

STATEMENT OF THE REVENUE OF THE CENTRAL GOVERNMENT—CONCLD.		STATEMENT OF THE EXPENDITURE CHARGED TO REVENUE OF THE CENTRAL GOVERNMENT—CONT.	
(In Thousands of Rupees.)		(In Thousands of Rupees.)	
HEADS OF REVENUE	Budget Estimate 1937-38	HEADS OF EXPENDITURE	Budget Estimate 1937-38
MISCELLANEOUS CAPITAL OUTLAY CHARGED TO REVENUE		MISCELLANEOUS CAPITAL OUTLAY CHARGED TO REVENUE	
55. A Commutation of pensions financed from Ordinary Revenue	6.38	55. A Commutation of pensions financed from Ordinary Revenue	6.38
58. Defence Services—Effective	42,84.27	58. Defence Services—Effective	42,84.27
59. Defence Services—Non-Effective	8,41.90	59. Defence Services—Non-Effective	8,41.90
60. Transfers to Defence Reserve Fund	1,42.25	60. Transfers to Defence Reserve Fund	1,42.25
		Total ...	49,83.92
CONTRIBUTIONS AND MISCELLANEOUS ADJUSTMENT BETWEEN CENTRAL AND PROVINCIAL GOVERNMENTS		CONTRIBUTIONS AND MISCELLANEOUS ADJUSTMENT BETWEEN CENTRAL AND PROVINCIAL GOVERNMENTS	
61. Grants-in-aid to Provincial Governments	3,14.27	61. Grants-in-aid to Provincial Governments	3,14.27
62. Miscellaneous Adjustments Between the Central and Provincial Governments	1.63	62. Miscellaneous Adjustments Between the Central and Provincial Governments	1.63
		Total ...	3,15.90
EXTRAORDINARY ITEMS		EXTRAORDINARY ITEMS	
63. Extraordinary charges	1.19	63. Extraordinary charges	1.19
64. Transfers to Revenue Reserve Fund	...	64. Transfers to Revenue Reserve Fund	...
		Total ...	1.19
RAILWAY EXPENDITURE AS PER RAILWAY BUDGET		RAILWAY EXPENDITURE AS PER RAILWAY BUDGET	
	29,98.92		29,98.92
TOTAL EXPENDITURE CHARGED TO REVENUE	1,19,41.88	TOTAL EXPENDITURE CHARGED TO REVENUE	1,19,41.88

CHAPTER XII THE DEFENCE OF INDIA

The question of India's National Defence has been touched upon in the preceding chapters more than once, e.g., while discussing the powers of the Governor-General, or of the Federal Legislature. But these discussions have been more in the nature of passing references, than as part of a specific and comprehensive examination of the Constitutional provisions in regard to our National Defence.* This chapter is, therefore, devoted to a comprehensive consideration of the Constitutional aspect of the Defence of organisation of India as a nation.

Sections of the Constitution Act (1935) relating to the organisation and provisions for the Defence of the country are scattered throughout the Act of 1935. They

***It was natural that the authors of the Report, writing in the crisis of the spring of 1918, after mentioning with admiration the services rendered to the common cause by Indian arms, and expressing satisfaction at the increased recognition which was being given to such services, should have contented themselves with noting the urgency and importance of the Army questions which would emerge after peace had been attained. But this does not alter the fact that the constitutional future envisaged by Mr. Montagu's declaration of 20th August, 1917, and the new scheme elaborated in the Report and embodied in the Act of 1919, inherently involved a tremendous question which is not, we think, formulated or indeed referred to in the Report, viz., what, in view of the resolve that British India should advance to the goal of self-government within the Empire, is the nature of the arrangements which must be contemplated and in due course reached for her external defence and her internal security? We feel strongly that it would be a great disservice both to Britain and to India for this question now to be shirked, or for a method of treatment to be adopted which is confined to the search for temporary expedients wrapped up in soothing generalities, which only serve to foment suspicions of the bona fides of British policy on the one hand, and to divert attention from the ultimate and fundamental difficulties which Indian politicians themselves will have to face on the other. The best service we can render in this regard is to set out, plainly and fearlessly, for the consideration both of the British Parliament and of the political leaders of India, the special features of India's military problem which must be provided for before Army administration can be a function of a self-governing India."

Report of the Indian Statutory Commission, Volume I Survey,—Paragraph 112.

have to be correlated to enable the student to see the question in its proper perspective. The principal provisions are:

Section 4, relating to the appointment of the Commander-in-Chief;

Section 11, excluding the Department of Defence from the scope of Ministerial responsibility, and placing it under the exclusive discretion of the Governor-General;

Those parts of Sections 33 and 34, which require expenditure in connection with the Department of Defence to be **charged upon the revenues of the Federation**, and, as such, non-votable by the Federal Legislature;

Section 100, and Items 1 and 2 in the Federal Legislative List in Schedule VII, permitting the Federal Legislature to legislate for the raising of troops in all branches of the Defence organisation and the Naval, Military and Air Force Works;

Sections 232 to 239, concerning the Defence Services, including such matters as the recruitment of troops, appointment or commissioning of officers, their pay, allowances, etc.;

Sections 285, to 287, relating to the obligations of the Crown with reference to the Indian States.

In addition, there are such Sections as 150, defining the purposes on which the revenues of the Federation may be expended,—and which may thus include contribution for the use of Indian Defence Personnel in Britain's Imperialist Wars; Section 145 for certain payments to be made to the Representative of the Crown in its relations with the Indian States; Section

127 for the acquisition of land for Federal purposes including defence, etc.

Constitutional Problems of Indian National Defence

The main Constitutional Problems in regard to the Defence of India may be summed up as follows:—

- (i) The purpose for which the Defence Organisation is maintained;
- (ii) Civilian Control of the Defence Organisation;
- (iii) Indianisation of the personnel in superior ranks;
- (iv) Conscription for National Defence;
- (v) The problem of relative cost, though that is not, strictly speaking, a purely Constitutional problem. In the Federation of India, however, the problem of sharing the burdens of the Federal subjects equitably among the different members of the Federation,—States as well as Provinces,—will needs be a Constitutional issue.
- (vi) The problem, moreover, of building up industries in India, which, directly or indirectly, provide the munitions and equipment for the forces of National Defence, may also wear a constitutional aspect. Especially would that be so, if those Armament or Munitions Industries are established and operated as Federal Enterprise. These may need land, capital, buildings and machinery; which may lead, in emergencies, to commandeering private resources. They may also involve compulsory acquisition of contributory industries. All these would bear intimately on the Constitution.

We would glance at these problems briefly in the pages that follow.

I. Purpose of Defence Organisation

It may be said at the outset that nowhere does the Constitution Act specifically state the exact purpose

of maintaining such a huge organisation in the name of the Defence of the Country as the Government of India have been maintaining. Under Section 100, the Federal Legislature is entitled to pass laws regarding

"His Majesty's naval, military and air forces borne on the Indian establishment, and any other armed force raised in India by the Crown."

Such legislation, when duly enacted by the Federal Legislature, may define the purpose of maintaining such forces. For the moment, however, the Constitution Act of 1935 does not give any indication of any purpose for which the whole vast organisation is maintained. Unless we consider the maintenance of the Defence provision as part of the Sovereign's prerogative, which is not affected by this Act, it would be difficult to find any constitutional authority to maintain this immense organisation at all.*

The generally accepted purpose of maintaining any Department of Defence at all in India may be said to be three-fold:

- (1) The Defence of the country against any aggression outside its frontiers.
- (2) The maintenance of civil order and the established regime.
- (3) The contribution which such provision may permit the Indian Government to make towards the defence of the British Empire as

*This purpose may be gleaned, such as it is, from the various Royal Commissions, etc., which have investigated the problem of organising the Defence of India, its personnel and its cost from time to time, as also from the official pronouncements upon the findings or recommendations of such Commissions, made from time to time, by the highest authority in India or in the British Parliament.

a whole, or towards the cost of Britain's Imperialist wars.*

This third is not expressly stated in so many words, but is nevertheless quite an important ingredient for prescribing the size as well as the equipment of our Defence organisation.

(1) Protection against External Aggression

In the first purpose mentioned above, the whole country, Provinces as well as the States, may be said to be equally interested. The States, however, maintain at their own cost armed forces, of a sort and upto a prescribed strength, themselves. But these forces are regarded as not equal to the exigencies of modern warfare with a first class European or Europeanised power. The Defence provision, therefore, in such States Budgets as maintain it, may be regarded as so much needless expenditure, justified, if at all, on traditional grounds of the Ruler's prestige, rather than any ground of the objective benefit, or military value of such forces. Some of the States, are, by specific engagements with the British Government, entitled to armed protection from the paramount power against

*"External defence, on the other hand, may be viewed in a double aspect; it may be regarded not solely as the concern of India (though India would be the first to suffer, if its frontiers were not adequately guarded), but as affecting the integrity of the whole Empire and as bound up with general Imperial policy." Report of the Indian Statutory Commission, I, Survey p. 106. Para. 126.

See also Para 178, Joint Parliamentary Committee's Report on the Government of India Bill. "There have been many occasions in which the Government of India have found themselves able to spare contingents for operations overseas in which considerations of Indian defence have not been involved; and we may presume that such occasions will recur. There appears to be some misconception in India on this point, which it would be desirable to remove. It is not the case that because a Government can in particular circumstances afford a temporary reduction of this kind in its standing forces, the size of these forces is thereby proved excessive; or, conversely, that if it is not excessive troops cannot be spared for service elsewhere. These standing forces are in the nature of an insurance against perils which may not always be insistent but which nevertheless be provided for."

Further comment on this is superfluous.

aggression from without or disturbance from within. Nevertheless, the Rulers of these States would not listen to any suggestion for doing away with these forces. And even if they wanted to, it is more than doubtful if the British Imperialist Government would suffer them to do so without some *quid pro quo*. Their contribution to the common need of India's defence must, naturally, be affected by these considerations, even if they become part and parcel of the Federal Organisation.

(2) Maintenance of Internal Security

The question as to what are the probable dangers to India as a whole of aggression from her neighbours, against which she must guard, is more a political than a constitutional question. But in this case, also, all parts of the country as a whole are equally interested. British Provinces are alleged to have within them forces of internal disorder, tendencies to anarchy, or conflicts of communities, which are supposed to be kept in check by the presence of military forces, that may be employed in the ultimate resort to quell such disorders. How far this is a real danger, and how far it is magnified by Imperialist reasons by the powers-that-be, is a matter not of direct constitutional importance, and as such need not be discussed here. So far as the States are concerned, almost every one of them is guaranteed a peaceful administration and immunity from aggression from without by the paramount power, viz., the British Government. Hence, on occasions when the internal security of any State is endangered, or the legitimate rights of any Ruler are imperilled, the State or the Ruler concerned may well claim the aid of the strong arm of the British Government, to maintain

this position or authority. But for this purpose, the present proportions of India's defence forces cannot but seem excessive.

(3) Contribution to Imperial Defence

As for the third purpose mentioned above, the powers-that-be have never specifically denied the existence of some such ground, which necessitates India maintaining a provision for Defence far in excess of her own immediate requirements. Exactly how much of our Defence organisation and expenditure is really due to reasons or considerations of the Empire Defence is, of course, difficult to say. But the fact may be mentioned that, after years of claiming, and against a very large amount of claims, the British Government have, at last, accepted the award of an Arbitral Tribunal, whereby they would make an annual contribution of about £ 1,500,000 towards the cost of the army, etc., in India. This is sufficient indication that a certain proportion of the expenditure on India's Defence is, undoubtedly, for Imperial reasons.

It has been the contention of Indian authorities,—including in the past several members of the Government of India themselves,—ever since the Roberts Report of 1879,—that India should not be made to bear any portion of the cost, either of the actual hostilities, or of the normal provision needed for Britain's Imperialist wars for the Defence of the Empire. If the Defence organisation and equipment of India were determined and regulated exclusively by considerations of India's own requirements, much of the present cost and strength of the Defence Forces maintained in India would have to be considerably reduced. Several items

of the so-called War Office Charges on account of training, transport, pay, etc., of the British troops maintained in India would be discontinued; and even the British garrison forces in India dispensed with.

Because this last purpose plays such an important part, all the constitutional questions relating to the organisation of Defence in India have to be correlated with the corresponding requirements of the United Kingdom. That is one reason why the Departments of Defence as well as External Affairs have been kept completely outside the competence of the Responsible Federal Ministers. Again, the position of the Indian High Command has been so ordained as to function in subordinate co-operation with the British War Office, and the Imperial Defence Organisation. The conventions governing the appointment of the Commander-in-Chief,—who is alternately an officer of the army in India, and then from the British Army,—fairly evidence the necessary co-operation between these two organisations, which contribute jointly to the Defence of the Empire.

II. Civilian Control of the Defence Organisation

The relations, again, of the Commander-in-Chief with the supreme civil authority in India, *viz.*, the Governor-General, are another indication of this ulterior purpose for which such a Defence organisation is maintained in India. The very fact that even in peace time a separate Commander-in-Chief is provided for by the Constitution, in stead of the Governor-General, as representative of the King-Emperor, being the *ex-officio* Commander-in-Chief, is evidence of the

phenomenon.* The Commander-in-Chief is appointed by the King-Emperor by Warrant under the Royal Sign Manual (Section 4). His salary, allowances and conditions of service are such as the King-in-Council directs.† These directions need not provide for any definite subordination of the Commander-in-Chief to the supreme civil authority in India. The historic episode between two strong personalities,—Lords Curzon and Kitchner,—a generation ago, only serves to illustrate a somewhat amorphous position still occupied by the Commander-in-Chief in relation to the Governor-General.

It is worth noting that while under the Government of India Act, 1935, the two offices of the Viceroy and the Governor-General are possible to combine under one and the same officer (cp. Section 3), there is no power to combine the two offices of the Governor-General and the Commander-in-Chief, as is the case in all Dominions. The explanation of this distinction and separation of the two high offices is to be found, not only in the desire to exploit as much as possible the resources of India; but also in order

*Says the Report of the Joint Select Committee of Parliament, para 172, "The White Paper proposes that the Governor-General shall himself direct and control the administration of the Departments of Defence, External Affairs, and Ecclesiastical Affairs; these matters will, therefore, remain outside the Ministerial sphere, and the Governor-General's responsibility with respect to them will be to the Secretary of State and thus ultimately to Parliament."

†cp. Section 232. The Commander-in-Chief is, it is true, not to be a member of the Federal Government as he used to be of the Government of India under the Act of 1919. But that, if anything, would make the position more complicated and likely to lead to want of harmony. It may be added that both section 37 and 39 of the Act of 1919 will remain in force during the transition period before the Federation is established.

The position may be made more definite by the terms of the Warrant of appointment and the Order-in-Council relating to the pay, etc., of the Commander-in-Chief (Section 232) after the Federation of India has been proclaimed and established. But for the present the absolute constitutional supremacy of the civil authority over the military is by no means assured. In the Dominions the Governor-General is *ex-officio* ever, is outside the vote of the Legislature.

to give special emphasis to the military hold of the British over India. Time and again it has been pointed out, by critics not always unsympathetic to the British dominion in India, that the accompaniment in India of armed force on all solemn occasions, like the Coronation Durbar, with ceremonial which is essentially civil or religious in Britain herself, is a needless and undesirable emphasis on the basis of force in the governance of India. But the military spectacle has never been abandoned, despite the political impropriety of its presence on such occasions of essentially civic ceremony. And because the reliance on military force, in the last analysis, as the ultimate prop of British power in India, is not merely a nightmare of too ardent Nationalist imagination, the Constitution itself provides this prominence to an office and an element, which in England itself is abandoned; and which in the Dominions is merged in the chief executive office.

It is interesting to contrast the constitutional position of the Governor-General under the Act of 1935 with that under the Act of 1919. Says Section 33 of that Act:—

“Subject to the provisions of this Act and rules made thereunder, the superintendence direction and control of the civil and military government of India is vested in the Governor-General-in-Council, who is required to pay due obedience to all such orders as he may receive from the Secretary of State.”

Contrast this language with the provisions of Section 3 of the Act of 1935, or with that of Sections 7, 8, 9, 11, 12, 13 and 14 of the Act of 1935. True, the institution of Provincial Autonomy does require a certain relaxation

of the powers of superintendence, direction and control vested under the old Act in the Governor-General. The advent of the Federation, when it happens, would also involve some modification of the existing position. But, making every allowance for these considerations, one fails to understand the necessity of withdrawing from the supreme authority of the Governor-General the Department of Defence, as this contrast suggests.

The Constitutional question in regard to the position of the military arm is not free from ambiguity. In the Dominions, they have, since the last European War, demanded and maintained the independent existence of the local Armies and Navies, with their own independent command. The land forces, were, from the beginning, under the Dominion Ministries; the Naval Forces have since 1911 been more and more under local control. The Dominion problems of providing for local defence, by conscription, etc., have been also solved, so as to vest the complete control and supreme authority in the Dominion Parliaments and in the Dominion Governments, in such matters. In times of War, wherein the whole Empire is engaged, the conflicting requirements of Dominion Autonomy,—Sovereignty,—and the need for co-ordinated action between all the forces of the Empire collectively, would be met by the equally permissible alternative of Dominion Armies and Navies acting independently, or working in concert with the Empire Forces under British command, the Dominion's share in shaping the policy and the strategy being secured by participation in some sort of a War Cabinet.*

*Says Prof. Keith (op. cit. p. 428):—“In the event of any Dominion desiring to use its forces overseas in an Empire War, the legislature of the Dominion can make the amplest provision for their control, and even in

(Continued on page 462)

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The Commander-in-Chief of His Majesty's armed forces in India was a member of the Government of India under all the Constitution Acts relating to the governance of India upto 1935. The Act of 1935 retains the office of the Commander-in-Chief; but his place in the Governor-General's Council would be taken by a Defence Counsellor.

No doubt, the civil authority is held to be ultimately supreme. Perhaps the sad experience of the Mesopotamin Campaign of 1915-16 still reinforces this idea. But, so far as India is concerned, the absolute subordination of the Governor-General, the supreme executive authority in this country, to the Secretary of State for India, and through him to the British Government, leads one necessarily to conjecture that the ultimate authority for the Defence of India, for correlating its command and controlling its

(Continued from page 461)

the War period of 1914-18 before the Statute of Westminster, the powers of the Dominion Parliaments added to the Army Act availed to remove any possibility of the lack of legal authority. The Dominion may either in such a case retain control of its own forces, or co-operate more completely by placing them, as during the War, under the British Commander-in-Chief, while sharing through some form of War Cabinet for the Empire with the British Government the supreme control of their employment. It may be added that the Statute of Westminster, passed in 1931, has assured Dominion independence in these respects far more effectively than was the case in 1914; though, even now, the question is not free from doubt whether the Dominions can declare War or Peace on their own, apart from, or in opposition to, the British Imperial Government. See Op. Cit. 69 et seq.

*Cp. Section, 11.

general strategy, vests, not so much in the Government of India, as in the powers-that-be at Whitehall.*

In this connection, it may be pointed out that there are several Articles in the Instructions to the Governor-General, which particularly emphasise this peculiar constitutional position of the Department of Defence. Says Articles XVII:—

"And seeing that the Defence of India must to an increasing extent be the concern of the Indian people, it is Our will in especial that Our Governor-General should have regard to this Instruction in his administration of the Department of Defence, (i.e., practice of joint consultation between himself, his Counsellors and his Ministers); and notably that he shall bear in mind the desirability of ascertaining the views of his Ministers when he shall have occasion to consider matters relating to the general policy of appointing Indian Officers to Our Indian Forces, or the employment of Indian Forces on Service outside India."

The final decision on all questions relating to Defence remains, of course, with the Governor-General in his discretion. But the practice of joint consultation with the Ministers; and particularly the importance assigned to financial considerations necessarily involve the Ministers,—though they have no legal responsibility for such decisions. How far this may modify the

*The Report of the Statutory Commission, presided over by Sir John Simon, made a curious suggestion (Vol. I para 126) of creating a Dominion Army in India mainly for internal purposes; and advocated a division of responsibility for the Defence of India, which is summarised as follows by the Government of India in their despatch on the Commission's recommendations dated 20th September 1930: "The essence of their proposal, as we understand it, is a mutual agreement between Great Britain and India that, for the time being, the Defence of India should be regarded as an Imperial concern carried on in co-operation with, but outside the Civil Administration of, the country. By a similar agreement, a fixed total sum would be made available from Indian revenues for defence expenditure, subject to revision at suitable intervals." Needless to add that the Indian authorities threw out the suggestions of the Royal Commission.

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viewpoint of the non-responsible militarists in the Federal Cabinet, and make them appreciate the viewpoint of the responsible Indian Ministers, remains to be seen.*

The ascendancy, however, of the Commander-in-Chief is secured by the very next Articles of Instructions.

"Further it is Our will and pleasure that in the administration of the Department of Defence Our Governor-General shall obtain the views of Our Commander-in-Chief in any matter which will affect the discharge of the latter's duties and shall transmit his opinion to Our Secretary of State whenever the Commander-in-Chief may so request on any occasion when Our Governor-General communicates with our Secretary of State upon them."

By this means the Commander-in-Chief can always outmanoeuvre the Federal Government of India, in any instance in which the Imperial British interests are in conflict with the Indian National interests.

III. Indianisation of the Personnel

The problem of nationalising the Defence organisation of India, commonly confused with that of Indianisation of the Defence services, consists not merely in replacing the British personnel by the Indian. That a real and complete self-government for India is not possible without a complete control by the responsible Indian authorities over the country's Defence organisation is admitted on all hands. But many difficulties of a detail or technical character are adduced to stave off the handing over of the supreme control over India's

*By Article XIX of the Instructions the Federal Finance Department is to be kept in close touch with the expenditure on defence, which, however, is outside the vote of the Legislature.

National Defence to Indian Ministers responsible to the Indian Federal Legislature. A correct view of these difficulties would be possible if we analyse the problem of nationalising the defence organisation of India in its constituent parts.

Properly viewed, the problem consists of three parts:

(1) Indianisation of command and policy in regard to the constitution and function of the Defence organisation of this country. That is to say, the equipment, use and control of all the armed forces of India should be motivated by considerations exclusively of India's own needs and by no other consideration.

(2) replacement of the British officers now commanding practically the entire Defence system of India by Indian officers, subject to the latter being suitably trained, experienced, or efficient for the purpose.

(3) Complete Indianisation of the troops, so that the present element of the British army proper stationed in India, whether as Imperialist garrison or for guaranteeing peace and tranquillity of the country, should be dispensed with.

As regards the first of these, not only should the appointment of all the highest officers, from the Commander-in-Chief downwards, rest with the Indian Government; but the entire High Command of the Army, the Air Force, and the Navy, whatever its personnel, should be made clearly subordinate to the Federal Government of India. The Constitution of 1935 is silent on this subject. But its basic principles

seem to imply that this desideratum, as part and parcel of the constitutional progress of India, is not to be immediately achieved. Under the Act of 1935, all appointments to positions of command are in the hands or under the control of the Secretary of State.* As for the routine administration, the Department of Defence is reserved in the sole discretion of the Governor-General. Under Section 14, he is under the authority of the Secretary of State; and so there is no possibility of an Indian national viewpoint being brought to bear upon the day to day affairs of the Department.

The cognate Department of External Affairs must also be brought under the supreme control of the responsible Federal Ministry. For, unless and until the foreign policy and international relations of India are conducted on strictly national considerations of India, the mere control over the Department of Defence will not suffice. All aspects of the policy affecting the defence of a country need to be correlated; and India is no exception to the rule.

As regards (2), the experiment made since 1917-18 of appointing certain officers with the Viceroy's Commission has not proved a success, mainly because of the lower status assigned to such Indian officers. Indian

*Cp. Sections 4, 232-234. The Defence Sub-Committee of the Round Table Conference recommended the institution of an Indian Sandhurst (including an Indian Woolwich for naval training, and an Indian Cranwell for aerial training) to train Indian officers for all branches of the Defence services. Though an institution of this type at least for training up army officers has been set up, the number of cadets trained and appointed as officers in the Indian army is so small that there seems little hope of all officers in the Indian army being Indians on this side of the present century. As against the reported need of 130 to 160 officers in the Army every year, we barely have still a dozen Indians appointed to the lowest ranks of officers in the Indian army; and every one of the officers so appointed will take at least 20 years before they can rise to be Colonels in the ordinary course of promotion.

officers holding the King's commission, and, therefore, equal in status with the British officers, have been few in number. Even the so-called Eight Units Indianisation Scheme is progressing so slowly, that not before 1946 at the earliest could Indian officers reach the position of command even in a single battalion or regiment. Even when it is achieved, it will fall far short of indianising completely the superior ranks of the Indian Army.* The argument drawn from the difficulties of finding suitable material, adequate training and experience in the officers needed for posts of command have been urged in explanation of the very slow progress of this scheme. The steps taken to remove this difficulty do not indicate any very noticeable enthusiasm on the part of those responsible for this kind of slow trend towards Indianisation in the higher ranks. The Skeen Committee had actually recommended a much faster rate of Indianisation; but the powers-that-be have practicably abandoned the recommendations of that Committee. The New Constitution leaves it utterly vague and indefinite as to when, if ever, positions of command and authority in the Indian Defence Organisation will come into the hands of Indian officers.

As regards (3), argument of cost,—which is far more heavy, proportionately speaking, in regard to British troops stationed in India than for the corresponding Indian troops—has been adduced time and again to prove the impossibility of maintaining such an ele-

*While the Military Requirements Committee of 1922 had considered it possible to Indianise completely the officers in the Indian Army in 10 years, the Skeen Committee had considered 28 years sufficient for the purpose. But the latest policy of the Indian Government, especially as embodied in the Act 1935, does not hold out any hope of Indianisation even in the rest of this century.

ment in the Defence Organisation of India.* There seems no indication, however, in the present Constitution, which could lead one to hope that, whether for reasons of cost, political sagacity, or constitutional propriety, this element of British troops and officers will be dispensed with at an early date. The continued maintenance of British Troops in India, taken in conjunction with the principle that the margin of safety needed by the British vested interests in India require a proportion of 1:2 between European and Indian elements, render all suggestions for economy abortive.

The question of establishing industries needed for the equipment of modern Armies, Navies and Air Forces, may similarly be regarded as forming part of the larger issue of national development; and accordingly, we may content ourselves here by simply observing that, in so far as constitutional power is lacking in the Indian authorities to take steps in this direction, any ambitions entertained by nationalist India in this direction are doomed to be disappointed.

IV. Conscription for National Defence in India

The problem of putting forth the maximum effort the country is capable of, in its hour of direst need, is complicated, from a constitutional standpoint, by the advent of the States in the Indian Federation. In all Dominions, the obligation on every able-bodied adult citizen to bear arms in the Defence of the country is undoubted; and the Dominion Legislature has every power to legislate on such a subject. British Imperial-

*According to information supplied in the Indian Legislature, man for man a British soldier is between three and four times as costly to the Indian tax-payer as the Indian soldier. Cp. *Sixty Years of Indian Finance*, Part II, Ch. II.

ism has, however, its own reasons not to encourage such ideals in this country. Without necessarily being a jingoist, one may nevertheless appreciate the need for a proper, economical, and efficient national organisation, equal to any emergency, in this country. But even if, for its own needs, the Imperial Government were ready to concede to India the right to arm every citizen in National Defence, it is doubtful if the States becoming members of the Federation would consent to such powers of legislation over their peoples also being vested in the Federal Legislature. Even as regards the Arms Act, forbidding Indians to bear arms, it may be questioned if the Federal Legislature would be suffered easily to repeal it even if it is competent to pass such legislation. Here also, accordingly, the New Indian Constitution is far less of an instrument of self-government for the people of India than is enjoyed by the Dominions.