

## 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

**Roushan Bharti**

**4:17:43 PM**

Q

Discuss how the Government of India Act 1935 laid the constitutional foundation of modern Indian state. Which key features of this Act were later retained in Indian Constitution? [38]

→ Inlits the growing demand for Swaraj, the British Parliament passed the Government of India Act 1935 to give structure to controlled self governance without sovereignty. This Act is considered the Blueprint of Indian Constitution where Federalism, Provincial Autonomy and Bureaucratic Control was introduced to appease the Indian demands.

1.

Provisions leading to Constitutional Foundation of Modern Indian State

(i)

Federation of India

- The act proposed the establishment of All-India Federation consisting of British Indian provinces and the princely state.

- The framework for a federation was laid, though, it never became functional due to non-participation of princely states.

- Government of India Act, 1935, served as the foundation stone for federal structure in India.

## (ii) Provincial Autonomy

- Dyarchy was abolished in provinces and autonomy was implemented where Indian ministers had full control over all subjects.
- Governors were still appointed by the crown but had to act on advice of ministers except in special cases.
- This parliamentary form of democracy is seen in present Indian constitution.

## (iii) Bicameral Legislature in Provinces

- The act proposed federal legislature at centre with Federal Assembly (lower House) and Council



- ~~where mostly nominated~~  
Members of Federal Assembly were partly elected and ~~partly nominated~~ while that of Council of States had mostly nominated members.
- This structural framework served as a template for present federal setup in the constitution.

#### (iv) Division of powers

- The Federal feature also included three lists :  
 → Federal List (Centre's power)  
 → Provincial List (State's power)  
 → Concurrent List (Both)
- This became model for seventh schedule in Indian Constitution.

#### (v) Establishment of Federal Court (1937)

- It became a precursor to the Supreme Court of India.
- Federal Court resolved dispute between provinces and the centre.

(iv) Provision of separate Electorate

(vi) Establishment of RBI

- RBI was originally established under Government of India Act, 1935.
- Its formation laid the foundation of India's Central Bank.

## 2. Key Features retained in Indian Constitution

Feature	1935 Act	Present Indian Constitution
Federal structure	All India Federation (British India + Princely states)	Federal system with a strong Centre
Division of powers	3 List : Federal, Provincial, Concurrent	Retained the same in Seventh Schedule
Provincial Autonomy	No longer subordinate to Centre	States with Autonomous power
Bicameral Legislature	Council of states and Federal Assembly	Parliament has Rajya Sabha and Lok Sabha
Judiciary	Federal Court established	Supreme Court of India in 1950
Central Bank	RBI established under Act of 1935, Privately owned	Nationalized in 1949, fully government owned institution.

V. govt



The Government of India Act, 1935 served as the foundation stone for many features of present Constitution of India. Though the Constitution of India considered as the child of the Government of India Act, 1935 but it has a modern & democratic soul.

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