

Course Name- B.A.L.L.B. IVth Sem.

Subject- History

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Topic Indian Independence Act 1947

Indian Independence Act 1947

The Indian Independence Act was based upon the Mountbatten plan of 3rd June 1947 and was passed by the British parliament on July 5, 1947. It received royal assent on July 18, 1947.

Salient features

1. It provided for two dominion states : India and Pakistan
2. The boundaries between the two dominion states were to be determined by a Boundary Commission which was headed by Sir Cyril Radcliff.
3. It provided for partition of Punjab & Bengal and separate boundary commissions to demarcate the boundaries between them.
4. Pakistan was to comprise the West Punjab, East Bengal, Territories of the Sind, North West frontier provinces, Sylhet divisions of Assam, Bhawalpur, Khairpur, Baluchistan and 8 other princely states of Baluchistan.
5. The authority of the British Crown over the princely states ceased and they were free to join either India or Pakistan or remain independent.
6. Both the dominions of India and Pakistan were to have Governor Generals to be appointed by the British King. The act also provided for a common Governor general if both of them agreed.
7. The constituent assemblies of both the states were free to make constitutions of their respective countries.
8. For the time being till the constitution was made, both of them would be governed in accordance with the Government of India act 1935.
9. Any modification or omission could be done by the Governor General.
10. British Government would not continue any control on any dominion.
11. The Governor general was invested with adequate powers until March 1948 to issue orders for effective implementation of the provisions of the Indian independence act 1947.

12. Those civil servants who had been appointed before the August 15, 1947, will continue in service with same privileges.

Aftermath

Jinnah left for Karachi on August 7, 1947. Here the Constituent assembly of Pakistan met on August 11, 1947 and elected him the President. Three days later he was sworn in as Governor General of Pakistan. On the midnight of 14 August and 15 August 1947, India and Pakistan came into existence. The Constituent assembly then appointed Lord Mountbatten as the First Governor General of the Indian Dominion. In the Morning of August 15, 1947, a new cabinet headed by Jawaharlal Nehru was sworn in. India paid a heavy price, thereafter in the form of thousands of lives lost in the fire of partition.