

Tuesday, 6th September, 1938

THE COUNCIL OF STATE DEBATES

VOLUME II, 1938

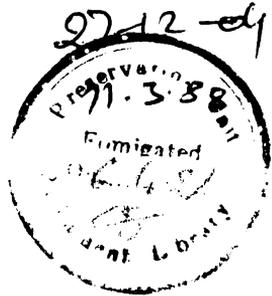
(5th September to 22nd September, 1938)

FOURTH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1938

Chamber Fumigated...*18/X/38*...



PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, SIMLA.
1939.

CONTENTS.

VOLUME II.—5th September to 22nd September, 1938.

	PAGES.		PAGES.
MONDAY, 5TH SEPTEMBER, 1938—		THURSDAY, 8TH SEPTEMBER, 1938—	
Members Sworn	1	Questions and Answers	103—08
Questions and Answers	1—27	Information promised in reply to questions laid on the table	108—12
Motion for Adjournment <i>re</i> riots in Burma	27—29	Criminal Law Amendment Bill—Considered and passed	112—70
Statement laid on the table	29—32		
Notification laid on the table	32	FRIDAY, 9TH SEPTEMBER, 1938—	
Information promised in reply to questions laid on the table	33—42	Questions and Answers	171—74
Message from His Excellency the Governor General	42	Short Notice Question and Answer	174—77
Committee on Petitions	42	Central Advisory Board of Education	177
Death of Mr. G. S. Khaparde and Mr. Sitakanta Mahapatra	43—44	Resolution <i>re</i> scheme for increasing the pay, etc., of the British Army in India—Withdrawn	177—83
Governor General's assent to Bills	44—45	Resolution <i>re</i> representation of the Government of India on the West Indies Royal Commission—Withdrawn	183—91
Bill passed by the Legislative Assembly laid on the table	45	Indian Penal Code (Amendment) Bill—Introduced	192
Central Advisory Board of Education	45	Resolution <i>re</i> construction of a railway line between Ishurdi, E. B. R., and Sadhugang—Withdrawn	192—98
Congratulations to recipients of Honours	45—47	Hindu Women's Rights to Property (Further Amendment) Bill—Introduced	198
TUESDAY, 6TH SEPTEMBER, 1938—		Shebaity Bill—Motion for circulation, adjourned	198—202
Questions and Answers	49—60	Polygamous Marriage Regulating Bill—Motion to circulate, adopted	202—03
Polygamous Marriage Regulating Bill—Introduced	60—63	Hindu Polygamous Marriage Restraint Bill—Motion to circulate, adopted	204
Resolution <i>re</i> closer association of the Legislature with the defence policy of Government—Negatived	63—93	TUESDAY, 13TH SEPTEMBER, 1938—	
Indian Succession Act (Amendment) Bill	93	Member Sworn	205
Resolution <i>re</i> preferential treatment in recruitment to public services for voluntary sanitary and uplift work—Negatived	93—100	Questions and Answers	205—17
Hindu Polygamous Marriage Restraint Bill—Introduced	101		
Statement of Business	101		

PAGES.	PAGES.
TUESDAY, 13TH SEPTEMBER, 1938—<i>contd.</i>	THURSDAY, 15TH SEPTEMBER, 1938—<i>contd.</i>
Dividends and Interest Returns Bill—Introduced 217	Dividends and Interest Returns Bill—Not moved 313
Resolution <i>re</i> enlistment of Madras in the Indian Army and Indian Air Force—Negatived 218—31	Statement of Business 312
&	MONDAY, 19TH SEPTEMBER, 1938—
Announcement by His Excellency the Commander-in-Chief on the question of Defence 231—33	Member Sworn 313
Criminal Procedure Code (Amendment) Bill—Introduced 265	Bills passed by the Legislative Assembly laid on the table 313
Hindu Women's Rights to Property (Further Amendment) Bill—Motion to circulate, adopted 265—66	Death of Sir Phiroze Sethna 313—21
THURSDAY, 15TH SEPTEMBER, 1938—	TUESDAY, 20TH SEPTEMBER, 1938—
Questions and Answers 267—77	Questions and Answers 323—43
Motion for Adjournment <i>re</i> announcement by His Excellency the Commander-in-Chief in connection with the subject of Defence—Disallowed 271—77	Indian Emigration (Amendment) Bill—Considered and passed 342—45
Resolution <i>re</i> Bihta Railway disaster—adopted 277—307	Statement of Business 345—46
Civil Procedure Amendment Bill—Introduced 307	THURSDAY, 22ND SEPTEMBER, 1938—
Resolution <i>re</i> excavations on the site of Korkai, etc., Tinnevely district—Withdrawn 307—11	Bills passed by the Legislative Assembly laid on the table 347
Charitable Dispositions Bill—Introduced 311	Prevention of Cruelty to Animals (Amendment) Bill—Considered and passed, as amended 347—53
	Employment of Children Bill—Considered and passed, as amended 353—54
	Employers' Liability Bill—Considered and passed 354
	Indian Aircraft (Amendment) Bill—Considered and passed 354—55
	Indian Tea Cess (Amendment) Bill—Considered and passed 355—56

COUNCIL OF STATE.

Tuesday, 6th September, 1938.

The Council met in the Council Chamber at Viceregal Lodge at Eleven of the Clock, the Honourable the President in the Chair.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House): Before you proceed to the business of the day, Sir, I wish to congratulate you. This is, I understand, the Parsi New Year Day. We wish you continued health and prosperity. (Applause.)

THE HONOURABLE THE PRESIDENT: I thank the Honourable the Leader and my Honourable colleagues for giving me their good wishes.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab: Non-Muhammadan): Sir, I associate myself with the congratulations and good wishes conveyed by the Honourable the Leader of the House.

QUESTIONS AND ANSWERS.

THE HONOURABLE MR. P. N. SAPRU: May I request your permission, Sir, to put the questions on behalf of the Honourable Raja Yuveraj Datta Singh?

THE HONOURABLE THE PRESIDENT: I will certainly permit you, but you will convey to him that in my opinion it is a great discourtesy to the House to send notice of about a hundred questions and ask various Departments of the Government of India to take the trouble of gathering the information at considerable expenditure of time and money and not to be present himself to put the questions or ask in time the President's permission to authorize some other Member to put the questions. Even the letter which I have received does not give the date on which he wants the authorization to be exercised. You have seen it yourself. Will you convey the message which I have given to you!

ATTACHMENT OF PAY OF OFFICERS AND OTHER RANKS OF THE ARMY IN INDIA.

56. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh): (a) Will Government state what changes have been made, or are proposed to be made in the Army Act in respect of attachment of the pay of officers and soldiers of the Army in India?

(b) Are Indian officers and soldiers in any way affected thereby? If so, in what respect?

THE HONOURABLE MR. A. DEC. WILLIAMS: I refer the Honourable Member to the press communiqué issued on the subject on the 30th June, 1938.

INDIAN MEDICAL DEPARTMENT.

57. THE HONOURABLE MR. P. N. SAPRU (on behalf of the Honourable Raja Yuveraj Datta Singh): (a) Has the attention of Government been drawn to an advertisement published in the Press (*vide* the *Pioneer*, dated 7th April, 1938) over the signature of the Director General, Indian Medical Service, New Delhi, inviting applications "for admission to the Assistant Surgeon Branch of the Indian Medical Department"?

(b) Will Government kindly state why "candidates must be Europeans, Domiciled Europeans or Anglo-Indians" only; and why should not the rules be relaxed to admit Indians also?

(c) Why should the candidates be required to undergo the prescribed course of study in preparation for the M.B., B.S. degree of the Universities of Calcutta, Madras and Bombay only?

(d) Why have other Indian Universities been excluded?

THE HONOURABLE MR. A. DEC. WILLIAMS: (a) Yes.

(b) I refer the Honourable Member to the reply given by Field-Marshal Sir Philip Chetwode in this House to question No. 109 asked on the 29th August, 1933.

(c) and (d). The Universities of Calcutta, Madras and Bombay only have agreed to reserve a certain number of vacancies for candidates nominated by the Director General, Indian Medical Service, as prospective entrants to the Assistant Surgeon Branch of the Indian Medical Department.

No other Indian Universities have given similar facilities.

THE HONOURABLE MR. HOSSAIN IMAM: Were other Universities asked to give facilities?

THE HONOURABLE MR. A. DEC. WILLIAMS: I should require notice of that, Sir.

THE HONOURABLE MR. HOSSAIN IMAM: The question arises directly out of this, Sir.

DEFENCE FORCES IN INDIA.

58. THE HONOURABLE MR. P. N. SAPRU (on behalf of the Honourable Raja Yuveraj Datta Singh): Will Government state the results of the discussions between the India Office and the War Office in both the strategical and financial aspects in regard to the defence forces in India indicating how far the present position is likely to undergo any change or modification?

THE HONOURABLE MR. A. DEC. WILLIAMS: I refer the Honourable Member to His Excellency the Commander-in-Chief's reply to Pandit Hirday Nath Kunzru's questions Nos. 265—267 on the 4th April, 1938. Government are not yet in a position to add anything to them, but it is hoped shortly to make an announcement on the progress so far achieved.

ESTIMATED RUNNING COST OF A FLEET OF SIX ESCORT VESSELS IN INDIAN WATERS.

59. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh): (a) Will Government state the capital cost and the estimated running cost of the fleet of not less than six modern escort vessels to be maintained in Indian waters ?

(b) Will Government make a statement on the subject, giving such details as may be available ?

THE HONOURABLE MR. A. DEC. WILLIAMS: (a) and (b). The details in question are still under examination and it is not possible to make a statement on the subject at present.

NAVAL BASE IN KATHIAWAR.

60. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh): Are Government considering a scheme for the establishment of a naval base in Kathiawar ? If so, what is the scheme ?

THE HONOURABLE MR. A. DEC. WILLIAMS: No.

REORGANIZATION OF CERTAIN MILITARY COMMANDS.

61. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh): (a) Will Government state the main outlines of the scheme relating to the elevation of Lucknow as a first class military district and the organization of certain military commands in India ?

(b) To what extent will these arrangements result in an annual saving in expenditure and increased efficiency ?

THE HONOURABLE MR. A. DEC. WILLIAMS: (a) and (b). The main outlines of the scheme for the reorganization of certain military commands in India are as follows :—

Lucknow District will take over from Meerut District the command of two infantry brigades and one artillery brigade with the areas in which they are stationed and will become a first class district. Meerut District will be correspondingly reduced but will have the Delhi (Independent) Brigade Area and troops added to it. It will be reduced in status from first to second class. The Delhi Brigade Area will cease to be "Independent."

In addition, the Western Command is to be abolished and replaced by a Western (Independent) District which will also absorb the Headquarters of the present Baluchistan District.

These arrangements are bound up with other reorganizations so that it is not possible to separate the precise amount of the annual saving in expenditure which is expected to accrue. It can be said, however, that the arrangements will result in a substantial annual saving and increased efficiency.

INCREASES IN PAY AND ALLOWANCES, ETC., GRANTED TO BRITISH TROOPS.

62. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh) : (a) Will Government state whether as a result of recent concessions and allowances granted to British troops by the War Office, any extra cost of British troops stationed in India will fall upon the Indian Exchequer ? If so, what are the nature of the concessions and allowances so far as troops in India are concerned and what is the approximate amount of financial obligations, non-recurring and recurring, which will have to be borne by India ?

(b) Did Government protest against the extra cost on India ?

(c) Has any such concessions and allowances been granted to Indian soldiers ? If not, why not ?

THE HONOURABLE MR. A. DEC. WILLIAMS : I presume the Honourable Member is referring to the increases in pay and allowances, etc., announced by the Secretary of State for War early this year. If so, the replies are as follows :—

(a) Yes. Increases in rates of pay and marriage allowances and concessions in respect of unemployment insurance, vocational training, etc., have recently been granted to British troops. Most of these increases and concessions apply automatically to British troops serving on the Indian establishment whose cost is borne by India. The resultant extra cost to India cannot be accurately determined at present but may amount to about Rs. 133 lakhs per annum.

(b) The Government of India represented to the Secretary of State for India the serious effect upon the Indian budget which the measures would cause.

(c) No. The concessions authorized for British troops serving on the Indian establishment were introduced owing to the fact that similar concessions have been introduced in the United Kingdom. This argument does not affect Indian troops.

THE HONOURABLE MR. HOSSAIN IMAM : Did the representation that was submitted to the Secretary of State make a demand for additional grant from the British Government ?

THE HONOURABLE MR. A. DEC. WILLIAMS : I am not in a position to give the details of the representation, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Do the Government now propose to make a demand for this ?

THE HONOURABLE MR. A. DEC. WILLIAMS : In reply to another question I have said that certain discussions are at present in progress between the Government of India and His Majesty's Government.

NUMBER OF INDIAN OFFICERS IN THE INDIAN ARMY ABOVE THE RANK OF CAPTAIN.

63. THE HONOURABLE MR. P. N. SAPRU (on behalf of the Honourable Raja Yuveraj Datta Singh): Will Government state how many Indian officers there are in the Indian Army, superior to the rank of captain? And what steps, if any, have been taken in recent times to increase the number of Indian officers?

THE HONOURABLE MR. A. DEC. WILLIAMS: The number of Indian officers in the Indian Army above the rank of captain is 178, 170 of whom are in the Indian Medical Service. As regards the steps taken in recent times to increase the number of Indian officers, I refer the Honourable Member to Section III—Indianization of the Defence Services—in the pamphlet entitled *A Summary of Important Matters concerning the Defence Services in India, 1936-37*. Copies of the pamphlet were distributed to all Honourable Members and are also available in the Library.

INDIAN AIR FORCE.

64. THE HONOURABLE MR. P. N. SAPRU (on behalf of the Honourable Raja Yuveraj Datta Singh): Will Government state how many Indian and non-Indian officers there are at present in the Indian Air Force, which was constituted in 1933?

THE HONOURABLE MR. A. DEC. WILLIAMS: There are 15 Indian officers in the newly formed Indian Air Force. Of these, 10 have joined the unit, two are still under training in England, and three are on their way to the United Kingdom for training. Two officers of the Royal Air Force are attached to the squadron until such time as there are Indian Air Force officers of sufficient seniority and experience when they will be withdrawn.

POLO GROUND, ABBOTTABAD.

65. THE HONOURABLE MR. P. N. SAPRU (on behalf of the Honourable Raja Yuveraj Datta Singh): (a) Have the Military authorities of Abbottabad issued an order prohibiting the entry of all Indians into the polo grounds, round which barbed wire fencing has been erected, and the prohibition notice has been put up?

(b) Had Indians free access to these areas for several years?

(c) Do Government propose to enquire into this order and to take steps to rescind the same?

THE HONOURABLE MR. A. DEC. WILLIAMS: (a) The order applies to all unauthorized trespassers, and wire fencing has been erected to prevent the ground being damaged by cars, carriages and the formation of tracks across it by persons taking a short cut. This ground, it may be noted, is also used as an aerodrome.

(b) In the absence of wire fencing and the notice, Indians and others trespassed freely on this ground, which has now been stopped owing to the damage done. Both Indians and Europeans still have free access to it for the purposes of recreation for which the ground was designed.

(c) Does not arise.

COST OF MAINTENANCE OF BRITISH TROOPS IN INDIA.

66. **THE HONOURABLE MR. P. N. SAPRU** (on behalf of the Honourable Raja Yuveraj Datta Singh): (a) Will Government state whether the British Government are contemplating to take over the entire or partial cost of the maintenance of British troops in India?

(b) When is a decision on this point likely to be reached?

THE HONOURABLE MR. A. DEC. WILLIAMS: (a) and (b). I refer the Honourable Member to the answer which I have just given to his question No. 58.

RECOMMENDATIONS OF THE TARIFF BOARD WITH RESPECT TO THE REVENUE SURCHARGE ON THE PROTECTIVE DUTIES ON PAPER AND PAPER PULP.

67. **THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY**: (a) Will Government state the recommendations of the Tariff Board with regard to the revenue surcharge of 25 per cent. imposed on the protective duty on paper and wood pulp?

(b) Have the recommendations of the Tariff Board been published? If so, when? If not, why?

(c) Has the said revenue surcharge been removed? If so, when, and why?

THE HONOURABLE MR. M. SLADE: (a), (b) and (c). A copy of the Tariff Board's report on this subject is in the Library. Government's decision on that report was announced in the Gazette of India, dated the 25th June, 1938.

APPOINTMENT OF PROFESSOR OF SUGAR ENGINEERING AT THE IMPERIAL INSTITUTE OF SUGAR TECHNOLOGY, CAWNPORE.

68. **THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY**: Will Government state whether Mr. Abott will be appointed as sugar engineer of the Cawnpore Technological Institute? If so, what are his qualifications, remuneration and terms of service and whether an Indian was not available of similar qualifications and on similar remuneration and terms of service?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD: The Honourable Member is presumably referring to the appointment of Mr. Arnold as professor of Sugar Engineering at the Imperial Institute of Sugar Technology, Cawnpore. I lay on the table of the House a statement of Mr. Arnold's qualifications. He has been appointed on a salary of Rs. 1,200—50—1,400 per mensem plus £30 overseas pay and a five-year contract. The post was twice advertised in India through the Federal Public Service Commission, but the Commission was unable to recommend a suitable candidate.

Statement of Mr. Arnold's qualifications.

1. Degree of B.Sc. in Engineering.
2. Diploma of Royal Technical College, with distinction in design.
3. Member of Institution of Mechanical Engineers (M. I. Mech.E.), Member of Institution of Engineers and Shipbuilders in Scotland.

He served his apprenticeship with Mirrless Watson Co., Ltd., one of the best sugar machinery manufacturers, much of whose machinery is in use in India. Before his selection for the appointment at Cawnpore he was General Manager of a large sugar factory in British Guiana and a Consulting Engineer in charge of the whole group of factories under the Company that employed him.

PUBLICATION OF THE TARIFF BOARD'S REPORT ON SUGAR.

69. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government state whether the report of the Tariff Board on sugar has been submitted and if so when will it be published ?

THE HONOURABLE MR. M. SLADE : Yes, Sir. The report will not be published until Government have passed orders on it.

TAKING OVER OF THE SALT ADMINISTRATION IN BENGAL BY THE CENTRAL GOVERNMENT.

70. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Will Government state :

(a) Whether the Central Government contemplates taking over the administration of the Salt Department from the Bengal Government ? If so, why, when, and on what terms and what is the arrangement with other Provincial Governments ?

(b) What representations, if any, have the Central Government received from the salt manufacturers of Bengal and what consideration, if any, are they giving to them since the lowering of the salt duty ?

THE HONOURABLE SIR JOHN NIXON : (a) The question of taking over the administration of salt in Bengal from the Provincial Government is under consideration. The salt administration is already centralized in all other provinces except Sind and that part of Orissa which did not formerly form part of the Madras Presidency.

(b) Representations received from the salt manufacturers of Bengal did not raise any point that was not fully considered by Government when they abolished the additional import duty on salt, nor did they establish, in my opinion, the need for any further action for the present.

PROGRESS OF INDO-BRITISH TRADE NEGOTIATIONS, ETC.

71. THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : At what stage is the Indo-British trade agreement talk now and whether the terms of such agreement will be placed before the Central Legislature before its ratification ?

THE HONOURABLE MR. M. SLADE : The Indo-British Trade Negotiations are in the penultimate stage. As regards the second part of the question, I

would invite the Honourable Member's attention to the speech made by the Government spokesman in the Legislative Assembly on the 1st April, 1938 during the debate on Mr. S. Satyamurti's Resolution on the subject of these negotiations.

JUDGMENTS PASSED BY THE CALCUTTA AND BOMBAY HIGH COURTS IN CERTAIN INCOME-TAX CASES.

72. **THE HONOURABLE SIR PHIROZE SETHNA :** (a) Are Government aware of the Judgments passed by the Calcutta and Bombay High Courts in *re B. N. Elias* [I. L. R. 63 Calcutta (1936) p. 538] and in *Commissioner of Income Tax versus Laxmidas Devidas* [39 Bombay Law Reporter (1937) p. 910] where it was held that several persons owning immoveable property in distinct shares should be regarded as an "Association of Individuals" under section 3 of the Income Tax Act and that accordingly the whole income of the property should be taxed ?

(b) Is it proposed to amend the Indian Income Tax Act, 1922, so as expressly to provide that such persons shall not in respect of such properties be assessed as an association of persons ?

(c) Do Government propose in the meanwhile to issue executive instructions to all Income-tax officers, or a notification under section 60 (I) of the Indian Income Tax Act, with a view to prevent action being taken in accordance with the aforesaid decisions of the two High Courts ?

(d) Do Government propose to repay any amounts recovered in accordance with the aforesaid decisions ?

THE HONOURABLE SIR JOHN NIXON : (a) Yes.

(b) Yes.

(c) Government do not consider it necessary to issue executive instructions or a notification under section 60 of the Indian Income Tax Act, 1922, pending the consideration of the Bill by the Legislature.

(d) No.

THE HONOURABLE MR. G. S. MOTILAL : Is this provided for in the Bill ?

THE HONOURABLE SIR JOHN NIXON : Yes, Sir.

NUMBER, NAMES, ETC., OF NON-INDIAN EXPERTS APPOINTED IN THE DEPARTMENT OF EDUCATION, HEALTH AND LANDS.

73. **THE HONOURABLE MR. P. N. SAPRU :** Will Government state the total number of non-Indian experts with their names, qualifications and salaries appointed in the Department of Education, Health and Lands during the last two years ?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : A statement is laid on the table.

Statement referred to in reply to question No. 73 showing the total number of non-Indian experts with their names, qualifications and salaries appointed in the Department of Education, Health and Lands (including the Imperial Council of Agricultural Research Department) during the last two years.

Serial No.	Name.	Post to which appointed or purpose of appointment.	Qualifications.	Salary.
1	Mr. A. Abbott, C.B.E.	To advise on certain problems of educational reorganisation and particularly on problems of vocational education.	Formerly Chief Inspector of Schools, Board of Education, London.	Honorarium of £500 for the visit which lasted for about four months and maintenance allowance of Rs. 1,000 a month for the period of stay in India.
2	Mr. S. H. Wood, M.C.	Do.	Director of Intelligence, Board of Education and Ministry of Health, London.	Salary at £1,500 per annum for a period of about six months and maintenance allowance of Rs. 1,000 a month for the period of stay in India.
3	Mr. John Sargent, M.A.	Educational Commissioner with the Government of India.	Had a distinguished career at Oxford; possesses 17 years' experience of educational administration both in agricultural and industrial areas of England; has been Director of Education in Essex for the past few years; closely associated with the building up of the well-known technical institution at Dagenham; recently elected President of the Association of Directors of Education.	Salary of Rs. 3,000 a month plus overseas pay of £13-6-8 a month.
4	Dr. R. Passmore	Assistant Director, Nutrition Research, Coomoor.	M. A. (Oxon and Cantab) B.M., B.Ch. (Oxon) Senior Hulme Scholar at Brasenose College (Oxford University). Was awarded first class honours in physiology in the Natural Science School. Was engaged in nutritional and bacteriological research. He is a member of the Biochemical, Physiological and Pathological Societies in Great Britain and is a Fellow of the Royal Society of Medicine. He is the joint author of seven publications on nutritional problems.	Initial pay of Rs. 750 p.m. in the scale of Rs. 625—1,350 prescribed for non-I.M.S. officers of the Medical Research Department.
5	Dr. G. W. Padwick	Imperial Mycologist, Imperial Agricultural Research Institute, New Delhi.	B.Sc., M.Sc. (Alberta), Ph.D. (London).	Pay Rs. 500 p.m. plus special pay of Rs. 150 p.m. attached to the post and O. S. P. £25 p.m.

Statement referred to in reply to question No. 73 showing the total number of non-Indian experts with their names, qualifications and salaries appointed in the Department of Education, Health and Lands (including the Imperial Council of Agricultural Research Department) during the last two years—contd.

Serial No.	Name.	Post to which appointed or purpose of appointment.	Qualifications.	Salary.
6	Mr. K. S. Arnold.	Professor, Sugar Engineering, Imperial Institute of Sugar Technology, Coimbatore.	B.Sc. (Engineering), Diploma of Royal Technical College with distinction in design. M. I. Mech.E., Member of Institution of Engineers and Ship-builders in Scotland; served his apprenticeship with Mirrless Watson and Co., Ltd., was General Manager of a large sugar factory in British Guiana and a Consulting Engineer in charge of the whole group of factories.	Pay Ra. 1,200—50—1,400 p.m. plus O.S.P. £30 p.m.
7	Mr. A. J. Macdonald.	Officer in Charge, Poultry Research Section, Imperial Veterinary Research Institute, Izatnagar.	B.Sc., B.Sc. (Agri.), N. D. A. (Deputy Director of National Institute of Poultry Husbandry, Harper Adams Agricultural College, New Port, Shropshire).	Pay Ra. 965 p. m. in the scale of Ra. 275—300—325—25—650 (E.B.)—35—1,000 plus special pay as head of Section of Ra. 150 p.m. plus sterling overseas pay of £25 p.m. rising to £30 p.m.
8	Sir John Russell	To conduct a scientific review of the research programme of the I. C. A. R.	D.Sc., F. R. S., Director, Rothamsted Experimental Station.	Maintenance allowance of Ra. 1,000 p.m. plus mileage on tour.
9	Dr. N. C. Wright	Do. ..	M.A., D.Sc., Ph.D., (Director Hannah Dairy Research Institute, Ayrshire, Scotland).	Do.
10	Sir Leonard Woolley.	For obtaining expert advice on the most promising sites for exploration and the best methods and agencies for achieving the speedy and fruitful development of exploration activities in India.	Late Assistant Keeper, Ashmolean Museum, Oxford. Conducted excavations at Corbridge, in Nubia and at Cartharish under the auspices of the Oxford University and British Museum. Did archaeological work in Sinai for Palestine Exploration Fund. Conducted excavations at Tel el Amarna, Ur and near Antioch in Syria. Writer of numerous works on archaeology.	Honorarium at Ra. 1,000 per month for the period of stay in India and the days spent in voyage, plus a lump sum of £500 for the whole period. Joint maintenance allowance for self and Lady Woolley at Ra. 1,500 p.m. while in India.

NOTE.—Nos. 1, 2, 8 and 9 were temporary appointments. Nos. 3, 6 and 7 have not yet arrived. No. 10 also has not yet arrived and the appointment is temporary.

APPOINTMENT OF SUPERINTENDENT OF INSURANCE.

74. THE HONOURABLE MR. P. N. SAPRU: Was the post of Superintendent of Insurance advertised in India?

(b) Was any effort made to secure the services of an Indian for that position? If not, why not?

THE HONOURABLE MR. M. SLADE: (a) No, Sir.

(b) The possibility of obtaining a suitable Indian for the post was considered.

THE HONOURABLE MR. P. N. SAPRU : Why was the post not advertised in India ?

THE HONOURABLE MR. M. SLADE : I have said, Sir, the possibility of recruiting a suitable Indian was considered.

THE HONOURABLE MR. P. N. SAPRU : That does not answer my question. Why was it not advertised in India ?

THE HONOURABLE THE PRESIDENT : Because, he says, there was no suitable Indian available.

THE HONOURABLE MR. P. N. SAPRU : How could the Government find out that there was no suitable Indian available ?

THE HONOURABLE SIR JOHN NIXON : The qualifications of all actuaries in India are well known to Government.

THE HONOURABLE MR. P. N. SAPRU : Was the post offered to any suitable actuary in India ?

THE HONOURABLE MR. M. SLADE : The Government came to the conclusion that there was no suitable Indian actuary bar one and that actuary was already holding a post the emoluments of which were considerably greater than they were able to offer.

THE HONOURABLE MR. P. N. SAPRU : Was the post actually offered to the actuary ?

THE HONOURABLE MR. M. SLADE : No, Sir.

THE HONOURABLE MR. HOSSAIN IMAM : Was there only one actuary qualified ?

THE HONOURABLE MR. M. SLADE : Only one qualified and suitable.

THE HONOURABLE MR. HOSSAIN IMAM : How many unsuitable ?

THE HONOURABLE THE PRESIDENT : I think the question has been adequately answered.

TOTAL EXPENDITURE INCURRED IN CONNECTION WITH THE VISITS OF SIR MUHAMMAD ZAFRULLAH KHAN TO ENGLAND FOR THE PURPOSES OF THE INDO-BRITISH TRADE NEGOTIATIONS.

75. **THE HONOURABLE MR. P. N. SAPRU :** Will Government state the total expenses incurred in connection with the visits of Sir Zafrullah Khan to England for the purposes of the Indo-British Trade Agreement ?

THE HONOURABLE MR. M. SLADE : I lay a statement on the table.

Statement showing the total expenditure incurred in England in connection with the visits to that country of the Honourable Sir Muhammad Zafrullah Khan and his advisers for the purposes of the Indo-British Trade Negotiations.

			£	s.	d.
Year ended 31st March, 1938	13,561	11	5
1st April to 26th July, 1938	2,075	9	6
		Total ..	15,637	0	11
				or	
					Rs. 2,08,494

THE HONOURABLE THE PRESIDENT: I have received notice of a short notice question. Has the Honourable the Leader of the House any objection?

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House): Well, Sir, I have already explained to the Honourable Member that I am willing to answer the question but I cannot say whether I shall be able to do so on Thursday or later. With that proviso, that I may not be able to answer the question on Thursday but on the first day on which we meet after Thursday, I am prepared to answer the question.

THE HONOURABLE THE PRESIDENT: I presume that satisfies you?

THE HONOURABLE SIR PHIROZE SETHNA: Yes, Sir.

POLYGAMOUS MARRIAGE REGULATING BILL.

***THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY (West Bengal: Non-Muhammadan):** Sir, I move for leave to introduce:

“A Bill to regulate (restrain) polygamy in British India.”

The object of this Bill is to regulate polygamy in British India. It is quite true at the present moment the percentage of polygamous marriages is very small but the very possibility that the husband can marry again during the lifetime of his wife without any reasonable and probable cause lowers the position of women in this country. In certain exceptional cases, of course, polygamy is permitted in this Bill but checks have also been provided.

***THE HONOURABLE SIR MUHAMMAD YAKUB (Nominated Non-Official):** Mr. President, although it is not necessary for me at this stage to go into the details of the Bill—

THE HONOURABLE THE PRESIDENT: Are you opposing the Bill?

THE HONOURABLE SIR MUHAMMAD YAKUB: Yes, Sir.

THE HONOURABLE THE PRESIDENT: Then I will allow you.

THE HONOURABLE SIR MUHAMMAD YAKUB: The Bill as it is framed involves an interference with the religious laws of the Muslims. Mr. President, although Islam does not encourage polygamy and unrestricted polygamy is prohibited under Koranic injunctions, still under certain circumstances restricted polygamy is allowed by our religion.

THE HONOURABLE THE PRESIDENT: But you will notice that this Bill is restricted to Hindus only.

THE HONOURABLE SIR MUHAMMAD YAKUB: No, Sir, it is not. If it were restricted only to the Hindus, I would not have any objection at all.

*Not corrected by the Honourable Member.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : In sub-clause (7) of clause 5 it is provided that the Governor General in Council may, by notification in the Gazette of India, exempt any class or classes from the operation of this Act.

THE HONOURABLE SIR MUHAMMAD YAKUB : It leaves it to the Government. However, we Muslims cannot suffer any interference in our religious laws by the framing of any legislation in India and therefore we cannot be any party to it. If the Honourable the Mover restricts the provisions of the Bill to the Hindus or to non-Muslims, we will have no objection to it.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Sir, I endorse the remarks made by Sir Muhammad Yakub. We have objection to this Bill being applied to Mussulmans and if it is restricted to non-Muslims we will have no objection.

THE HONOURABLE THE PRESIDENT : Motion made for leave to introduce :

“ A Bill to regulate (restrain) polygamy in British India.”

The Honourable Member has not the leave of the Council to introduce the Bill.

THE HONOURABLE MR. RAMADAS PANTULU (Madras : Non-Muhammadan) : Aren't you going to take a division, Sir ?

THE HONOURABLE THE PRESIDENT : There is no division necessary. I heard only two voices in favour of it and the rest all shouted “ No ”. Nobody asked for a division.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House) : Sir, I thought that it was always the convention that at the introduction stage, there was no question whether a Bill should or should not be proceeded with, and that the question whether any further steps with regard to the Bill should or should not be taken should be left over for a further stage. I rather thought that that had been the convention. Leave to introduce is usually given without discussion of the merits.

THE HONOURABLE THE PRESIDENT : Opposition speeches are allowed under the Standing Orders but not speeches in support.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I was only saying that I thought that that was the convention that when leave to introduce is asked for no speech is made and the House is not committed as to what further steps would be taken in regard to the Bill. I thought that that was a recognized convention.

THE HONOURABLE THE PRESIDENT : I must ask for the opinion of the House whether they propose to give leave to the Honourable Member to introduce the Bill or not. That is the usual practice, not only in this House but in all Legislatures.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : I can give the assurance that in the Select Committee I shall make it clear that it will apply only to non-Muslims.

THE HONOURABLE THE PRESIDENT : The present Motion is only for introducing the Bill. There is no Motion for Select Committee and I cannot take the Council's view on that.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD : I wish to make the position of Government clear. We do not oppose the Motion for leave to introduce. We are not opposed to that.

THE HONOURABLE MR. RAMADAS PANTULU : When the Honourable Sir Muhammad Yakub and the Honourable Mr. Hossain Imam were formally dissociating themselves from this Bill from the Muslim point of view, we hardly expected that leave would be refused merely by reason of a few Members formally dissociating themselves from this Bill. So most of the Members did not say "Aye". The usual practice is to give leave to introduce a Bill. May I request you, Sir, to ascertain the opinion of this House once again, because we feel, specially in view of the statement made by the Honourable the Leader of the House that the Government did not intend to oppose the Motion, a large number of people will say "Aye" if you once more put the Question.

THE HONOURABLE THE PRESIDENT : As an old Member of this Council I think you very well understand the usual rule that when a Motion is made, it must be put to the Council and the Council Members have to decide whether leave should be granted or not. But in the present case, as the Honourable the Leader of the House did not get up at the proper time and express the views of Government, I will read the Motion a second time and give you a chance, if you like, of insisting on a division or expressing your opinion.

Motion made :

"That leave be given to introduce a Bill to regulate (restrain) polygamy in British India."

Question put : the Council divided :

AYES—17.

Buta Singh, Hon. Sardar.	Pantulu, Hon. Mr. Ramadas.
Charanjit Singh, Hon. Raja.	Parker, Hon. Mr. R. H.
Das, Hon. Rai Bahadur Satyendra Kumar.	Ram Saran Das, Hon. Rai Bahadur Lala.
Devadoss, Hon. Sir David.	Ray Chaudhury, Hon. Mr. Kumarsankar.
Ghosal, Hon. Sir Josna.	Roy Chowdhury, Hon. Mr. Susil Kumar.
Kaliker, Hon. Mr. V. V.	Sapru, Hon. Mr. P. N.
Menon, Hon. Sir Ramunni.	Sethna, Hon. Sir Phiroze.
Motilal, Hon. Mr. G. S.	Stokes, Hon. Mr. H. G.
Nihal Singh, Hon. Sirdar.	

NOES—10.

Abdus Sattar, Hon. Mr. Abdur Razzak Hajee.	Ismail Ali Khan, Hon. Kunwar Haji.
Ataullah Khan Tarar, Hon. Chaudhri.	Khurshid Ali Khan, Hon. Nawabzada.
Chinoy, Hon. Sir Rahimtoola.	Mitha, Hon. Sir Suleman Cassum Haji.
Haidar, Hon. Khan Bahadur Shams-ud-Din.	Muhammad Yakub, Hon. Sir.
Hossain Imam, Hon. Mr.	Patro, Hon. Sir A. P.

The Motion was adopted.

THE HONOURABLE THE PRESIDENT : The Honourable Member has the leave of the Council to introduce his Bill.

THE HONOURABLE MR. SUSIL KUMAR ROY CHOWDHURY : Sir, I introduce the Bill.

RESOLUTION *RE* CLOSER ASSOCIATION OF THE LEGISLATURE WITH THE DEFENCE POLICY OF GOVERNMENT.

THE HONOURABLE MR. P. N. SAPRU (United Provinces Southern : Non-Muhammadan) : Sir, I rise to move the following Resolution :

“ This Council recommends to the Governor General in Council to associate more closely the Legislature with the formulation and direction of defence policy either (a) by the appointment of a Standing Committee of the Legislature to advise on defence policy or (b) by such other practicable measures consistent with the present constitutional position as may be recommended by a committee preponderatingly non-official in character, appointed for this purpose.”

Sir, I should like to explain the scope of my Resolution. I am not asking in this Resolution for a reversal of the present constitutional position in regard to Defence. The present constitutional position in regard to Defence is that the Government of India is responsible for the defence of this country to the Secretary of State and through him to the British Parliament. The Indian Legislature has got no right of voting supplies for the Defence Department. It can discuss Defence expenditure only with the previous assent of the Governor General in his discretion. We can discuss the Army budget but we do not vote it. We have an irremovable executive and as I have pointed out, this irremovable executive is not responsible to the Legislature for defence policy. That is the present constitutional position and that will be the constitutional position substantially under the constitution which is contemplated in the Government of India Act for the Centre. In a way under the new Government of India Act the position will be from our point of view less satisfactory than the position at present. After the Centre is reconstituted Defence will be the exclusive concern of the Governor General. At present we have three Indian Members in the Viceroy's Executive Council who share with the Governor General the responsibility for Defence subject to the control of the Secretary of State. Federal Ministers will have a right according to the report of the Joint Select Committee of being consulted in regard to defence policy, defence expenditure and the sending of Indian contingents abroad ; but, as the House will see, consultation is not control. Final decisions under the constitution contemplated for the Centre will rest with the Governor General and not as at present with the Governor General in Council. It was for this reason that the Indian Delegation to the Joint Select Committee, of which the Honourable Sir Phiroze Sethna was a distinguished member, suggested that the Army Member of the future should be an Indian, preferably an elected Member of the Legislature, that the present control which the Finance Department

[Mr. P. N. Saprū.]

exercises over Defence should not in any future arrangement be impaired, and that Indian troops should not be sent abroad without the concurrence of Federal Ministers.

I have explained the constitutional position as it is and as it will be hereafter if the new constitution is introduced at the Centre. Now, I am not asking that the constitutional position should be reversed. I am not asking, in other words, for control over Defence. I think we should be justified in asking for control over Defence, but I am not asking for control as I know British public opinion is not likely to concede that right immediately. I am asking for increased influence and I would just also like to explain another part of my Resolution. I am not asking that the disciplinary control over the Army which His Excellency exercises should be shared by the Legislature with him. Disciplinary control over the Army is quite different from Defence control. I recognize that questions of discipline fall properly within the exclusive sphere of His Excellency the Commander-in-Chief and it will be an evil day for this country if we were to interfere with questions of military discipline, questions of transfer, promotion, etc., and questions of military strategy, etc. That is not the purport and meaning of my Resolution. I am not suggesting that the Legislature is competent to advise His Excellency on military strategy or discipline. What I am asking for is increased association of the Legislature with the direction and formulation of defence policy. I am asking, in other words, for greater opportunities of influencing defence policy. I think, Sir, the time has come when the position in regard to Defence should be examined in the light of the declared goal of British policy, complete responsible government, Dominion status. The Defence Sub-Committee of the Round Table Conference recommended that the defence of India should be hereafter an increasing concern of the Indian people and not the British people alone. I think you will find that declaration somewhere embodied in the Instrument of Instructions also to the Governor General. Now, the question that I would like to ask my official friends is this. What steps have you taken to make this defence an increasing concern of the Indian people? That is the question that I think we on this side of the House are entitled to ask our official friends. The Statutory Commission in their Report, Volume II, page 176, made the suggestion which I am asking the House to endorse. After making certain recommendations in regard to the reconstitution of the Central Government they go on to make this observation :

“ The Central Legislature as now constituted could not vote supplies for the Army. Appropriations of revenue for this purpose in accordance with the arrangement we have assumed would be authorized by certificate of the Governor General ; but we should like—and I should like the House to listen to this part—to see the constitution of some committee on Army affairs on which the Central Legislature and in time we hope the Indian States also would have representatives for the purpose of discussing and keeping in touch with military questions ”.

Therefore, Sir, I can claim the authority of the Statutory Commission for the proposition that I am asking this House to endorse. I think it will be generally admitted that it is desirable particularly in view of the developing international situation to have a more instructed opinion in regard to defence

questions, in regard to questions of army, navy and air force and their relations with external affairs. Defence policy is ultimately determined by foreign policy and important sections of our population are interested in questions relating to the Middle East. It is not therefore right that we should have no constitutional means of expressing our views on governmental policy in regard to Defence. The Dominions as we know are consulted in regard to foreign affairs. When Mr. Chamberlain entered into negotiations with the Italian Government and entered into the Anglo-Italian pact—a hateful pact from our point of view because I hate Fascist powers—Mr. Neville Chamberlain consulted Australia, Canada and South Africa, but there was no consultation with the Government of India for the simple reason that the Government of India is a subordinate branch of His Majesty's Government. Now, I am not asking the Government of India to go as far as that in my present Resolution. I am merely asking for greater opportunity of keeping ourselves in touch with defence policy and expressing our opinions upon that policy in its formative stages. I want a committee which would have some voice in the shaping of defence policy in its formative stages. I will just give an indication of what I would like this committee to be. I would have this committee for advising on such questions as loans of Indian contingents for operations abroad, defence expenditure before it is finally prepared and presented to the Legislature. We should like to have the comments of this committee before us. If we have the comments of this committee before us we shall be in a more effective position to discuss defence expenditure. Then I should like to have this committee's advice on the basis of recruitment for the Indian Army. I am glad that Sir David Devadoss has a Resolution on the question of recruitment so far as Madras is concerned. The recruitment policy is entirely wrong. I do not want the domination of the Punjab. I should like this committee to advise on the question of Indianization of officers and the pace at which this Indianization should proceed. I should like this committee's advice also on the question of frontier policy, the Waziristan operations which have cost the Indian taxpayer a substantial amount, the forward frontier policy which has met with favour with you and I should like this committee to advise on the policy which should be pursued towards our immediate neighbours. These are questions on which the parliamentarian and not merely the military expert can make valuable contributions. After all civilians and parliamentarians control defence policy in England and other civilized countries. It is Mr. Hore Belisha and not the Chief of the General Staff who is laying down defence policy in England. I am not asking you to give us control. I am not asking you to go as far as that, but I want you to make a beginning in that direction. There is a more fundamental reason why you should associate the Legislature with the formation and direction of defence policy and that reason is a psychological reason. We all look upon the Army as an army which is here not for the purposes of our defence but for certain Imperialist purposes. I should like the Government to make an endeavour to change that attitude. The Army is not regarded as a national concern because unfortunately little effort has been made in the past to make the people feel that it is their concern, that it is here for the purpose of defending their homes and their hearths. People have been made to look upon it as an army of occupation, as a mercenary army, not as a national army for the purposes of national defence. Now, if you want

[Mr. P. N. Saprú.]

to have more whole-hearted co-operation between the British and the Indian in regard to army officers—and that is the objective we should always strive for—then you must change the psychology of the Indian people in regard to the Army and you can only change the psychology of the Indian people in regard to the Army by moving in the direction in which I suggest you should move. If you wish to transfer control you must try to build up an instructed opinion in regard to defence questions. The position, as I have pointed out, will not change after the Government of India Act will come into operation and in any case you have to provide for the *interim* period and if you make a change now you will be taking some steps to make the Central constitution less unacceptable to the people of India than it is. You must show that with the inauguration of the new constitution at the Centre, whenever that may take place, there will be a change in the attitude of Government towards the Army and you must do it today and you must not wait for events later. Indian opinion therefore rightly insists that there should be some striking effort on the part of Government to secure greater co-operation of the Legislature in regard to the army. If you make that effort you will be showing your *bona fides*. This Army Committee would act, according to my conception, as a liaison between the Army and the Legislature. The demand that there should be a Defence Committee is not an unreasonable demand. We have committees attached to various Departments; we have an Emigration Committee, we have a Roads Committee, we have a Committee to advise the Department of Industries and Labour; then we have the Advisory Boards of Education, Public Health, etc. We have a Committee on Railways. Now, who will say that these Committees and Boards have not served a useful purpose? Will the Honourable Sir Jagdish Prasad be prepared to say that he has not found the Emigration Committee to be of assistance to him on critical occasions? Then why should the Army be regarded as particularly sacrosanct? Who is more interested in the Army than the people of India? Why must it be assumed that this Defence Committee will not be helpful to the Government as other committees are? Questions frequently arise about sending troops abroad. There is no machinery at present to ascertain Indian opinion in regard to these questions. You will have in this committee a machinery which you can utilise for these emergencies. Sir, the committee according to my conception would have these functions. It will have the duty of advising on questions referred to it by the Defence Department. It will have the duty of commenting on any increases in the Army budget and reporting to us about these increases. It will have the right of raising any question itself and asking for papers, but I would give to His Excellency the Commander-in-Chief the right to refuse the papers, because I am not asking His Excellency to share the responsibility of Defence with us. There will be occasions when it may be necessary for His Excellency to exercise this right.

Now, I shall consider, Sir, a few possible objections that may be raised against my Resolution. You will say that you do not find any committee like this in any other part of the world. My first answer to this line of argument is that you have an unnatural phenomenon here. You do not find a parallel to India in any other part of the world. You have here an executive

that is responsible to the Legislature of another country. But I will say that you will find parallels in other parts of the world also for a committee of this character. You will find a Committee on Foreign Affairs in the United States of America where they have a permanent executive and also in France. This Foreign Relations Committee exercises vast influence in the United States of America. How vast that influence is those who are acquainted with the history of the League of Nations will be able to say. It was the opposition of the Senate that made the League of Nations start under inauspicious circumstances.

Sir, it may be said that the committee will impair the authority of the executive which is after all responsible for defence policy. My answer to this line of criticism is that the committee will do nothing of the sort. The committee will not impair the authority of the Commander-in-Chief because I have suggested certain safeguards and with those safeguards there is no danger of the committee impairing the final responsibility of the Governor General for the defence of this country. The committee is according to my conception only an advisory committee. The committee cannot encroach on the powers of the Commander-in-Chief for the reasons that I have already explained. It would, in fact, be a great help to him. It would provide a training ground for our future Ministers of Defence. It would bring the Defence Department more into touch with the main currents of legislative thought. It would promote better relations between the Defence Department and the Legislature and questions relating to the Army would be discussed in a less prejudiced atmosphere than at present. Questions relating to the Army would be discussed in a more reasonable atmosphere.

Now, Sir, I have already referred to another possible objection that may be raised against my Resolution and that is that legislative Members cannot offer much useful advice on defence affairs. I have already indicated that disciplinary matters are not to be the concern of this committee. It is in regard to the formulation and direction of defence policy that this committee is going to function and I think that, so far as Defence is concerned, in every normal country Defence is not controlled by army experts but by civilians and parliamentarians.

Now, Sir, I can see no reason why Mr. Ramadas Pantulu, Sir Phiroze Sethna, Lala Ram Saran Das, Sir A. P. Patro, should not be able to make effective contributions to questions of Defence. Parliamentary Government is government by the amateur and the expert—both. And I think, Sir, the amateur has a great deal to contribute.

Now, Sir, there is a second part to my Resolution, to which I will just invite the attention of the House. If, for any reason the first part of my Resolution is not acceptable to the Government, then I would say that the question should be further explored and for this purpose I am suggesting the appointment of a committee predominantly non-official in character. The duty of this committee will be to recommend such practical measures as will associate more closely the Legislature with the formulation and direction of defence policy. I may say, Sir, that I am not wedded to any particular method. I am more interested in the object than the method. I want increased association of the Legislature with the formulation and direction of defence policy.

[Mr. P. N. Saprū.]

That is the main object of my Resolution. I do not insist on a Standing Committee of the Legislature. I am more interested in the question of increased association than in a particular method. If you do not approve of the Standing Committee, you have to convince us that this Standing Committee method is unworkable,—if you do not approve of a Standing Committee, then suggest an alternative and I assure you that we will consider that alternative with an open mind. But do give us an assurance that this question of Defence is going to be approached by you in a spirit of sympathy with the aspirations of the people of this country. You know how delicate the international situation is and I think, in view of the delicacy of that international situation, it ought to be your endeavour to enlist as much support as you can in India for your own sake. There is no doubt that, so far as we in India are concerned, we have a great dislike of the totalitarian States—particularly the Fascist and Nazi States. (*An Honourable Member*: “What about the Bolshevist States?”) Well, I won't go into that question. I make no distinction between the Fascists and the Communists. I hate both. But if I had to make a choice, I would prefer the Communist Party. I think as between Fascism and Communism, Communism is a lesser danger in the modern world. Well, that after all is not exactly relevant to this Resolution. I am suggesting some methods by which you can associate the people more effectively with the control and direction of army policy.

I would just like to say one word more and that is that in my view there is no justification—this perhaps will need a change in the Government of India Act—but this will not be inconsistent with the present constitutional position for continuing defence expenditure as non-votable. In my view, Defence expenditure ought to be votable, subject to the right of the Viceroy to restore grants. Well, I find that my esteemed friend Sir A. P. Patro does not agree with that viewpoint.

THE HONOURABLE THE PRESIDENT: Order, order. You are straying from the Resolution.

THE HONOURABLE MR. P. N. SAPRU: Well, Sir, these are the main considerations which I would like the House to keep in mind in viewing this Resolution, and I would ask this House, Sir, to accord its cordial support to this Resolution. It is a very moderate Resolution. It is not an extreme Resolution. It is a Resolution which is intended to promote better relations between the Defence Department and the Legislature and I hope, Sir, that our esteemed friend the Honourable Mr. Williams, whom we are glad to welcome as Additional Defence Secretary and who I hope will permanently stay in our House, will give to this Resolution a sympathetic consideration.

THE HONOURABLE MR. V. V. KALIKAR (Central Provinces : General) : Sir, the principle underlying this Resolution has been already accepted long ago by the first Round Table Conference. My Honourable
12 NOON. friend Mr. Saprū desires, I believe, a consultative committee. We not only desire a consultative committee but also control over the Army. Indian politicians have for a very long time been agitating over this matter. The Indian National Congress and the leaders

of Indian political thought have often times agitated that army matters should be discussed and the policy of the Army in India should be controlled by the Legislature. We should have the right not only to give advice to the Defence Department but also to control the policy of the Defence Department. The Resolution, as worded, is a very modest one, and I submit that Government should have no objection whatsoever to accepting it. We, the elected representatives of the taxpayers, are perfectly justified in asking the Government of India to give us the right to discuss matters like sending troops out of India, or the question of Indianization of the Army or the question of increasing the expenditure over the Army. These are questions which vitally affect the taxpayers of India, and so they have a right to advise the Government on such matters. My Honourable friend Mr. Sapru has made it clear in his speech that this committee will not insist upon getting information which is technical or information from the Defence Department which is regarded by them as secret. If we had the power—we know that in the new constitution we have not got it—we would like to control the whole policy of the Defence Department. I submit that Government should welcome the suggestion made by my Honourable friend Mr. Sapru if they want that the questions discussed in the Defence Department should have the support of the Legislature. In about a day or two we shall have before us the Bill wherein Government will ask for our support. If Government want our support on certain matters, it is their bounden duty to appoint a committee as suggested by my Honourable friend Mr. Sapru and take us into their confidence so that, not only can we give advice to the Defence Department but we can also enlighten them as to the views that are entertained by us. Therefore, Sir, I have great pleasure in supporting the Resolution so ably moved by my Honourable friend Mr. Sapru.

THE HONOURABLE SARDAR BUTA SINGH (Punjab : Sikh) : Sir, I rise to support the Resolution which the Honourable Mr. Sapru has just moved. My reason is that we have enjoyed unbroken peace for such a long period that we do not realize how difficult it is to achieve peace and to maintain it. We read daily in the newspapers of armaments and preparations for war, which other countries are making. We, on the other hand, have our eyes fastened on the military expenditure which is undoubtedly heavy. If the Legislature were more closely associated with the problems of Defence much of the opposition that now exists would disappear. There can be no question that with Provincial Autonomy, and Federal Constitution in the making, it is essential that we should be aware of the dangers to which the country is exposed and thus be able to provide adequately for meeting the danger.

Sir, I support the Resolution.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay : Non-Muhamadan) : Mr. President, I have not the slightest hesitation—on the contrary, I have very great pleasure—in supporting the Resolution moved by my Honourable friend Mr. Sapru. Apart from the question of our political and constitutional advance, if there is one other subject in which the Members of the Central Legislature take more interest than in others, it is the question of Defence and

[Sir Phiroze Sethna.]

of Indianization of the officer ranks of the Army. In proof of that, I may mention that since the Montagu-Chelmsford Reforms were framed, not a year has passed in which either questions or resolutions have not been moved in the one House or the other of the Central Legislature, and this proves beyond doubt the interest which is taken by the country at large and by their representatives in the Central Legislature. What we desire is certainly a share in the control of our military policy. What the Honourable Mr. Sapru has asked for is nothing unreasonable. It has been asked for several times. Up till now our cry has been a cry in the wilderness. Times, however, are changing fast, and I for one believe that Government do realize the necessity of meeting Indian aspirations in this direction. I believe there ought to be no difficulty in complying with our request. Only four or five days ago a Resolution was brought in the other House to appoint a committee on the lines of the Indian Sandhurst Committee. We had a most agreeable surprise in the fact that Government did not offer the slightest objection to it. On the contrary, it seemed as if they welcomed the Resolution. Now, this desire on the part of Government might be interpreted in two ways. The first interpretation will be that Government did think that the time has arrived for quicker Indianization and also for meeting requests such as is conveyed in this Resolution. Or there may also be a second interpretation, that because Government do not want to meet us they resort to the usual practice of referring questions like these either to a commission or a committee, and thereby shelve it or at any rate have nothing to do with it for the next two or three years. That has been the policy of Government in the past and I would like to quote an instance or two. Take first of all the case of the Lee Commission. The recommendations suited Government. They did not therefore in that case wait for years or even months, but within a very few weeks of the report being published they came forward with recommendations which were adopted and that was the way in which that report was treated. On the other hand, in the case of the Mercantile Marine Committee's report, it is almost 15 years since it was published and so far very little has been done because it does not suit Government to give effect to the many recommendations embodied in that report. But why go far. Take the case of the Indian Sandhurst Committee's report, and I speak with inside knowledge because I happened to be a member of that Committee. That Committee had on it two Europeans, one the late highly esteemed General Sir Andrew Skeen, and Mr. (now Sir) Ernest Burdon. They entirely agreed with the Indian majority on the Committee. Their recommendations were unanimous. In spite of that very little has been done by Government. The Defence Secretary in the other House tried to make out that very many recommendations of the Sandhurst Committee were carried out by Government. I beg to differ and I should be able to prove it if time permitted.

Now, Sir, if this new committee is appointed, it will go into various questions and I hope into the question which is embodied in this Resolution. I would like to remind the House that if the objective of the Indian public—I will not say of all sections, but of a large section—that India should get Dominion status as early as possible, is granted, much of the present difficulty will be removed. Even Mahatma Gandhi in reply to the letter which was addressed to him two years ago by Mr. Polak who had come over from England,

admitted, and his reply was published in the papers, that if Dominion status were granted, perhaps India would not ask for independence or separation. It is therefore in the interest of Government to raise India to Dominion status as early as possible which will I think do away with the idea which is prevalent with a certain section of Indians of independence and separation from the British Commonwealth. It will be a very evil day in my opinion both for India and England if India does become independent and separates, and perhaps England will be the greater loser. At the same time I am perfectly prepared to admit, and so are many others in the country, that it will be an evil day for India to be separated from the British Commonwealth. But that India may not be separated lies really in the hands of the British Government itself, and it is therefore we come forward with Resolutions like this.

According to a speaker in the other House the other day, he estimated that the Indianizing of the officer ranks of the Army will take 700 years and nine months. My arithmetic is not so far advanced, but I certainly will repeat what I have said more than once before that in carrying out to the little extent they do the recommendations of the Indian, Sandhurst Committee they are postponing the main question to the Greek Calends. It is high time therefore that Government should wake up and advance faster than they have done in the past.

Now, Sir, the defence question is kept as a sealed book from us. It is a sort of mystery which we are not allowed to unravel, and this sort of thing cannot continue very long. Here is Mr. Sapru's Resolution in which he has submitted two alternatives that are worth considering and considering at as early a stage as possible. He referred to the representation made by the 18 representatives of British India who were in England to assist the deliberations of the Joint Parliamentary Committee. I happened to be one of them. In our representation we strongly advocated the appointment of a Statutory Commission on Indian affairs, but that was not allowed by the Joint Parliamentary Committee on the ground that it would embarrass the Governor General and that it would be an encroachment upon his functions. Mr. Sapru has quoted from the Simon Commission's report, and I may also add that even the Joint Parliamentary Committee has stated that there would be no objection to the constitution of an Advisory Committee in matters of Defence. We had asked for a Statutory Committee, but the Joint Parliamentary Committee had said that they had no objection to the constitution of an Advisory Committee, and that is what the Honourable Mr. Sapru asks for in the first part of the Resolution. He is perfectly agreeable, whether the Government accepts the first part or the second part, so long as something in that direction is done and done quickly. The Honourable Mover referred to the times we are passing through. They are no doubt very anxious times. The war in the Far East has now lasted for more than a year and there is no knowing when it will end. In the West every day we get alarming reports and there is no knowing when the conflagration will start. Let us sincerely hope that it will not and that the policy of the British Government to maintain peace will prevail and there will be no repetition of what happened 24 years ago in 1914.

But, Mr. President, Government have to consider their position in this country. It is true that they do not consult India as they do the other

[Sir Phiroze Sethna.]

Dominions for the reasons explained by the Honourable Mover. But that sort of thing cannot continue much longer. Whether you have a Recruitment Act or no Recruitment Act, this much is certain, that you cannot lead a horse to the stream if he is unwilling, and times have changed so considerably since 1914 that I do not think Indians will be ready to come forward with men and money as they did in 1914.

THE HONOURABLE THE PRESIDENT : All this is strictly not within the purview of the Resolution.

THE HONOURABLE SIR PHIROZE SETHNA : With due deference I want to point out that because of this Government have got to consider the two recommendations which are made by Mr. Sapru. Government have got to bear that in mind. If they want the sympathy and co-operation of the Indian people they must meet us to a reasonable extent, and I contend that Mr. Sapru's proposition does not ask for anything unreasonable.

THE HONOURABLE SIR A. P. PATRO (Nominated Non-Official) : Sir, the Honourable Mover of the Resolution has placed his case quite Lawyer-like and his moderate speech ought to convince the Government. I support the principle underlying this Resolution and it should be accepted. I am not in favour of the first part of the Resolution because it is not practicable for a committee of the Legislature to do any useful or effective work. The second part of it states it should be left to the discretion of the Government; the Government ought to see that times have changed and they should take non-officials into confidence in the matter of Defence. A great deal of misconception is due to ignorance of defence policy. It is therefore time that the Government should consider their position and associate non-officials with defence policy otherwise there will not be that satisfaction and contentment in the country which we all wish. I need hardly say that if there was that mutual exchange of ideas and mutual exchange of opinions there would not have been that vehemence and passion which was exhibited in the discussion of the subject in the other House. Recently we have seen how Honourable Members who would otherwise take a very dispassionate view have been very disturbed and have gone out of their way and acted in an unparliamentary manner. Therefore it is necessary that Government should consider this question in the light of public opinion. Public opinion in India is growing strong; it is not like the old days when Government could take the passive consent of the people. The despatch of the Government of India in 1930 on Reforms said that the time has come when Government cannot assume the passive consent of the people but they should take matters with the active approval of the people of India. Therefore that policy having been enunciated in that way, it is time that Government should consider how best they could associate the people of India with defence policy. The only belief outside is—it is learnt from the press and from platform speeches—that Rs. 45 crores are spent out of the revenues, but they do not know how the money is spent and what is the defence organization supporting India. There are no doubt many matters relating to Defence which cannot be disclosed—technical matters, strategic matters, and other important matters. All such matters are not sought to be discussed with the advisory committee. The Resolution is a very modest

one and it says in regard to the formative stage of the policy there should be consultation. It is true that pamphlets like *A Summary of Important Matters concerning the Defence Services in India, 1937-38*, are issued. This gives a brief description of the present position and working of the Defence Department. There are other publications, 16 or 17 in number, which are to be found in the Library of the House. These give some idea of the working of the Defence Department, but few people take the trouble to read these and enlighten themselves as to the actual work of the Defence Department. Government always suffers for want of publicity; Government always suffers for want of propaganda. While other bodies and organizations are able to carry on their propaganda, their publicity, through Ministers, etc., the Government of India has no means of conveying to the people what they are doing and how the Defence Department is working. This great defect could be cured in one of the ways recommended by the Honourable Mover of the Resolution.

The second part of the Resolution says that Government should devise such measures as would enable them to be in closer touch and association with people. This is absolutely necessary in the present state of things. It cannot be that the Government can remain in their own Secretariat offices and leave things to be carried out by subordinates. There is a spirit of nationalism working in the country; this spirit has permeated into the villages and the principle of self-determination has been carried throughout the country. This was taught us by Britain itself. Why should Britain now hesitate about giving practical effect to it? The Act of 1935 is very important for this country. The liberty and freedom given under that Act should be carried into effect by the association of the people in the effective administration of the country. A great deal of unrest in the country is due to a misunderstanding of the working of the Departments of the Government. Government cannot bury their head like the ostrich and say, "Everything is going on all right". It must now have been clear to the Government how effective is the voice of the public when those speeches were made in the other House and I am sure the very moderate speech of the Mover will not be considered as if it is only a watered down Resolution. He has put his case well and I am sure that the Honourable the Defence Secretary will convey to Government and see that response is made to public opinion.

Sir, it is not the intention of the second part of the Resolution that there should be any control over the military policy of the Government. All that it says is that in the matter of forming of the policy in regard to certain matters, the advice of the committee should be taken. I know we have several advisory committees and how far these committees are useful I have not got the experience to say, but generally I know that advisory committees are advisory committees only and they serve no good purpose. Their advice is taken whenever it is convenient and suitable for the Departments; but there are matters in which the Government can very easily take the people into their confidence, for instance, the operations in Waziristan have given rise to grave misgivings in the country. They say it is fought for the sake of Imperialistic policy. What that policy is no one knows; they say that it is for the British to establish themselves on the Frontier and therefore they are engaged in

[Sir A. P. Patro.]

this war with the tribes. But the real fact as disclosed in this pamphlet is that the Chief of Ipi has been causing a lot of trouble—dacoities have been committed—

THE HONOURABLE MR. HOSSAIN IMAM : A Faqir.

THE HONOURABLE SIR A. P. PATRO : He may be a Faqir in name—

THE HONOURABLE THE PRESIDENT : Please proceed with your speech and do not take any notice of interruptions.

THE HONOURABLE SIR A. P. PATRO : It is clear that the Faqir of Ipi has been inatigating the people to rebel. If people know these facts and if people know what Government are doing, the misunderstanding would be removed. This should be done through the agency of an *ad hoc* committee such as is suggested in the Resolution and by publicity. Then, there is the question of the reorganization of the Army. This pamphlet deals with the reorganization and how far it has effected economy in the matter of administration. But there are technical matters. If the forces in Meerut have been reduced and if Cawnpore is strengthened, there may be special reasons for the Defence Department to do these, but the reasons are not known to the public. A great deal of doubt and suspicion is created. It is this suspicion that is the root cause of the grave unrest in this country. It is the duty of the Government, therefore, to remove all causes of suspicion among the people and what they have been doing till now is nothing. Then you have got this recruiting problem. I have already alluded to that. In this matter, if only we have a committee to advise the Government on the proper lines of recruitment, they would be saved the amount of trouble which they had in the other House. The suspicions of the public would be avoided if people are given facts and figures relating to the activities of mischief-makers in various parts of the country. The mischief-makers take advantage of the slightest irregularity that occurs—they magnify it and say : “ Here is what the British Government has done for India ”. Therefore, I say, it is necessary that an advisory committee like this should be formed to help the Department in the matter of recruitment.

Then the Supply and Administration Department is also a very useful matter. In this Department, the non-officials could very well advise. The vexed question of Indianization would also be assisted. I do not say that Indianization is possible in the next 20 years or 50 years. It is impossible to forecast how long it will take. It will be gradual, because as you see the number of recruits turned out by the Academy is such that the cadets could only replace persons who have either retired or given up service or come in under the reorganization when new hands are required. These are the only three ways in which Indianization can be effected. Therefore, we should have to accept that it must take time in the usual course in order to effect Indianization. People say it may be 30 years or 50 years. But not 700 years, as some one has had the imagination to suggest. Therefore, I say that this Indianization also would be very effectively dealt with by the advisory committee and people outside could be convinced by being told that here are the facts by which you will see that it is not possible to go at a greater speed than we are going today.

Therefore, as I suggest, Sir, these are matters in which the advisory committee would be more useful and helpful in the Department itself and also to the country in understanding some of the workings of the Defence Department.

There are other important matters which agitate the minds of people. The public are mostly concerned now with the formation of a national militia. What would it be like if the non-officials stated their case before the authorities it may be examined. Where it is workable, such a militia could be initiated. The formation of a national militia is one of the problems that are being dealt with in every province. For instance, we already see some of the Universities in the provinces are starting physical training for youth. Then there are also attempts being made by the Congress Governments to give compulsory training, and open a sort of unit. The other day a statement was given by Mr. Gandhi that he was going to advise all the Provincial Governments that they should start what is called a peace force, national militia.

THE HONOURABLE THE PRESIDENT : Your time is up. Will you please bring your remarks to a close ?

THE HONOURABLE SIR A. P. PATRO : It will be a peace force. Whether it will be possible or practicable is a matter which will be considered by the advisory committee. Therefore, as I said, matters relating to Defence and such matters referred to could be conveniently dealt with by the committee. As I say, Great Britain has awakened a sense of personal freedom and liberty and introduced responsible Government under the Act of 1935. She must therefore now adapt herself to the new forces in the country. She cannot leave us alone. It cannot be that the old policy could prevail. As you know, Sir, the Defence policy of the Government has been clearly defined, namely, that Defence is the increasing concern of India and not of Great Britain alone, and therefore it is an examining how far this policy of Defence as the increasing concern of India and not of Great Britain alone can be implemented and given practical effect to that a policy committee like this, would be able to help the Department. Therefore, Sir, it seems to me that this Resolution, the principle of which I accept, and the second part—

“ by such other practical measures consistent with the present constitutional position as may be recommended by a committee preponderatingly non-official in character appointed for this purpose ”

will not be merely composed of laymen, but of persons, senior officers of the Department and other persons who have retired from military service who know the details of military matters together with non-officials and not merely laymen who are not acquainted with the working of the Defence Department. Knowledge of the working of the Department is absolutely necessary in order to be able to advise on any matter that is placed before them. Therefore, Sir, I have pleasure in supporting the second part of the Resolution.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Mr. President, the Resolution which my Honourable friend Mr. Sapru has moved is so modest, and I should say so mild that I do not think that any patriotic Indian can possibly oppose it. A Resolution which does not want to get control over expenditure—when the whole nation is crying for independence, if it had come from anyone other than Mr. Sapru,

[Mr. Hossain Imam.]

would have been thought to be an inspired Resolution. It is because he is above all this, and his personality is not open to Government favours, that we think that he has brought this Resolution as a *via media* in order to bridge the gulf which separates the Nationalists from the Government. The closing sentence of Sir A. P. Patro's speech was that it has been admitted by His Majesty's Government that Defence shall be increasingly the concern of the people of India. This was a dictum which as far as I remember was given by the Defence Committee of the First Round Table Conference.

THE HONOURABLE SIR A. P. PATRO : No, it is in the Instrument of Instructions to the Governor General.

THE HONOURABLE MR. HOSSAIN IMAM : Thank you, Sir. But it emanated from the Round Table Conference and what I want to know from the Government is that in this period—this announcement was made at the latest in 1931—what concrete action the Government has taken to associate Indians in the defence of this country? They will say that they have increased the intake of officers. Well, with the increased number of officers being taken, a counterbalancing influence has been introduced of increasing the number of Indian officers in the regiment from 12 or 14 which we had formerly in India to 28. As has often been pointed out by the Honourable Lala Ram Saran Das, the present officers are there just to take the place of the subadar-majors and risaldar-majors. They are replacing the Viceroy's commissioned officers and not the British King's commissioned officers. An illustration of this we had yesterday when a statement was laid on the table giving the number of officers, European and Indian, in the Secretariat. There were 100 European officers in 1921 and in 1937 there were 119. The number of Indians has increased no doubt from 13 to 95, but it has increased not at the cost of the Europeans. The number of Europeans has increased. The number of posts has been increased whenever Indians had to be appointed. That is all that the Defence Department has done. They will say that they have started publishing this document on important matters of Defence. Is it the only way in which you can associate us with, namely, to give us news of what you have done? Is this the only association that you contemplate? If even now you are living in that fool's paradise where you think that giving information is the only association that you are prepared to give, I very much fear that the days of the British connection with India are numbered. People must advance with the times. Look at what is happening on all sides. Fifty-two nations combined together in the case of Abyssinia, but one determined—call him a mad dog or whatever you like—Mussolini went ahead, and all the 52 nations had to eat humble pie, because the 52 nations were not prepared for action. They were there only to make statements and pass resolutions, and dared not take action. Action by one and resolutions by hundreds do not weigh equally in the scale. Government should sincerely consider whether they are going to treat us as incompetents and think that Indians are good for nothing. If they think that of us, the compliment will be returned. But if they are willing to co-operate with us and treat us as partners, we also might forget all the past histories of the troubles in India. But until they are prepared

to extend to us the hand of friendship and equality, do not expect anything from British Indians. You are---

THE HONOURABLE MR. PRESIDENT : Order, order. Under the cloak of this Resolution you cannot discuss all the alleged shortcomings, mistakes and grievances regarding the Military Department of the Government of India. You should confine yourself to the form of the Resolution.

THE HONOURABLE MR. HOSSAIN IMAM : I shall come back to the speech of the Honourable Sir A. P. Patro. He referred to Waziristan. That is in itself an eye-opener. That shows that the Defence Department is moving like a blind chariot driver, no direction, a vehicle moved by a man who has been blind-folded. Now, Sir, is it not something worth considering that a Fakir is able to trouble a mighty Empire having an organized and disciplined army of European and Indian personnel ?

THE HONOURABLE SIR A. P. PATRO : Mosquitos can trouble you very much.

THE HONOURABLE MR. HOSSAIN IMAM : Mosquitos can trouble you, but then you have to get Flit ! You cannot save yourself with your hand alone. You must have a mosquito net too. That is what the Defence Department need. The committee will give protection to them from these sharp shooters of the Frontier. The mistake in the Frontier is that you say that you take the message of civilization. The message of civilization is that you must spend more. But the counterbalancing thing that you must increase the income of the people is not there. No endeavour by the Finance Department is ever made to increase the income of the Indian people. The Fakir of Ipi does not take civilization to them. He is as barbarous as the others, and therefore his followers do not have to spend more. They spend a little less than they were doing without him. But when he comes and raids Indian districts, his people enrich themselves. This economic factor is the root cause of all frontier raids. If we had observed the closed border policy which prevailed and which was advocated by the Military authorities before the War, you would find that your expenditure on Defence could be much reduced, and that your disbursement on the people of the Frontier in civilizing them and in increasing their income would consequently be increased without any strain on the exchequer of the British Indian people. It is not only the periodic wars in Waziristan which cause the expenditure but the constant drain of maintaining the whole of the trans-Indus army on a war footing (which is the present sanctioned programme of the Defence Department) which entails a loss of about Rs. 3 crores per annum because the army across the Indus is maintained so that it may be in readiness to meet any demand. Is there a danger of any first class power attacking India in the immediate future without warning ? We have the natural protection against our would-be enemies.

THE HONOURABLE THE PRESIDENT : What has all this to do with the present Resolution ? It has nothing to do with it.

THE HONOURABLE MR. HOSSAIN IMAM : The Advisory Committee is required to give proper sense to the Defence Department. We know what is the trouble of India, and it is not the people who come from 6,000 miles away

[Mr. Hossain Imam.]

who can be supposed to know about it. You have been treating us wrongly. The Defence Department is all right as far as equipment is concerned. We have nothing to offer to the Defence Department as far as the technical side is concerned. But as far as the business side is concerned, and as far as its treatment of the people is concerned, they have much to learn and it is only those who live in a fool's paradise who will think that they have nothing to learn.

I will refer now to the second part of the Resolution. The appointment of a Standing Committee has been discussed many times in this Council. We, of the Opposition, have not the majority to force the hands of the Government, and in the place where they have the majority, even there they have not the constitutional power. So, in the end, we are both powerless, either here or in the other place, and there is nothing to choose between us. But, as far as the second part of the Resolution is concerned, I would like to know what defence the Government has? It leaves the entire matter in the hands of the Government. The only thing we expect is that they must give practical shape to the promise that Defence would be increasingly the concern of the people of British India. Is that to remain a pious hope or is it to be translated into action? I would like the Defence Secretary to tell us what exactly is the method by which he proposes to do this? His plea of increasing the news will not satisfy us.

With these few words, Sir, I support the Resolution.

THE HONOURABLE MR. RAMADAS PANTULU (Madras: Non-Muhammadian): Sir, I rise to support the first part of the Resolution and I regret my inability to support the second part of it. Sir, I do not take this course simply because my Honourable friend Sir A. P. Patro adopted the opposite course. Usually I do not agree with him, but that is not the reason for my taking this course today.

The first part of the Resolution asks for the appointment of a Standing Committee of the Legislature to advise on defence policy. That recommendation is to be worked out in the same manner in which the other advisory committees are constituted, namely, by election by the Houses. Therefore, the representatives of the electorates will sit on that committee, and in future when both the Houses will be fully elected bodies there will be no place for people like my Honourable friend Sir A. P. Patro on these committees! The Government will at least be able to get the genuine advice of the genuine representatives of the people of this country. Whether Government agrees with that advice or not, they cannot say that they had not before them the advice of the true representatives of the people of this country. Therefore, as the Standing Advisory Committee envisaged will be an elected body, I support the first part of the Resolution.

As for the second part, I regret I cannot support it for two reasons. Firstly, it goes against commonsense that Government should seek advice on its own defence policy from a committee composed of its own officials and others nominated by itself. They are sure to get advice always in their favour. Their own officials will not tender advice against the policy pursued by the Government, nor will those nominated by them. After hearing the speech of Sir A. P. Patro, who is sure to be on that nominated committee I do not expect anything

to come out of any committee constituted under part two. It is opposed to common sense to ask the Government to seek the advice of its own nominees on its policy. For that reason the position taken in the second part of the Resolution does not seem to be a correct one.

Another objection to the second part is that it speaks of a committee to be constituted in consonance with the present constitutional position. That position is that we have no voice in the defence policy of the Government of India. The Government of India Act itself makes that clear. Again, in regard to the financial part of the army policy the constitutional position was made very clear to this House by the Honourable the Finance Member when he spoke on the budget last year in connection with the exclusion of even those small votable items in connection with the Army Secretariat. In view of the wording of the Government of India Act and the position as stated by Sir James Grigg to this House, I do not see what earthly use is served by asking for a committee to be nominated by the Government, or to be constituted in consonance with the present constitutional position. We have no voice at all, and all it amounts to is to getting some outsiders, outside the Legislature, to tell the Government they are right and the Legislature is wrong, and it prejudices even the little the good work we do in the Legislature. Therefore, I feel very sorry that my friend Mr. Sapru should have thought fit to introduce this recommendation into an otherwise good Resolution. It is I think really detrimental to our interests. Therefore, Sir, I cannot support the second part of the Resolution.

With regard to the first part, I support it because it really satisfies the aspirations of the people of the country. Mr. Sapru has stated that such a standing advisory committee will have a psychological effect upon the people of this country in regard to the position of the Indian Army. The Indian Army is frankly an army of occupation and a mercenary force. The appointment of an advisory committee to advise on defence policy will not change psychology or facts so long as India does not get control over its army and until it is not merely an increasing concern but the sole concern of India. They will continue to demand, and demand till they succeed in getting, complete control over army and defence policy in India.

I do not believe either that the constitution of an advisory committee is likely to improve matters in regard to defence policy, but, as I have already said, it is better that the Government should constantly hear the advice of the accredited representatives of the electorate in this country before Government determine their policy or justify it after it is determined.

In regard to the aspirations of the people of this country, I will only say one word with reference to what Sir Phiroze Sethna has said. He said that India is not anxious to sever her connection with the British Empire. I agree. But in referring to Mahatma Gandhi's answer to Mr. Polak's question, I think Sir Phiroze Sethna has not correctly stated Mahatma Gandhi's position. What he said was that we in India were not anxious to sever our connection with the British Empire. We would accept Dominion status if it gave unrestricted right to this country to sever that connection if necessary. That means, if we

[Mr. Ramadas Pantulu.]

occupy the same position as the Dominions occupy under the Statute of Westminster, with liberty to continue or not to continue within the Empire, we would accept Dominion status. That is a very different thing from what Sir Phiroze Sethna has attributed to Mahatma Gandhi, whose demand was virtually full independence and nothing else. And it is only when such a constitutional position is reached that Indians will have control over army policy and the army will not then be the increasing concern but the sole concern of the people of India.

Sir, in asking for the association of the people of this country, especially the elected representatives, with the Government in determining army policy, my friend Mr. Sapru has not asked for anything extraordinary. The framers of the new constitution fully envisaged the necessity for the Governor General in administering the Defence Department to keep himself in touch with the genuine elected representatives' views in both Houses. I will only read one sentence from the White Paper on the Reforms and one sentence from the Instructions to the Governor General. These make the position very clear and I think what Mr. Sapru asks for is much less than what they envisaged. The White Paper says :

" Although reserved departments will be administered by the Governor General on his sole responsibility it would be impossible in practice for the Governor General to conduct the affairs of these departments in isolation from the other activities of the Government and undesirable that he should attempt to do so even if it were possible "

The Instrument of Instructions says :—

" And seeing the defence of India must be to an increasing extent a concern of the Indian people it is our will in especial that our Governor General should have regard to these Instructions in the administration of the Department of Defence and notably that he should bear in mind the desirability of ascertaining the views of his Ministers when he shall have occasion to consider matters relating to general policy and the appointment of Indian officers to Indian forces "

So, Sir, the framers of the constitution have thus contemplated that the Governor General after Federation comes and till then the Government of India should keep themselves in close and intimate touch with the genuine public opinion of the people of this country and that is all the Resolution asks for.

My friends who spoke before me have referred to various matters on which the contemplated committee can advise the Governor General. I shall go into only one such matter, the question of Indian forces being employed outside India for purposes other than the defence of India in an Imperialistic war. That is an important matter on which, whatever may be the views of the Government of India, they should follow the advice of the people of this country. It was stated by the Secretary of State and it is also now provided that in regard to wars undertaken for Imperialistic purposes and not in the defence of India the entire cost of the operations would be borne by the British exchequer. But that would not satisfy us. It is not merely a question as to who should pay

1 P.M. for the cost of the wars. The question is whether the Indian Army should be employed in wars other than for the

defence of the country. In matters of this kind the advice of elected representatives of the Central Legislature will be of great importance. We have no control over the policy of the Government nor any voice in determining whether India

shall fight in a war or not. I think that at least the accredited opinion of the people in these matters should be before the Government. The international position is such that it is not unlikely that India may be dragged into some war in the near future, not in her defence but in defence of the Empire. The advice of a committee of the nature contemplated in the first part of the Resolution will be valuable as to what the people of India think in a matter of this kind. Having regard to all these considerations I support the first part of the Resolution but I cannot support the second part.

THE HONOURABLE MR. R. H. PARKER (Bombay Chamber of Commerce): Sir, I am rather in the same position as the Honourable Member who spoke last. I am in favour of a great deal which has been said on this subject, but I cannot support the Resolution. I am very strongly in favour of some method of keeping touch—I think those were the words that the Honourable Mover used originally—between the people, the Legislature, and those who ultimately have to decide all matters relating to Defence and I would myself ask Government to explore the various methods which they consider might be adopted to that end. I agree with one speaker who said that we could certainly hope for a more reasonable basis of discussion if we could have greater knowledge of these matters. That, Sir, summarizes our position.

THE HONOURABLE RAI BAHADUR LALA RAM SARAN DAS (Punjab : Non-Muhammadan): Sir, I rise to support the Resolution. I find, Sir, that since the last 10 or 12 years the mentality of the masses is vastly changing and the self-respect of the people is reviving and their slavish attitude fast disappearing. I was glad to find that our friend the Honourable Sir A. P. Patro supported a part of this Resolution. That also shows how the mentality of some Members in this House is also changing. Sir, I hold that suspicion is increasing in the minds of the Government as regards the people, as its attitude as regards the association of the Indian Legislature with the Defence Department. My Honourable friend Mr. Ramadas Pantulu has already stated that even voting on the Secretariat of the Defence Department was withdrawn from the vote of the Central Legislature. We find that Indianization of the Army is moving at a snail's pace. My esteemed friend the Honourable Sir Phiroze Sethna has said that it will take about 700 years for the Indianization to materialise. Sir, in an Indian State some time ago a certain Ordinance was issued as regards the passing of decrees for loans and the courts were issuing decrees repayable in 300 to 400 years. Sir, some of these decree-holders approached the authorities and asked, " You have given us a decree payable in 300 to 400 years ; we want to know whether the Government of the present ruling House will by then exist ? " However, Sir, I am one of those who want to maintain the British connection and I therefore wish that Government should move in a manner in which there should be no discontent or disaffection in the minds of the people. Government themselves realize that there is this disaffection and discontent and perhaps that was the reason which led them to move the Army Recruiting Bill. Sir, I come from a province which finds most of the fighting men. I know that at the time of the Great War every person was prepared to induce people to join the Army and help recruiting as much as he could and I was also one who found more than

[Rai Bahadur Lala Ram Saran Das.]

8,000 recruits for the Army. Now, Sir, we find that the mass mentality of the people is changing because of the adverse attitude of the Government in certain matters. Yesterday while replying to my question, the Honourable Mr. Williams stated that there was no distinction between King's British commissioned and King's Indian commissioned officers, but I can tell you from the experience that we have in the Punjab that the treatment accorded to King's Indian commissioned officers is generally undesirable and discouraging. Until the stigma of comparative inferiority is removed, I do not think that the people will very much like at a very high cost to become dignified jamadars or dignified subedars as they now are. My Honourable friend Sir Phiroze Sethna has observed that under the present international situation it is wise for the Government to take people into confidence and not to suspect them or be suspicious of them. I therefore think that it is advisable for the Government to remove the misunderstandings which have arisen among the people and the masses on the subject of the treatment of Indians and particularly the Indianization of the Army. Sir, I also find that reference was made by an Honourable Member to mosquitos and observed that they also can create trouble. We have an Indian proverb which means that even an ant can kill an elephant and that an army of mosquitos can also kill a person. So, public opinion ought to be respected. I myself was very doubtful whether in such a short space of time seven Indian provinces will have Congress Governments. That has actually materialized. We in the Punjab never thought that the North-West Frontier Province will have a Congress Government, but we find that it is there. It is there because there has been a strong public demand and the Government had to yield. We have also seen recently in the various provinces where Government took a wrong attitude on a certain issue that they had to retrace their steps and yield to public demand. (*An Honourable Member*: "Abattoir?") Yes, Government took a wise and prudent step to abandon the Abattoir, but I am now referring to Government's retracing its steps and yielding to public opinion in Orissa, the United Provinces and the Central Provinces. There, of course, Government took a very strong attitude in the beginning but they had to yield and they yielded not with a good grace. Therefore, Sir, in order to pacify the feelings of Indians, Government should come forward to associate more with them and let them take into confidence and thus let them share the responsibility. One who shares responsibility realizes responsibility and one who does not, simply knows to criticize and agitate. Sir, I appeal to the House as to the Government that they ought to accept this Resolution which will prove to the masses that the Government has changed their mentality and they want to meet the people in their reasonable demands.

The Council then adjourned for Lunch till a Quarter to Three of the Clock.

The Council re-assembled after Lunch at a Quarter to Three of the Clock, the Honourable the President in the Chair.

THE HONOURABLE MR. A. DEC. WILLIAMS (Nominated Official): Sir, at the outset, I must express appreciation of the extremely moderate character

of the observations made by the Honourable the Mover of this Resolution and Honourable Members who have supported it. It is, therefore, with greater regret that I have to state that Government do not see their way to accepting this Resolution. After this unpalatable observation, I am sufficiently optimistic to hope that I shall be able to persuade Honourable Members that there is not really in principle so very much difference between the Government and the Mover of this Resolution. In any case, there is no question of Government resisting this Resolution merely in a spirit of obstruction.

I come first to the exact terms of the Resolution, which, I think it must be admitted, are bound to be unacceptable to Government. For, after all, it is the exact terms of this Resolution which are before the Council for its decision. Alternative (a) is open to the objection that the expression "Standing Committee", of its own self, suggests some obligation on the part of Government to refer to this committee matters concerning defence policy. Now, that is a position which the Executive Government cannot accept—any obligation to consult this committee—and if there is no obligation, I am sure that the aspirations of Honourable Members who are supporting this Resolution would not be satisfied. Secondly, this alternative (a) specifically relates to advice on defence policy. Now, to some degree Government might go part of the way with those who support this Resolution as regards advice on matters of detail. But any obligation to consult any Standing Committee on matters of policy is a thing which Government are not prepared to accept.

As regards alternative (b), which on the face of it appears more reasonable—"such practical measures consistent with the present constitutional position"—the difficulty felt by Government is that these measures are to be recommended by a committee preponderatingly non-official in character. Any obligation to be undertaken or accepted by Government in this respect must be of a character decided by Government itself. But, as my concern at the moment is not so much to secure the rejection of this Resolution as to persuade Honourable Members opposite to go at least part of the way with Government, I would not stick slavishly to the exact terms of the Resolution. For, in fact, the Honourable Mover and other Honourable Members have suggested very considerable modifications of the strict terms of this proposition. I do not wish to be accused of relying merely on a quibble based on the exact terms of the Resolution. The difficulties experienced by Government in accepting anything on these lines can be divided into two—the constitutional difficulties and the practical difficulties. We have heard a good deal about the constitutional difficulties, and, as anticipated, I have to state that the Executive Government, which after all is responsible for Defence, cannot bind itself in advance to accept outside advice. I am aware that Honourable Members do not suggest that Government should necessarily follow the advice tendered by it. But, surely, it would be a very unsatisfactory thing if Government were to agree to setting up a committee and then were in the position of being constantly accused of not accepting its advice. Such a procedure, to my mind, would really do more harm than good. It has been urged that Standing Committees of this character have been set up in relation to other Departments. Even so, these committees are of a purely advisory character and Government is in no way obliged to accept the advice they tender. But what will be the position

[Mr. A. deC. Williams.]

as regards even those committees under Federation? Even in Departments which under Federation will be in charge of Ministers, is it to be expected that a Ministry which has laboriously got itself into power by work at the polls will consent to refer matters, which are its own exclusive affair, to a committee of the House comprising members of the Opposition? I submit that this is a most unlikely event and if these committees are retained in any form, inevitably they will be packed by supporters of the Ministries of the day which will reduce the proceedings of the committee to a mere farce. But as regards Defence, the position under Federation will be very different. Defence will not be the concern of the Ministry but of the Governor General in his discretion, and if the Governor General in his discretion desires to ascertain popular opinion, if he desires to consult any other authority, surely that authority will be his own Ministers who would be the first to resent his soliciting the opinion of a body which comprised members of the Opposition.

Some capital has been made of certain statements contained in the report of the Statutory Commission, in the Defence Sub-Committee of the Round Table Conference, and certain expressions used in the Instrument of Instructions to the Governor General. I think, Sir, it is perfectly apparent that this reference to the increasing association of Indians with defence matters is specifically directed to the future, to the position that will obtain under Federation. Indeed, the passage in the Instrument of Instructions is specific on the point that the Governor General in his discretion should, so far as may be, consult his Ministers, which brings me back to my previous observation that it is the Ministers who ought to be consulted and not a body chosen from the Legislature and possibly containing representatives of the Opposition. It may be urged that we are now in the transitional stage. Federation is not here yet, but I do submit that having regard to the terms of the Government of India Act we must take the long view. We must look forward to Federation, and I can see no justification for a purely temporary arrangement which may have to be brought to an end at no very distant date and which in any case will create a very unfortunate precedent for Federation.

I noted that the Honourable Mover suggested that Government might suggest a workable alternative. Well, that is very much what the Honourable Mr. Parker would like. It is also what Sir Leslie Hudson suggested in another place in 1936 when he said that he imagined it was not beyond the wit of man to devise some scheme whereby elected Members of the Legislature might be associated with defence matters. But I submit that even if we do set up a body of the kind suggested it would necessarily be advisory only and would only be consulted on such matters as the Government might see fit to refer to it.

The danger then would be that exceedingly few matters connected with Defence could be referred to it. The Honourable Mover disclaimed all desire that this committee should in any way interfere in matters in respect of which secrecy is desirable. It is extremely difficult to dissociate a large number of defence problems from aspects which do demand secrecy. Many of the problems which arise in the Defence Department necessarily depend on such matters as general military policy or movement of troops, matters which we would not be prepared to place before the committee. It follows therefore that if

Government reserved to itself the power to refer matters for advice, those matters would necessarily be very few, and if we set up a committee of that character we should lay ourselves open to criticism—I think very justifiable criticism—of setting up a committee and then not giving it any work to do. In point of fact such matters as could be referred to a committee of that character have in the past, as Honourable Members are aware, been referred to *ad hoc* committees. All of them so far as I remember contained elected representatives of both Chambers or at least of one Chamber of the Legislature. There was the Skeen Committee and the Shea Committee and the Army Retrenchment Committee and recently the Committee accepted only a few days ago in the Assembly by the Defence Secretary to deal with the Indian Sandhurst. In effect I contend that Government do, to such extent as is really possible, consult the collective Members of the Legislature through these *ad hoc* committees.

Another argument urged in favour of the Resolution was that it is desirable to secure a better informed public opinion on defence matters. If that is so, if Honourable Members opposite consider that they should be better informed or better instructed in defence matters, I can only say that I think they are doing themselves a grave injustice. If we judge by the extremely well informed criticism embodied in resolutions and innumerable supplementary questions I think it might well be conceded that public opinion as represented by Honourable Members opposite is as well informed and as critical in India as in any country in the world. I cannot believe that Honourable Members opposite require much instruction. Already in the course of the debate various publications which are available to Members of both Chambers of the Legislature and through them to the public have been mentioned, and I cannot conceive that having regard to the volume of this literature which is considerable and to the number of occasions on which, as I have said, we have taken the advice of *ad hoc* committees, that Honourable Members can fairly demand any further coaching in defence subjects.

In fact, the arguments which have been advanced on both sides are by now threadbare. They were discussed in both Chambers of the Legislature in 1936. They have been discussed last February in the Legislative Assembly, and now for the fourth time we are raising the same arguments again. Government regret that the views already formulated on three occasions are not open to any material variation. But I do contend that in substance all that is demanded is being met by the appointment of these *ad hoc* committees, for the simple reason that if a permanent committee were set up it could only be consulted on such subjects as are being referred, and will if necessary in the future be referred, to similar *ad hoc* bodies.

To sum up, if we take the Resolution in its exact terms, both alternatives contained in it are unacceptable to Government on the ground that they interfere with the responsibility of the Executive Government. Secondly, the setting up of any kind of standing body would be a bad precedent having regard to the position which would obtain under Federation to which we must look forward. Thirdly, if we did set up a committee of the character contemplated it is not likely that anything could be referred to it which could not be referred

[Mr. A. deC. Williams.]

to an *ad hoc* body set up for the purpose; and finally it cannot be urged that a committee of this kind is required for purely instructional purposes, having regard to the very great knowledge of defence matters which is revealed in the speeches and questions of Honourable Members of this Council. I would finally say that if Government consider it desirable to take any outside advice in defence matters they will be prepared to constitute *ad hoc* bodies to advise Government on specific points and the association with those bodies of elected Members of both Chambers of the Legislature will be not merely welcomed, as always heretofore, but will be considered absolutely indispensable. (Applause.)

THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) :
 Sir I can not feel enthusiasm, not even satisfaction, for the Resolution which has been moved by my Honourable friend Mr. Sapru; and
 3-5 P.M. the answer which we have heard from the Government just now from their spokesman has confirmed my fear that the Honourable Mr. Sapru has not correctly understood the psychology of the Britisher. Mr. Sapru thinks that if you go with folded hands and with a very modest request and demand what we need in this manner the British people will give us a ready consideration; I hope, Sir, he must have realised now that he is labouring under an error if he believes that. What the Britisher can understand is when you go the whole hog and tell him what you want. If you ask something which is half way he feels the difficulty as practical men feel and as Government said "If we appoint a committee, the responsibility is ours. We will have to carry out the orders of the Secretary of State and the dictates of Whitehall and we shall be faced with this Committee urging upon us reasonable objections to that policy". And they will have either that difficulty of explaining their position to the Committee and carrying conviction with that committee on one hand or of refusing to carry out the orders of Whitehall. Therefore if my Honourable friend had moved a Resolution or taken some steps for having complete control of the defence policy of the country then that would have been a thing which could have been appreciated and understood by the Britishers. The Britisher might not have at the first moment accepted that; he would have felt perhaps annoyed; but ultimately he would have yielded to it, because that would be the logical demand. Now, so far as this Resolution is concerned, the Honourable Mr. Sapru goes and extends a hand of co-operation to the Government. After all the value of such committees under present circumstances is very little. Criticism is very well informed even when our men are not on the committees, but when they are on committees and when sometimes Government members are able to impress, some of their own points on the members of the committee the result is their attitude and criticism is often more conciliatory than it would have been without that contact in the committees. Yet even in this hour of danger the Government of India is not prepared to accept that hand of co-operation which has been extended by a moderate member of this House in a very moderate speech. Practical difficulties, constitutional difficulties and what not, all sorts of difficulties have been urged by Government. Certainly where there is a will there is a way; where there is no will there is no

way and a hundred and one difficulties arise and they cannot be solved. We have the example of other Standing Committees also. The argument was used by Mr. Williams and he himself admitted that there are similar committees with regard to other subjects and those difficulties do not lead Government to dissolve them. If this was correct and if Government were convinced that this difficulty was so insuperable, then the only thing for them to do would be to dissolve all those committees this very moment. They do not do that, but they object to having a Defence Committee. Sir, this is a subject which Government has been keeping, as has been observed before, a close secret. I have persistently asked some questions as to the number of Indian officers and every time I asked that question I was referred to the *Army List* which contains, I suppose 600 pages, and I was asked to hunt up the names of Indian officers from page to page and to find out the number for myself. As against this a question which was put in the British House of Commons in the month of June as to the number of Indian officers in the army a straight answer was given that there were so many—144 or something like that of Indian officers—and therefore I asked a question again in this House and the Government's reply was again of the same character and nature. They said "Yes, Government is aware of the question asked in the House of Commons". Of course the Government would be; when a question is asked about it, they must have read the Report of the Commons. My question was not asked merely to enquire "were you aware of it?" But to bring out the distinction that is made. When the members of this House ask you as to what is the number of each rank of Indian officers, then you refer them to the *Army List* and when a member in the British House of Commons puts that question, although he is 7,000 miles away from this country, he immediately gets the answer. That only illustrates the attitude of the Government on the question of Defence. On the Defence question the members of the Council gathered some information after a great deal of trouble and enquiry. Yes, it suits the Government now to say that the members' criticism is very well informed. Well, if it is so well informed and most moderate, as it has been, it should be welcome to Government to enlist their co-operation. Have Sir A.P. Patro on the Committee if you like. But even his co-operation in the matter of defence is not wanted by Government. Another point which Government is now in the habit of making is that as responsibility is to come in the centre in the near future there will be responsible ministers and it will be creating a difficulty for them if a committee like this is now set up. I do not know whether they believe themselves in that argument. If they did, would they continue having similar committees which have been functioning for so many years? And I do not understand how it will embarrass Ministers of the future if such a committee is formed now. Co-operation of opposition parties can be sought. In such an important matter as defence, opposition ceases to be opposition in a sense; opposition will join hands with the Government of the day and the Ministers. A responsible minister can be turned out the next day if he has not public opinion with him; but public opinion may be a hundred times against the present Government, yet they sit tight in their seats knowing perfectly well that public opinion can not oust them. But would that be the position of a responsible minister? No, Sir. The responsible Minister, may himself prefer

[Mr. G. S. Motilal.]

to set up a committee of the kind suggested in the Resolution. In the British House of Commons several committees are set up, as also in other countries. Take the case of the United States; a good many committees are set up for different purposes. This is particularly the case in France. Doubtless the responsibility will ultimately lie with the Minister and the members of the Legislature. It may be that he may select a committee of members of his own Party. The Opposition may not like to join that committee but that will not prevent his being responsible to the Legislature and this argument is certainly not an argument which could be used with any cogency.

Now, another argument which has been trotted out is about the secrecy. Sir, secrecy will be necessary with regard to certain Military operations. It will be only on certain matters that Government will refer Defence Questions to the proposed committee. But these Secret matters will not be referred. The Resolution does not say that every matter should be referred to this committee. My friend has made it clear in his speech that the purpose of the Committee is to advise Government on the formulation of the Defence policy. Certainly, under the present position, Government is responsible for the defence policy and this committee is merely an advisory committee which will put the Government in possession of the views of the people and I am sure the Government spokesman will also admit that the views of the Members of the Legislature have been useful to them. I know experts hold a very high opinion of their own views it cannot however be denied that Military experts are not infallible. The opinion which a very great General of India held of the French Army, as Lloyd George says in his Memoirs, was that the Germans would walk through the French Army like a man going through a field of partridges. The French however put up a very stubborn resistance and the Military experts opinion turned out to be wrong. I do not think that the Government of India will say that their Army officers and their experts always are in the right and never in the wrong. They are human beings, and are liable to err. When they are face to face with others who hold other opinions, it gives them an opportunity of considering the viewpoint of others. It is with this object that this Resolution has been moved. Government could not have done any harm to themselves by accepting this Resolution. It would not have disturbed them out of their present position. If any thing it would have helped them. I am sorry, Sir, that this attitude has been taken up by Government. I wish my friend, Mr. Sapru will realise that he should have asked for nothing short of the complete control of the Defence forces. Let us make up our minds that we shall have it.

THE HONOURABLE MR. P. N. SAPRU: Mr. President, the first speaker on my Resolution was Mr. Kalikar and, of course, he supported my Resolution with the ability which is characteristic of him. I am thankful also to Mr. Bata Singh for the support which he gave. Then I had my honoured Leader, Sir Phiroze Sethna, supporting this Resolution and he gave a warning to us which I hope will not be lost upon the Government. But more valuable even than the support of my honoured Leader, Sir Phiroze Sethna, was the support of Sir A. P. Patil. He does not ordinarily vote with us and therefore I say I value his support very much. He was in favour of the principle of the Resolu-

tion. He did not quite like the first part of the Resolution, but he was in favour of the second part and I think it is an achievement that we have the support of Sir A. P. Patra. He made a very thoughtful speech. He spoke about the National Militia, the University Training Corps, and the Auxiliary Force. All these are things which could be referred to the committee. And on the University Training Corps he supplemented what I had to say as regards the functions which I visualise for this committee.

Then I had my former Deputy Leader, Mr. Hossain Imam, also speaking on this Resolution. He seemed to suggest—he did not exactly say so—but he thought that if this Resolution had not come from me he would have put it down as an inspired Resolution. Mr. Williams' speech must have disillusioned him about any such idea which he might have entertained. He said he was in favour of control of the Army. I never said I did not want control over the Army. As a matter of fact, we want the fullest control over the Army, but as practical men we are always prepared for a compromise in the solution of the Indian problem.

Then we had the Leader of the Congress Party, Mr. Ramadas Pantulu, speaking on this Resolution. He said he was prepared to support the first part but not the second part. I could not understand his objection to the second part of the Resolution. The second part of the Resolution was attacked by Mr. Williams and also attacked by Mr. Pantulu. If Mr. Pantulu had cared to look at the second part, he would have discovered that I have spoken of a committee preponderatingly non-official in character.

THE HONOURABLE MR. RAMADAS PANTULU : Yes, nominated.

THE HONOURABLE MR. P. N. SAPRU : Well, I did not say nominated. It was open to him to move an amendment that this non-official element should be elected. And if he had moved an amendment of that kind I would have been glad to accept it. Then he went on to criticize some portions of the speech of Sir Phiroze Sethna and he seemed to suggest that Sir Phiroze Sethna stands for something lower than Dominion status within the meaning of the Statute of Westminster. I think I have the authority of Sir Phiroze Sethna that we all on this side of the House stand for Dominion status within the meaning of the Statute of Westminster and therefore there is no difference between us and Mr. Ramadas Pantulu. There is only this difference between us. He talks of independence outside this House. We do not talk about independence outside this House. Then I had the valued support also of Mr. Parker.

THE HONOURABLE THE PRESIDENT : You have already occupied seven minutes. You had better refer to Mr. Williams' speech.

THE HONOURABLE MR. P. N. SAPRU : I will finish in time. I had the valued support also of Mr. Parker so far as the principle of the Resolution is concerned.

I will now come to the speech of Mr. Williams. First of all, Sir, I desire to express my appreciation of the very conciliatory tone of his speech but, while I express appreciation of the conciliatory and thoughtful tone of the speech, I must say that I am disappointed with his "No". He said that, if Government appoint a Standing Committee, there will be an obligation on their part to consult the committee. Well, you have committees attached to so

[Mr. P. N. Saprú.]

many other Departments. Do you think that there is an obligation on your part to consult those committees? Do the Railways always consult the members of the Railway Committee in regard to railway questions? Does the Post and Telegraph Department consult the members of the Post and Telegraph Committee—I do not know if it ever meets—in regard to all matters?

Then he said that so far as advice on defence policy is concerned, that advice can only be on matters of detail. I do not know what is a matter of detail, and what is a matter of principle. Indianization is not a matter of detail; Indianization is a matter of principle. How the Indian Military Academy is to be run is not a matter of detail; it is a matter of principle. The Waziristan policy is not a matter of detail. There are wide questions of principle involved in the Waziristan operations. I could similarly go on multiplying these examples.

Then he pointed out certain objections to part (b), which he said might be regarded as more reasonable. He pointed out certain constitutional difficulties and said that the Executive Government could not bind itself to follow the advice. I did not say that the Executive Government should bind itself to follow any advice tendered by the committee. But his difficulty was that if the Executive Government did not follow the advice, they will be in an awkward position. Are you not in an awkward position when you do not follow the advice of this Council? What happens when we move a Resolution, when all the non-official Members support that Resolution and that Resolution is lost with nominated and elected votes? You can push that argument, if you like, too far.

Then he went on to point out what the position will be under Federation. He said that Defence will not be the concern of the Ministry, and the Ministers will have to advise the Governor General who will be responsible for it in his discretion. I think the Ministers of the future, having regard to the peculiar nature of the Indian constitution, would like to have an Advisory Committee of this character. An Advisory Committee of this character would rather strengthen their hands *vis-a-vis* the Governor General in Council, and *vis-a-vis* the Commander-in-Chief, and that is the real reason why the Military authorities do not want a committee of this character. The Ministers will always be able to say, "We are in this difficulty; we have got a following to maintain or to please in the Legislature. This committee is a microcosm of the Legislature and this is the view of the committee". This committee, therefore, instead of impairing the responsibility of the Ministers will strengthen their position *vis-a-vis* the Defence Department. I think that is the real objection to this committee, and that is why Government are not prepared to accept this Resolution. I think it is not beyond the wit of man, as Sir Leslie Hudson said, to devise a scheme whereby the Legislature could be associated. I can suggest certain methods within the terms of the Government of India Act. I can suggest methods of associating more intimately the Legislature. But as I have not time, I will not go into those methods.

Much was made about secrecy. I said that it would be open to His Excellency the Commander-in-Chief to place any papers he pleased before the committee. The Railway Department, I think, does not place all the papers before

the Railway Committee. This can be done with regard to this committee also.

Then, Sir, reference was made to *ad hoc* committees. It was said that *ad hoc* committees have been set up from time to time. What has been our experience of those *ad hoc* committees? Have the recommendations of these *ad hoc* committees ever been given effect to? You have set up *ad hoc* committees no doubt, but their recommendations have never been given effect to in full.

Then, Sir, the Honourable Mr. Williams paid us a compliment by stating that public opinion in this country is as well informed as in any other country in the world in regard to defence matters. I think, Sir, that is a great compliment to us and we ought to utilize that compliment for pressing for full control over Army administration.

I have just one word to say about my Honourable friend Mr. Motilal. I cannot miss this opportunity of replying to that remark of his. He spoke of the psychology of the Britisher and he said that I do not understand the psychology of the Britisher. He, of course, understands the psychology of the Britisher. He is a Congressman. I would like to ask him, "What are Congressmen doing in the provinces"? Are they not in the provinces in love with the Services? Is there not mutual interchange of compliments between them and the Services? Therefore, Sir, it is no use making a remark like that. I understand the psychology of the Britisher just as much as he does. But I also understand the psychology of my own people and I also understand the limitations under which we have to work, and it is because I understand the psychology of my own people and the limitations under which we have to work that I have ventured to put forward this modest Resolution and I hope, Sir, this Resolution will have the approval of the House.

THE HONOURABLE THE PRESIDENT: Before I put the Resolution to the vote of the House, I may inform the Council that I have found in the course of the debate that there were two opinions about alternatives (a) and (b). Some were in favour of alternative (a) and some were in favour of alternative (b). Under Standing Order 67 I have discretion to divide the Resolution and put it in two parts. I want to know from the Honourable Mover of the Resolution and other Honourable Members if they desire the Resolution to be divided into two parts.

THE HONOURABLE MR. P. N. SAPRU: I would like it to be divided into two parts.

(Some other Honourable Members: The Resolution might be divided.)

THE HONOURABLE THE PRESIDENT: I understand that it is the general sense of the House that I should divide the Resolution into two parts.

THE HONOURABLE MR. RAMADAS PANTULU: So far as my Party is concerned, we do not agree with the second part but if the Resolution is put as a whole, we are prepared to vote for it.

THE HONOURABLE THE PRESIDENT: I will put it separately. You can exercise your vote as you like.

Resolution moved :

" This Council recommends to the Governor General in Council to associate more closely the Legislature with the formulation and direction of defence policy by the appointment of a Standing Committee of the Legislature to advise on defence policy."

Question put : the Council divided :

AYES—9.

Bata Singh, Hon. Sardar.

Kaliker, Hon. Mr. V. V.

Mitha, Hon. Sir Suleman Cassum Haji.

Motilal, Hon. Mr. G. S.

Pantulu, Hon. Mr. Ramadas.

Ram Saran Das, Hon. Rai Bahadur Lala.

Ray Chaudhury, Hon. Mr. Kumarsankar.

Sapru, Hon. Mr. P. N.

Sethna, Hon. Sir Phiroze.

NOES—23.

Charanjit Singh, Hon. Raja.

Das, Hon. Rai Bahadur Satyendra Kumar.

Devadoss, Hon. Sir David.

Ghosal, Hon. Sir Joana.

Govindachari, Hon. Rao Bahadur.

Haider, Hon. Khan Bahadur Shams-ud-Din.

Hydari, Hon. Mr. M. S. A.

Ismail Ali Khan, Hon. Kunwar Haji.

Jagdish Prasad, Hon. Kunwar Sir.

Khurshid Ali Khan, Hon. Nawabzada.

Lal, Hon. Mr. Shavaz A.

Manon, Hon. Sir Ramunni.

Muhammad Yakub, Hon. Sir.

Mukherjee, Hon. Sir Satya Charan.

Nixon, Hon. Sir John.

Parker, Hon. Mr. R. H.

Patro, Hon. Sir A. P.

Roy, Hon. Mr. S. N.

Russell, Hon. Sir Guthrie.

Slade, Hon. Mr. M.

Stokes, Hon. Mr. H. G.

Thorne, Hon. Mr. J. A.

Williams, Hon. Mr. A. deC.

The Motion was negatived.

THE HONOURABLE THE PRESIDENT : Mr. Sapru, before I put the second part will you agree to the substitution of the word "adopt" for the word "by" after (b) in your Resolution ?

THE HONOURABLE MR. P. N. SAPRU : Yes, Sir.

THE HONOURABLE THE PRESIDENT : Resolution moved :

" This Council recommends to the Governor General in Council to adopt such other practicable measures consistent with the present constitutional position as may be recommended by a committee preponderatingly non-official in character appointed for this purpose."

Question put : the Council divided :

AYES—9.

Abdus Sattar, Hon. Mr. Abdur Razzak Hajee.

Bata Singh, Hon. Sardar.

Hossain Imam, Hon. Mr.

Kaliker, Hon. Mr. V. V.

Mitha, Hon. Sir Suleman Cassum Haji.

Patro, Hon. Sir A. P.

Ram Saran Das, Hon. Rai Bahadur Lala.

Sapru, Hon. Mr. P. N.

Sethna, Hon. Sir Phiroze.

NOES—22.

Charanjit Singh, Hon. Raja.	Menon, Hon. Sir Ramunni.
Das, Hon. Rai Bahadur Satyendra Kumar.	Muhammad Yakub, Hon. Sir.
Devadas, Hon. Sir David.	Mukherjee, Hon. Sir Satya Charan.
Ghosal, Hon. Sir Josna.	Nixon, Hon. Sir John.
Govindachari, Hon. Rao Bahadur K.	Parker, Hon. Mr. R. H.
Haidar, Hon. Khan Bahadur Shams-ud-Din.	Roy, Hon. Mr. S. N.
Hydari, Hon. Mr. M. S. A.	Russell, Hon. Sir Guthrie.
Ismail Ali Khan, Hon. Kunwar Haji.	Slade, Hon. Mr. M.
Jagdish Prasad, Hon. Kunwar Sir.	Stokes, Hon. Mr. H. G.
Khurshid Ali Khan, Hon. Nawabzada.	Thorne, Hon. Mr. J. A.
Lal, Hon. Mr. Shavax A.	Williams, Hon. Mr. A. de C.

The Motion was negatived.

INDIAN SUCCESSION ACT (AMENDMENT) BILL.

THE HONOURABLE SIR PHIROZE SETHNA (Bombay: Non-Muhammadan): Mr. President, with your permission, I move that the Honourable Mr. Shavax A. Lal be appointed to the Select Committee on the Bill to amend the Indian Succession Act, 1925, as respects intestate succession among Parsees.

The Motion was adopted.

RESOLUTION *RE* PREFERENTIAL TREATMENT IN RECRUITMENT TO PUBLIC SERVICES FOR VOLUNTARY SANITARY AND UPLIFT WORK.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY (East Bengal: Non-Muhammadan): Sir, I beg to move:

"This Council recommends to the Governor General in Council that with a view to encourage voluntary services being rendered by people of India for the sanitary and intellectual uplifts of the centrally administered territories and to set an example to the provinces of India the rules of recruitment of the public services by the Government of India be so altered as to give some preference to those candidates who have rendered such voluntary service for a period to be fixed by the Government of India."

Sir, the Sapru Committee upon Unemployment at page 92 of their report state:

"Upon the evidence before us we entertain no doubt that the vast majority of the products of our Universities and their parents share the feeling—aim at securing some appointment or other in Government Service."

This, I submit, is not only true in the United Provinces alone, but throughout all the provinces in India and is mainly due to want of other avenues of employment on account of the backward nature of industrial development of India and the overcrowding of all independent professions! As a consequence, all Universities are overcrowded and there is a large number of unemployed educated young men in the country. There is thus ample material available and eager to serve the Government, if suitable opportunities are given to

[Mr. Kumarsankar Ray Chaudhury.]

them to serve their country. The report on the progress of the schemes financed from the grants for rural development also lays great stress on the voluntary efforts of the people by way of labour, land and pecuniary contributions for the success of the scheme on account of the immense amount of money required for the rural uplift in all spheres of its activities.

The large mass of the Indian population is uneducated and illiterate. The Royal Commission on Agriculture say :

" Very few boys (less than 20 per cent.) stay four years at school. As it takes at least four years to achieve lasting literacy it may be said that a very large proportion of the expenditure on primary education is wasted so far as its aim is to make the people literate. This is due to the fact that the people of India are poor and cannot afford to pay for their boys' education and to keep them from being employed in useful occupation for a long time —"

THE HONOURABLE MR. J. A. THORNE : I am sorry to interrupt the Honourable Member, but I am only seeking for guidance. I am not sure whether this is a quotation from the Sapru Committee Report or where the quotation ended ?

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : I had already referred to the Royal Commission on Agriculture and I was quoting from that.

THE HONOURABLE MR. J. A. THORNE : I am sorry. Still quotation ?

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Countries far less poor than India have had to enforce compulsion for the education of their children and as the Royal Commission on Agriculture suggest :

" The progressive adoption of the compulsory system is the only means by which may be overcome the unwillingness of parents to send their children to school and to keep them there till literacy is attained "

Coming to secondary education this is what the Royal Commission say :

" The value of secondary education for the boy from a rural area has hitherto lain in the road it has opened out to him for work in the towns. In three provinces, Madras, Bombay and Bengal the saturation point was reached some years ago "

And that is the case also in the United Provinces as stated by the Sapru Committee ; and the Royal Commission suggest :

" In so far as it is accentuated by the drift of educated boys from the villages to the towns, there to swell the ranks of the educated unemployed, it can only be remedied by the spread of education in the rural areas in combination with an improvement in the amenities of village life "

And the Sapru Committee adds :

" by giving to education in the primary and secondary stages more or less a vocational bent "

Mahatma Gandhi has drawn up a scheme of education which is directed to the attainment of the above objects and it is now before the country for some time. Instead of adopting similar schemes what the educational policy of the Government of India has been as recently published in the papers, is to declare the failure of the scheme hitherto adopted and to close a large number of schools although the number of students is gradually increasing and spending more money on buildings and supervision in the name of efficiency. This is the state of affairs with regard to primary education, but as a large percentage

of the Indian population is illiterate, what is thus more important even for purposes of primary education as well as itself is the question of adult education which was brought forward the other day before a meeting of the Adult Education Society. Sir, there are two ways of shelving a problem in India, one is the appointment of a commission and when a commission reports and matters can no longer be suppressed, things are suggested to be done in progressive stages and the process continues for a short period and then retrogression sets in. That is exactly the educational policy followed by the Government of India. India has too long waited for their material and intellectual progress and it is high time that these questions should be taken up immediately and boldly faced. The solution of the educational problem will also solve the question of employment of educated young men for a long time to come and will be greatly facilitated by the eagerness of the educated young men to render voluntary service to their country which has been fostered and encouraged so long by Congress activities, now that Congress has taken up the reins of government in the provinces, if additional incitement is given to their young men by way of granting special privileges as suggested in my Resolution, to render such services.

I now come to the question of the improvement of rural sanitation. This has got to be seen from the medical and engineering point of view. Dealing with both the medical and engineering professions the Sapru Committee observed that they are highly over crowded. Young men with medical degrees do not want to go to the villages and overcrowd in towns mainly because the people in the villages are too poor to pay for the higher charges of allopathic treatment and too illiterate to appreciate its benefits. Instead of encouraging these trained young men to go to the villages by assuring them some means of sustenance and supplying them with medicine at low cost what the Government has been doing is to supply medicine boxes to lay or insufficiently trained men in the mufassil to do whatever they can by way of medical treatment of the people in the villages so that allopathic treatment is becoming more unpopular there. My submission is that these young medical graduates should be encouraged to go to the villages by the grant of small subsidies and in the recruitment to the medical services in India which will be largely augmented if any bold scheme of health improvement is adopted ; special favour should be shewn to those young men who have rendered such services in the villages.

Those who will get employed in the permanent services will be amply rewarded for the service rendered by them and those who can't, will find it congenial for them to continue in their private practices there. But the question of the improvement of rural health in India is more important from the engineering point of view than the medical and the engineering services of the Government have unfortunately of late been more curtailed than improved. Malaria, plague and other epidemic diseases can be controlled and removed more by engineering measures than by medical measures. Better housing, better planning and better drainage are more important than more medicine not only for curing but for preventing the ravages of these fell diseases and these are the crying needs of the people in the villages where all houses

[Mr. Kumarsankar Ray Chaudhury.]

are either without windows or too close to one another or too near burrow pits dug for purposes of raising their levels in low-lying tracts. Sinking of wells and the prevention of their contamination and the clearing or closing up of old tanks and cess pools and better drainage ought immediately to be taken up. People in the villages in India thanks to her old civilization are intelligent enough to understand the benefits of sanitary improvements if they are properly explained to them and means are adopted suitable to their capability. They have, as the rural development report recognizes, been eager to render voluntary services by way of free labour and contribution of land for sanitary improvement in the villages if proper lead is given to them ; for this engineers are required in larger numbers and they can be made readily available if some special favour be shown to those who render such services in the recruitment of the permanent engineering services in the country. This special favour may also be shown not only to the engineers but also to the subordinate staff employed voluntarily in rural uplift work in the employment of the subordinate staff not only of the Public Works Departments of the Government, but also in the employment of the services of the municipal, district board and other quasi-public bodies in India. I shall now bring my observations to a close by reminding the Government of India that the question of rural uplift is more a concern of theirs than the Local Government. It is primarily an economic question, a higher standard of living of the masses giving more opportunities to the educated classes to serve them and involves the economic uplift of the agricultural masses, the development of large and small scale industries all of which can only be tackled by the Central Government by the sympathetic and skilful handling of their exchange and monetary policy and by the raising of large loans at advantageous moment and terms in the true interests of India and not that of Great Britain as it has up to now been doing as is apparent from the nature of rural development schemes adopted by the Government of India in the minor provinces under its control as contrasted with those adopted by the Provincial Governments. For while we find that in the provinces various schemes of mass education, village communications, rural water supply, rural sanitation, industrial schemes, consolidation of holdings, improvement in fruit growing, debt conciliation, marketing facilities, cattle breeding, have been adopted and are being experimented upon ; in the minor provinces of Delhi and Ajmer-Merwara which are under the control of the Government of India, mere repair works of existing roads and wells have been undertaken and some medicine chests have been distributed to school teachers and several tanks and wells have been sunk in Coorg.

The Government of India have recently been trying to introduce some sort of preliminary test for the recruitment of their services ; this has met with opposition from all quarters. The object of my Resolution is also similar, but it will while not shutting out any candidate give some encouragement and preference to those who have offered their helping hand for the uplift of the country.

THE HONOURABLE Mr. J. A. THORNE (Home Secretary): Sir, the professed aim of this Resolution is to encourage sanitary and intellectual uplift,

primarily in the centrally administered areas and ultimately, through the example set in the centrally administered areas, in the rest of India. Well, Sir, I do not see how any Member of this House can quarrel with that intention. And certainly I think I can say that no Englishman can quarrel with the aim so expressed. It is, I think, no exaggeration to say that in England, more perhaps than in many other countries, the ideal of voluntary social service is a real one which appeals to a large number of people and which is practised by many people throughout their lives. My Honourable friend referred to the educational curricula of India. It is perhaps relevant to mention what is done in English schools in these days. We owe a great deal to the example and guidance of His Majesty the King, and as a result in English schools there are movements for bringing boys of all communities and countries together, assisting them to understand each other's outlook and inspiring both mutual understanding and among the more fortunately placed boys the ideal of social service. And, as I said, that is one which many English folk practise throughout their lives; and it is by no means unusual, when a man has retired from Government service or the professions, even from the Indian Services I may say, it is not unusual for him to give a great deal of his time and labour to assist the less fortunate classes of the community. So that, if I proceed to condemn or to state my reasons for not accepting the Resolution as worded, I trust I shall not be accused of any lack of sympathy with the Honourable Member's aim. I might perhaps state a playful complaint at this stage that he has designed this scheme only for the public services to which recruitment is made by the Government of India. I would say, why should the public services be selected for a scheme of this sort? Why should we not pass a law that no one can set up in business as a lawyer or doctor or any other profession without having rendered voluntary service of this kind? And we might even suggest that it might be made an essential preliminary to becoming a Member of a House of the Central Legislature! But my Honourable friend has pitched on the Services of which

4-5 P.M.

I am a member and I must do my best to repel the attack on them and leave it to the sense of fairness of the House to decide if we should have been selected. I suggest that the means which my Honourable friend has put forward for achieving his end are entirely impracticable. In the first place I would say that the Resolution itself is a contradiction in terms. It is really a misnomer to talk of voluntary service when you require it, or if you do not actually require it to lay stress on it as entitling a person to preference in recruitment to Government service. I suggest that if this scheme were introduced, every young public worker will be under suspicion—and rightly under suspicion—as a job seeker. His service might or might not be voluntary but he would certainly not get the credit for the spirit of social service, and the result might easily be actually to discredit social service and to undermine the spirit of service that does exist among many people who are ready to render it without any thought of a material return.

Then, Sir, the Honourable Member has left the period to be fixed by the Government of India, but we must have some idea of what period it should be—six months, a year, two years—(An Honourable Member: "Nine months".)

M52CS

[Mr. J. A. Thorne.]

Well, nine months preliminary period of service, I suggest, would produce no effect. There will be no continuity. The young man would put in his nine months; he would then lay down the tools of his social and intellectual uplift with a sigh of relief and he would hasten into the Government office where he might be free for the rest of his life from the obligation to render voluntary service for material gain.

So much from the point of view of the worker candidate. But I suggest that from the point of view of Government it would be quite incompatible with the duty of Government to accept this Resolution. It is a Government's duty to obtain for public business servants who are fitted for the efficient performance of their duties. We recruit for particular duties, very often of a technical and somewhat specialized nature, and we should not be justified in importing into the terms of recruitment criteria which would be wholly irrelevant to the duties they would have to perform. My Honourable friend talked of medical work and educational work, that is to say, service rendering such work. But I would remind him that we are dealing with the centrally administered areas, that is, the Chief Commissioners' provinces. We do not recruit a vast number of people to render medical or educational service in those areas. The greater number of the appointments made by the Government are not for work in the Chief Commissioners' provinces in medical and educational capacities but for work in quite other capacities. To take from the list at random, it seems impossible to say that the Bengal pilot would be a better pilot because he had put in his six or nine months in the rural areas of Delhi or in the jungles of Panth Piploda or in the forests of the Andamans, and one must say the same of the customs appraiser or the income-tax subordinate, the wireless operator and many such jobs of that kind which absorb far greater numbers than the services under the Government of India which are responsible for activities such as those to which my Honourable friend referred. But, in any case, we are entitled to ask him to fill in the details. I have listened to him with some attention but I could not gather from my Honourable friend's speech any guidance as to how the scheme is to be worked and that, I think, is a serious omission, because it must occur to every one on reading the terms of the Resolution that it is of a very difficult type to put into action and a great deal depends on the machinery and the methods which are to be used in giving effect to it.

Well, Sir, first, would this social service—so-called voluntary service—be honorary? If so, I suggest that that in itself shuts out a large number of deserving candidates and gives a decided preference to those who can afford to give honorary service for the period required. Then, Sir, as I have said just now, we recruit for various localities. The customs appraisers, for instance, or the income-tax staff—all these are locally recruited in Governors' provinces. I think it is quite out of the question for the Central Government to invade Governors' provinces with their armies of people engaged on uplift. It is clear that we should have to confine their operations to the areas where we have executive authority, that is to say, the Chief Commissioners' provinces. And that again raises the difficulty how, for instance a customs appraiser to be

appointed at Karachi is to be given the necessary training or opportunity of service in areas which are open to us. Then again, Sir, how does my Honourable friend propose that these candidates shall be tested and sifted? We all know that the difficulty of Government is not to get the employees but to choose from among the great numbers who apply for employment those who are best qualified for the work. It follows that if we set up a scheme of this sort with a system of preliminary probation in social service, we shall have by some competitive means to decide which of them have best carried out the duties to which they have been assigned, and which of them have thereby earned the appointment in Government service to which they have been attracted by this probation of social service. I cannot myself conceive how we can lay down a curriculum to be followed by our candidates in the various parts of India, how we can test them, how we can give marks, how we can ascertain in any way which of them had fulfilled the requirement of really efficient and good social service. Then, Sir, there are other problems, but I will not detain the House by going into details. If you are going to ask young men to spend a certain time on voluntary social service you will have to raise the age limits for Government service and therefore initial pay; and so on.

I think I have said enough to make it clear that the plentiful difficulties are such as to render it impossible for Government, however earnestly they may sympathise with the aim of my Honourable friend, to accept the terms of this Resolution.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Sir, I shall deal with my friend's observations in the reverse way, beginning at the end and then coming to the beginning.

He says he has sympathy with the idea but says that there are a great number of practical difficulties. One of them is that I have given him no details, and another is as regards the manner of selection and the rules of recruitment. My submission with regard to details is that it is not possible to give all the details in a Resolution, and so I have said that some preference should be given to these people. I do not say that the rules of recruitment now existing should be absolutely given the go-by. They should remain. Where the recruitment is made by the Public Service Commission examination, the examinations will remain. Where the recruitment is made by private selection of candidates, that will remain. The only thing that I want is that in addition to these tests which already exist some additional favour should be shown to those persons who have rendered these services. That is with regard to the details of the scheme and the practical nature of the scheme. There is no difficulty if there is an intention to adopt the Resolution as my Honourable friend has said he has full sympathy with this idea.

Then my friend spoke about volunteers being made job-seekers. Well, Sir, all people in this world are more or less job-seekers, and if some encouragement is given to them to do philanthropic work I do not know what serious objection can be raised on behalf of the Government?

[Mr. Kumarsankar Ray Chaudhury.]

Then he said that the period of service is not fixed. That should be fixed by the Government, if they have to bring out a scheme. I cannot force the Government to adopt a particular period of service. That will depend on the nature of the service.

THE HONOURABLE MR. HOSSAIN IMAM (Bihar and Orissa : Muhammadan) : Has any Provincial Congress Government accepted this ideal ?

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : I am not a member of any Provincial Congress Legislature and I do not know whether anybody has done it. I am here to press it upon the Government of India and I have felt it my duty to press it here. That is my position. And the service rules of the Government of India cannot be changed by the Provincial Governments.

THE HONOURABLE MR. HOSSAIN IMAM : What about provincial appointments ?

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : Nor can the provincial rules be changed, I submit, without the sanction of the Central Government.

THE HONOURABLE MR. HOSSAIN IMAM : That is not the position under the present constitution.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : My Honourable friend Mr. Thorne went further than me at the beginning of his speech and he said that compulsory service should be introduced.

THE HONOURABLE MR. J. A. THORNE : No, Sir.

THE HONOURABLE MR. KUMARSANKAR RAY CHAUDHURY : That has been done in many countries, but we are not concerned with those countries and the policy the Government have adopted there. The Communist and Fascist Governments may have done that. My scheme is a humble one. It only asks Government to give some preference to these people so as to encourage them to render voluntary service without which there is no immediate prospect of the uplift of this country.

Then he says the work should be honorary. I have not stated in my Resolution whether it should be honorary or not but I have in my speech said that no one can be expected to serve unless he has the means of sustenance and such sustenance must be granted to them for the period for which they serve.

I think that covers all the points raised by my Honourable friend.

THE HONOURABLE THE PRESIDENT : Resolution moved :

" This Council recommends to the Governor General in Council that with a view to encourage voluntary services being rendered by people of India for the sanitary and intellectual uplifts of the centrally administered territories and to set an example to the provinces of India the rules of recruitment of the public services by the Government of India be so altered as to give some preference to those candidates who have rendered such voluntary service for a period to be fixed by the Government of India."

The Motion was negatived.

HINDU POLYGAMOUS MARRIAGE RESTRAINT BILL.

THE HONOURABLE MR. G. S. MOTILAL (Bombay : Non-Muhammadan) :
Sir, I beg leave to introduce—

“ A Bill which seeks to declare illegal polygamous marriages among Hindus.”

The Motion was adopted.

THE HONOURABLE MR. G. S. MOTILAL : Sir, I introduce the Bill.

STATEMENT OF BUSINESS.

THE HONOURABLE KUNWAR SIR JAGDISH PRASAD (Leader of the House) : Honourable Members must have noticed from the agenda for Thursday, 8th September, already circulated that the Motion for consideration and passing of the Criminal Law Amendment Bill will come up before the House on that day. If the Bill is not disposed of on that day it is proposed to continue the discussion on Monday, the 12th September.

The Council then adjourned till Eleven of the Clock on Thursday, the 8th September, 1938.