

# Government of India Act, 1919

- **Montagu-Chelmsford reforms and government of India Act, 1919:**
- In line with the government policy contained in Montagu's statement (August 1917), the Government announced further constitutional reforms in July 1918, known as Montagu- Chelmsford or Montford Reforms.
- Based on these, the Government of India Act, 1919 was enacted. The main features of the Montford Reforms were as follows.

## (i) Provincial Government—Introduction of Dyarchy: Executive:

- (i) Dyarchy, i.e., rule of two—executive councillors and popular ministers—was introduced. The governor was to be the executive head in the province.
- (ii) Subjects were divided into two lists: “reserved” which included subjects such as law and order, finance, land revenue, irrigation, etc., and “transferred” subjects such as education, health, local government, industry, agriculture, excise, etc.  
The “reserved” subjects were to be administered by the governor through his executive council of bureaucrats, and the “transferred” subjects were to be administered by ministers nominated from among the elected members of the legislative council.
- (iii) The ministers were to be responsible to the legislature and had to resign if a no-confidence motion was passed against them by the legislature, while the executive councillors were not to be responsible to the legislature.
- (iv) In case of failure of constitutional machinery in the province the governor could take over the administration of “transferred” subjects also.

- (v) The secretary of state and the governor-general could interfere in respect of “reserved” subjects while in respect of the “transferred” subjects; the scope for their interference was restricted.
- **Legislature:**
- (i) Provincial Legislative Councils were further expanded—70% of the members were to be elected.
- : (ii) The system of communal and class electorates was further consolidated.
- (iii) Women were also given the right to vote.
- (iv) The Legislative Councils could initiate legislation but the governor’s assent was required. The governor could veto bills and issue ordinances.
- (v) The Legislative Councils could reject the budget but the governor could restore it, if necessary
- (vi) The legislators enjoyed freedom of speech.

- **(ii) Central Government—Still Without Responsible Government:**
- **Executive:**
- (i) The governor-general was to be the chief executive authority.
- (ii) There were to be two lists for administration—central and provincial.
- (iii) In the viceroy’s executive council of 8, three were to be Indians.
- (iv) The governor-general retained full control over the “reserved” subjects in the provinces.
- (v) The governor-general could restore cuts in grants, certify bills rejected by the Central Legislature and issue ordinances.

- **Legislature:**
- (i) A bicameral arrangement was introduced. The lower house or Central Legislative Assembly would consist of 144 members (41 nominated and 103 elected—52 General, 30 Muslims, 2 Sikhs, 20 Special) and the upper house or Council of State would have 60 members (26 nominated and 34 elected—20 General, 10 Muslims, 3 Europeans and 1 Sikh).
- (ii) The Council of State had tenure of 5 years and had only male members, while the Central Legislative Assembly had tenure of 3 years.
- (iii) The legislators could ask questions and supplementary pass adjournment motions and vote a part of the budget, but 75% of the budget was still not votable.
- (iv) Some Indians found their way into important committees including finance.

- **Drawbacks:**
- **The reforms had many drawbacks:**
- (i) Franchise was very limited.
- (ii) At the centre, the legislature had no control over the governor-general and his executive council.
- (iii) Division of subjects was not satisfactory at the centre.
- (iv) Allocation of seats for Central Legislature to provinces was based on 'importance' of provinces for instance, Punjab's military importance and Bombay's commercial importance.
- (v) At the level of provinces, division of subjects and parallel administration of two parts was irrational and hence unworkable.
- (vi) The provincial ministers had no control over finances and over the bureaucrats, leading to constant friction between the two. Ministers were often not consulted on important matters too; in fact, they could be overruled by the governor on any matter that the latter considered special.
- On the home government (in Britain) front, the Government of India Act, 1919 made an important change the secretary of state was henceforth to be paid out of the British exchequer

- **Congress' Reaction:**

- The Congress met in a special session in August 1918 at Bombay under Hasan Imam's presidency and declared the reforms to be "disappointing" and "unsatisfactory" and demanded effective self-government instead.

- **Rowlatt Act:**

- While, on the one hand, the Government dangled the carrot of constitutional reforms, on the other hand, it decided to arm itself with extraordinary powers to suppress any discordant voices against the reforms.
- In March 1919, it passed the Rowlatt Act even though every single Indian member of the Central Legislative Council opposed it. This Act authorised the Government to imprison any person without trial and conviction in a court of law, thus enabling the Government to suspend the right of habeas corpus which had been the foundation of civil liberties