



Principle Features Of Government Of India Act 1919

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Abstract:

The Government of India Act 1919, also known as the Montagu-Chelmsford Reforms, marked a significant step in the constitutional development of British India. Enacted by the British Parliament, the Act aimed to gradually introduce responsible government in India and increase Indian participation in governance. Its key features included the introduction of **dyarchy** in the provinces, a **bicameral legislature** at the center, expansion of **legislative councils**, and the inclusion of **Indians in executive roles**. While it fell short of Indian nationalist expectations, it laid the groundwork for subsequent reforms and contributed to the evolution of constitutional governance in colonial India.

Keywords-Government of India Act 1919, Montagu-Chelmsford Reforms, dyarchy, bicameral legislature, British India, legislative councils, constitute

I. INTRODUCTION

The Government of India Act, 1919, also known as the Montagu-Chelmsford Reforms, marked a significant step in the constitutional development of British India. Enacted by the British Parliament, the Act aimed to gradually introduce responsible government in India and expand Indian participation in administration. Named after Edwin Montagu, the Secretary of State for India, and Lord Chelmsford, the then Viceroy, the Act was a response to growing political demands from Indian leaders and the backdrop of India's contributions to World War I. Though it fell short of Indian aspirations for self-rule, the Act laid the foundation for future reforms by introducing novel concepts like diarchy and expanding legislative councils.

1. Introduction of Dyarchy in Provinces

- The Act divided the subjects of provincial government into two categories:
 - **Reserved Subjects:** Administered by the Governor and his executive council (e.g., police, finance, irrigation).
 - **Transferred Subjects:** Administered by Indian ministers responsible to the legislative councils (e.g., education, public health, local self-government).
- This system was called **Dyarchy**, meaning dual rule.

2. Bicameral Legislature at the Centre

- Established a **bicameral legislature** in India for the first time:
 - Council of State** (Upper House)
 - Legislative Assembly** (Lower House)
- However, the **Viceroy retained overriding powers**, including the power of certification, veto, and ordinance.

3. Expansion of Legislative Councils

- Increased the size of **both central and provincial legislative councils**.
- Introduced more **elected members**, though franchise was still limited and based on property, education, and tax qualifications.

4. More Indian Participation in Administration

- Indians were appointed to key positions, including the **first Indian appointed to the Viceroy's Executive Council**.
- However, real power remained with British officials.

5. Establishment of a Public Service Commission

- Set up the **Central Public Service Commission (CPSC)** in 1926, which later evolved into the **Union Public Service Commission (UPSC)**.

6. Introduction of Direct Elections

- For the first time, **direct elections** were introduced for some seats in legislative councils.

7. Separate Electorates Continued

- Continued the system of **separate electorates** for Muslims and introduced them for **Sikhs, Indian Christians, Anglo-Indians, and Europeans**.

8. Review after 10 Years

- The Act provided for a **review after 10 years**, which ultimately led to the **Simon Commission** in 1927 (two years earlier).

Provincial Government

- Executive:**
 - Diarchy was introduced, i.e., there were two classes of administrators – Executive councilors and ministers.
 - The Governor was the executive head of the province.
 - The subjects were divided into two lists – reserved and transferred.
 - The governor was in charge of the reserved list along with his executive councilors. The subjects under this list were law and order, irrigation, finance, land revenue, etc.
 - The ministers were in charge of subjects under the transferred list. The subjects included were education, local government, health, excise, industry, public works, religious endowments, etc.

- The ministers were responsible to the people who elected them through the legislature.
- These ministers were nominated from among the elected members of the legislative council.
- The executive councilors were not responsible to the legislature, unlike the ministers.
- The Secretary of State and the Governor-General could interfere in matters under the reserved list but this interference was restricted for the transferred list.

Legislature:

- The size of the provincial legislative assemblies was increased. Now about 70% of the members were elected.
- There were communal and class electorates.
- Some women could also vote.
- The governor's assent was required to pass any bill. He also had veto power and could issue ordinances also.

Central government

- Executive:
 - The chief executive authority was the Governor-General.
 - There were two lists for administration – central and provincial.
 - The provincial list was under the provinces while the centre took care of the central list.
 - Out of the 8 members of the Viceroy's executive council, 3 were to be Indian members.
 - The governor-general could issue ordinances.
 - He could also certify bills that were rejected by the central legislature.

Legislature:

- A bicameral legislature was set up with two houses – Legislative Assembly (forerunner of the Lok Sabha) and the Council of State (forerunner of the Rajya Sabha).
- **Legislative Assembly (Lower House)(145)**
- Members of the Legislative Assembly:
- **Legislative Assembly-145 Members- 41-Nominated- 104-Elected**

Legislative Assembly 145 Members-	41-Nominated.
	26-Official
	15-Non-official
	104-Elected
104-Elected	52-General
30-Muslims	09-Europeans
07-Landlords	04-Representatives of India Community
02- Sikhs	

- The nominated members were nominated by the governor-general from Anglo-Indians and Indian Christians.
- The members had a tenure of 3 years.

Council of State (Upper House)-60 Members

- Only male members with a tenure of 5 years.
- Members of the Council of State:60 Members

Council of State: 60 Members	27-Nominated.
	17-Official
	10-Non-official
	33-Elected
16-General	11-Muslims
03-Europeans	01- Sikhs

The legislators could ask questions and also vote a part of the budget. Only 25% of the budget was subject to vote. Rest was non-votable. A bill had to be passed in both houses before it became a law. There were three measures to resolve any deadlock between both the houses – joint committees, joint conferences and joint sittings.

Governor-General

- The governor-general's assent was required for any bill to become law even if both houses have passed it.
- He could also enact a bill without the legislature's consent.
- He could prevent a bill from becoming law if he deems it as detrimental to the peace of the country.
- He could disallow any question, adjournment motion or debate in the house.

Who could vote?

- The franchise was restricted and there was no universal adult suffrage.
- Voters should have paid land revenue of Rs.3000 or have a property with rental value or have taxable income.
- They should possess previous experience in the legislative council.
- They should be members of a university senate.
- They should hold certain offices in the local bodies.
- They should hold some specific titles.
- All this narrowed the number of people who could vote to an abysmal number.

Indian Council

- There were to be at least 8 and a maximum of 12 members in the council.
- Half of the members should have ten years of experience in public service in India.
- Their tenure was to be 5 years.
- Their salaries were increased from £1000 to £1200.
- There were to be 3 Indian members in the Council.

Government of India Act, 1919 – Other Salient Features

- This act provided for the first time, the establishment of a public service commission in India.
- The act also provided that after 10 years, a statutory commission would be set up to study the working of the government. This resulted in the Simon Commission of 1927.
- It also created an office of the High Commissioner for India in London.

Merits of the Government of India Act 1919

- Dyarchy introduced the concept of responsible government.
- It introduced the concept of federal structure with a unitary bias.
- There was the increased participation of Indians in the administration. They held some portfolios like labor, health, etc.
- For the first time, elections were known to the people and it created political consciousness among the people.
- Some Indian women also had the right to vote for the first time.

Limitations of the Government of India Act 1919

- This act extended consolidated and communal representation.
- The franchise was very limited. It did not extend to the common man.
- The governor-general and the governors had a lot of power to undermine the legislatures at the centre and the provinces respectively.
- Allocation of the seats for the central legislature was not based on population but the 'importance' of the province in the eyes of the British.
- The Rowlett Acts were passed in 1919 which severely restricted press and movement. Despite the unanimous opposition of Indian members of the legislative council, those bills were passed. Several Indian members resigned in protest.

Conclusion

The Government of India Act, 1919 was a landmark in the evolution of British colonial policy in India. Though limited in scope, it introduced significant reforms such as diarchy in provinces and increased Indian representation in governance. However, the Act fell short of Indian expectations for full self-governance and failed to satisfy nationalist aspirations. Despite its shortcomings, it laid the groundwork for future constitutional developments, including the more comprehensive Government of India Act of 1935. Overall, the 1919 Act represents a transitional phase in India's journey from colonial rule to independence.

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