

Government of India Act (1935): Features, Significance, Criticism, and Its Impact on the Pakistan Movement

Introduction

The **Government of India Act (1935)** was the most comprehensive constitutional legislation enacted by the British Parliament for the governance of British India before independence. It was passed on **2 August 1935** and came into force in stages from **1937**. The Act was based largely on the recommendations of the **Round Table Conferences (1930–1932)** and the **White Paper of 1933**. It introduced **provincial autonomy**, proposed an **All-India Federation**, expanded the franchise, and reorganized the constitutional structure of British India. Although many of its federal provisions were never implemented, the Act significantly influenced the constitutional evolution of India and Pakistan and provided the administrative framework under which the **1937 provincial elections** were held.

Historical Background

Several constitutional developments led to the enactment of the Government of India Act (1935):

- Failure of the **Simon Commission (1927)** to satisfy Indian political demands.
- Constitutional disagreements during the **Round Table Conferences (1930–1932)**.
- Publication of the **White Paper (1933)** outlining constitutional reforms.
- Recommendations of the **Joint Select Committee** of the British Parliament.
- Growing demands by Indian political parties for greater self-government.

The British Government sought to introduce a more representative constitutional system while retaining ultimate imperial control.

Objectives of the Government of India Act (1935)

The Act aimed to:

- Introduce responsible government at the provincial level.
- Grant greater autonomy to the provinces.
- Create an All-India Federation.
- Protect the interests of minorities.

- Maintain British control over defence, foreign affairs, and key constitutional matters.
- Reduce political unrest by offering limited constitutional reforms.

Salient Features of the Government of India Act (1935)

1. Establishment of an All-India Federation

The Act proposed an **All-India Federation** consisting of:

- British Indian Provinces.
- Princely States.

Features

- Federal Legislature.
- Division of powers between the Centre and Provinces.
- Voluntary accession of princely states.

Why It Failed

The federation never came into existence because the princely states refused to join.

2. Provincial Autonomy

One of the most important features of the Act was the introduction of **Provincial Autonomy**.

Provincial governments received authority over subjects such as:

- Education.
- Agriculture.
- Public health.
- Local government.
- Police (subject to the Governor's special powers).

Provincial ministers became responsible to elected legislatures.

3. Abolition of Dyarchy in the Provinces

The **Government of India Act (1919)** had introduced **Dyarchy** in provincial governments.

The 1935 Act abolished this system and transferred greater administrative powers to elected provincial ministers.

4. Dyarchy at the Centre

Although abolished in the provinces, Dyarchy was proposed at the federal level.

Federal subjects were divided into:

- Reserved subjects (controlled by the Governor-General).
- Transferred subjects (to be administered by ministers).

Since the federation was never implemented, this provision remained ineffective.

5. Division of Powers

The Act introduced three legislative lists.

Federal List

Included:

- Defence.
- Foreign Affairs.
- Currency.
- Railways.
- Communications.

Provincial List

Included:

- Education.
- Agriculture.
- Health.
- Police.
- Local Government.

Concurrent List

Included matters where both federal and provincial legislatures could legislate.

6. Powers of the Governor-General

The Governor-General remained the most powerful authority.

He possessed:

- Emergency powers.
- Veto powers.
- Authority over defence and foreign affairs.
- Financial control.

- Power to dismiss ministries.
- Special discretionary powers.

These extensive powers ensured continued British dominance.

7. Powers of Provincial Governors

Although provincial autonomy was introduced, Governors retained special responsibilities.

They could:

- Dismiss ministries.
- Reserve bills.
- Assume direct administration during emergencies.
- Protect minority interests.

Thus, provincial autonomy remained limited.

8. Bicameral Legislature

A bicameral federal legislature was proposed consisting of:

Council of State (Upper House)

Federal Assembly (Lower House)

Some provinces also adopted bicameral legislatures.

9. Expansion of Franchise

The electorate expanded significantly.

Approximately **35 million Indians** gained voting rights.

However:

- Universal adult franchise was not introduced.
- Voting remained based on property, education, taxation, and income qualifications.

10. Federal Court

The Act established the **Federal Court of India** in **1937**.

Its functions included:

- Constitutional interpretation.
- Settlement of disputes between provinces.
- Appeals on federal matters.

It became the predecessor of the Supreme Courts of India and Pakistan.

11. Separate Electorates

The Act continued the system of:

- Separate electorates for Muslims.
- Representation for Sikhs, Europeans, Anglo-Indians, Indian Christians, and other minorities.

This reflected the British policy of protecting minority interests through communal representation.

12. Reorganization of Provinces

Important administrative changes included:

- Sindh separated from the Bombay Presidency.
- Orissa separated from Bihar.
- Burma separated from British India (1937).
- Greater constitutional status granted to NWFP.

Elections Under the Government of India Act (1937)

The first provincial elections under the Act were held in **1937**.

Results

Indian National Congress

- Won majorities in several provinces.
- Formed ministries in seven provinces.

All-India Muslim League

- Performed poorly in many Muslim-majority provinces.
- Failed to form governments in Punjab, Bengal, and Sindh.

Despite this setback, the elections proved politically significant.

Congress Ministries (1937–1939)

Congress rule had a profound impact on Muslim politics.

Many Muslims alleged that Congress ministries:

- Promoted Hindi at the expense of Urdu.
- Encouraged the singing of *Bande Mataram* in schools.

- Favoured Congress symbols and ideology.
- Neglected Muslim interests in administration.

Although historians debate the extent of these allegations, they strengthened Muslim fears of majority domination.

Muslim League's Response

Quaid-i-Azam Muhammad Ali Jinnah used the experience of Congress rule to reorganize the Muslim League.

The League argued that:

- Constitutional safeguards alone were insufficient.
- Muslims required stronger political organization.
- Separate nationhood offered the only secure constitutional future.

This transformed the League into a mass political movement.

Significance of the Government of India Act (1935)

The Act occupies an important place in constitutional history.

1. Provincial Self-Government

For the first time, provinces enjoyed substantial administrative autonomy.

2. Constitutional Development

The Act became the constitutional framework of British India until independence.

3. Administrative Foundation

Many constitutional institutions introduced by the Act continued after 1947 in both India and Pakistan.

4. Political Training

Indian political leaders gained valuable experience in parliamentary government.

5. Strengthening the Muslim League

The experience of Congress ministries convinced many Muslims to support the League.

Criticism of the Government of India Act (1935)

Despite its importance, the Act attracted criticism.

British Criticism

Some British politicians believed the reforms granted excessive concessions to Indian politicians.

Congress Criticism

Congress rejected the Act because:

- It did not grant complete self-government.
- Governors retained extraordinary powers.
- The Governor-General remained dominant.

Muslim League Criticism

The Muslim League welcomed certain safeguards but criticized:

- Excessive central authority.
- Wide discretionary powers of Governors.
- Inadequate constitutional protection for Muslims.
- Failure to establish the proposed federation.

Impact on the Pakistan Movement

The Government of India Act had profound long-term consequences.

1. Rise of the Muslim League

Congress rule under the Act enabled Jinnah to reorganize and strengthen the League.

2. Growth of Muslim Political Consciousness

Many Muslims concluded that constitutional safeguards alone could not prevent majority domination.

3. Road to the Lahore Resolution

The political experience gained under the Act directly influenced the Lahore Resolution of 1940.

4. Constitutional Legacy

The Act became the constitutional framework inherited by Pakistan after independence until the adoption of its own constitution.

Conclusion

The Government of India Act (1935) was the most comprehensive constitutional reform introduced by the British in India and marked a significant step in the evolution of representative government. By introducing provincial autonomy, expanding the electorate, establishing the Federal Court, and proposing an All-India Federation, it reshaped the constitutional landscape of British India. Nevertheless, the extensive powers retained by the Governor-General and provincial Governors ensured continued British control, limiting the effectiveness of self-government. More importantly, the provincial elections of 1937 and the subsequent experience of Congress ministries transformed Muslim political opinion by reinforcing concerns about majority rule. These developments strengthened the Muslim League under Quaid-i-Azam Muhammad Ali Jinnah and created the political conditions that culminated in the Lahore Resolution (1940) and, ultimately, the creation of Pakistan in 1947.

