

CHAPTER VI.

The Mont Ford Reforms—a Summary.

28. What the reforms did in delimiting a Provincial field, and in delimiting the control of the Home Government over the Government of India, cannot be discovered by a reading of the Act of 1919 alone.

Mont-Ford Reforms summarised. Devolution to the provinces was carried out by Rules made under the Act, and approved by both Houses of Parliament, called the 'Devolution rules' and 'Relaxation of control rules.'

The Provincial devolution thus effected was confined, at first, only to eight major provinces, *viz.*, Madras, Bombay, Bengal, Punjab, United Provinces, Central Provinces, Bihar and Orissa and Assam; and later on to Burma. The rest of India, so far as the devolution of authority from the centre is concerned, remains essentially in the same position as before the passing of the Act of 1919.

In respect of these nine Provinces called the Governor's provinces, subjects were classified as Central and Provincial, both for the purposes of administration and for purposes of legislation. Besides this, the reformed constitution effected a delimitation of sources of revenue for purposes of Provincial finance.

The Provincial subjects were divided into reserved subjects and transferred subjects, and the administration of the transferred departments was entrusted to ministers who ought to be, or should in six months become, members of the legislatures. The Montagu-Chelmsford Report did not itself prescribe the exact composition of the newly formed legislatures, but left this to be considered by a special committee constituted for this purpose—the Southborough Committee. This Committee made a report, and the recommendations made by the Committee were considered by the Authorities, and the approved arrangements were embodied in the Electoral rules.

The legislature, instead of being presided over by the Governor-General or the Governor, has a President, who after the first 4 years, is elected* by the members themselves. As observed in the Simon Commission Report, "In the course of the evolution of the Indian Government, we have passed from the stage in which an executive council was enlarged for the purpose of making laws by including certain additional members, to the stage where a body which is primarily discharging legislative functions and which consists, for the most part, of elected members, is

* In the Lower House alone.

completed by adding to it certain permanent officials who are agents of the executive.”

29. Before discussing in detail the constitution inaugurated under the Government of India Act, 1919, and the rules framed thereunder, it may be useful to summarise the changes introduced.

Changes introduced by the Mont-Ford Reforms.

I. *Home Government* :—(1) The powers of the Secretary of State with reference to the Government in India were defined by rules framed under the Act, and his control relaxed.

(2) Salary of the Secretary of State for India was placed on British estimates.

(3) The strength of the Council of India was changed to 8 to 12 from 10 to 14. One half must have served or resided in India for at least 10 years. The period of office was reduced from 7 years to 5 years.

(4) The committees of the Council had greater freedom to act. Acts of the committees were to be deemed acts of the Secretary of State in Council.

(5) The Joint Select Committee of Parliament was of the opinion that all charges of the India Office, not being ‘agency’ charges, should be paid out of moneys provided by Parliament. A committee was appointed by His Majesty’s Government to assess the cost of the India Office establishment employed respectively on agency and non-agency functions. The recommendations made by the committee were adopted, and His Majesty’s Government make an annual contribution to the Indian Government, of a sum of £ 1,50,000.

(6) Salary of India Council Members were to be paid out of Indian revenues or out of money provided by Parliament.

(7) A High Commissioner for India was appointed.

II. *Imperial Government* :—(1) Number of members of the Executive Council shall be such as His Majesty thinks fit to appoint. Previously the maximum was six. The Governor of a Province where the Governor-General’s Executive Council meets, is not to be a member of that Council.

(2) Commander-in-Chief is made a permanent member of the Governor-General’s Council. Previously the Secretary of State in Council may, if he thinks fit, appoint him as an extraordinary member.

(3) Power to appoint Council Secretaries, from out of the members of the Legislative Assembly, was conferred.

(4) Classification of subjects into central and provincial under Rules, and devolution of authority to Local Governments, was provided for.

III. *Local Governments* :—The changes are :—(1) Distinction between Governor's Provinces and those under the administration of the Government of India, and the introduction of partial responsibility in Governor's Provinces.

(2) Classification of Provincial subjects into transferred and reserved.

IV. *Legislation* :—(1) Bicameral legislature in the centre.

(2) Official majority dispensed with, in the centre.

(3) Majority of elected members both in the Indian legislature* and in the local legislatures.

(4) Enlargement of the franchise.

(5) System of indirect elections swept away.

(6) The heads of budget not open to discussion, originally specified only in rules, has now been fixed in the Act. Items not so open to discussion and not submitted to the vote of the legislatures, have been restricted.

(7) In the Indian legislatures and the legislatures of Governor's Provinces, the freedom of discussion is extended. The Budget is submitted to the vote of the legislatures and the decision of the majority is to be binding, subject to the right of the Governor-General or Governor, to restore any demand rejected by the legislature.

V. *General* :—(1) Provision is made for the grant of leave of absence to the Governor, Governor-General and Commander-in-Chief, and Members of Council. Originally absence from India involved cessation of office.

(2) The Ruler of a Native State is made eligible for any appointment under the Crown, and to any seat in any of the legislatures.

(3) The Chamber of Princes was inaugurated by Royal Proclamation.

We shall now pass on to consider the existing constitutional structure, in detail.

* In the lower House alone.