

The Imperial Government is responsible for the military and political situation in Aden and its Hinterland. But the settlement of Aden itself remains under the Government of India.

The administration is conducted by a Resident and four assistants, one of whom is styled the Judicial Assistant. The Resident has both executive and judicial powers. He is also the General Officer Commanding.

Till 1921 the Political Resident was responsible to the Foreign Office in England. After 1921 till 1927 he was responsible to the Colonial Office. From 1927, under the new arrangements entered into between the Imperial Government and the Indian Government, the post is to be held annually by an officer of the Indian Service and a member of the Colonial Service.

The laws in force in the settlement are, generally speaking, those in force in the Bombay Presidency, supplemented by regulations.

CHAPTER XI.

Backward Tracts.

64. In the Montagu-Chelmsford Report, the authors contented themselves with remarking that there were certain **Backward tracts.** backward tracts to which the reforms could not apply and that the typically backward tracts should be administered by the Governors. The suggestion that they should be directly administered by the Governors was not carried out except in the case of certain areas in Burma.

These areas are to be found in 6 of the Governor's Provinces, *viz.*, Madras, Bengal, Punjab, Bihar and Orissa, Assam and Burma.

Before the reforms, these areas were subject to special laws which, among other things, usually prescribed simple and elastic forms of judicial and administrative procedure. The laws of the Central or Provincial legislatures were not applicable to these areas; any enactment in force in British India may, by executive order, be made applicable to these areas, subject to such restrictions and modifications as may be deemed fit.

65. Certain areas were classed as wholly excluded areas by notifications under S. 52 (a) of the Government of India Act. Neither the Central nor the Provincial legislature has power to make laws applicable to these **Wholly excluded areas.** tracts but the Governor-General in Council may direct that any Act of the Provincial legislature may apply subject to such exceptions and modifications as the Governor thinks fit. Proposals for expenditure in

these areas need not be submitted to the vote of the Assembly or the Provincial legislature, and no questions may be asked about the tracts, and no subject relating to it may be discussed in the Legislative Assembly, or except with the Governor's assent, in the Provincial legislature.

66. Certain tracts were classified as partially excluded areas. In respect of these, the reserved half of the Provincial Government is given full discretion in applying or refusing to apply new Provincial enactments, with or without exceptions and modifications.

The different tracts falling within the category of modified exclusion are not, however, all treated in quite the same way. In some areas the legislatures of the Province have no powers at all. In some others, the legislature votes the necessary expenditure for them, questions may be asked about them and subjects relating to them may be discussed. In some areas Ministers exercise authority over the transferred subjects. In others, all provincial subjects are reserved subjects.

All backward tracts which are not wholly excluded (with 2 exceptions) are represented in the legislatures of their Provinces.

CHAPTER XII.

The Central Legislature.

67. The Central legislature consists of the Governor-General and two Chambers, *viz.*, the Council of State and the Legislative Assembly. A Bill to become law must have been passed by both these Chambers.

The Council of State is to consist of *not more than* 60 persons nominated or elected according to rules. The rules provide that 33 are to be elected and 27 nominated, including not more than 20 officials. The Governor-General shall appoint a President. The term of office for a member of the Council of State is 5 years.

The Legislative Assembly is to consist, under the Act, of *not less than* 140 persons, of whom 100 should be elected and 26 shall be official members. The number may be increased by rules made under the Act but at least $\frac{5}{7}$ of the members shall be elected, and at least $\frac{1}{3}$ of the rest should be non-officials. The term of office for a member of the Legislative Assembly is 3 years.

The Legislative Assembly as constituted under the rules, comprises 145 members, of whom 104 are elected, and 41 nominated, including 26 officials.