

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



Hrishabh Rai

9:22:44 AM

Day - 3



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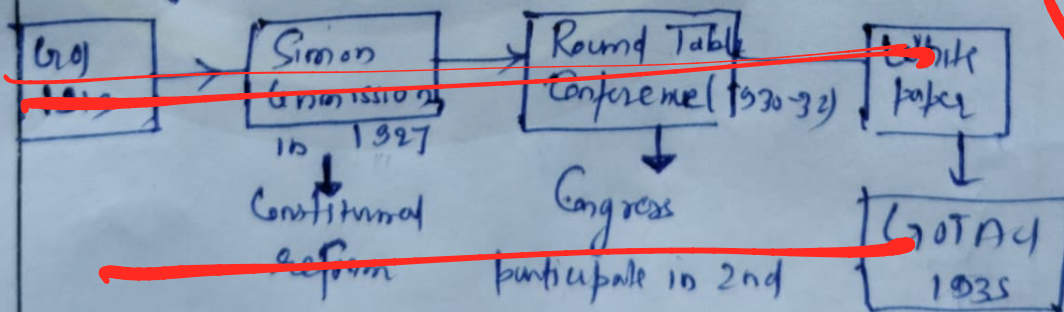
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Q Discuss how Government of India Act 1935 laid Constitutional foundation of modern Indian State. Which key feature of this Act were later retained in Constitution.

The Government of India Act 1935 is called blue print of Indian Constitution

which was drafted on recommendation of round table Conference released in White paper

Background





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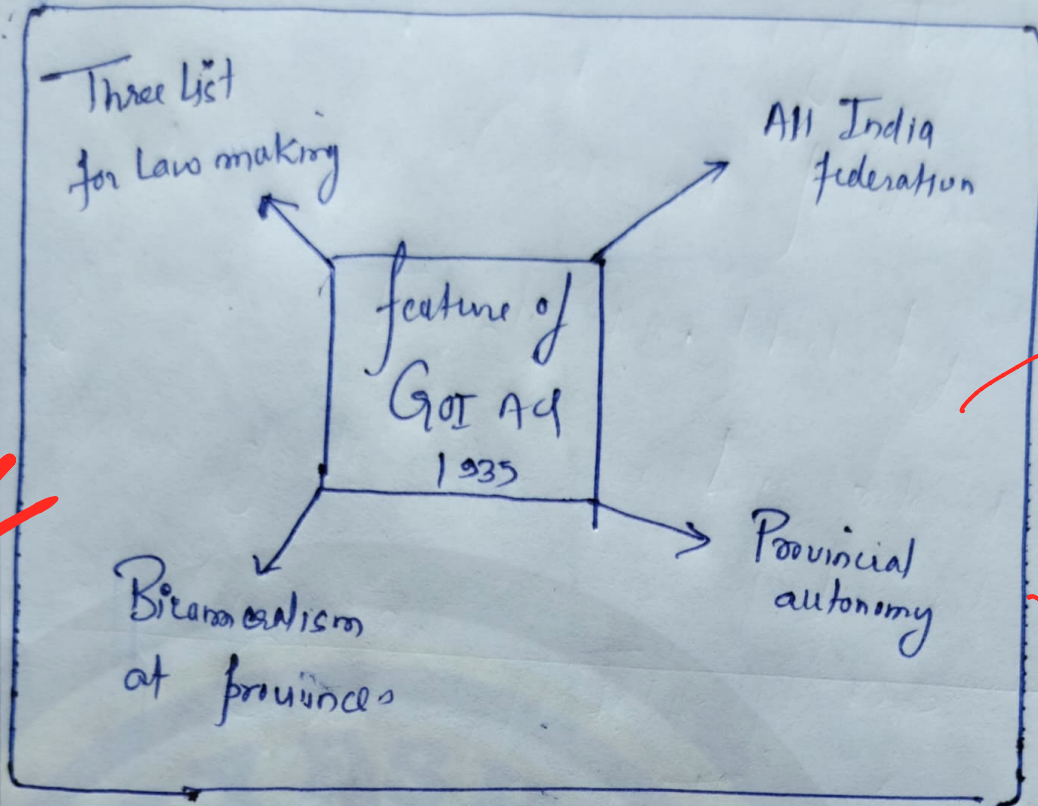
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GOI Act 1935 → Laid Constitutional ~~from~~ foundation

① <u>GOI Act 1935</u>	<u>Constitutional foundation</u>
① <u>All India Federation</u> ↓ Comprise of British provinces and princely state	① foundation of federal Structure Comprise of States with strong Centre



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2) Division of Power
↓
divide legislative power
in 3 list — (i) federal
(ii) Provincial (iii) Concurrent

2) Addition of 7th
Schedule Comprise
of Union, State,
Concurrent list

3) Provincial autonomy
↓
autonomy granted to
States in some matters

3) Appointment
of governor in
State to check on
misuse of autonomy by
State — executive

4) Bicameralism
↓
Introduced in 6 provinces
Madras, Bombay, Bengal,
United Provinces, Bihar,
Assam

4) Creation of
Legislative Council
along with assembly
at State

5) Public Service Commission
↓
Establishment of federal
Provincial, joint public
Commission for recruitment

6) Under Art 315
UPSC, SPSC,
JPSS has been
formed.

Almost complete



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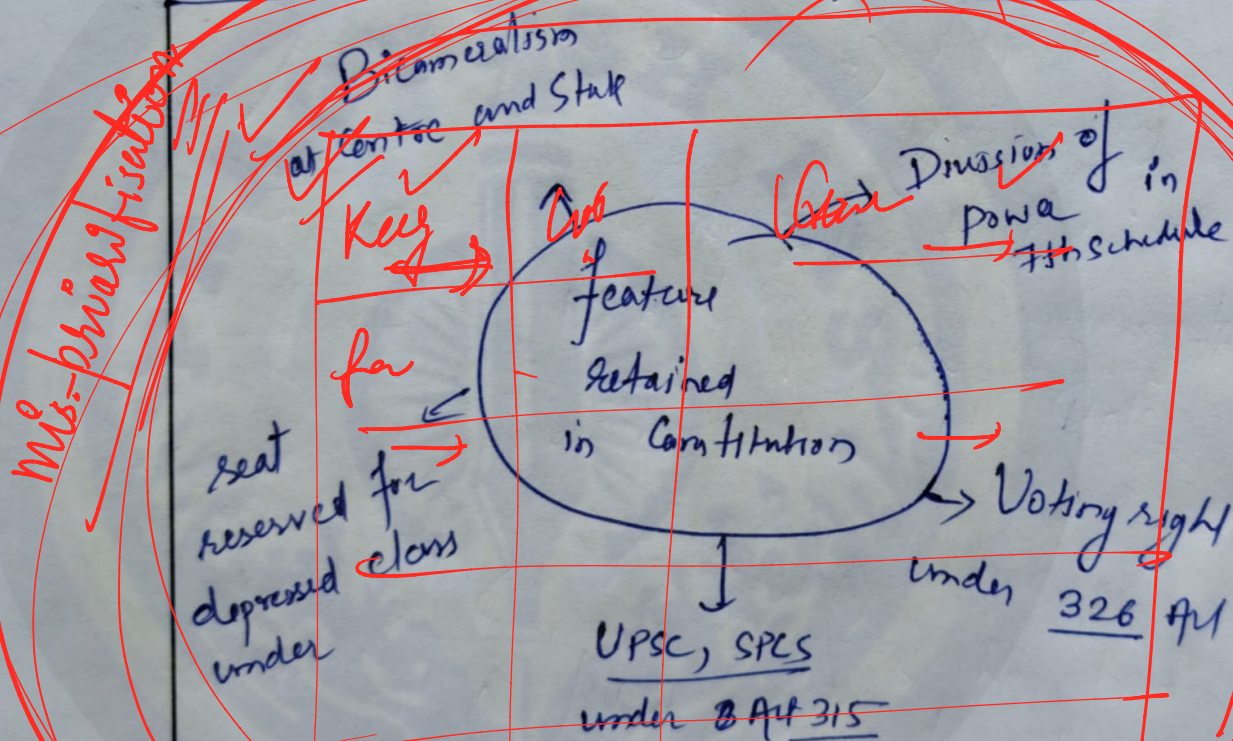
vi) Establishment of federal
Court for solving dispute
between provinces and centre

vi) federal
Court become
Supreme Court
of India

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vii) Expansion of franchise
of Voting to 10%
of adult population

vii) Provision
of Universal
adult franchise
under Art 326





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Significance

→ administrative experience
to Indian Leader

→ Congress, Muslim League
become active

First attempt to define federation

Limitation

→ Complete British Control

JL Nehru Called "GoI Act 1935"

is new chapter of Slavery

→ Communal representation

→ Discretionary power with Governor
General

Thus GoI Act 1935 become blueprint
of Indian Constitution, Although it has
some Limitation but Containing Number
of provision which shaped political
Constitutional Landscape of Independent
India.

OK