

Day-3

Q.

Discuss how the Government of India Act, 1935 laid the constitutional foundation of the modern Indian state. Which key features of this Act were later retained in the Indian Constitution?

भारत सरकार अधिनियम, 1935 ने आधुनिक भारतीय राज्य की संवैधानिक नींव कैसे रखी? इसके कौन-से प्रमुख प्रावधान भारतीय संविधान में शामिल किए गए? 38 M

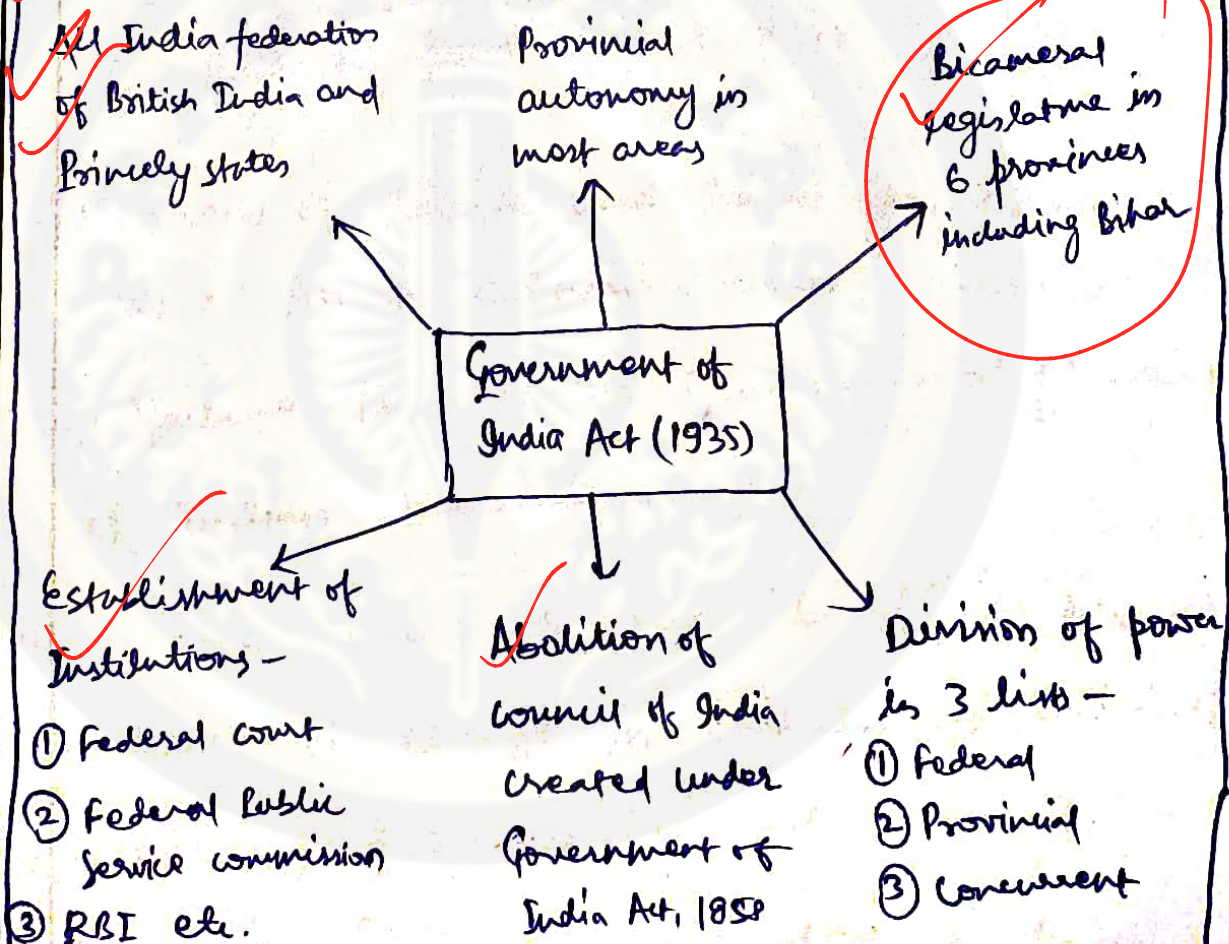
AMANDIP RANJAN

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Q → Discuss how the Government of India Act, 1935 laid the foundation of the modern Indian state. Which key features of this act were later retained in the Indian Constitution?

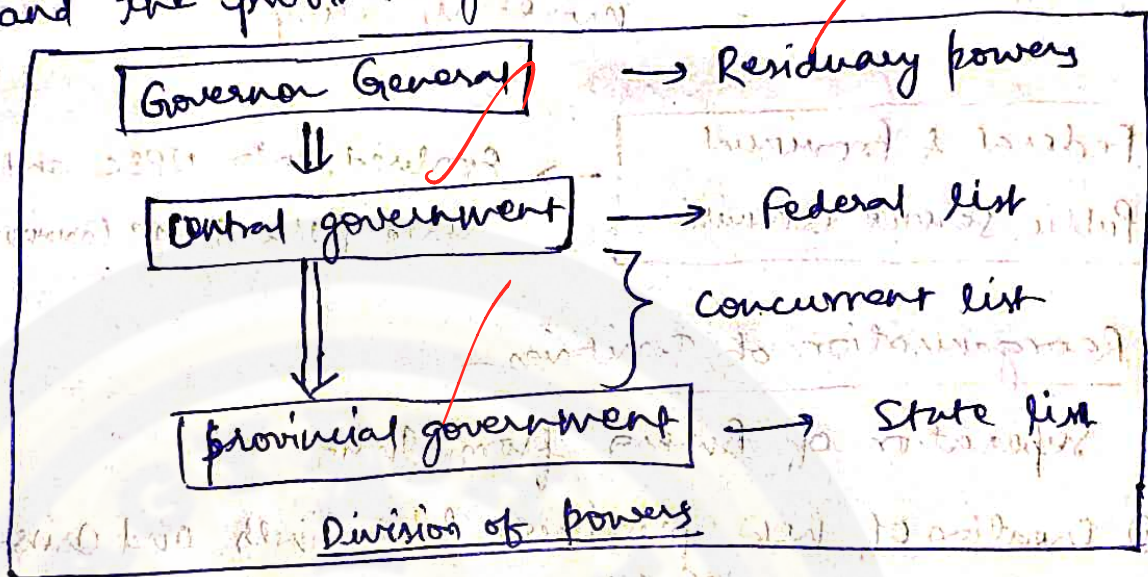
Ans → The government of India Act of 1935, though enacted by the British parliament, tried to incorporate the aspirations of masses. This became the key reason for retention of various provisions in "as it is" or in modified form in Constitution of free India.



Government of India Act 1935 : Instrument for foundation of modern Indian State

① Federal Structure -

- ① The act proposed a federal structure for India, dividing powers between the central government and the provincial government through 3 lists.



② Provincial Autonomy -

- ① The act abolished the system of dyarchy in provinces and granted them significant degree of autonomy under Responsible government.

- ② This provided Indian leaders with valuable experience in governance.

- ③ Bicameral legislature - Through introducing bicameralism, it established a precedent for a two-house system in the central and some states.

in independent India

④ Foundation of Key institutions —

Federal Court → Precursor to the Supreme Court of India

Reserve Bank of India → for managing the country's monetary policy

Federal & Provincial Public Service Commissions → Evolved into UPSC and State Public Service Commissions

⑤ Reorganisation of Territories —

- ① Separation of Burma from India
- ① Creation of new provinces like Sindh and Orissa (carved out of Bihar)

Key features of Government of India Act (1935) retained in Indian Constitution

<u>Provision of Government of India Act (1935)</u>	<u>Position in Constitution of India</u>
Federal Structure (Division of Power)	Seventh Schedule
Provincial Autonomy	Part - VI : The States (Articles 152-237)
Federal Court	Articles (124-147) Union Judiciary

Public Service Commissions	Part - XIV Articles - (315-323)
Concept of Governor for Provinces	Articles - (153-162)
Detailed administrative Provisions	Part IX (for Union), Part - VI (for States), Part XI (relation between Union and States) etc
Manner of promulgation of Ordinance	Article 123 for President and article 213 for governors

Limitations of Government of India Act 1935

- ① Despite provincial autonomy, the act allowed the ~~governor-general~~ and provincial governor to retain extensive powers including veto authority.
- ② Rigidity - No provision for amendment by Indian authorities, reserving this power for British Parliament.
- ③ Failed federation - The proposed federation never materialized.
- ④ Widespread rejection - The act was widely condemned and rejected by the Indian National Congress and other political groups.
- ⑤ Restricted franchise - Voting rights remained limited only to 10% of population, based on property.

U.P.S.C.

प्रश्न संख्या
(Question No.)

इस भाग में कुछ न लिखें
(Don't write anything
in this part)

income and educational qualifications.

The Government of India act 1935, despite its limitations and overarching control of British, served as a crucial blueprint and provided practical experience that significantly influenced the framing of the Constitution of India and the structure of the modern Indian state.

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