



Constitutional Development (संवैधानिक विकास)

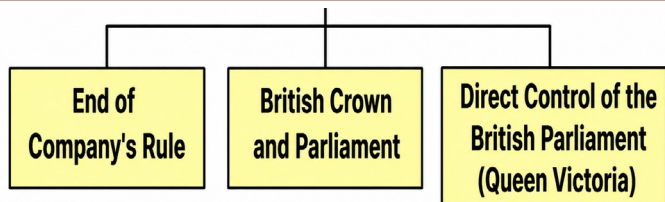


Shubham Gupta Sir

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Government of India Act, 1858



1. New post created ⇒ **Secretary of State for India** → A British Cabinet Minister based in London)
2. Accountable to Parliament
3. Assisted by a 15-member India Council
4. Abolition of the post of Mughal Emperor
5. Abolition of Board of Control and Court of Directors
6. (Governor General of India) → (Viceroy of India)
 - First Viceroy : Lord Canning

Indian Councils Act, 1861

1. Expansion of the Governor General's Executive Council
2. Indians included in the Governor General's Legislative Council for the first time
 - Lord Canning — Non-official members appointed
 - ◆ Raja of Banaras
 - ◆ Maharaja of Patiala
 - ◆ Sir Dinkar Rao
3. Beginning of the Departmental System
 - Lord Canning (1859)
 - Foundation of the present Cabinet System
4. Power granted to the Governor General to issue Ordinances
 - Duration - 6 months
5. High Courts Act, 1861
 - Calcutta (1 July 1861)
 - Bombay (14 August 1861)
 - Madras (15 August 1861)
 - Allahabad (17 March 1866)
6. Power granted to the Governor General to establish Provincial Legislative Councils
 - Bengal : 1862
 - North-Western Provinces : 1886
 - Punjab : 1897

From 1862 to 1908

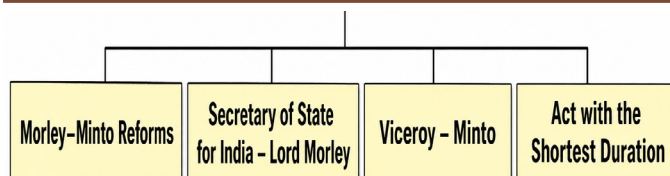
1. East India Stock Dividend Redemption Act, 1873 → Dissolution of the British East India Company (BEIC) on 1 June 1874
2. Royal Titles Act, (1876)
 - British Prime Minister Benjamin Disraeli
 - Viceroy of India Lord Lytton

- Addition of the 6th Member to the Governor-General's Executive Council
- Officer for Public Works
- Lord Lytton organized a grand "Delhi Durbar" on 1 January 1877.

3. Indian Councils Act, 1892

- Introduction of the Indirect Election System
- For the first time in India, this Act laid the foundation of the Representative System.
- Non-official members began to be selected through Indirect Elections.
- Members were given the right to discuss the Annual Budget.
- They had no right to vote on the Budget or move amendments.
- Supplementary Questions — Not Allowed
- Questions were allowed with 6 days' prior notice.

Indian Councils Act, 1909



1. Separate Electorate for Muslims

- Candidates also Muslim
- Voters also Muslim
- ❖ (Lord Minto) ⇒ (Father of Communal Electorate)

2. Appointment of Indians to the

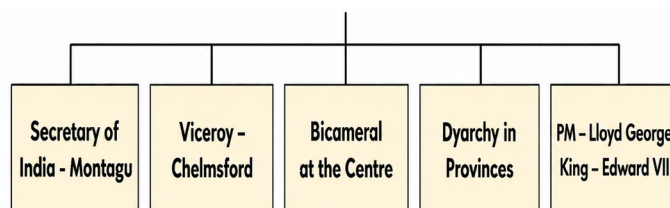
- Council of India (London) → Krishna Govinda Gupta and Syed Hussain Bilgrami
- First Indian appointed to the Viceroy's Executive Council → Satyendra Prasanna Sinha (Law Member)

3. Indians granted rights in Legislature

- Right to Ask Supplementary Questions
- Right to move Resolutions on Matters of Public Interest, along with discussing the Budget

4. Increase in seats of Provincial Legislatures

Government of India Act 1919



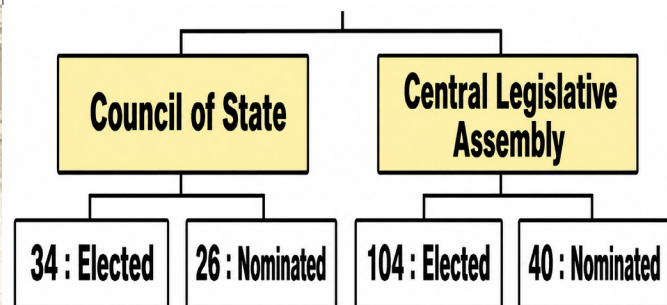
1. Women's Voting Rights in India

2. Lee Commission → Public Service Commission (1926)

3. Appointment of Comptroller & Auditor General by Secretary of State

4. Extension of Separate Electorate - Sikhs, Indian Christians, Anglo-Indians and Europeans
5. Central Budget separated from Provincial Budgets
6. Provision for a Review Commission after 10 Years → Simon Commission (1927)
7. **Bal Gangadhar Tilak – "A Dawn without Sunrise"**

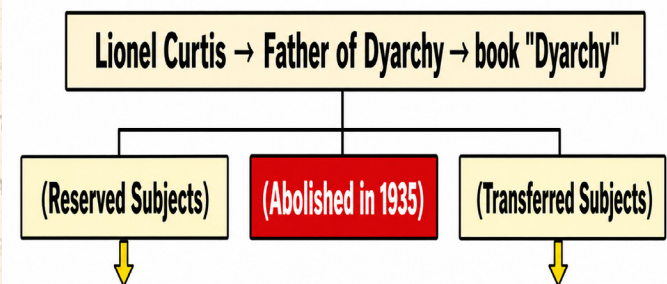
Bicameral System at the Centre



- **Tenure - 5 Years**
- **Tenure - 3 Years**
- **Men Only, Election**
- **Direct Election**

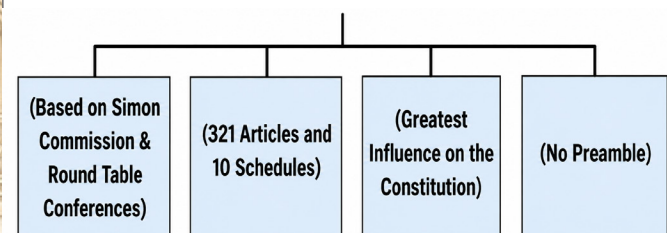
- ❖ Powers of both Houses were nearly equal
- ❖ Most budget powers → Lower House
- ❖ The Viceroy could veto any bill.

Dyarchy in Provinces



- | (Governor & Executive Council) | (Ministers of Legislative Council) |
|--|---|
| Finance, Land Revenue, Famine Relief, Justice, Police, Pension, Criminal Tribes, Press, Newspapers, Irrigation, Waterways, Mines, Factories, Electricity, Gas, Boilers | Education, Library, Museum, Local Self-Government, Medical Relief, Public Works Dept, Excise, Industry, Weights & Measures, Control of Public Entertainment |

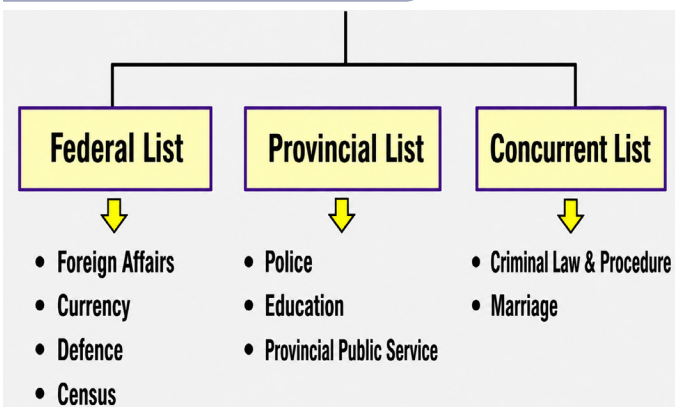
Government of India Act 1935



1. **All India Federation**
 - 11 British Provinces - Compulsory
 - 4 Chief Commissioner's
 - Princely States - Voluntary
2. **Provinces**
 - Dyarchy Abolished
 - Greater Autonomy

3. **Establishment of Federal Court**
 - 1 + 2 Judges
 - Final Appeal: Privy Council (London)
4. **Supremacy of British Parliament** → Only British Parliament could amend this Act
5. **Abolition of India Council**
6. **Extension of the Communal Electorate System**
 - Depressed Classes
 - Labourers
 - Women
7. **Territorial Changes**
 - Burma Separated from India
 - Sindh Separated from Bombay
 - Sindh Separated from Bombay
8. **Establishment of Reserve Bank of India**

Dyarchy at Centre - List of Subjects



Residual Powers ⇒ Viceroy

- ❖ **Nehru**
 - Charter of Slavery
 - A Car with Brakes but no Engine
- ❖ **Ambedkar**
 - I make no apology that the Draft Constitution has reproduced a large part of the Government of India Act 1935.

August Offer 1940

1. **Viceroy Linlithgow** → 8 August 1940
2. **Objective** → To gain Indian support in World War II
3. **Provisions**
 - Dominion Status
 - Proposal for the formation of a Constituent Assembly
4. **Nehru** → "A rusty nail stuck in the door"

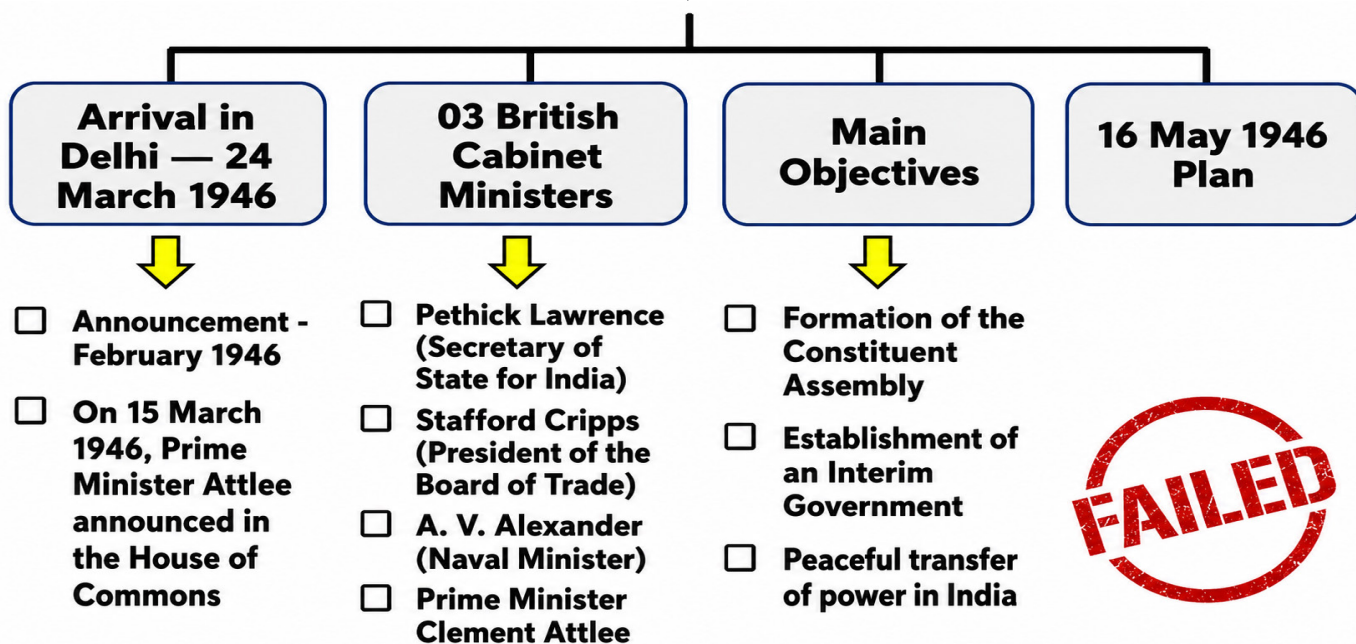
Cripps Mission (March 1942)

1. **Head** → Sir Stafford Cripps (Labour Party)
2. **Proposals**
 - Dominion Status
 - Indian Union
 - Constituent Assembly
3. **Mahatma Gandhi** → "A post-dated cheque on a crashing bank"

Wavell Plan (1945)

1. **October 1943** ⇒ Wavell as Viceroy
2. **Provisions**
 - Interim National Government ↓
Discussion → Shimla Conference (14 July 1945)
 - Constituent Assembly

Cabinet Mission (1946)



CABINET MISSION 1946

A PLAN FOR INDIA'S FUTURE

THE 'BIG THREE' MEMBERS



LORD PETHICK-LAWRENCE
(Secretary of State for India)



SIR STAFFORD CRIPPS
(President of the Board of Trade)



A.V. ALEXANDER
(First Lord of Admiralty)

KEY OBJECTIVES



PEACEFUL TRANSFER OF POWER



FORM INTERIM GOVERNMENT



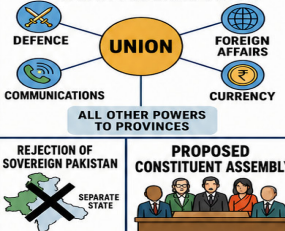
CREATE CONSTITUTIONAL FRAMEWORK

KEY PROPOSALS

PROVINCIAL GROUPING

- Section A: Hindu Majority
- Section B: Hindu Majority West
- Section C: Muslim Majority West
- Section B: Muslim Majority West
- Section C: Muslim Majority East

WEAK FEDERAL UNION



REACTIONS & OUTCOME



CONGRESS & MUSLIM LEAGUE ACCEPTANCE

DIVERGENT INTERPRETATIONS



ULTIMATE FAILURE

PATH TO PARTITION & INDEPENDENCE (1947)

INDIA, PAKISTAN, INDEPENDENCE

4. Formation of Constituent Assembly

December 1946 – Constitution of Constituent Assembly

2 September 1946 : Formation of Interim Government

- Members : 389
- Indirect Election
- 1 seat per 10 lakh population

Indian Independence Act, 1947

Presented in the British Parliament → 4 July, 1947

Royal Assent → 18 July, 1947

Implemented → 15 August, 1947

1. Establishment of two independent Dominions → India and Pakistan
2. The office of the Viceroy was abolished, and separate posts of Governor-General were created for both countries.
3. The office of the Secretary of State for India was abolished.
4. The title "Emperor of India" was removed from the titles of the British monarch.
5. Sovereignty was granted to the Constituent Assemblies.
6. Interim administrative arrangement → Government of India Act, 1935
7. British Paramountcy over the Princely States was terminated.
 - They could join India, join Pakistan, or remain independent.

- ❖ **Clement Attlee of Britain's Labour Party** was the Prime Minister of the United Kingdom.
- ❖ Lord Mountbatten became the first Governor-General of independent India.
- ❖ (He administered the oath to Nehru as the first Prime Minister.)
- ❖ C. Rajagopalachari was the first and last Indian Governor-General.
- ❖ Muhammad Ali Jinnah became the first Governor-General of Pakistan.