

# Political and constitutional development 1935-1947

Government of India Act 1935

1937 elections and formation of congress ministries

1940 Pakistan Resolution

Cripps Mission 1942

Cabinet Mission 1946

3<sup>rd</sup> June Plan and transfer of Power

## **Government of India Act 1935**

- Three lists of subjects were drawn up
- **Federal list**
- Federal government could make laws in the subjects given
- **Provincial list**
- Provincial government could make laws in the subjects given in the list
- **Concurrent List**
- Both Federal and provincial government could make laws
  
- System of dyarchy was transferred from provinces to center.
- Sindh was separated from Bombay, and Orissa Separated from Bihar.

- NWFP was made province and Burma was separated from British India.
- Special powers given to the governors of the provinces to protect the rights of the minorities.
- India was divided into 11 provinces; Bihar, Orissa, Bengal, Punjab, Bombay, Madras, Sindh, NWFP, Central Provinces and Berar, United Provinces.

### **1937 elections and formation of Congress ministries**

The provincial elections were announced soon after the passage of the Government of India Act 1935 in 1936-37

- **Results of elections**

- The results of the elections were disappointing for the Muslim League, as the Congress won majority seats and formed ministries in eight provinces. Bihar, Orissa, Berar and Central Provinces, NWFP, Assam, Madras and Bombay. In Punjab, Unionist party formed ministry. In Bengal, a coalition government was formed of Congress. In Sindh, Sindh united party won major seats.

- Muslim league failed to win seats in the Muslim majority provinces but managed to get seats in Muslim minority province like UP.

## **Pakistan Resolution 1940**

- British declared war against Germany and made India part of War without taking opinions of the Indian Legislators, due to which Congress ministries resigned.
- After two years of Congress rule the Muslims have realized that if the British left India then the Congress will dominate in the central legislature. Due to which Muslim league changed its politics from united India to partition of India.
- Muslim League presented the Pakistan Resolution in Lahore. A.K Fazl ul Haq presented the resolution and Jinnah presided the session.

- **Text of the Lahore Resolution 1940**

- *“No constitutional plan would be workable in this country or acceptable to the Muslims unless it is designed on the following basic principles, namely, that the geographically contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are in a majority as in the north-western and eastern zones of India should be grouped to constitute independent states in which the constituent units shall be autonomous and sovereign. Adequate, effective and mandatory safeguards should be specifically provided in the constitution for minorities for the protection of their religious, cultural, economic, political, administrative and other rights”*

- **Elections 1945-46.**

- The AIML won all the seats reserved for Muslims at the central legislature, and won 446 out of 496 seats reserved for the Muslims in the provinces

## **Cabinet Mission plan 1946**

- **Socio-economic conditions of India**

- India was passing through an economic crisis after the WW-II.
- The inflation and the unemployment

- **Announcement of Cabinet Mission**

- The new British government headed by Lord Attlee, announced a mission for India consisting of three cabinet ministers on February 19, 1946.

- The ministers which were included in the mission were; Petherick Lawrence, A.V Alexander, and Stafford Cripps.
- The mission was given the task to resolve the constitutional issues with the Viceroy and the Indian political leaders.

## **Major points**

- Indian Union would be established comprising of British India and the states. The Union would deal with the defense, foreign affairs, and communication.
- Three groups of provinces would be established
  - Group A: Punjab, Sind, Bengal, NWFP
  - Group B: Madras, Bihar, Orissa, UP, CP, Bombay
  - Group C: Aasam, Bengal

- All residuary powers would be vested in the provinces
- Each province have seats in proportion to its population
- Each province have the option of opting out of the provincial groups after 10 years.
- An interim government would be established with all portfolios held by the Indians.

### **Failure of interim government formation.**

- The Viceroy declared that whichever party was willing to join the interim government would be invited to form the interim government.
- INC refused to join the interim government, on the other hand the AIML decided to join the government. but Viceroy did not ask Jinnah to form government.
- Jinnah decided to take direct action along with withdrawing their acceptance of the Cabinet Mission plan.



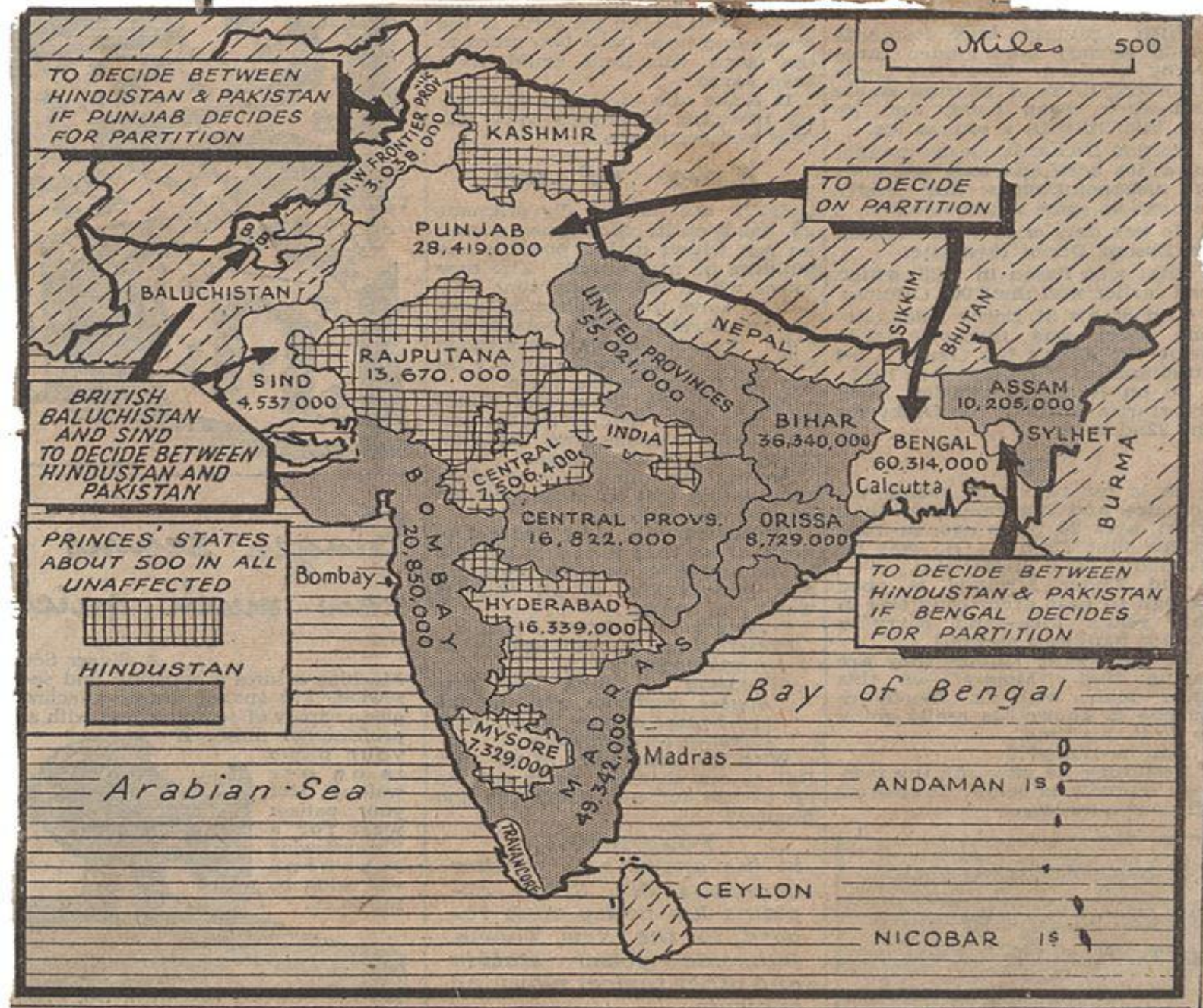
## **Transfer of power to India and Pakistan from British government**

- The British Prime minister Lord Attlee declared in British parliament that India would be granted independence by February 1948.
- Lord Mountbatten was sent to India with the orders by the British government to transfer the power up to the June 1947.
- **3<sup>rd</sup> June Plan**
- After having discussion with political leaders of India, Lord Mountbatten decided to partition India.
- Both AIML and INC gave their acceptance to the draft partition plan. Mountbatten went to England to take approval of the British government.
- The British government approved the partition plan, which was known as the 3<sup>rd</sup> June plan

## **Major points**

- The Punjab and the Bengal legislature would decide to partition the province or not
- Referendum in NWFP
- Baluchistan would be asked to decide their future
- A boundary commission was formed to demarcate the borders.
- Both countries shall have their own Governor-General
- Military assets shall be divided among the two countries
- States shall be free to join one country or another
- **Radcliff award**
- A Boundary commission was setup under the chairmanship of Sir Cyril Radcliff to demarcate the borders of Punjab and Bengal.

# HOW INDIA MAY BE SPLIT UP





## PARTITION BOUNDARIES IN THE PUNJAB

Showing notional boundaries as laid down in the First Schedule of the Indian Independence Act 1947, and boundaries as finally demarcated by the Boundary Commission.

