

LEGISLATIVE ASSEMBLY.

Monday, 28th March, 1921.

The Assembly met in the Assembly Chamber at Eleven of the Clock. The Honourable the President was in the Chair.

STATEMENTS LAID ON THE TABLE.

Mr. S. P. O'Donnell: I lay on the table the information promised in reply to a question by Mr. Mahmood Schammad Sahib Bahadur on the 5th March 1921, regarding the recruitment of Muhammadans in the Government of India Secretariat and offices attached thereto.

Statement showing the number of Assistants and Clerks permanently employed in the Ministerial Staffs of the various Departments of the Government of India Secretariat (and attached offices) classified according to communities or nationalities.

Departments (including attached offices).	Europeans and Anglo-Indians.	Indian Christians.	Hindus (including Sikhs and Parsis).	Muhammads.	Total.
Home (i)	49	1			
Foreign and Political	41	2	66	38	154
Finance (ii)	5	4	37	8	88
Education	9	2	41	7	57
Commerce	19	5	56	22	89
Revenue and Agriculture	21	...	322	20	366
Legislative (iii)	13	1	169	40	230
Public Works	11	...	22	10	46
Railway (Railway Board)	18	2	24	7	42
Army	255	...	51	6	77
Industries (v)	6	...	246 (iv)	44	545
Financial Adviser, Military Finance.	2	...	146	56	208
			54	3	59
Total	449	17	1,234	261	1,961

- (i) Including 10 provisionally permanent men in the Home Department and also the Government Examiner of Questioned Documents in the Office of the Director, Intelligence Bureau.
(ii) Excluding the offices of the Comptroller and Auditor General and of the Controller of Currency which are not at present recruited for through the Staff Selection Board.
(iii) In addition to the assistants and clerks shown above there are three Muhammadan translators out of four in the Translation Branch.
(iv) All Indians other than Muhammadans.
(v) Excluding staff which is at present temporary but is likely to be made permanent, as permanent arrangements have not yet been made. Also excludes Mines Department, Office of the Controller of Printing, Stationery and Stamps and the Government Central Press, Calcutta, complete information regarding which has not been furnished.

Mr. H. Sharp: I lay on the table the information promised in reply to a question by Khan Bahadur Sarfaraz Hussain Khan on the 8th March 1921, regarding the student population of British India in Government and Government aided colleges and schools, the number of students of these institutions who have withdrawn and the number of students who have returned to their colleges and schools.

maintenance of internal peace and tranquillity. Now I want that Army to be paid for by India alone, I mean that so far as those purposes are concerned that army is absolutely for Indian interests and should therefore be maintained at Indian expense. Over and above that, my amendment says, there shall be organised Indian troops for garrison duties overseas at the expense of His Majesty's Government. So far as these expenses were concerned, I take it, there was hardly any difference between my view and the view of the Honourable Mr. Hailey and the view of Sir Godfrey Fell. I therefore move this amendment.

The Honourable the President : Without pronouncing upon the military meaning of the words, from the point of view of order within this Chamber, there is not sufficient difference between the word 'organization' used by the Honourable Member and the word 'maintenance' used by Munshi Iswar Saran to justify me in allowing him to move it. I think the Assembly has substantially given its decision upon the same point

Mr. N. M. Samarth : If that be your ruling, I bow to it.

The Honourable the President : So much so that the reply given by Sir Godfrey Fell to Munshi Iswar Saran was of course very nearly the same as would be given to the Honourable Member who is moving this Resolution.

Mr. N. M. Samarth : I wish to see it.

The Honourable the President : The Honourable Member can consult Sir Godfrey Fell in private.

The Honourable the President : The question is :

'That this Assembly recommends to the Governor General in Council that the Army in India should not, as a rule, be employed for service outside the external frontiers of India, except for purely defensive purposes, or with the previous consent of the Governor General in Council in very grave emergencies, provided that this Resolution does not preclude the employment on garrison duties overseas of Indian troops at the expense of His Majesty's Government and with the consent of the Government of India.'

The motion was adopted.

RESOLUTION No. 3.

The Honourable the President : Resolution moved :

'This Assembly recommends to the Governor General in Council that the absence of full responsible Government in India, the differences in conditions between India and England, and the provisions of the Government of India Act do not warrant differentiation in the army administration between India and England in regard to the ultimate control of, and responsibility for, the defence of the country, and that in view of the desirability of assimilating the system of administration in India to that in the United Kingdom, which has been arrived at after prolonged experiments, and the desirability of emphasizing the principle of the ultimate supremacy of the civil power, it is essential that the Commander-in-Chief should, without prejudice to his official precedence, cease to be a member of the Governor General's Executive Council and that the Portfolio of Defence, including Supply, should be entrusted to a civilian Member of the Executive Council assisted by an Army Council including the Commander-in-Chief and other high military experts and a certain number of civilians more or less on the model of the Army Council in England.'

Sir Godfrey Fell : Sir, I should like to say only a few words on this Resolution. As the Assembly is no doubt aware, there used to be a Military Department of the Government of India. That Military Department was in charge of a soldier, of the rank of Major-General, who represented, so to speak, the Government of India side, of army administration. At the same

[Sir Godfrey Fell.]

time there was a Commander-in-Chief, an officer of higher rank than the Member in charge of the Military Department; he was also an extraordinary Member of the Governor General's Council. Lord Kitchener took exception to having to submit his administrative schemes for the sanction of a Department of Government, presided over by a military officer of lower rank than himself. He also objected to the proposals of his principal staff officers, as they would now be called, being noted upon and examined by military officers considerably junior to them in rank; and, as a result of this objection, the Military Department was abolished and there was created instead a Department of Military Supply, also under a soldier of the rank of Major-General. This Department ceased to exist after two or three years; and from that time onwards the whole of the administrative and executive control of the Army has been centred in one person, the Commander-in-Chief and Army Member.

Now, the experience of the great war showed, that at all events under war conditions, the burden was more than any one man could bear. Experience since the war, until the arrival of His Excellency the present Commander-in-Chief, has been to the same effect. The Esher Committee were very much impressed with the necessity for granting some relief to the Commander-in-Chief. They devised, as the Assembly is aware, two alternative methods. One was to relieve the Commander-in-Chief of all responsibility for provision and production, for supply in other words, and also for the administration of the Royal Indian Marine, by creating a new Department of Government, to be placed under a civilian head. The minority of the Esher Committee were not in favour of this arrangement, but proposed instead a Surveyor General of Supply, a high civilian officer working directly under the Commander-in-Chief.

I do not propose, either now or in connection with the next Resolution, to say one word on the merits of these alternative schemes proposed by the Esher Committee. The arguments for and against are clearly stated in the Report itself; I only wish to mention this, that the third solution, which forms the subject-matter of the Resolution now before the Assembly, has naturally not escaped the attention of the Government of India, nor of His Majesty's Government. It is indeed at present under the consideration of His Majesty's Government. The Assembly will, I think, realise that a change of this importance requires very careful examination and very considerable knowledge of the issues involved, and could not be carried out, even if it were approved, until many delicate readjustments have been made in the administrative machinery, so as to define on a satisfactory basis, the relations between the Commander-in-Chief, who under any scheme would have to be retained in his present high position, and a Civilian Army Member. The Government of India propose neither to accept nor to oppose this Resolution, nor the next of the main Resolutions. They will welcome an expression of the Assembly's opinion on both.

I have only one word more to say in connection with this Resolution, and that is this. The matter was touched upon by Sir Sivaswamy Aiyer in his opening speech. The Assembly has to deal with a very difficult problem of Army administration—a problem which is exercising and has always exercised the minds of statesmen in other countries, in Europe and in America, a problem which is never satisfactorily solved. All I ask is this, that in considering this question and in giving their vote upon it, the Assembly will put

on one side that totally irrelevant consideration, namely, the ratio of Indian Members to European Members on the Viceroy's Executive Council. It is open to anyone in this Assembly to raise that constitutional question and to have it thrashed out on its merits. I only ask the Assembly to leave this out of consideration, in dealing with a problem which is sufficiently difficult without this complication.

Mr. T. V. Seshagiri Ayyar: Sir, I rise to oppose the Resolution. Before I do that, may I be permitted to convey the thanks of this Assembly to the Committee for the exceedingly good service they have rendered the House in stating very lucidly the principles which they want the House to accept. It is perhaps curious that the non-official spokesman on this subject should be a Madras and a Brahman, too, who does not belong to one of the warlike classes.

There is only one other matter, before I deal with the question itself, which I should like to mention, though it is rather unpleasant for me to do so. I wish my friend, Sir Sivaswamy Aiyer, had not referred to non-co-operators in the way he did at the end of his speech. This constant nagging at them is not likely to conduce to harmony or goodwill. We are all anxious that there should be close relationship between the Government and them and between them and ourselves. In these circumstances it is not desirable that their belief in 'Soul Force' and other matters should be sneered at frequently in this Assembly.

Now, Sir, on the Resolution itself I shall say only a few words. With Sir Sivaswamy I also cannot understand the reason why, because India has not got responsible government, we should be treated differently from the Colonies. I take it, that the object of the British people in this country is to govern India in the interests of the Indian people.

If that is their object, what does it matter whether we have got full responsible government or whether our affairs are being managed by Englishmen for us? If our affairs are to be managed by Britishers for us, there is no reason for any differential treatment as regards the Army Department between India and the colonies. Now, Sir, the first question I have asked myself in dealing with this problem is, is there any reason why there should be a departure from the *status quo ante*? Hitherto, the Commander-in-Chief has been a Member of the Executive Council, responsible for peace and war, and responsible for military policy. Has Sir Sivaswamy Aiyer assigned sufficient reasons for initiating a departure from the existing rule? In my opinion, Sir, the reasons which he has given are not sufficient for making a departure. He has said, that the organisation of the Army in India should approximate as far as possible to that in England. But, is it possible to make such an approximation so long as we have a Commander-in-Chief in India? There is no Commander-in-Chief in England; there is only the Secretary of State for War at the head of the Army Department assisted by an Army Council. Here we have a Commander-in-Chief who is an experienced and superior officer; and he is assisted, I think, by an advisory board; and the advisory board consists of his subordinates. Now, Sir, let us look at this question more closely. Supposing there is to be an Army Council, who is to be the President of it, the Civilian Member or the Commander-in-Chief? Supposing we say that the Commander-in-Chief is not to be a Member of the Executive Council, and that a Civilian Member should be appointed. Will the Commander-in-Chief be content to remain in the Army Council

[Mr. T. V. Seshagiri Ayyar.]

under the Civilian President? It is altogether unthinkable. If that is unthinkable, if you have a Civilian Member in the Executive Council and if you have a Commander-in-Chief who is at the head of the Army Council, there will constantly be differences of opinion, and I think this arrangement will not lead to harmony; it will lead to considerable friction between the two representatives. Under these circumstances so long as there is a Commander-in-Chief who occupies the peculiar position he does in this country, there is no use in saying, that there should be approximation between the position of the Army in India and of the Army in England. It may be said, Sir, that so far as the Army Council is concerned if it is put on a statutory basis, for example if Letters Patent are issued for the constitution of the Army or if by legislation in this Assembly an Army Council is constituted with a Civilian Member at its head, the position would become better. I do not share in this optimism. At present, the position is, that the advisory board, which I take it would ultimately become the Army Council, consists of persons who are entirely subordinate to the Commander-in-Chief. Under these circumstances, I am not prepared to accept the suggestion that there should be a Civilian as the Member of the Executive Council and that the Commander-in-Chief should be entirely outside this body. On the other hand, the better course would be to give the Commander-in-Chief, as has always been the case, a voice, a predominant voice in matters of peace and war and in all matters relating to military policy. He is not likely to trouble the Executive Council often, and I think he would be content to come here only whenever these important questions are discussed.

There was one passage in the quotation which Sir Sivaswamy Aiyer read, which struck me as being important; that passage was from Sir W. Anson. Sir W. Anson said, that if you have a military man to come for money, it is likely that he will not get it, but if he is a civilian, he is sure to get the money; and I think that should certainly be a recommendation to this Assembly to have in the Executive Council only a Commander-in-Chief to whom we might refuse money and not a Civilian Member whom we may find it difficult to refuse.

There is one other matter which must be taken into account, and that is this. As matters at present stand, the Commander-in-Chief will have his pay, his full pay, and he will have his staff; and if you get a Civilian Member in addition, the country will have to bear additional expense; whereas if you have a Commander-in-Chief who is also a Member of the Council, the country will be spared that expense. That is an argument which I think ought to commend itself to Mr. Hailey and to this Assembly as well.

Under these circumstances, I see no force in the suggestion put forward that there should be a Commander-in-Chief outside the Council and a Civilian Member in the Council.

Sir, these are the only observations that I wish to make, and under these circumstances, having regard to the fact that sufficient reasons have not been advanced for altering the existing state of affairs, I would advise my friend to veto this proposition altogether.

Dr. H. S. Gour : Sir, four alternatives are before this House, and the House should clearly understand the proposition they are called upon to vote for. The first is, shall we have, as we had prior to 1906, a Commander-in-Chief

and a Major-General who was the Military Member in the Viceroy's Executive Council? I may point out, that this proposition has been unanimously condemned by the Esher Committee who have decided that the Executive Committee should not have a Major General as a Military Member sitting side by side with the Commander-in-Chief in the Executive Council. So we may rule out this contingency as no longer open to discussion. There remain now three other possibilities. Let me state them to you. The first is, a Commander-in-Chief as a Member of the Executive Council and no Civilian Member, and the work that he is to do is proposed to be entrusted by the select committee to be done by a Surveyor General; second, that we should have both the Commander-in-Chief as well as a Civilian Member, and in having both, should we follow the recommendation of the six out of the ten members who constituted the majority of the Esher Committee; and the third alternative is, shall we have merely a Civilian Member in the Viceroy's Executive Council and recommend that the Commander-in-Chief be not a Member at all. Now, Sir, I shall advert to every one of these alternatives in their order. As regards the Commander-in-Chief being a Member of the Executive Council, as is the present practice, and which has been the practice since 1909, that is a course recommended by four Members out of the ten Members of the Esher Committee. You will find, Sir, by referring to Part II, page 11, paragraph 17, cogent reasons given why the Commander-in-Chief should be a Member of the Viceroy's Executive Council, and I submit, that after considering the *pros* and *cons*, I feel inclined to the view that this House should vote in favour of the Commander-in-Chief remaining a Member of the Viceroy's Executive Council. My friend, the Honourable Mr. Seshagiri Ayyar, has pointed out that the Commander-in-Chief is too exalted a personage to write despatches upon subjects other than his own. I am sure that a convention could very soon be framed that in matters which do not directly concern his department, such as Education, Industries, Agriculture and so forth, he will be treated as a Member of the Executive Council for purposes purely military. If this convention can be framed, I see no reason whatever why the Commander-in-Chief should not be given a place in the Viceroy's Executive Council. Such, Sir, is the view of four Members of the Esher Committee, namely, Lord Esher, Lieutenant-Generals Sir Hudson, Sir Caine and Major Umar Hayat Khan. Then we have the Majority Report, that is to say, the second alternative.

The majority of the Esher Committee propose that the Commander-in-Chief as well as a Civilian Member be both Members of the Viceroy's Executive Council, and the reasons given by the majority of the members of the Esher Committee are, so far as I can see, that the Commander-in-Chief will have lots to do and he cannot be expected to make arrangements for supplies and provisions in addition to his ordinary duties. Now I submit, that that is no reason whatever for rejecting the proposal of the minority that the Surveyor General should be in charge of munitions and supplies, and that the Commander-in-Chief should take his place in the Viceroy's Executive Council for the purpose of advising and guiding that Council so far as matters relating to his department are concerned.

There is the last alternative suggested by Sir Sivaswamy Aiyer, and one of the alternatives of the Select Committee, namely, that there should be only a Civilian Member in the Executive Council to represent military interests. It has been said, quoting from Sir William Anson, that a Civilian Member, if he presents a military budget, is likely to receive a more favourable response

[Dr. H. S. Gour.]

from Parliament than a purely Military Member. If I know this Assembly aright, I venture to think, that so far as this House is concerned, whether the military budget is presented by a Civilian or a Military Member, it will be open to equal scrutiny, and whatever may be the view in England, with reference to which Sir William Anson wrote his book on the constitution, I submit, that the view of this House would always be to scrutinise the facts and figures, and we shall not vote or refuse any grant merely because it comes from a Civilian or a Military Member. I am assuming, as was assumed in a recent Reuter's telegram, that military affairs are within the control of this House. At the present moment, they are not. I submit, therefore, that that argument need not detain us.

There remains the next question. If you are to denude the Viceroy's Executive Council of the expert advice of the Commander-in-Chief, the Viceroy's Executive Council will have no one to represent the military, and surely it cannot be said, that the Viceroy's Executive Council should be such a civilian body when the military interests may be of large importance in connection with the maintenance of the Indian Empire. As a matter of fact, as the Honourable Members know, they absorb the bulk of our annual revenues. I therefore submit, that it is essential that you must retain the Commander-in-Chief as a Member of the Viceroy's Executive Council, subject to the proviso I have stated, and that should be the vote of this House.

Mr. Harchandrai Vishindas: Sir, I oppose the proposition and support Mr.

The Honourable the President: I should like to ask the Honourable Member who has an amendment in his name if he does not propose to move it, because if he does not, I shall not call his name.

Munshi Iswar Saran: Sir, I beg to move the amendment which stands in my name and with the permission of the House would insert two words. My amendment would then read:

'That in line 1, the words 'in view of' be inserted after the word 'that', and in line 2, the word 'and' be inserted after the words 'Government in India.'

'That the words 'it is considered advisable for the time being that when questions affecting the defence of the country or the army come up before the Executive Council, the Commander-in-Chief should have all the rights and privileges of a member thereof and the appointment of a Civilian Member of the Executive Council in charge of the Portfolio of Defence including Supply be deferred' be substituted for the words from 'and the provisions of the Government of India Act' in line 3 to the end of the Resolution.'

Sir, the question now before the House is whether the House would be in favour of the view that we should have a Civilian Member of the Viceroy's Executive Council or that His Excellency the Commander-in-Chief should continue to be a Member of the Executive Council.

When Sir Galfrey Fell spoke on this Resolution he said that it was a Resolution of considerable difficulty and one which required great thought and considerable knowledge. I entirely agree with him. It is a question of great difficulty and I have given great thought to it, but unfortunately I do not claim to possess considerable knowledge. Now there is no doubt that there will be many amongst us who will be inclined to agree that the administration of the Army in India should be assimilated to the administration as it is in England and that the civil power should be ultimately supreme, but I shall beg the House not to be led away by mere theories but to take the actual facts into consideration. Having regard to all the facts and circumstances, my

submission is, that the Commander-in-Chief should continue, for the time being, to be a Member of His Excellency the Viceroy's Executive Council. As we all know from the Report of the Esher Committee, the system of dual responsibility was tried and found wanting, and it was in the year 1909 that it was abandoned. It is quite possible if there is a Civil Member on the Executive Council representing the Army there may arise occasions of friction. I do not say they will, I only say they may. So why introduce the chance of friction arising while there is none under the present system?

There is considerable force in the argument that the Commander-in-Chief has more work than he can possibly cope with,—the Report of the Esher Committee lays great stress upon this point and I do not think there is any Member of this House who will not feel inclined to give some relief to His Excellency the Commander-in-Chief when he is so heavily pressed with work. I have suggested—and I hope the suggestion will meet with the approval of the House that he should have all the rights and privileges of a Member of His Excellency the Viceroy's Executive Council when questions relating to the Army and of defence come up for consideration. I ask you, how can His Excellency the Commander-in-Chief be particularly interested, for example, in questions relating to co-operation, agriculture, or public works? Why ask him to give away a great part of his time to these questions? Why should it not be placed on an official basis that he should only exercise the rights and privileges of a Member of the Executive Council when any question, however remotely it may be, connected with the defence of the country or affecting the Army comes up before the Executive Council for consideration. My suggestion, if accepted, will afford some relief to the Commander-in-Chief.

Then there was a proposal by the Esher Committee that some official of the Army should be given the right of representing His Excellency the Commander-in-Chief in the meetings of the Executive Council, during his absence, to place the military point of view before the Council. I submit, that we should take away the heavy work from the Commander-in-Chief and make provision that he should be relieved of every responsibility, but we should keep him as a Member of the Executive Council of the Governor General.

There is one matter which should not be lost sight of; we should be very careful to preserve the unity of control for the time being. It may be true, that the system as it prevails in England may be far superior to the system that I am advocating but we have to take the actual facts into consideration.

I therefore submit, that having regard to all these considerations, it is necessary that we should accept in a modified form the proposal of the minority of the Esher Committee. We should have a Surveyor-General who will be a Civilian and who will be under the command of His Excellency the Commander-in-Chief and we should keep the Commander-in-Chief as a Member of the Executive Council only for military purposes. I hope my amendment will find favour with the House.

The Honourable the President : The amendment that has been moved is :

'That in line 1, the words 'in view of' be inserted after the word 'that', and in line 2, the word 'and' be inserted after the words 'Government in India'.'

'That the words 'it is considered advisable for the time being that when questions affecting the defence of the country or the army come up before the Executive Council the Commander-in-Chief should have all the rights and privileges of a member thereof and the appointment of a Civilian Member of the Executive Council in charge of the Portfolio of Defence including Supply be deferred' be substituted for the words from 'and the provisions of the Government of India Act' in line 3 to the end of the Resolution'.

[The President.]

The question I have to put is, that that amendment be made.

Mr. A. D. Pickford : Sir, I think in the matter of this Resolution a very clear distinction wants to be made between two aspects of the question. One is the principle which the Resolution embodies and the other is the question of the best procedure for conducting the affairs of the army in so far as its relations with the Viceroy's Executive Council are concerned. I think really that all this Resolution does is to try and establish the principle of civil control over the military. Immediately we go beyond that and try to decide what is the best method, then I feel that every man who has not been in the Viceroy's Executive Council, which includes by far the larger number of this Assembly, is not really qualified to express an opinion.

So far as one's disposition goes to express an opinion at all, I wonder whether in his secret mind His Excellency the Commander-in-Chief would rather be on the Executive Council or not. The point has been raised, especially by Dr. Gour, and I am afraid, I do not agree with him, that military affairs ought to be represented on the Executive Council by the Commander-in-Chief as being the man best qualified to fight military cases. Now, we have had it from His Excellency himself on a previous occasion in this very Chamber, that he is more conversant with bullets than with arguments. Those were not the exact words used, but that was the tenour of them, and I should be disposed to think, speaking with great diffidence on a subject, as I say, of which we cannot have full knowledge, I should be disposed to think that military cases—cases connected with military questions—were more likely to be argued effectively in Council by a Civilian than by a soldier. Therefore, I am afraid, I cannot support the appeal which has been expressed by Dr. Gour, and, as far as I understood him, by Munshi Iswar Saran.

Mr. Harchandrai Vishindas : Sir, I oppose the motion, even with the addition that Munshi Iswar Saran has proposed in the amendment, because I do not think that the amendment makes any great difference. In this debate one thing has been forgotten which I wish to bring to the notice of the House and it is this. The recommendations of the Committee in this regard are based upon the system prevailing in England. But is it known that that system has been pronounced to be a failure?—I mean the Army Council. As far as my information goes, this Army Council had been thrown out when the war broke out because it was said it makes an army the sport of party politics in England. That is one consideration why I oppose this motion.

Another consideration is, that as Sir Godfrey Fell has told us, this is a very complicated subject and requires a good deal of examination and careful consideration.

Therefore, I would say, that all things being considered, the *status quo* should be maintained as Mr. Seshagiri Ayyar has argued. Another point is as to the position of the Commander-in-Chief on the Executive Council. A good deal has been said with regard to that. But I think that the best solution of that would be, that whilst the Commander-in-Chief should be allowed to remain on the Executive Council as hitherto as the best military adviser of the Government, he should be relieved of a good deal of the duties which he has now, as a Member of the Executive Council, to perform in conjunction with other Members of the Executive Council. I think it is

fair to him and fair to the public that he should be relieved of these duties. It is fair to him because it takes away unnecessarily a good deal of his time which will be better employed in his military duties. It is fair to the public because the Commander-in-Chief cannot be said to be an expert in all these matters that have been mentioned in the debate. Therefore the best solution would be, that except in military matters, the Commander-in-Chief should not be troubled with other matters in the Executive Council at all. But, Sir, there is one important consideration which has not been taken into account in the present case. I mean, we do not know what His Excellency the Commander-in-Chief's own views are. We have not been enlightened about it. In the absence of that, I think, it is much better that the *status quo* should be maintained.

Mr. S. C. Shahani: Sir, I rise to support the Resolution that has been moved by Sir Sivaswamy Aiyer. My reasons are, that the duties of the Commander-in-Chief have to be clearly understood. There has been, to my mind, a certain misconception with regard to his duties. It has been made out, that if he is not in the Executive Council, the military policy of India will not be properly shaped. If the military policy of India is to be properly shaped, he should have hardly anything to do with it except in the shape of advice. He should not be required to influence the military policy of India. It is, I think, for the Civilian Members of the Executive Council of the Governor General to concern themselves with the policy, and the execution of this policy is to be left to the Commander-in-Chief. I cannot see how his absence will be calculated to injure the interests of India. Outside the Council he would concern himself with the execution of the military policy only, and the military policy will have a chance of being properly shaped in the Executive Council. It is properly pointed out that the addition of a Civilian Member to the Executive Council will prove costly. I am distinctly of opinion, that this cost should be cheerfully borne by India. It will pay India in the long run to have the supremacy of the civil element in the Government of India, to allow the Commander-in-Chief to influence its military policy. It has been said by my Honourable friend, Mr. Harchandrai Vishindas, that the Army Council has failed in England, and that the present English system is about to be changed. My information has been to the contrary and my opinion is that the system which has been in vogue in England should be adopted by us in India.

It would have been a very good thing for the House if Dr. Gour had considered the pros and cons of the question here in this House. He has not in any manner pointed out why we should not accept the principle which has been accepted by the English people and which has been enforced there.

Sardar Bahadur Gajjan Singh: As has been pointed out on behalf of Government, the question is full of difficulties, and I am very sorry to remark that the Select Committee appointed by this House has only contented themselves with submitting some Resolutions which can be moved in this House. They have given no reasons for their conclusions, because it is in that case alone that this House would have been in a better position to vote one way or the other.

Sir, notwithstanding all these defects, I am very clearly of opinion that the present state of things should be permitted to continue. No reason up to

[Sardar Bahadur Gajjan Singh.]

this time has been pointed out why this system should be done away with. Unless there is something very very wrong in the system, which I submit is not the case, we should continue the system.

My friend, Mr. Shahani, has pointed out, that the Commander-in-Chief, generally speaking, should have no hand in shaping the military policy of the Government of India. I beg to differ from him. The Government of India requires a military adviser to come to conclusions in connection with the military policy of this country, and I cannot conceive for a moment that anybody except the Commander-in-Chief is in a proper position to advise the Government of India on that policy. I have very great regard and respect for the Civil Service of the country, and I dare say, that many of the members of that service may be very able officers in presenting the case of the military in the Executive Council. But a civilian, whoever he may be, with the best qualifications, will lack experience of military matters, and will have only to go upon paper files. As we all know, great care is generally taken in the appointment of the Commander-in-Chief in India. Generally, he is a soldier of very great experience. He knows modern warfare, and has served on many battlefields, and, therefore, it goes without saying, that he and he alone can advise the Government of India on the military policy to be followed. Then, of course, nobody denies for a moment the principle that the civil ought to be the controlling power. His Excellency the Commander-in-Chief ought to be in the Executive Council to advise the Council, and if a decision has been arrived at by the Government of India, he will give effect to that decision. So, the policy that the civil power ought to be the supreme power still holds good. Moreover, Sir, I would beg the House to take into consideration the fact, that by keeping His Excellency the Commander-in-Chief out of the Executive Council, I am afraid the status and the position of the Commander-in-Chief will be materially impaired, and that is highly undesirable. Therefore, I submit, that the House should carefully take into consideration all these matters before they vote for disturbing the present state of things. The mere analogy of England's constitution does not hold good. In England, of course, it is correct that the War Minister is a non-military officer. But the conditions of England, in many other respects, especially in these matters, are quite different from those in India. There, the War Minister, has the advantage of the advice of the Cabinet which consists of very great statesmen and ministers, while the same cannot be said of the Executive Council here notwithstanding the best talent that we have here. They are not acquainted, with the exception of His Excellency the Commander-in-Chief, with the many problems relating to the military. Therefore, I would strongly urge and beg this House to allow the present state of things to go on unless very good ground has been shown in regard to this matter.

Mr. Wali Mohamed Hussanally : I move ' that the question be now put '.

The motion ' that the question be now put ' was adopted.

The Honourable the President : The question is :

' This Assembly recommends to the Governor General in Council that the absence of full responsible Government in India, the differences in conditions between India and England, and the provisions of the Government of India Act do not warrant differentiation in the army administration between India and England in regard to the ultimate control of, and responsibility for, the defence of the country, and that in view of the desirability

of assimilating the system of administration in India to that in the United Kingdom, which has been arrived at after prolonged experiments, and the desirability of emphasizing the principle of the ultimate supremacy of the civil power, it is essential that the Commander-in-Chief should, without prejudice to his official precedence, cease to be a Member of the Governor General's Executive Council and that the Portfolio of Defence, including Supply, should be entrusted to a Civilian Member of the Executive Council assisted by an Army Council including the Commander-in-Chief and other high military experts and a certain number of civilians more or less on the model of the Army Council in England',

Since which an amendment has been moved :

'That in line 1, the words ' in view of ' be inserted after the word 'that', and in line 2, the word ' and ' be inserted after the words ' Government in India ' and

'That the words 'it is considered advisable for the time being that when questions affecting the defence of the country or the army come up before the Executive Council, the Commander-in-Chief should have all the rights and privileges of a member thereof and the appointment of a Civilian Member of the Executive Council in charge of the Portfolio of Defence including supply be deferred' be substituted for the words from 'and the provisions of the Government of India Act' in line 3 to the end of the Resolution.'

The question is, that this amendment be made.

The Assembly divided as follows :

AYES—23.

Abul Kasom, Mr.
Bagde, Mr. K. G.
Barua, Srijut Debi Charan.
Bhargava, Mr. J.
Bishambhar Nath, Mr.
Carter, Sir Frank.
Chaudhuri, Mr. J.
Dass, Pandit R. K.
Gidney, Lt.-Col. H. A. J.
Gour, Dr. H. S.
Iswar Saran, Mr.
Jatkar, Mr. B. H. R.

Lakshmi Narayan Lal, Mr.
Latthe, Mr. A. B.
Mahadeo Prasad, Mr.
Majid, Sheikh Abdul.
Nag, Mr. Girish Chandra.
Noogy, Babu Khitish Chandra.
Percival, Mr. P. E.
Singh, Mr. B. P.
Sircar, Mr. N. C.
Sohan Lall, Mr.
Subzposh, Mr. S. M. Zahid Ali.

NOES—33.

Afsar-ul-Mulk Akram Hussain, Prince.
Amjad Ali, Mr.
Asjad-ul-lah, Maulvi Miyan.
Ayyar, Mr. T. V. Seshagiri.
Bajpai, Mr. S. P.
Cotelingam, Mr. J. P.
Das, Babu Braja Sundar.
Dentith, Mr. A. W.
Dwarkanadas, Mr. J.
Gajjan Singh, Mr.
Gulab Singh, Sardar.
Hussanally, Mr. W. M.
Ikramullah Khan, Mr. Mirza Md.
Kabiraji, Mr. J. K. N.
Man Singh, Bhai.
Maw, Mr. W. N.
Mitter, Mr. D. K.

Muhammad Hussain, Mr. T.
Muhammad Ismail, Mr. S.
Nabi Hadi, Mr.
Norton, Mr. Eardley.
Pickford, Mr. A. D.
Pyari Lall, Mr.
Rao, Mr. P. V. Srinivasa.
Reddiyar, Mr. M. K.
Renouf, Mr. W. C.
Samarth, Mr. N. M.
Sarfaraz Hussain Khan, Mr.
Shahani, Mr. S. C.
Sinha, Mr. S. P.
Spry, Mr. H. E.
Vishindas, Mr. Harchandrai.
Wild, Mr. C. E.

The motion was negatived.

Mr. N. M. Samarth : Sir, my amendment is :

'That in line 8, between the word 'essential' and the word 'that' the words 'to keep in view the goal' be inserted.'

I need not make a long speech in support of that amendment. If I had the time I would have taken the Assembly through the discussion of the subject which took place in 1879. Before the Army Commission of 1879 the whole subject was thoroughly discussed and there was a minority report on this matter as well as a majority report. The minority consisted of Major General Sir Peter Lumsden and Brigadier General O'Connor, and they both pointed out the necessity of keeping intact the Commander-in-Chief's position as Head of the Army as well as Member of the Executive Council. They reviewed the considerations which had been urged for the purpose of introducing the same system of Government in India as obtained in England, but they pointed out that the time had not come for the introduction of such a system, and seriatim they dealt with all the objections which had been taken to the Commander-in-Chief being placed in the position of a Member of the Executive Council. Now I need not detain the Assembly for more than a couple of minutes.

The Honourable the President : The Honourable Member's amendment is a merely formal drafting amendment, and he cannot raise the question of principle by inserting a few words of that kind. Unless the Honourable Member can show me how his amendment raises a larger question of principle, I must take it that his amendment is one of drafting only.

Mr. N. M. Samarth : Well, Sir, my position is only this. I wish the whole thing to be kept in view as a goal, and not overlooked nor given effect to immediately. That is my idea in moving this amendment.

The amendment was negatived.

Babu K. C. Neogy : Sir, I beg to move as an amendment :

That after the words 'assisted by an Army Council' in line 11, the following words be inserted :

'to be created by Statute or by Royal Warrant.'

I do not claim, Sir, that this amendment of mine seeks to do anything more than bring out the latent meaning of the substantive Resolution. As will be seen it is recommended that the Army Council should be modelled more or less on the lines of the Army Council in England. Now, if we look into the constitution of the Army Council in England, we find that it was created under a Letters Patent in 1904, and its duties are regulated by an Order in Council. My brief submission before this Assembly is this ; if we are going to have an Army Council at all, let us give it a regular constitution, a formal constitution unlike the one which the Army Advisory Council has got at present. Well, Sir, I am fortified in this submission of mine by the fact that Mr. Rangachariar had an amendment very much to the same effect—No. 19 on this list—but unfortunately Mr. Rangachariar is away to-day. With these words I commend the amendment to the acceptance of this Assembly.

Sir Godfrey Fell : Sir, as the Honourable Member has pointed out, the Army Council at Home was created by Letters Patent in 1904. Since then

the constitution and organisation of the Army Council have been modified many times. After the original Order in Council in 1904, which gave effect to the constitution of the Army Council, 2 Orders in Council were passed in 1909, one in 1910, two in 1915, one in 1916, five in 1917, three in 1918, and one in 1920 - the latest dates up to which I have any information. In the United Kingdom it is very easy to modify the constitution of the Army Council by an Order in Council, signed by His Majesty the King on the advice of his Privy Council. Now, in a matter of this sort, supposing we had an Army Council in India, we should not be able to modify its constitution by an Order in Council, for the Order in Council procedure would not be appropriate to what goes on in India under the Government of India. The alternative proposal of the Honourable Member, that the Army Council should be constituted by Statute, would, I think, give rise to many practical difficulties in this way, that if changes in army administration, due for example to the creation of new arms, such as the Air Force, have to be carried out, or if it is desirable for other reasons to modify the constitution of the Army Council, it would be necessary on every occasion to resort to legislation. So I am opposed, Sir, to this amendment. I think that it will merely create difficulties, and that it will be quite sufficient to leave it to the executive government to modify the constitution of the Army Council, if we have one, as circumstances dictate from time to time.

The amendment was negatived.

The Honourable the President : The question is that the Resolution be adopted.

Mr. Eardley Norton : I am sorry, Sir, that I am not in a position to accept the invitation of Sir Godfrey Fell that we ought not in discussing this Resolution to keep in our minds the question of the ratio of Indians to Europeans in the Viceroy's Executive Council. It may be quite true that this matter is of sufficient importance of itself to entitle it to be adjudicated upon finally in the course of a full dress debate. But I do not see why, because it happens to be a question of importance and principle, we should not avail ourselves of it when, as here, it forms the essence of the position as that position presents itself to my mind in discussing this Resolution. I am opposed to this Resolution . . .

The Honourable the President : If the Honourable Member means to discuss the question of the balance between the British and Indian members of the Viceroy's Executive Council, I think I must say that it is not strictly relevant to this Resolution.

Mr. Eardley Norton : I wish to refer only incidentally to it as one of the reasons why I oppose this Resolution. I do not wish to touch upon its merits now. I am opposed to this Resolution as it stands. I am opposed to the suggestion that His Excellency the Commander-in-Chief should be taken off the Viceroy's Executive Council and that there should be substituted for him there a civilian member with a vote in Council. I speak with diffidence on this question, because I do not profess to be an expert on military matters. But still as one of those who are called upon to vote upon these questions, and as I believe that I represent the opinion of some tangible portion of laymen who have taken pains to try and study and master this very difficult question, I think I am entitled to put forward the reasons

[Mr. Eardley Norton.]

which have actuated me to oppose this motion with voice and, if necessary, by vote. Its consideration depends upon a very brief review of the military situation here, and I must include, by way of balance, a brief reference to the military situation as it exists in the Secretary of State's office in London. Here at present the Viceroy's Executive Council consists, excluding His Excellency the Viceroy, of 8 members. Of those 5 are English and 3 are Indians. One of them, Sir George Barnes is retiring, and I understand that his portfolio will be transferred to Sir Thomas Holland. That brings the number of members down to 4 against 3. If, as I suggest, His Excellency the Commander-in-Chief be relieved of all obligation and duties possibly for the general civil administration of this country he can devote the whole of his time and ability to the question of the Army. This, except on the special occasion, when his presence on Army matters would be necessary, would reduce the racial votes in Council to an equality of 3. I do not think that that is an unfair reason to advance in support of my view that the Commander-in-Chief should not be permanently taken off the Viceroy's Executive Council, but should be appointed an extraordinary member of that Council with duties restricted to the consideration and enforcement of the needs of a special organisation like the Army. It is, I suggest, a sound reason for protesting against the introduction of a civilian member whose presence would disturb the equality of the racial vote. I suggest therefore that His Excellency the Commander-in-Chief should be taken off the Council as an ordinary member and appointed as an extraordinary member, thus relieving him of all connection with the ordinary civil administration of this country, and enabling him to devote the whole of his time to the betterment of the service to which he himself belongs and of which, if I may say so in his presence, he is himself so fine an exponent and an example. Thus the executive will in that view be reduced to an equality of voting power between Englishmen and Indians with a casting vote resting in His Excellency the Viceroy. The Commander-in-Chief should be called upon to advise on all questions which, either directly or indirectly, affect the Army in India, and among all the members in the Viceroy's Executive Council, I am sure his ripe and varied experience and his great services to mankind will entitle him to a constant, respectful and considered acquiescence. He already owns a distinguished and efficient staff, to which might be added, if necessary, the Surveyor General of Supplies and the strength of which might, as occasion arises, be further supplemented. But I should prefer to give the staff of the Commander-in-Chief a corporate statutory existence by an Act passed by both Houses of this legislature, and I think I may express the hope that in consequence of the experience obtained during this our first and infant session, we may all safely assert that our legislature would not be backward in arming the head of our Army with all the necessary powers which his wisdom and his experience may induce him to ask for. That is the position of affairs out here, and that is the position which seems to me best to meet the situation so far as India is concerned.

But we must look briefly at the complement of this picture, the position of Army affairs in our Secretary of State's office in England. There we are represented by a Secretary of State with a Council drawn, theoretically, from the matured elder statesmen of this country who are presumed to offer their chief the crystallized fruits of their own varied and personal experience. The military experts in the India Office at least comply with these postulates. In

General Barrow we possess a worthy type of the soldier-statesman who is competent to offer advice worth the following. His Military Secretary, General Cox, fulfils his functions as worthily. Both are soldiers of wide Indian experience.

Sir Godfrey Fell : May I point out, Sir, that General Cox is not now the Military Secretary at the India Office ?

Mr. Eardley Norton : Has he ceased to be ? Let us hope then that his position will be filled by an equally competent and trustworthy officer. I think there is a great field open for choice plenty of military talent to step into a vacancy and I trust the selected officer will be not inferior to General Cox.

At any rate, with General Barrow in charge and with some able and trustworthy Military Secretary under him, I think we may look forward without anxiety to the Secretary of State being guided by reliable counsel along the right path. I strongly object to the suggestion made that General Barrow should be displaced. I think that he ought to be retained, I think that his Military Secretary should also be retained. In the event of General Barrow remaining in office, I should raise no objection to his Military Secretary becoming, as is suggested, the Deputy Chief of the Imperial General Staff in London. But, with General Barrow displaced, I should strongly object to his Secretary being brought under the influences of that Staff. I would, therefore, support the retention of both the General and his Military Secretary.

Mr. N. M. Samarth : Sir, may I rise to a point of order ? The remarks that my Honourable friend is making refer to another Resolution altogether, No. 20.

The Honourable the President : I was in some doubt while the Honourable Member was speaking as to the exact relevance to this Resolution. If he is trying to establish the analogy between the system of administration here and that of the United Kingdom, the analogy really under discussion is the analogy between the administration of the army by the Commander-in-Chief in India and the administration of the army by the Secretary of State for War and the Army Council in England and not strictly the military organisation within the India Office.

Mr. Eardley Norton : What I was trying to do was only to complete the other side of the picture which I said was complementary to the situation as I would have it be here and without mention of which my representation would be imperfect. The two make one whole, and it is necessary for me to explain if I uphold the retention of the Commander-in-Chief on the Viceroy's Council—how that retention will react upon the military situation on the Council of the Secretary of State for India. However, I do not wish to pursue that matter further. Let me remind this House that the Secretary of State for India fulfils a two-fold capacity. In his capacity as a member of the Cabinet, he has available to him a whole armoury of knowledge and advice on all questions of military organisation, equipment, and strategy. He is as a Cabinet Minister in touch with the Army Council and with the best and highest military experts whose experience has been enlarged, tested, fortified and defined by direct contact with war. But in his capacity as our Secretary of State the incumbent of that office owes a duty which is

[Mr. Eardley Norton.]

entirely ours. That duty is to defend and conserve the interests of India wherever those interests may be questioned or wherever they come into conflict with the hostile interests of others. On such occasions I maintain we are entitled to his undivided and energetic support. Of such an occasion this Resolution, which I am opposing, affords a clear and important instance. The proposal to tack on a Civilian Member in Council to the Commander-in-Chief is, in the first place, an unnecessary financial burden, and, in the second, an innovation which will fetter the struggles of those who champion the principle that we should foster on every legitimate occasion the education of the representatives of legitimate Indian political power and ambition. These, then, are some of the reasons which prompt me to speak, and speak strongly, against the proposal that the Commander-in-Chief should be taken permanently off the Executive Council of His Excellency the Viceroy where his knowledge must be of paramount importance on all questions affecting military matters in this country, and that his place should be filled by a civilian—I do not necessarily mean a Member of the Indian Civil Service—but at any rate by a civilian who is to have priority on all questions of military expenditure and policy to the Commander-in-Chief himself. That is a proposal which does not appeal to me, I ask this House very seriously to consider whether any reason exists or has been suggested at any rate at the present time, for interfering with conditions as they now stand. These conditions are an existing fact. They have worked not unhappily so far and, as I think Sir Godfrey Fell suggested, they are accompanied and ringed with a multiplicity of delicate considerations which cannot be discussed and thrashed out across the floor of this House. Therefore let us rest content with a situation with which we are familiar with men in whom we can repose confidence, with results which have emerged with success from tests which are as serious as they have been numerous. We should be wise to defer this thorny question until our hands are less fettered by circumstances of menacing and unhappy import to some of which reference has already been made in the course of this session and to which I do not desire to make further allusion to-night.

Lieutenant-Colonel H. A. J. Gidney: Sir, as a member of the Select Committee and one who dissented from this proposition, I rise to oppose it.

I submit, Sir, that when the Esher Committee completed its report, conditions of everything in the Empire and especially in India were vastly different to what they are to-day and it is with to-day, and the future that we are mainly concerned.

His Excellency the Commander-in-Chief at that time had more work than he could possibly cope with. His duties were more or less centralised, but now they have been so decentralised as to relieve him of a large portion of his duties and I consider we should advocate his retention on the Executive Council of the Viceroy on the score of less work. But I strongly oppose his being replaced on that Council by a civilian member. Whom would we hold responsible to this House if anything went wrong in connection with the administration of the Army in India, the Commander-in-Chief or the civilian member? I certainly think the Commander-in-Chief. In the Report it is distinctly stated that the Commander-in-Chief should be the sole military adviser to the Government of India, and the Governor-General would look to the Commander-in-Chief for all military advice on questions in which India

alone is concerned, and he would be in a position to express upon the latter the views of the Chief of the Imperial General Staff. Under this proposal the Governor General would be assured of undivided counsel upon military questions and uniformity of military policy would be established between Great Britain and India.

A civilian member of Council, I think, would certainly be a better man to improve the brains of the Army; but I do think that His Excellency the Commander-in-Chief would be the better man to blow out the brains of our enemies, and that is why our Army is kept up to a high state of efficiency.

I consider, Sir, that this House would do wrong to accept this Resolution. I noticed that Sir Sivaswamy Aiyer did not mention that at the Select Committee meeting, there were four dissenting votes including one made by myself. I would ask this Honourable House to vote for the retention of the Commander-in-Chief in the ex-Council and to oppose his replacement by a Civilian Member. The Indian Army look to the Commander-in-Chief as their one and only head, and I therefore oppose this Resolution.

The Honourable the President: The question is, that the question be now put.

The motion was adopted.

The Honourable the President: The question is, that the Resolution be adopted.

(i.e., Sir Sivaswamy Aiyer's Resolution No. 3, as follows :

'This Assembly recommends to the Governor General in Council that the absence of full responsible Government in India, the differences in conditions between India and England and the provisions of the Government of India Act do not warrant differentiation in the army administration between India and England in regard to the ultimate control of, and responsibility for, the defence of the country; and that in view of the desirability of assimilating the system of administration in India to that in the United Kingdom, which has been arrived at after prolonged experiments, and the desirability of emphasizing the principle of the ultimate supremacy of the civil power, it is essential that the Commander-in-Chief should without prejudice to his official precedence, cease to be a member of the Governor General's Executive Council and that the Portfolio of Defence, including Supply, should be entrusted to a civilian member of the Executive Council assisted by an Army Council including the Commander-in-Chief and other high military experts and a certain number of civilians more or less on the model of the Army Council in England'.)

The motion was negatived.

RESOLUTION No. 4.

The Honourable the President: The Resolution moved is :

'That this Assembly recommends to the Governor General in Council that if the Portfolio of Defence including Supply is not entrusted to a civilian member of the Executive Council as recommended above, the proposal of the majority of the Esher Committee for the creation of a separate department for Production and Provision under a member of the Executive Council be not accepted, and that the proposal of the minority, namely, that the responsibility should be entrusted to a Surveyor-General of Supply, who should be a civilian member of the Commander-in-Chief's Military Council, be accepted. This would seem to have the merit of being more logical and economical and would have the further advantage of avoiding the addition of a civil member to the Executive Council in connection with military administration.'

Mr. N. M. Samarth: I move, Sir as an amendment—and having regard to the fate of the previous Resolution I hope my amendment will be passed without any dissentient voice :

'That the words from 'if the portfolio' down to 'recommended above' be omitted.'

The motion was adopted.