

**THE WORKING OF DYARCHY
IN INDIA**

The Working of Dyarchy in India

1919-1928

BY

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CONTENTS

CHAPTER	PAGE
INTRODUCTION	i
I. THE GOVERNMENT OF INDIA BEFORE THE REFORMS	1
II. THE REFORMED CONSTITUTION	14
III. POLITICAL CONDITIONS	28
IV. DYARCHY IN THE PROVINCES	42
(1) The Governor	
(2) The Executive Council	
(3) Ministers and the Executive	
(4) Ministerial Responsibility	
V. DYARCHY IN THE PROVINCES—(<i>contd.</i>)	61
(1) The Legislature and the Executive	
(2) Resolutions and Interpellations	
(3) Committees	
(4) The Party System	
VI. FINANCE AND THE COUNCILS	72
VII. THE COUNCILS AND THE PEOPLE	79
VIII. REFORMS IN THE CENTRAL GOVERNMENT	94
IX. THE FUTURE	110
(1) The Conditions of Enquiry	
(2) The Government of India	
(3) The Provincial Governments	
(4) The Services	
(5) The Franchise	
CONCLUSION	147
INDEX	151

INTRODUCTION

THIS work does not purport to do more than study the working of Dyarchy in India. In no sense is it an attempt to formulate a Constitution or to prescribe the course of political evolution. That work is entrusted by Parliament to a Commission of its own members and by the Indian leaders to a Convention which is to meet at any early date. The present writer has neither the equipment nor the desire to usurp their legitimate functions. His object has been solely to analyse the Montagu-Chelmsford Constitution as it was enacted, and to see how far it has been successful, as a first instalment of Responsible Government in India. That was the declared purpose of the Act. The Declaration of August 1917, now incorporated in the preamble of the Act, makes this eminently clear. That, obviously, is the first and fundamental problem that the student of the Dyarchical Government has to answer. Though the Reformed Government showed unexpected signs of strength in many other directions, and proved a source of great political progress, as will be shown in the course of the book, in its main idea, introducing the principle of Responsible Government, it proved an unqualified failure. The main issues that arise out of this question, for which an answer has been sought in this study, are the causes of this failure in its different aspects, relating to the Governor, the Executive, the Ministers and the Legislature.

If, on this fundamental question of Ministerial Responsibility, the failure of the new Constitution is undoubted, in

other directions, probably no less important for our ultimate development, its success has been equally undeniable. In the scheme of political education, social legislation, liberalisation of local government, and closer relation between the people and the administration, the work of the Reformed Constitution merits warm approval. The haze of political controversy, arising from the failure of the principle of Ministerial Responsibility, has obscured the achievements from the eyes of Indian political observers.

The Commission of Enquiry, to examine the working of this Constitution, has now been appointed. Given the limitation of a Commission, consisting solely of Members of Parliament, there is no doubt that its personnel is as impartial and as competent as we can hope to have. By the terms of reference, laid down in the Act itself, the Commission is to enquire "into the working of the system of Government, the growth of education and the development of representative institutions, in British India, and matters connected therewith." The Commission is asked to report "as to whether and to what extent it is desirable to establish the principle of responsible government, or to extend, modify, or restrict the degree of responsible government then existing therein, including the question whether the establishment of second chambers of the local legislatures is or is not desirable." In announcing the appointment of the Commission His Excellency Lord Irwin justified the procedure adopted—that of appointing a purely Parliamentary Commission to deal with this question—in the following terms:—

"It would be generally agreed that what is required is a Commission which would be unbiassed and competent to present an accurate picture of facts in Parliament, but it must be found willing to take whatever action a study of these facts may indicate to be appropriate.

"To fulfil the first requirement, it would follow that the

Commission should be such as may approach its task with sympathy and a real desire to assist India to the utmost of its power, but with minds free from preconceived conclusions on either side. It is, however, open to doubt whether a Commission constituted so as to include a substantial proportion of Indian members, and, as rightly would, British official members also, would satisfy the first condition of reaching conclusions unaffected by any process of *a priori* reasoning. On the one hand, it might be felt that the desire, natural and legitimate, of the Indian members to see India a self-governing nation could hardly fail to colour their judgment of her present capacity to sustain the role. On the other hand, there are those who might hold that British official members would be less than human if their judgment were not in some degree affected by long and close contact with the questions to which they would now be invited to apply impartial minds.

“ But even after such a Commission had written its report, Parliament would inevitably approach the consideration of it with some element of mental reservation due to an instinctive feeling that the advice in more than one case represented views to which the holder was previously committed. It would move uncertainly among conclusions the exact value of which, owing to unfamiliarity with the minds of their framers, it would feel unable to appraise.

“ We should, however, be making a great mistake, if we suppose that these matters are purely constitutional or could be treated merely as the subject of judicial investigation. Indian opinion has a clear title to ask that, in the elaboration of a new instrument of government their solution of the problem or their judgment on other solutions which may be proposed, should be made an integral factor in the examination of the question and be given due weight. In the ultimate decision, it is therefore essential to find means by which

Indians may be made parties to the deliberations so nearly affecting the future of their country."

With this object of making Indian opinion an integral factor in the examination of the question, His Majesty's Government proposed that the Commission should co-operate with a Joint Select Committee of the Central Legislatures in all-Indian matters, and with the Select Committees of the Provincial Legislatures in matters dealing with the Provinces. It was also laid down that the Report when submitted to Parliament, "will be referred for consideration to a Joint Committee of both Houses" which will take evidence from Indian bodies and consult a Joint Committee of the Central Legislatures. The proposals, especially as they are based on the exclusion of Indian representation from the Commission have led to an acrimonious controversy which is hardly suited to a calm and dispassionate examination of so important a political question as the future of Indian Government. Whatever arguments there may be in favour of a purely Parliamentary Commission, and it may be accepted that they are many of undoubted validity, the alienation of Indian opinion consequent upon so emphatic a repudiation of Indian claims to equal participation in deciding the future of their country, should have been foreseen. As it is, the Commission is threatened with a boycott which, whether politically wise or suicidal, will certainly hamper its work and add to the difficulties of the situation. It is to be hoped, that these adverse circumstances will not prejudice the Commission in the examination of the problem.

The refusal of experienced public men to give evidence on the working of the system will certainly handicap the Commission in their enquiry. They may have before them only the point of view of the Government—the Civil Services—and of those non-officials who are more loyal to the Government than the Government itself. Unless therefore, the

Commission takes special care to put itself in the place of the Indian Nationalist, it is more than likely, as circumstances now stand, that its views will be moulded by official opinion. It is therefore, all the more necessary, that an impartial and detached study of the working of Dyarchical Government in India should be made available to them.

The present writer does not claim any special qualification beyond that of an observant student of politics who has lived all over India and watched the working of the system with critical interest. He has had the opportunity to watch the proceedings of both the Central Legislatures and of one Provincial Council almost daily for months from the press gallery. These may not be sufficient qualifications to deal with so important a problem, but they have saved the writer from political partisanship.

There is only one more point to which the writer desires to call attention in this Introduction: and that is a point of vital importance in all discussions of the Indian Constitution. There is an idea, which one often meets with in writings of eminent men, both English and Indian, that what India wants is a Constitution suited to her own genius. This subject is more fully treated in the chapter entitled "The Conditions of Enquiry."

It may be stated, summarily that this vague phraseology indicates either, a reactionary mind which sees in democratic progress a challenge to interests, or a vague idealism generated by a faith in India's past greatness. Both attitudes are dangerous to the peaceful political evolution of India. What India wants, and what Britain has undertaken to give her, is nothing less than "Responsible Government." Even if it is accepted that each country has differing political ideals, and that institutions at variance with national character are not likely to take root or to succeed in uncongenial soil, the problem, as it affects India, remains the same. Indian

political ideals are largely the reflection of what has grown up in England, and the century and a half of political contact has made them a part of Indian tradition. It is impossible to efface from history the last 100 years of political growth in India, and no one, who has studied the Indian movement, can deny that in the realm of ideas, more than in the realm of politics, the assimilated tradition of England has become the basis of Indian thought. Moreover, the transformations of government and the development of political institutions are to be in co-operation with and not independent of Great Britain. That fact alone renders all speculation about a Constitution, "indigenously developed and suited to the peculiar genius of India," futile.

The objective of Indian political development is clearly laid down. It is "the gradual development of Self-Governing institutions with a view to responsible government as an integral part of the Empire." If this declaration is adhered to, it clearly negatives all suggestion of a departure from the principle of Parliamentary responsible government as the basis of the future Constitution of India.

It only remains now to thank those friends who have helped the writer with suggestions and with sympathy. He is deeply obliged to Mr. C. R. Reddy, Vice-chancellor of the Andhra University, whose discussions with the writer, in the days when they were associated in work, helped him greatly to understand Council proceedings. He is also under obligations to Professor Sarma of Patiala and Mr. Mahadev Modak, both of whom helped him with their suggestions.

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INDEX

A

- Absolute Government, old system of, 2
- Act of 1908, see Morley-Minto Reforms, 6
- Act of 1919, the Reforms, 12/15, 73, 99
- Act of 1919, further amendment of the Reforms, 110
- Adjournment Motions on important matters, 66
- Amendment of the Criminal law of India favouring Europeans, 102
- Analysis of the Montagu-Chelmsford Reforms, Intro. i, 42
- Anglo-Indian claims to representation in the Public Services, 133
- Anomalous position of the Executive Government, 99
- Arguments in favour of a purely Parliamentary Commission, Intro. ii/iv.
- Artificial division of Provinces, representative government handicapped owing to, 81/82
- Assam, 2, 21, 72
- Autonomy in the Provinces, 121
- Autonomy, limitations to Provincial, 123

B

- Bengal, 2, 21, 40, 63, 69, 72, 82, 85, 88, 92, 141

- Bicameral System in the Central Government, 16
- Bihar & Orissa, 2, 21, 82, 84
- Bills, certification of, in the Central Legislature, 17, 94
- Bills, certification of, in the Provincial Legislatures, 21
- Bill, for raising the Age of Consent for marriage, 105
- Bombay, 2, 21, 50, 63, 72, 82, 84, 85, 89, 141
- Boycott of the Reformed Councils, 35/37, 79, 91
- Boycott of the Simon Commission, Intro. iv
- British India, Future Administration of, to be made responsible to a British Indian Legislature, 121
- British India, Provinces of, 2
- Budget debates, 6, 96
- Budget procedure in the Provinces, 62/64
- Budget, the Legislative Assembly given effective control of the, 17
- Bureaucracy, after the Reforms, 75
- Bureaucracy, before the Reforms, 4

C

- Causes of failure of the party System, 70
- Central Exchequer assisted from Provincial revenues, 72
- Central Government, a future powerful, essential, 123
- Central Government, bicameral system in the, 16

- Central Government, no dyarchy in the, 94
- Central Government, reforms in the 14, 94—109
- Central Legislature, given powers without responsibility, 108
- Central Legislature, Joint sittings of both chambers of the, 94
- Central Legislature, powers of the, 99
- Central Legislature, reconstructed, 94
- Central Legislature, under Morley-Minto reforms, 17
- Central Legislature, Successful working of the, under the Reforms, 108
- Central Provinces, 2, 21, 69, 72, 88, 92
- Central Revenues, Separation of Provincial and, 16
- Certification, Right of, by the Governor, 61/63
- Certification, Powers of, & veto reserved for the Governor-General, 25, 94, 96
- Chief Commissioners, 2
- Civil Marriage Act passed, 104
- Civil Servants, appointments held before the Reforms, 4
- Civil Servants, effective guarantees to, in the future against personal injustice, 131
- Civil Service, administrative authority of the, to be maintained intact, 131
- Civil Service, changes in the, inevitable in the future, 128
- Civil Service, functions of the, before the Reforms, 4, 5
- Civil Service, governing functions of the, to be transferred to Ministers, 129/130
- Civil Service, methods of the, 75/77
- Civil Service, to be transformed into a purely administrative body, 129
- Commander-in-Chief, 2
- Commission, reasons, for a purely Parliamentary, Intro. ii/iv
- Committee, the system, 66
- Communal Electorates, objections to, 139—142
- Communal representation, disadvantages of, in Councils, 81
- Communal representation in the Public Services, 131
- Communal representation, system of, 137
- Composition of the Madras Legislative Council, 53, 55
- Conciliar side of Dyarchy, the, a success, 89, 93
- Conditions of Enquiry, Intro. v, 110
- Constituencies, general and special, 136
- Constitution for India, basis on which the future, should be evolved, 148
- Constitution for India, Round Table Conference to settle a future, 106
- Constitution for India, suited to her own genius, Intro. v, 111
- Constitution on Indian ideals futile, Intro. vi, 112/116
- Constitution, the Reformed, 14
- Convention of Indian leaders, Intro. i
- Council of India, before and after the Reforms, 2, 18
- Council of State, a redundant body, 127
- Council of State, composition of the, 17, 127
- Council of State, no voice in financial matters, 95
- Council of State, number of Members in the, 17
- Council of State, origin and purpose of the, 17, 94, 125
- Council of State, powers of the, 96
- Councils, The, and the People, 79
- Criminal Procedure Amendment Act passed, 105,
- Curzon, Lord, 13, 148

D

- Decentralization Commission, 3
- Declaration of 1917 Policy enunciated

- ated in the, Intro. i, 9, 10, 18, 116, 121
- Defect of the Central Legislature, 101
- Defence of India Act, 29
- Democratic Institutions, development of, 9
- Departmental Committees, purpose of appointing, 68/69
- Departments of the Government of India, 2
- Depressed Classes, *see* Untouchables, 145
- Developments in Provinces retarded owing to the Meston award, 73
- Devolution of Powers to Provincial Governments, 42, 61, 121
- Devolution Rules, 20, 43, 74, 147
- Difficulties in forming a representative Indian Electorate, 135
- Discussions on Resolutions in the Councils, 64, 65
- District Officer, Former and New role of, 8
- Dufferin, Lord, his policy of enlarging the Council, 5
- Dyarchy, Alternative for, in the Provinces, 123
- Dyarchy, Causes of failure of, 75, 122, 123
- Dyarchy, Not worked in the way intended, 43
- Dyarchy, The Central Government exempt from, 94
- Dyarchy, The Essence of, 120
- Dyarchy, Working of, in the Provinces, 18, 42, 61
- E**
- Education, Legislative enactments dealing with, 85
- Education of the electorate a primary measure, 135
- Elected Members in Provincial Councils, 21, 24
- Elected representation, Introduction of, in the Councils, 6
- Elections, boycott of the first, 79
- Electoral qualifications in the Provinces, 136
- Electorates based on property qualifications, 136
- Electorates, Functions of, 134
- Electorates, separate temporary, suggested for untouchables, 145
- Electorates, strength of Provincial, 79
- Entertainments Tax Bill, Rejection of the Bombay, by the Legislature, 36
- Executive Councillor, Finance a reserved subject under an, 74
- Executive Council (Central), composition of the, 18
- Executive Council (Central), must be Members of Legislature, 17
- Executive Council (Provincial), Composition of, 25, 49
- Executive Council (Provincial), Responsible to Parliament, 44
- Executive Councillors, grounds for removing, 125
- Executive Service too powerful for Ministers, 128
- Expenditure, Non-votable items of, in the Provincial Councils, 24
- F**
- Finance a reserved subject under an Executive official, 21
- Finance & the Councils, 72
- Finance Bill, The, 96
- Finance Committee, duties and composition of the, 67
- Finance Department, Powers of the, 74
- Finance in pre-reform days, 3, 15
- Finance Member, Dictator of the Reserved and Transferred halves, 147
- Finance, Provincial, cause of discord, 15, 73
- Franchise, Extension of, in the Provinces, 84
- Franchise in rural constituencies, 136

- Franchise in urban constituencies, 136
- Franchise qualifications for Council of State, 17
- Franchise qualifications for Legislative Assembly, 16
- Franchise, qualifications for Provincial Legislatures, 21
- Franchise, The, in India, 134
- Friction between the Executive Government and the Legislature, 100—101
- Funds, reappropriation of, for Provincial purposes, 75
- Future Constitution, The, of India, 110
- G**
- Gandhi—effect of Mr., 's non-cooperation movement 32, 35/37, 79, 91
- Government by dispatch, 117
- Government by vote, 118
- Government of India, The, before the Reforms, I
- Government of India, contributions from Provincial revenues to the 15/16, 72
- Government of India, control over Provinces relaxed, 15, 18, 19, 123
- Government of India, divided responsibility under the Act, 99
- Government of India, not a free agent, 97
- Government of India, responsible to the Central Legislature, 99
- Government of India, subordination to the Secretary of State, I, 94, 118
- Government of India, the future, 116
- Government of India, to be made responsible to an Indian Parliament, 117
- Governor, attitude to Ministers, 45
- Governor, danger of his special powers, 46, 47, 48, 124
- Governor, dual functions of the, 44
- Governor, Exceptional powers in Finance and Legislation, 22/23, 48
- Governor, Increased powers to 147
- Governor, may reserve Provincial Bills, 22
- Governor, restricted powers suggested, 124
- Governor, right of certification by the, 61/63
- Governor, statutory position of the, 44
- Governor in Council, reserved subjects administered by, 21, 44
- Governor-General, assent of, required to Provincial Bills, 21
- Governor-General, danger of his special powers, 96
- Governor-General, exceptional powers in Finance and Legislation, 21/23, 94/95
- Governor-General, may reserve Provincial Bills, 22
- Governor-General, powers of certification and veto reserved for the, 25, 94, 96
- Governor-General in Council, in his relations with Indian States to be responsible to Parliament, 120
- Governor-General in Council of British-India, to be responsible to the Indian Legislature, 120
- Governor-General in Council, powers of the, I, 20
- Governor-General in Council, proposal to separate functions of the, 119
- H**
- Hilton Young Commission on Indian Currency, 97
- Hindu *Maha Sabha*, the, party, 140
- Hindu Muslim, differences, 140
- Hindu Religious Endowment Act, 23, 80, 86
- I**
- Illiteracy restricts franchise, 135
- India, referred to as the 'Lost Dominion,' 38

- Indian Christians, Madras, representation through separate electorates, 141
- Indian Constitution, protection for minorities in the new, 142
- Indian Constitution, The future, to be based on principles uniting the past with the present, 148
- Indian Merchant Marine, 106
- Indian Nationalism, growth of, 9
- Indian Parliament, The Central Government to be made responsible to an, 119
- Indian political Ideals and practice, 112
- Indian Ruling Princes, 148
- Indians, Appointment of, to the Executive Councils, 6, 18
- Indians, Association of, in all branches of administration, 9, 27, 132
- Indians, direct recruitment of, for the Civil Service, 132
- Indians, first appointment of, to the Legislature, 5
- Indianisation of 8 units of the Army, 103
- Indianisation of the Public Services, 131
- Industrial Commission appointed, 105
- Interpellation, right of, in Provincial Councils, 65/66
- Interpellation, right of, in the Central Legislature, 17
- J**
- Jallianwalla *Bagh*, The massacre of, 29, 32/35
- Joint Select Committee of the Central Legislatures to cooperate with the Simon Commission, Intro. iv
- Joint sittings of the Legislative Assembly and Council, 94
- K**
- Khilafat movement, Out-come of Treaty of Sevres, 35
- King in Council, Bills reserved for the assent of the, 95
- L**
- Law & Order, Provincial enactments in support of, 90
- Laws enacted for the Industrial development of India, 105
- Leadership of the Provincial Legislatures, 51
- Legislation enacted during the life of the Assembly, 101
- Legislation enacted on behalf of the depressed classes, 104
- Legislative Assembly, constitution of the, 16, 94
- Legislative Assembly, fiscal and other powers of the, 95, 96, 98.
- Legislative Assembly, Moham-medan representation in the, 144
- Legislative Assembly, number of members in the, 16, 94
- Legislative Assembly, powers of the, enlarged, 17
- Legislative Assembly, President of the, 16
- Legislative Assembly, the enlarged, a representative body, 16
- Legislative Council, composition of the, 49
- Legislative Council, President of the, 51
- Legislative Council, Enlargement of the, 5/7
- Legislative Side of Dyarchy, The, a success, 85, 93
- Legislature and the Executive, Provincial, 61
- Legislature, Cut of 60 lakhs in the Bombay Budget of 1922—23 by the, 63
- Legislatures, grant of autonomy to Provincial, 123
- Legislatures to have complete responsibility in Provincial matters, 124
- Liberalisation of the Franchise, 136
- Liberal party, Reforms welcomed, by the, 28
- Lieutenant-Governors, 2

- Lloyd George, Mr's declaration on behalf of the Civil Service, 38/39
- Local Governments, Control of, before the Reforms, 2
- Local Self-Government, Transfer of, to popular control, 83
- Lucknow Pact, The, 139
- M**
- Madras 2, 21, 50, 69, 72, 82, 84, 85, 90, 91, 141, 143
- Major issues to be considered by the Simon Commission, 111
- Measures enacted for popularising local self government 84
- Meston, Lord, 's award criticised, 73
- Military College, Establishment of a, for Indians, 103
- Ministerial Responsibility, 52—60
- Ministerial Responsibility, a failure, Intro. i, 77
- Ministers and the Executive, Relations between, in the Provincial Councils, 49, 130
- Minorities, protection for, 142
- Mohammedans, claim to communal representation in the Public Services, 133
- Mohammedans, Claim for separate electorates conceded by the Minto-Morley Reforms, 137
- Mohammedans, claim of "No Music before Mosques," 140
- Mohammedans, differences with Hindus, 140
- Mohammedans, separate representation of, in all Provinces, 139, 141
- Montagu-Chelmsford Constitution, Intro. i.
- Montagu-Chelmsford Reforms, criticism in the, on the scheme proposed by the Muslim League and National Congress, 99
- Montagu-Chelmsford Reforms, inadequacy of, 26
- Montagu-Chelmsford Reforms, Mohammedans claim for separate electorates perpetuated in the 138
- Montagu-Chelmsford Report, conclusions on the, 11
- Montagu, Mr's Reforms appreciated by Indians, 27
- Morley, Lord, 's remarks on a too rigid administration, 8/9
- Morley-Minto Councils, 17, 86
- Morley-Minto Reforms, 6, 115, 138
- Morley-Minto Reforms, Effect of, 78
- Municipalities, reorganisation of, and district boards, 83
- Muslim League, The, 99, 138
- N**
- National Congress, Indians, 36, 99
- National Defence, Schemes for, 103
- National Electorate, method to be devised for a representative, 143
- National interests, Communal representation a set-back to, 139, 140
- Nationalist, The, Party, 28, 97
- Nominated members in Provincial Councils, 21, 24
- Non-brahmins of Madras, seats reserved on the common electorate, 143
- Non-co-operation, Mr. Gandhi's movement, 32, 35/37, 79, 91
- Non-votable heads of expenditure, 14, 24, 95
- O**
- Objections to communal representation in recruitment to Public Services on the basis of a numerical percentage, 133
- Objective of Indian political development, Intro. vi
- P**
- Parliamentary Government in India demands diminution of power of the Civil Service, 128, 129, 130, 131

- Parliamentary Responsible Government the basis of India's future Constitution, Intro. vi, 115
- Parliament, certified bills laid before both houses of, 95
- Parliament, Control of, over Indian affairs, I, 94, 117
- Parliament, proposed combined, representing British India and the Native States, 119
- Party System, in the Provincial Councils, 69/71
- Party System, town *ver* : country, 84
- People, The, granted the right to vote under the Reforms, 79
- Pledge of responsible government given to India by Parliament, 9
- Policy, The new, 9
- Political conditions and reforms, 8, 28
- Political education of the people, marked, 83
- Political powers held by the Civil Service, 129
- Powers of Provincial Legislature of voting on grants, 62
- Presidencies, the three, 2
- Press Law, amendment of the, 102
- Princes' Protection Act, 95, 126
- Procedure of adjournment, limitations of the, 65
- Provinces, artificial character of, a bar to effective representative Government, 81-82
- Provinces, progress of political education in the, 83
- Provinces, The, of India, 2
- Provincial contribution to the Central Government, 15/16
- Provincial Councils, legislative powers of, 23
- Provincial Governments before the Reforms, 2/3
- Provincial Governments, future sphere of, 121
- Provincial Heads of Administration before the Reforms, 2
- Provincial Legislation, part control of, by the Central Government, 123
- Provincial Legislatures, constitution of, 21, 24,
- " " business and procedure of, 21
- Provincial Services, the, 128, 132,
- Public Accounts Committee, Statutory, 67
- Public Services, all branches of the, to be under Parliamentary control, 134
- Public Services Commission, Transfer of the right of appeal of Civil Servants to the, 131
- Public Services, equal recruitment from all communities, 133
- Punjab, 2, 21, 72, 82, 83, 84, 90, 141
- B
- Railway Board, Appointment of an Indian Member to the, 98
- Record of work of the Legislative Assembly, 101
- Recruitment for Indian Civil Service retarded after the Reforms, 38, 75,
- Reforms, Attitude of the Civil Service to the, 29, 36, 38/39
- Reforms, Factors that have contributed to the failure of the, 28/41
- Reforms, hampered by Finance Department, 74
- Reforms inadequacy of the, 12, 26, 28
- Regulation III of 1818, Use of, in Bengal, 40
- Relations between Civil Servants and Ministers, 77
- Religion, the main issue in all political questions due to communal representation, 140
- Religious differences among communities, future settlement of, 144
- Repeal of the Press Law, 102/103
- Report of the Simon Commission to be referred to a Joint Committee of both Houses of Parliament, Intro. iv
- Reserve Bank Bill, 97, 99

- Reserved half, proposed abolition of the 124
- Reserved subjects, under the Governor in Council, 18/21, 44
- Resolutions, right to move and discuss, in the Legislature, 6, 17, 64
- Responsibility of Ministers to the Legislatures absolute, 124
- Responsible Government, complete, in India impossible until the functions of the Governor-General in Council separated, 120
- Responsible Government, further extension of, urged, 110
- Responsible Government, in the Provinces a failure, Intro. i, 52/60
- Responsible Government, introduction of, in 1919, 26, 42
- Responsible Government, pledge of, given to India, Intro. v, 9
- Responsible Government, progressive advance of, 9/11
- Retainer Vote, abolition of the, 125
- Retainer Vote, constituting an official *bloc*, 7, 53/54, 125
- Revenue, Heads of, allocated to Government of India, 72
- Revenue, Heads of, allocated to Provinces, 72
- Rivalry between ministers and the Executive, 50/52
- Round Table Conference to settle the Constitution of India, 106
- Rowlatt Bill, the, 29/32, 41
- S**
- Scheme of reforms suggested by the Muslim League and the National Congress, 99
- Second Chambers in the Provinces unnecessary, 126/127
- Secretary of State, control of the, relaxed, 12, 14/15, 19
- Secretary of State, powers of the, in Indian affairs, I, 20, 94, 97
- Secretary of State, control of the, over the internal policy of the Government of India to cease, 118
- Select Committees of Provincial Legislatures to co-operate with the Simon Commission, Intro. iv
- Self-Government, Development of, 9/10, 83, 128
- Separation of Railway from general finances, 106
- Separation of Central and Provincial revenues, 16
- Services, The, the administrative foundation of the Indian Government, 127/128
- Sex disqualification, removed in municipal franchise, 84
- Sikhs, claim to communal representation in the Public Services, 133
- Sikhs, representation through separate electorates, 141
- Sinha, Lord, elevation to the Peerage, 12
- " " appointment to the Imperial War Cabinet, 12
- Simon Commission, The, Intro. ii, 110, 147
- Social legislation undertaken by the Central Legislature, 104/105
- Social reforms in the Provinces, 85
- Special Committee of Central Legislature, Proposed, to settle religious differences, 145
- Standing Committees, Appointments of, 66
- Steel Protection Act passed, 105
- Success of the Provincial Councils as reformed Legislatures, 88, 92
- Supreme Court, proposed, to settle religious differences, 144
- Swaraj, Mr. Gandhi's definition of, 35
- Swarajist, The, party, 37, 69, 83, 89, 92, 108, 140
- T**
- Taxation, attitude of Provincial legislatures towards fresh, 89
- Taxation Bills, Legislative Assembly consider all, 95
- Tenancy legislation, 23, 84
- Transfer of Provincial administration to the Ministry, 122, 124

- | | |
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| <p>Transferred Subjects in the Provinces, 43</p> <p>Transferred Subjects, Ministerial responsibility in the, 52/60</p> <p>Transferred Subjects, under the Governor and Ministers, 18/20.</p> <p>Treaty of Severes, The, 29, 35</p> <p style="text-align: center;">U</p> <p>Ulema, Conference of, favour boycott of Reforms, 36</p> <p>Unification of India, The, 148</p> <p>United Provinces, 2, 21, 50, 72, 82, 84, 85, 89, 141, 143</p> <p>Untouchables, Representation, of the, on the electorate, 145</p> | <p style="text-align: center;">V</p> <p>Votable and non-votable items, abolition of the distinction between, 106</p> <p>Voting, Power of, on Budget demands used with care by Legislatures, 64</p> <p style="text-align: center;">W</p> <p>War, Change of Policy for India due to the Great, 9</p> <p>"White Mutiny," Cry of, raised in India against the Civil Service, 36</p> |
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