Neogy, Mr. K. C.
 Parma Nand, Bhai.
 Patil, Rao Bahadur B. L.
 Puri, Mr. Goswami M. R.
 Raghbir Singh, Kunwar.
 Rajah, Rao Bahadur M. C.
 Rajan Bakhs Shab, Khan Bahadur
 Makhdum Syed.
 Ranga Iyer, Mr. C. S.
 Rastogi, Mr. Badri Lal.
 Reddi, Mr. T. N. Ramakrishna.
 Sadiq Hasan, Shaikh.
 Sant Singh, Sardar.
 Sarda, Diwan Bahadur Harbilas.
 Sen, Mr. S. C.
 Sen, Pandit Satyendra Nath.
 Sher Muhammad Khan Gakhar, Captain.
 Singh, Mr. Gaya Prasad.
 Sitaramaraju, Mr. B.
 Suhrawardy, Sir Abdullah.
 Sukhraj Rai, Rai Bahadur.
 Thampan, Mr. K. P.
 Uppi Saheb Bahadur, Mr.
 Wajihuddin, Khan Bahadur Haji.
 Yamin Khan, Mr. Muhammad.
 Ziauddin Ahmad, Dr.

NOES—39.

Acott, Mr. A. S. V.
 Ahmad Nawaz Khan, Major Nawab.
 Allah Baksh Khan Tiwana, Khan
 Bahadur Malik.
 Allison, Mr. F. W.
 Azizuddin Ahmad Bilgrami. Qazi.
 Bajpai, Mr. R. S.
 Banerji, Mr. Rajnarayan.
 Brown, Mr. R. R.
 Clow, Mr. A. G.
 Cocke, Sir Hugh.
 Cosgrave, Mr. W. A.
 Crerar, The Honourable Sir James.
 Dalal, Dr. R. D.
 Fox, Mr. H. B.
 French, Mr. J. C.
 Graham, Sir Lancelot.
 Gwynne, Mr. C. W.
 Heathcote, Mr. L. V.
 Howell, Sir Evelyn.
 Jawahar Singh, Sardar Bahadur
 Sardar.

Macqueen, Mr. P.
 Moore, Mr. Arthur.
 Mukherjee, Rai Bahadur S. C.
 Nixon, Mr. J. C.
 Noyce, Sir Frank.
 Rafiuddin Ahmad, Khan Bahadur
 Maulvi.
 Rainy, The Honourable Sir George.
 Rama Rao, Diwan Bahadur U.
 Rau, Mr. P. R.
 Ryan, Mr. T.
 Sahi, Mr. Ram Prashad Narayan.
 Schuster, The Honourable Sir George.
 Scott, Mr. J. Ramsay.
 Seaman, Mr. C. K.
 Studd, Mr. E.
 Sykes, Mr. E. F.
 Tait, Mr. John.
 Wood, Sir Edgar.
 Young, Mr. G. M.

The motion was adopted.

The Assembly then adjourned till Eleven of the Clock on Thursday, the 17th March, 1932.