

COMMITTEE ON DIVISION OF FUNCTIONS.

To

HIS EXCELLENCY THE GOVERNOR-GENERAL IN
COUNCIL.

YOUR EXCELLENCY,

In accordance with the directions of the Right Hon'ble the Secretary of State for India we have the honour to forward to Your Excellency, for submission to the Secretary of State, our report on questions connected with the division of functions between the central and provincial Governments, and in the provincial Governments between the Executive Council and Ministers.

2. The terms of reference to us were as follows:—

- I. The Committee will be guided by the principles enumerated in paragraphs 212, 213, 238, 239 and 240 and will also take into consideration the illustrative lists contained in appendix II of the Report.
- II. With a view to giving the provinces the largest measure of independence, legislative, administrative and financial, of the Government of India, which is compatible with the due discharge by the latter of their own responsibilities, the Committee will advise as to—
 - (1) the functions which should be discharged by the provincial Governments (paragraph 238);
 - (2) the powers of control which should be retained by the Government of India in relation to the provincial subjects, in order to secure the discharge of their own responsibilities, and the grounds on which and the manner in which these powers should be exercised (paragraphs 213 and 240).
- III. The Committee will further advise as to—
 - (1) which of the functions to be discharged by provincial Governments can be transferred at the outset in each province to the charge of Ministers (paragraph 238);
 - (2) the powers which should be exercised by the Governor in Council in relation to transferred subjects and the grounds on which and the manner in which these powers should be exercised (paragraph 240).

3. Our Report falls into the following sections :—

Section I.—Introductory.

Section II.—Provincial Functions and Relations between the Provinces and the Government of India.

Part 1.—Provincial Functions.

Part 2.—Powers of control by the Government of India in relation to Provincial Subjects.

Part 3.—Lists of All-India and Provincial Subjects.

Section III.—Transfer of Functions to the charge of Ministers, and Powers of Governor in Council in relation to Transferred Subjects.

Part 1.—Transfer of Functions.

Part 2.—Powers of the Governor in Council in relation to Transferred Subjects.

Part 3.—List of Transferred Subjects.

Section IV.—Public Services.

Section V.—Finance.

Section VI.—Conclusion.

It should be noted that it has been found more convenient to treat the various questions arising under both the second and third clauses of the reference with regard to the Public Services and Finance in Sections specially devoted to those two subjects.