

The Government of India Act 1935



Govt. of India Act 1935

- ▶ The Round Table Conferences could not achieve their objective and thus failed. However, on the suggestions of Round Table Conferences white paper was issued in 1933 and efforts were started to make the constitution of India.
- ▶ A committee was set up under the chairmanship of Lord Linlithgow, the viceroy of India, to consider the recommendations of the white paper. The report of the committee was published in 1934 that was contained in a bill of law.
- ▶ The report along with the bill was passed in the British Parliament. After the Royal assent, the Act was enforced in the country as Government of India Act 1935.
- ▶ The Government of India Act 1935 consisted of two parts. One part was central, and the other part was provincial.

Salient Features:

- The Act proclaimed a **bicameral legislature**. One house of the Assembly was called the Indian Legislature Assembly, and the other house of the Assembly was The Council of State. The Council of State was the upper house that was a permanent body, i.e., that it could not be dissolved like the lower house of the Parliament. One-third members of the upper house had to retire after every three years. The lower house of the Assembly, the Indian Legislature Assembly, was not an independent body. **Governor-General could veto the laws passed by the Assembly**. The legislature had no control over the legislation under this Act.
- **Federal Budget it consisted of two parts**. One part consisted of a **non-votable portion of the budget that was 80 % of the whole budget**. This part of the budget could not be discussed or amended in the legislature. The other part of the budget that consisted of **20% of the whole budget could be discussed or amended in the Federal Assembly**.
- The **provinces were given more authority and powers**, and for the first time, the provinces were made separate entities.

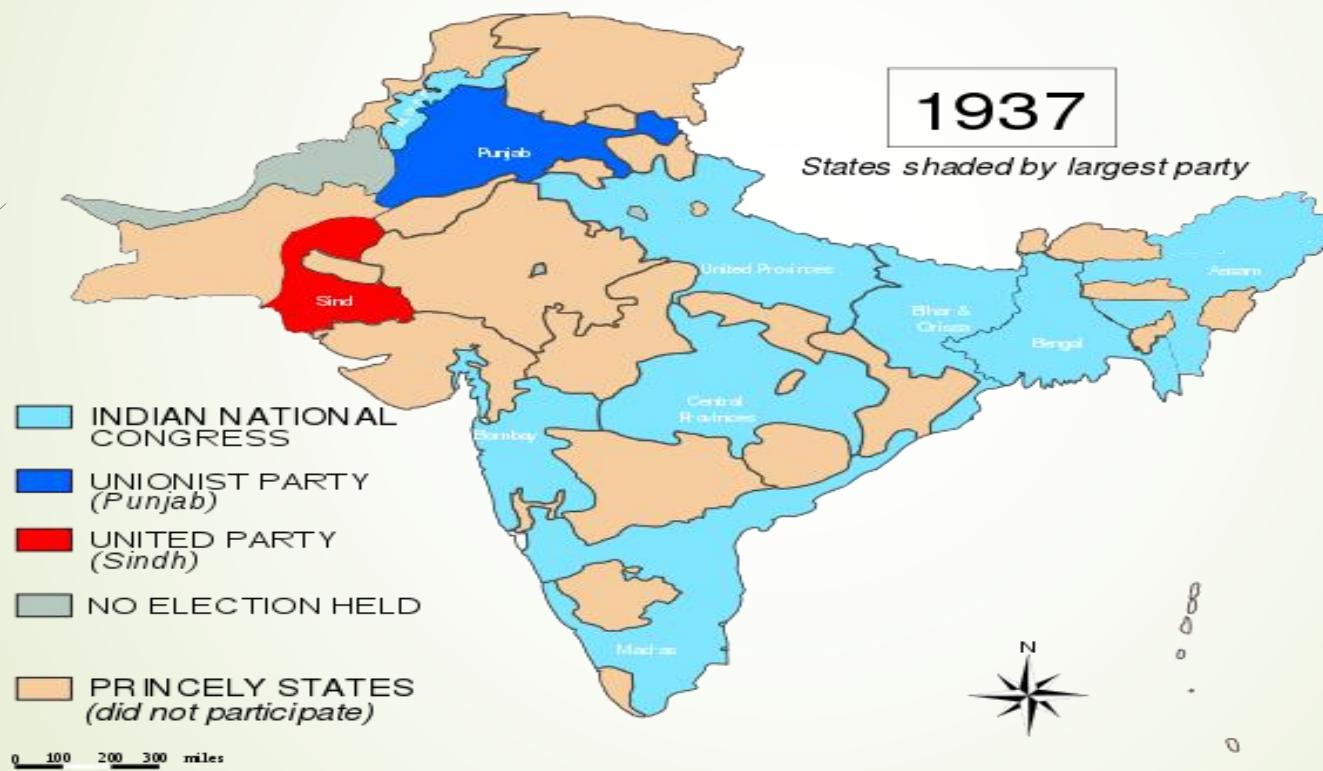
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- ▶ Under the Act, there were **three lists of subjects**. One was **federal**, 2nd was **provincial**, and the 3rd was a **concurrent list**.
- ▶ The whole country was divided into **11 provinces**.
- ▶ The Governor-General in the center and the Governors in the provinces were given special rights and privileges. **In case of the emergency situation, both Governor-General and Governors enjoyed unlimited powers, and their authority could not be challenged in any institution.**
- ▶ Under the Act, a **Federal Court was established**. The court consisted of **Chief Justice and six other judges**. After the age of 65, the judges of the Federal court had to vacate the seat however any judge of the court could leave his seat before the age of 65. **The court could interpret the constitution** and if Governor-General needed any help regarding the constitution matters the court was bound to give advice but it was totally depended upon him to accept or reject the advice.
- ▶ Under the Act, the **Secretary of State for India enjoyed the same powers that the other ministers enjoyed** under the Act.

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- ▶ The Act of 1935 failed to win appreciation from various sectors. Both the Muslim League and the Indian National Congress expressed their dissatisfaction over the Act.
- ▶ Hindu leader Madan Mohan greatly criticized this Act, and Pandit Jawahar Lal Nehru said on the emergency rights of Governor-General and Governors that ***this Act was like a machine that had strong brakes and no engine.***
- ▶ Muslim leader Muhammad Ali Jinnah termed this scheme ***thoroughly rotten, fundamentally wrong and unacceptable.***

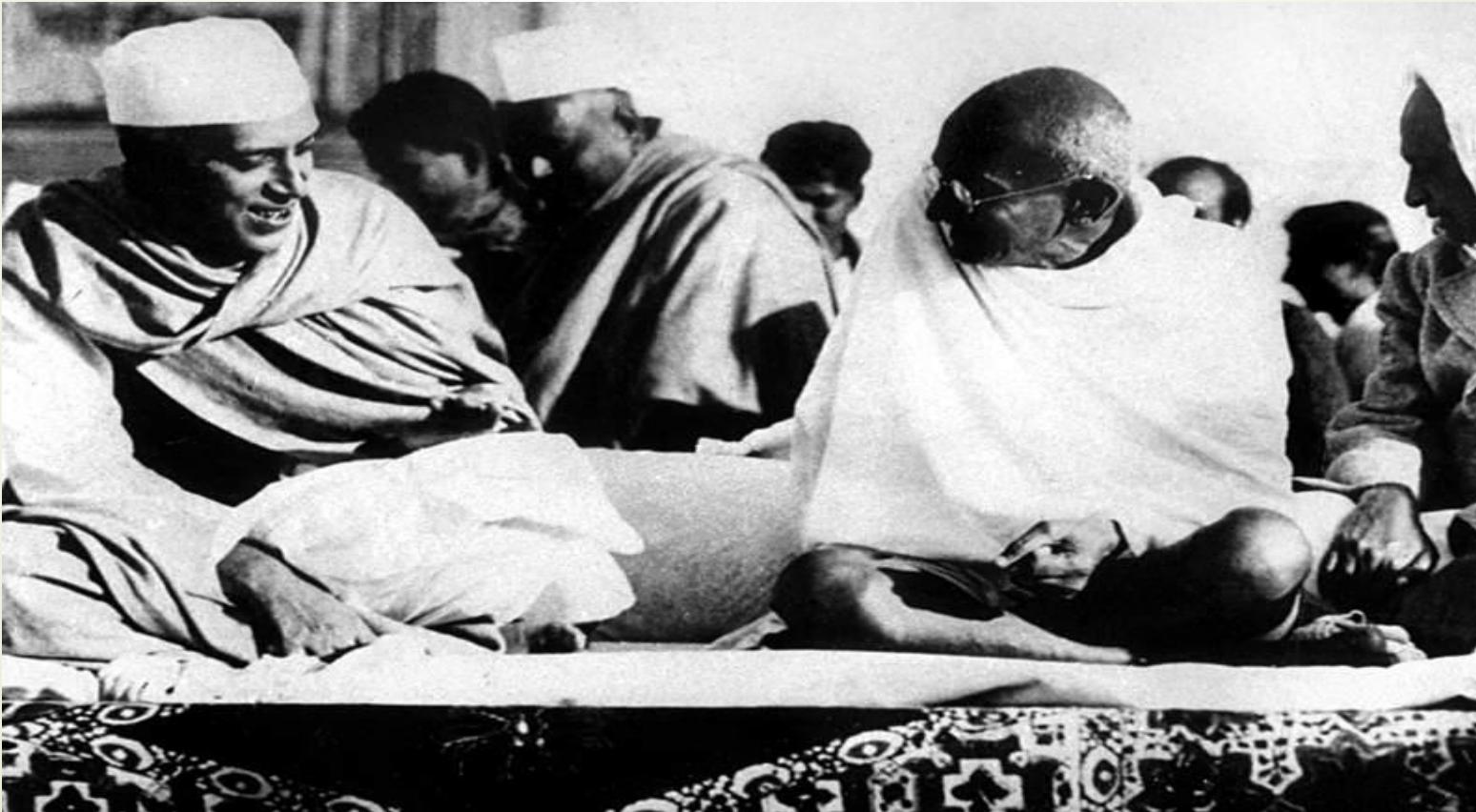
1936 Elections



1936 Elections

- ▶ The Government of India Act of 1935 was practically implemented in 1937. The **provincial elections were held in the winter of 1936-37.**
- ▶ There were two major political parties in the Sub-continent at that time, the **Congress**, and the **Muslim League**.
- ▶ **Both parties did their best to persuade the masses before these elections and put before them their manifestos.**
- ▶ The political manifestos of both parties were almost identical, although there were two significant differences. **Congress stood for the joint electorate and the League for separate electorates; Congress wanted Hindi as official language with Devanagari script of writing while the League wanted Urdu with Persian script.**
- ▶ According to the results of the elections, **Congress**, as the oldest, most vibrant and best-organized political party, **emerged as the single largest representative in the Legislative Assemblies**. It failed to secure even 40 percent of the total number of seats.

Congress Rule (1937-39)



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- ▶ The Congress rule was oppressive towards the minorities especially Muslims.
- ▶ They started the '**Muslim Mass Contact**' movement to defame the Muslim League in their favor.
- ▶ They were making **cultural and educational policies that promoted the Hindu culture and symbols in the name of Indian culture.**
- ▶ They **introduced Vande-Mataram anthem** in the institutions and offices etc.
- ▶ The **Hindi language was given first importance** in their policies.
- ▶ **Wardha Educational Scheme** was to **convert Muslims into Hindus** through primary educational literature
- ▶ **Projection of Hindu heroes like Gandhi and distortion of Muslim history became their moral creed.**
- ▶ They followed the **policy of discrimination in services** or new recruitment for jobs.

Muslim Response to the Congress Rule

- ▶ The Muslims were **well aware of the theocratic inclination of the Hindu people.**
- ▶ They **arranged close monitoring** of the government.
- ▶ They **publicized their policies and raised the issues.**
- ▶ The **mobilization of Muslims** on these matters required a keen probe **to collect the original facts of the Hindu atrocities.**

Muslim League Activism

- ▶ The Muslim League **highlighted the problems and mobilized the Muslims** to counter them adequately.
- ▶ They **reorganized the Muslim community** to cope with the situation.
- ▶ The Muslim leaders **shed a sharp criticism on the Congress policies**.
- ▶ They **protested against the reduction of the status of Urdu** and other Muslim related issues.
- ▶ They **created realization, amongst the Muslims, of what can happen under the Congress rule** and urged for serious thinking about the future political and constitutional arrangements.
- ▶ They **unearthed the real objectives of the Congress and urged the need for unity** among the Muslims under the banner of the Muslim League.

Congress Rule (1937-39)

- ▶ The Congress rule was oppressive towards the minorities especially Muslims.
- ▶ **Congress resigned** in October and November 1939, in protest against Viceroy Lord Linlithgow's action of declaring India to be a belligerent in the Second World War without consulting the Indian people.