

(3) (a) The Central Services, Class I, appointed by the Secretary of State in Council and consisting of superior officers in the

- (i) Railway Services.
- (ii) The Indian Post and Telegraph Services.
- (iii) The Imperial Customs Services.
- (iv) The Central Secretariat.

(b) Central Services, Class II, appointed by the Government of India (officers in the above four departments other than Class I, and in certain other departments).

(4) The Indian Medical Service has been constituted primarily in order to meet the demands of the Army. But in order to maintain the necessary war reserve of military medical officers, and to provide European medical attendance for European Officers of the Superior Civil Services, and their families, Provincial Governments are required to employ a certain number of officers of the Indian Medical Service. Under R. 12 of the Devolution Rules, the Secretary of State prescribes the number to be so employed and also the conditions on which they shall be so employed.

(5) The Subordinate Services in Local Governments.

## CHAPTER XVII.

### The High Commissioner for India, the Imperial Conference, and the League of Nations.

108. *The High Commissioner for India*:—(1) A Committee was appointed under the chairmanship of Lord Crewe to enquire into the Home administration of Indian affairs. This Committee recommended *inter alia*, that the agency work performed by the India Office should be demarcated from its political and administrative functions, and that the former should be transferred to a High Commissioner. Accordingly, under S. 29 (A) of the Government of India Act 1919, provision was made for the appointment, by Order in Council, of a High Commissioner, to represent in London the Indian Government.

(2) The Order in Council under the section transferred to him agency functions on behalf of the Central and Provincial Governments which had been previously discharged by the Government of India.

(3) The High Commissioner is not subject to the orders of the Secretary of State nor is his establishment part of the India Office.

(4) He purchases stores on behalf of the Indian Governments.

(5) He recruits such *personnel* as the Provincial Governments require from England.

(6) He also recruits *personnel* for the Government of India, except the All-India Services.

(7) He, often, represents India, on important International Conferences.

The agency work done by the High Commissioner include the following :—

- (i) Payment of civil leave allowances and pensions.
- (ii) Supervision of the I. C. S. and Forest probationers, after first appointment.
- (iii) The making of arrangements for officers on deputation or study leave.
- (iv) Repatriation of destitute lascars.
- (v) Sale of Government of India publications etc.
- (vi) Control of the Indian Soldier's branch.
- (vii) Supervision of the work of the Indian Trade Commissioner.

The Indian High Commissioner in England has no diplomatic functions. The position is different with regard to the **Dominion High Commissioners.** Dominions at the present time. Even there, originally, the High Commissioner was essentially the commercial representative of the Dominion in the United Kingdom. The office was consular rather than diplomatic. Its creation was a nationalistic manifestation, the evidence of independent economic development which followed the grant of fiscal autonomy to the Colonies. In course of time the office of the Dominion High Commissionership has grown in importance, and the holders thereof have assumed a quasi-Ambassadorial status.

There are counter-parts in the Dominion, representing the United Kingdom. After the Imperial Conference of 1930 the Governor-General ceased to be a representative of the Home Government, and the functions taken over from the Governor-General have been transferred to High Commissioners who have been appointed to Canada, South Africa and Australia. Their duties are in part political, to keep the Dominion Government in personal contact with British policy and foreign affairs, and in part economic, " to control the agencies employed to keep the Board of Trade and British industry informed " of Dominion openings. They correspond, therefore, in some degree to the Ministers of foreign powers accredited to the Dominions, but with greater insistence on the commercial side of their work.

The States of Australia are represented in London by their Agents-General. They have both political and economic functions ; they are, however, mainly concerned with commercial and financial questions, and deal directly with the Dominions Secretary.

The Agents-General of the Canadian Provinces discharge similar functions, with this difference that they are not accredited to the Dominion Secretary but maintain relations with the High Commissioner, in accordance with the Canadian Constitution.

*The Imperial Conference* :—The system of organising Imperial Conferences for discussion of matters of common concern affecting the United Kingdom and the Dominions or Colonies has been in vogue at least from 1887. “At first it resembled more than anything else an augmented departmental committee of the Colonial Office, intended as a vessel for the reception of proposals from Downing Street, and the responsibility and initiative rested mainly with the Colonial Secretary. But the Overseas representatives progressively became more assertive and the Conference won for itself recognition as the agency of Imperial Co-operation which overshadowed all others.” In 1897 it was unanimously resolved that periodical Conferences were advisable. In 1907 it was definitely fixed that the Conference should be held every four years. Prior to 1907 the term ‘Colonial Conference’ was used and subsequently it was termed ‘Imperial Conference.’ Until 1907 the Secretary of State for the Colonies presided over the Conference. In 1907 it was claimed on behalf of the Self-Governing Colonies that the Conference was a Conference of Governments—between the Imperial Government and the Governments of the Self-Governing Colonies. The presidency of the Conference was vested in the Prime Minister of the United Kingdom and each Government was to have one vote. The constituent resolution of the Imperial Conference of 1907 makes provision for these matters. In the opening words of the resolution, the Conference is to be held every four years “at which questions of common interest may be discussed and considered as between His Majesty’s Government and His Governments of the Self-Governing Dominions beyond the seas.” Thus Dominions or Colonies which were not self-governing were not entitled to take part in the Conference.

The sacrifice made by India during the Great War, and the political exigencies relating to India necessitated the provision for representation of India in the Imperial War Conference in 1917, and by a suitable amendment of the constituent resolution of 1907, India was enabled to have spokesmen in all the Sessions of the Imperial Conference from 1917.

The Conference determined its own procedure. As major questions came up for discussion, the spokesman of each Dominion will briefly address the Conference. A definite order of precedence was set up as follows: Home Government, Canada, Australia, Newzealand, South Africa, Irish Free State, Newfoundland and India.

The Conference is merely a consultative body, and any resolutions passed by it cannot, *per se* have the same force as if passed by the Governments or Parliaments of the Dominions represented in it unless they are approved by the Parliaments of the Dominions. It is thus, merely an agency of Imperial Co-operation.

The Conference has always combined political and economic issues in its investigations, and it was from its deliberations that there have proceeded the resolutions on status which brought about the passing of the Statute of Westminster 1931, and the present understandings regarding foreign relations, which are the foundation of the position of the Empire in International affairs. The Conferences of 1926 and 1930 are specially important. The resolution about 'status' of the Imperial Conference of 1926 has already been referred to.\* The Imperial Conference of 1930 made the following recommendations, in addition to those relating to the matters specifically dealt with in the Statute of Westminster:—

- (1) The only parties interested in the appointment of a Governor-General are the King and the Dominion concerned.
- (2) The King should act on the advice of Ministers.
- (3) The Ministers concerned are Dominion Ministers.
- (4) They tender advice after informal consultation with His Majesty.

These points are not dealt with in the Statute of Westminster, nor was the resolution of 1926 regarding status formally approved by the Imperial Parliament; but it is undoubted that the Constitution of the British Commonwealth of Nations rests on the agreements and conventions arrived at in Imperial Conferences.

*The League of Nations* :—India, that is to say British India as well as Indian India, is a separate member of the League of Nations. The member States make an annual contribution to the League. The contribution which India paid by way of annual subscription to the League of Nations, for the year 1934, amounted to 17,04,202 Gold francs which is equivalent to Rs. 14,90,013 (a little less than 15 lakhs).† The payment was 9 lakhs before England went off the gold standard. Now as the Rupee is linked to the depreciated sterling the amount has increased from 9 to 15 lakhs. The Indian States do not make any contribution, although India, *i.e.*, British India and Indian States is the unit in the League of Nations.

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\* *Vide* Introduction.

† *Vide* proceedings of the Legislative Assembly dated 23—7—1934.