CHAPTER I

REFORMS OF 1909 AND SUBSEQUENT CHANGES

The political unity which the English language offered to India and the uniform system of administration adopted by the British generated a feeling of oneness among the Indian people. The people of India began to see the foreign rule a threat to their liberty and rights. It was this awareness that led to the rise and growth of National Movement in India\(^1\). Since the transfer of power from the Company to the Crown, the British Government was following a policy of constitutional reforms in pursuance of assurances given by Queen Victoria in her Royal Proclamation dated November 1858. Accordingly the Indian Councils Act of 1861 was passed and this Act restored to the Provincial Councils the power of making laws and resolutions for the peace and good Government of the respective Provinces\(^2\). Thus in the History of Modern India first important steps towards constitutional reform was taken and the Madras Presidency also enjoyed the benefit of the reform. Though the Act of 1961 made a beginning in representative institution and legislative devolution, the Act was considered to be a retrograde measure, because the right of asking questions and the right to deliberate on matters of policy were not given to the members of the legislative councils.

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The Indian National Congress

Since the passing of the Act of 1861 the political climate in India underwent remarkable changes in consequence of the national awakening and the starting of the Indian National Congress in 1885. Since the inception of the Indian national Congress in 1885, the Congress used to meet annually in the month of December in the central cities in India.\(^3\)

Congress in Madras

After the first two sessions held at Bombay and Calcutta, the third session of the Indian National Congress met at Madras on 27\(^{th}\) December, 1887 in Mackay’s Garden and was presided over by Badrudin Tayabji.\(^4\) During this period the National Movement in the Madras Presidency was heralded by a few intellectuals like T. Madhav Rao, S. Subramanis Aiyer, Rungiah Naidu, G. Subramania Aiyer, Sababathi Mudaliyar, S.A. Swaminatha Aiyar, P. Somasundaram Chetty, C. Vijayaraghavachariyar, Eardley Norton and A.O. Hume.\(^5\)

The convening of the third session of the National Congress at Madras had a very significant impact on the political situation in the Madras Presidency. At this meeting, attended by 607 delegates, a series of resolutions were passed urging the necessity of expanding the Imperial and Provincial Legislative Councils. A Committee was appointed to consider the many suggestions sent in for discussion and to draw up a programme for the work of the Congress. Every


town of over ten thousand inhabitants was asked to form a Sub-Committee for carrying on political propaganda. Thirty thousand copies of a Congress catechism in Tamil by Vijayaraghavachariyar were printed and distributed. In response to the appeal made by the Congress for monetary help liberal contributions were made by its members. A sum of Rs.55,000 was contributed by eight thousand members, their contributions varying from one anna to one and a half rupees. A notable fact was that the list of subscriptions contained the names of the ruling princes of Mysore, Travancore and Cochin and the Maharaja of Vizianagaram and the Raja of Venkatagiri.

The Third Session of the Congress stressed the necessity of developing self-Government, abolishing the India Council, spreading education, reducing defence expenses, separating judiciary from the executive and conducting the I.C.S. Examination simultaneously both in England and India. It was under the impulsion of this Congress the public as well as the press became more and more national minded and more and more critical of British administration. News papers like the Hindu and Swadeshamitran strongly criticized the actions of the Government. Political organizations like Madras Mahajana Sabha also supported the views of the Congress.

Ever since the meeting of the Congress At Madras in 1887, the city of Madras became the venue for several other sessions. The 14th session of 1898,

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7 Majumdar, R.C., op.cit., p.88.
8 The Madras Mahajana Sabha was established in 1884 by some enlightened aristocrats like Rangiah Naidu and Subramania Aiyger. It was not the forum of the common people. It created momentum for the movement of Self-Government. Its twin principles were obtaining constitutional reforms and imparting new political ideas.
and the 19th session of 1903 also met at Madras. After the lamentable split in the Congress ranks at the Surat Session of 1907, the 23rd session was also held in Madras in December 1908. In 1914, the 29th Session of the Indian National Congress assembled in Madras on the grounds of Deveton House, Nungambakam, the Chairman of the Reception Committee being the venerable S. Subramania Aiyar and the President being B.N. Basu. Lord Pentland, then Governor of Madras visited the Congress when it was in full Session and was greeted on arrival by the spontaneous rising of the assemblage and by hearty applause. It was the first visit ever paid by a representative of the Crown to the Congress. Mrs. Besant, who had now become the most prominent political figure, participated in the Proceedings of this Session of the Congress.

It is noteworthy that the British, at first, were not unfavourable towards the Indian National Congress. Lord Connemara, the Governor of Madras (1886-1890), gave a garden party to the delegates of the third Session of the Congress at the Government guest house. So also Lord Dufferin extended his hospitality to the National Congress. Though he turned hostile to the Congress, later on his secret dispatch supporting the reform of the councils, formed the basis for the ultimate birth of the Act of 1892.

The Indian Councils Act, 1892

The Indian Councils Act of 1892 enlarged the size of the Provincial Legislatures by increasing the number of additional members to not less than

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10 Ibid., p.321.
12 Ibid., p.40.
eight and not more than twenty\textsuperscript{13}. The principle of election was indirectly initiated by this Act. For the first time, the Act enabled the Legislative Councils to discuss the Annual Financial Statement. Further the members were given the right of interpellation\textsuperscript{14}. But the concessions were in no way substantial and satisfactory. The system of election was a round about one. Rules of election were unfair. The Act did not extend to the Legislative Council the right of having any control over the budget and the number of non-official members in the Legislative Council was very small. The Act left the Indians without any real voice in the administration of their country. Provincial Councils were too small in size to represent the people of the Provinces\textsuperscript{15}. Though the Act of 1892 marked a certain advance over the Act of 1861, it failed to satisfy the aspirations of the Indians. The expansion of the Indian Councils was merely illusory. Thus the Act of 1892 fell far-short of the demands of the Indian National Congress.

Since the passing of the Act of 1892, Indian Nationalism developed inspite of the repressive policy of the British imperialists. The growth of the Swadeshi Movement and political terrorism compelled the British Government to adopt a prudent policy of granting more concession to the Indian people\textsuperscript{16}.

The regime of Lord Curzon was a period of repression and reforms. His haughty nature and his distrust of Indians aroused unrest in the country. In the name of efficiency, he officialised the local bodies; in the name of administrative convenience, he proceeded with the redistribution of Bengal Province and in his

\textsuperscript{13} G.O.No.886 Public Dept. (Conf) Dated 22\textsuperscript{nd} November 1907.
\textsuperscript{14} Keith, A.B., \textit{Speeches and Documents on Indian Policy}, Vol.II, p.57
\textsuperscript{15} Ibid., p.58.
\textsuperscript{16} Sedition Committee Report, 1918, p.117.
blind pursuit of reforms, he overshot the mark. His convocation address at the Calcutta University in which he accused the whole nation, his Calcutta Corporation Act which gave the British element a clear majority over the native members, his Indian University Act which aimed at the curtailment of higher education and the Partition of Bengal which was a vile attempt to set one community against the other sent the country into a tide of agitations. All his actions hurt the national sentiments and roused popular indignation against the British Government. The situation became more explosive with the shooting up of prices and the ill-treatment meted out to Indians in Africa and other foreign countries. Famine and plague, influenza and malaria added to the misery of the people. The defeat of Russia at the hands of a tiny Asian power-Japan-convinced the youths of the country that the Eastern powers were in no way inferior to the Western Powers and that the British rule was certainly not a ‘divine gift’.

The partition of Bengal roused the discontent of the people. Officially the partition of Bengal in 1905 was described as mere redistribution of Province which, from administrative point of view, was quite unwieldy, but to the people of the Province, it appeared a subtle attempt of the rulers to play off Muslims against the Hindus. The publication of the Partition Resolution was signal for agitation on an extensive scale. People were already dissatisfied with the Act of 1892. The retrograde measures of Lord Curson gave them an outlet in the form of Swadeshi movement and boycott of English goods. The city of Calcutta reverberated (rang) with the cries of Bande Matram. When the Government showed stubbornness and used force to suppress the agitation, people decided to
speak in the language of bombs. Extremist propaganda and terrorist activities hammered into the minds of British statesmen that the Indian could not be befooled indefinitely. Gokhale personally met Morley, the Secretary of State for India, and put forth his demand for substantial concession to the Indians. The fury of the people in India coincided with the advent of Liberals into power in England. The Liberals who on principle stood for freedom and autonomy agreed to look into the grievances of the people. The Indian Councils Act of 1909 was thus an outcome of circumstances mentioned above.

**Minto-Morley Reforms and Changes**

Then Act provided for the enlargement of the Councils both Central and Provincial. The number of additional members for legislative purposes in the Viceroy’s Executive Council was raised from 16 to 60. The Legislative Councils of Madras, Bengal and Bombay were also increased to 50 members each. The Provincial Legislature of U.P was to have 50, of Punjab, Assam and Burma 30 each. Changes in the Councils of other Provinces were made later in 1912 when readjustments in provincial territorial limits were affected.

The Governor-General’s Legislative Council consisted of four categories of members: (a) Ex-officio members, (b) Nominated officials, (c) Nominated non-officials, and (d) Elected members. The Governor-General and his councilors enjoyed the membership of the Central Legislature by virtue of their being the members of the Highest Executive. They were called ex-officio members. The nominated officials were those civil servants who were nominated on the Legislature. The members belonging to the third category were men from public life nominated by the Government as members of
Legislature. Under the fourth category came those persons who were returned by the Chambers of Commerce, Municipalities, District Boards and Landlords.

The Act of 1909 retained the majority of official members so as to avert and form of difficult arising in the passage of Government Bills. According to the Act of 1912 strength of the Central Legislature, had been raised to 69. Out of 69 members in the Central Legislature, 37 were officials, 5 nominated non-officials and 27 elected members. Of the 27 elected members, 5 were returned by the Muslims, 6 by Hindu Landlords, 1 by Muslim Zamindars, one each by Bengal Chamber of Commerce and Bombay Chamber of Commerce. The remaining 43 were sent by Provincial Legislative Councils. Every member held office for three years only.

The Act, dispensed with the official majority, in the Provincial Legislatures. It was certainly a welcome feature but it should not be assumed that the Legislatures began to have the majority of elected element. The combined strength of official and nominated non-official members still outnumbered the elected members. They formed a solid Pro-Government bloc to support all the moves of the Government. Despite the official majority if ever there arose some difficulty in carrying a legislation, that was easily overcome by submitting the Bill to Central Legislature for enactment. Generally, the Provincial Government encountered no difficulties in the passage of any Bill. The nominated non-official members always voted in favour of official moves whereas the elected members could never unite as one.

The most unfortunate feature of the new Act was the undue importance that it gave to communal interests. The Act favoured the Muslims by giving
them representation disproportionate to their population. This was done on the excuse of the political importance of the Muslim community. Separate representation was also given to Presidency Corporations, Universities, Chambers of Commerce, and the Land-holders.

The Legislative Councils till the new enactment were only legislative or to be more precise only advisory bodies to assist the Executive in legislation. The Act of 1892 gave the members of the Legislature the right to discuss the budget only after it had been approved and finalized by the Executive. They had no right to propose an increase or cut in any item. The Act of 1909 empowered the members to discuss the budget and move resolutions before it was finally approved. They were also allowed to ask supplementary questions, to move resolutions on matters relating to loans to local bodies, additional grants and new taxes. The Act also extended to the members the right to discuss matters of public interest, adopt resolutions or divide the House on them. But the resolutions adopted by the House were not absolute and binding on the Government. The president of the House was authorized to drop and resolution or a part thereof in the name of public interest without stating any sound reason. Besides it, there were certain heads of revenue and expenditure which were not even open to discussion. In short, the Legislatures got the right to talk but not to influence the Government in any way.

Under this Act the number of members of the Executive Council of Bombay and Madras was increased to four. The Act empowered the Governor-General-in-Council to create with the approval of the Secretary of State, Executive Council for Bengal and for the Lieutenant-Governor’s Provinces.
Another significant feature of the Act was appointment of the Indians to the Executive Council. Morley in 1907 had already appointed two Indians, viz. Mr. K.G. Gupta and Syed Hussain Bilgrammi to India Council) He, under this Act appointed Mr. S.P. Sinha Law Member to the Governor-General’s Executive Council.

The Act of 1909 for the first time gave recognition to elective principle for the appointment of non-official members to the Councils. The Governor-General was empowered to make detailed regulations for giving effect to the proposal of elective principle. The system that he devised proved vicious and unscientific. He suggested a restricted and discriminatory franchise. The electorate for returning the representatives were divided on the basis of class, community and interest. Moreover, the voting qualification also differed from Province to Province. For the Central Legislature there were four kinds of electorate-General, Special, Class electorate, and Muslims while for the Provincial legislature the electorate were divided into first three categories.

How discriminatory the franchise was can be judged from the following facts and figures: For the Central Council only those Landowners from the Landowners’ constituency were entitled to vote who had certain specified income which varied from Province to Province. In Madras the minimum fixed income was Rs.15,000 a year or land revenue payments up to Rs.10,000 a year. In Bengal persons holding the titles of Raja or Nawab and in C.P. persons holding honorary officials enjoyed the privilege to vote from the Landholders constituency.
There was much disparity in voting qualification among the Muslim electorate in different Provinces. Not only that but the qualifications for voting right also varied between the Muslims and non-muslims considerably. The Muslim community which was like a dearer wife to the british Government was shown favour. Whereas a Muslim who paid income tax on an annual income of Rs.3000 was given the right of vote, a Parsi, a Hindu or a Christian, even if his taxable income was 3 lakhs, was denied the voting right. Again a Muslim graduate of five years standing acquired the right to vote but a graduate of any other community could not claim it even twenty years after his graduation. So the Act did gross injustice to non-Muslims. Besides that the Government could debar those persons from contesting the election, who participated in the agitations against the Government.

The Minto-Morley Reforms of 1909 were intended to win over the Moderates. They provided for the expansion of Legislative Councils and separate electorates for different communities, classes and interests. Under the Act of 1909, Indians were for the first time, included in the highest levels of Government where polices were discussed and framed. One seat in the Viceroy’s Council was reserved to an Indian member and the practice of including Indians in the Provincial Councils was begun\(^{17}\).

The number of additional members in the Central Legislative Council was raised from 16 to 60. Of these, twenty seven were non-officials who would be indirectly elected\(^{18}\). The establishment of the system of communal electorates

\(^{17}\) Tulsi Vatsal., *Indian Political History from Marathas to Modern Times*, Delhi, 1982., p.168.

\(^{18}\) Ibid.
was a bad precedent and the continuance of such a system proved to be an impediment to the evolution of a multi-religious nationalism in India. By the Act of 1909, the council of Madras was expanded with a maximum membership of fifty, including the Advocate General. The Act of 1909 provided for a non-official majority in the Provincial Legislative Councils. However the Reforms of 1909 were incomplete and in many respects defective. The regulations framed under the Act were extremely faulty and in some respects defeated the very object of the Act.

The Act paved the way for communal disharmony. Both the elected and nominated members of the Legislative Councils were concerned only with their personal interests and as a result the Act failed to serve its purpose. What the people demanded was responsible Government, but the sacred heart of the Refors was ‘benevolent despotism’ and hence it led to a lot of confusion. The reforms were in the nature of half-way house. Although non-official majority was given in the provincial council, it could not enforce its will. Further the Act of 1909 introduced separate electorates for the Muslims. The evil did not end here. Subsequent legislations extended the principle of communal representation. For example the Act of 1919 gave representation to the Sikhs and the Act of 1935 gave the same to India Christians, Anglo-Indians, Europeans and the harijans.

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24 Keswani, K.B., op.cit., p.304.
In fact the Act of 1909 failed to create a responsible Government in India. hence
the disappointed Indian people continued their agitation for a more responsible
Government. The dissatisfaction of the people coupled with the repressive
policies of the Government gave a new turn to the National Movement\textsuperscript{25}.

The Act of 1909 and Madras Presidency

The Indian councils Act of 1909 came into operation on 15\textsuperscript{th} November
1909. In accordance with the provisions of the Act, the Legislative Council in
the Madras Presidency was reconstituted\textsuperscript{26}. By the Act of 1909, the number of
additional members in the Madras Presidency was increased to 42 excluding the
Advocate General, Of these 42 members, 19 non-officials were elected as
follows\textsuperscript{27}.

\begin{tabular}{|l|l|}
\hline
1. & By the Corporation of Madras & 1 member \\
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2. & By the University of Madras & 1 member \\
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3. & By the Municipal Councils and District and Taluk Boards & 8 members \\
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4. & By the Zamindars & 2 members \\
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5. & By the Landholders other than Zamindars & 2 members \\
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6. & By the Muhammadan Community & 2 members \\
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7. & By the Madras Chamber of Commerce & 1 member \\
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8. & By the Madras Trades Association & 1 member \\
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9. & By the Planting Community & 1 member \\
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\textsuperscript{25} Grover, B.L., \textit{A New Look on Modern Indian History}, Delhi, 1981, p.404.
\textsuperscript{27} The Indian Councils Acts 1861-1909, Madras, 1910, p.34.
Of the remaining 23 members nominated by His Excellency the Governor 16 were officials\textsuperscript{28}.

**Criticism of Morley-Minto Reforms**

The Reforms of 1909 were on the nature of concessions to appease the Moderates so that by securing their sympathies the Government might crust the revolutionary movement. In the words of Dr. Ishwari Prasad: “The design underlying the reforms was conciliation and division. The former was attempted by the numerical expansion of the legislatures, the appointment of Indian to the Viceroy’s Executive and increased powers of discussion. The latter was sought by the vicious character of the system of representation that was devised.

\textbullet\ Strong Criticism by the Congress – Even Moderates disillusioned. When the detailed rules and regulations were made under this Act by the Government, the liberal spirit of this Act was utterly destroyed. The Muslims were given the right of plural voting and direct elections. Landlords too were given a preferential treatment. The Government of India wanted to crush the nationalists and destroy their oneness and solidarity and please the communal and reactionary elements, therefore, forsaking the spirit of justice and fairly, they had unduly favoured Mohammedans and the Landlords. So even the Moderates, who had expressed great joy over these reforms at the initial stage, were soon disillusioned. Pandit Madan Mohan Malviya in his Presidential Address to the Indian National Congress Session at Lahore in 1909 expressed his disappointment over these reforms in the following words: “We find that the regulations have been vitiated by the

\textsuperscript{28} G.O.No.50, 16\textsuperscript{th} November 1909, Legislative Dept.
disproportionate representation which they have secured to Mohammadans and to the landed classes, and the small room for representation which they have left for the educated classes, also by the fact that they have made an invidious and irritating distinction between Muslim and non-Muslim subjects of His majesty, in the matter of the protection of minorities and franchise and lastly in that they, have laid down unnecessarily narrow and arbitrary restrictions in the choice of the electors. At the 1910 Session, the Indian national Congress again urged the Government in the name of justice and expediency to modify the regulations before another election comes on, so as to remove anomalous distinctions between different sections of His Majesty’s subjects in the matter of the franchise and the qualifications of candidates seeking election to the Councils. The actual working of the Reform brought into limelight the evil consequences of communal representation in the Councils. Sri S.N. Bannerjee declared that the Rules and regulations formed for the implementation of the Reforms practically wrecked the Reform-Scheme and asked: “Is the bureaucracy having its revenge upon us for the part we have played in securing these concessions?”

- It did not establish parliamentary form of Government. The Act of 1909 was in its true colours a subtle attempt to blend in one of the two elements of autocracy and constitutionalism, i.e., to create a constitutional autocracy. the father of the Act, Mr. Morley, had no intention to give a representative government to India for he considered the conditions in the country highly unsuitable to parliamentary form of Government. AT the time of

introducing the Bill in the British House of Lords in 1908 he stated frankly. “If I were attempting to set up a parliamentary system in India, or if it could be said that this chapter of reforms led directly or necessarily up to the establishment of a parliamentary system in India. I, for one, would have nothing to do with it”. This speech of his caused much disappointment to Indian people. Dr. Zacharias rightly observes, “The reforms had given the people the shadow rather than substance”. According to Mr. Roberts these reforms were only a halfway house. Mr. Majumdar condemned the reforms by saying that ‘they were mere moonshine’. Since the motives of the authors of the Reforms were not considerate or clean, the Act failed to rouse the expected enthusiasm.

- The vicious system of communal electorate. Another ugly feature of the Act was its recognition of communal basis of representation. A fixed number of seats were reserved for the Muslims in the Councils as well as in public services. Separate constituencies of Muslim electorate were created to further widen the gulf between the Hindus and Muslims. Every Muslim candidate elected on communal basis tried to justify himself by helping his co-religionists and supporting the Government without whose favours he would have been nowhere. Thus the communal interests predominated the national interests. Since the Muslims had no more need to depend on Hindu votes for their election to the Councils, they adopted a very uncompromising attitude. The granting of separate representation to Muslims proved in fact the beginning of an era of gross communalism in Indian politics. It gave a clue to other minority communities, viz., Sikhs, Harijans, Anglo-Indians.
Europeans and Indian Christians to claim for themselves similar privileges and they by proving their loyalty to the British Government did succeed in acquiring separate representation under the subsequent Act of 1919 and 1935. The Act of 1909 as such may be said to have struck the first nail into the coffin of nationalism.

Congress denounces strongly the system of communal electorate. The poison of communal electorate injected by the Morley-Minto Reforms was deplored in the resolution of the Congress which read, “The Congress while gratefully appreciating the earnest and arduous endeavours of Lord Morley and Lord Minto in extending to the people of this country a fairly liberal measure of constitutional reforms of 1909, deems its duty to place on record its strong sense of disapproval of the creation of separate electorate”. The Congress resolution also strongly criticized the unjust and humiliating distinctions made between the non-Muslim (Hindus) and the Muslims in the matter for electorate, the franchise and qualifications of candidates. Later on Mahatma Gandhi said, “The Minto-Morley Reforms have been our undoing. had it not been for separate electorate then established, we (Hindus and Mohammadans) should have settled our differences by now”. Jawahar Lal criticized the communal electorate system in these words.

“A political barrier was created round them (Muslims) isolating them from the rest of India and reversing the unifying and amalgamating process which had been going on for centuries... This barrier was a small one at first, for the electorate were very limited, but with every extension of the franchise, it grew and affected the whole structure of public and social
life, like some canker which corrupted the entire system. It poisoned the municipal and local self-government, and ultimately it led to the fantastic divisions. There came into existence separate Muslim Trade Unions and Students Organization and merchant’s chambers... these electorate first introduced among the Muslims spread to other minorities and groups till India became a mosaic of the these separatist tendencies and finally the demand for the splitting up of India 31.

Pandit Madan Mohan Malaviya in his Presidential Address to the Congress at Lahore condemned the communal electorate in these words: “It looks more like a case of allowing the majority to be driven to a corner by a minority. What makes the matter worse, however is that this advantages has been reserved only to the favoured minority of our Mohammedan fellow subjects. No such protection has been extended to the Hindu minorities in the Punjab and Eastern Bengal and Assam. The Hindu minorities in the said two Provinces have been left out severely in the cold”32.

Indirect elections, Another serious defect in the new Act was that a large number of the additional members for legislative purpose were to be returned on the basis of indirect elections. The goods which the elective principle was to deliver were set off by the practice of indirect elections. Secondly, the people at large got no right to send their representatives directly in the Central or in the Provincial legislatures and hence the Act failed to encourage any sense of responsibility. The franchise was so narrow and limited that

31 Jawaharlala Nehru, Discovery of India, pp.295-296.

only a fraction of adult population secured the right to vote. How funny it is that the number of voters for Central Legislature was only 650, while for a Provincial Legislature nearly 200.

- Domination of Pro-Government bloc in the Councils. The reform proposed by the Act of 1909 was mere eye-wash because there continued to be the preponderance of official majority in the Central Legislature and of the Pro-Government bloc in the Provincial Councils. In the Imperial Legislature (Central Legislature) the elected members became ineffective against the strong band of nominated officials. Although in theory there was a majority of non-official members in the provincial Legislature, they were reduced into a minority against combined strength of officials and nominated non-officials in practice. The European elected members, the Landlords, the Muslims all vied with one another to earn the goodwill of the British masters. In the words of Dr. Ishwari Prasad: “The Councils were transformed into a museum rather than Legislatures, representing the will of people. Elected, nominated non-officials and officials jostled with each other; some representing the will of the people, others representing none but themselves and looking to the hand that had brought them in for direction and support”.

- Strictly limited powers of the Legislative Councils. With the increase in size of the Councils, the Act did not enlarge their functions and powers. The members were allowed to discuss the budget but could not make any substantial change in any item. They could ask questions but not insist on a reply from the Executive. Even the resolution that they were permitted to adopt on matters of public importance were not obligatory on the
Government. The recommendations of the Legislative Councils could be rejected or vetoed by the Governor-General or the Governor as the case may be. Besides these, there were statutory restrictions on the powers of the legislatures. They had no direct control over any head of revenue or expenditure. Certain items of the budget were not even open to discussion. Thus the responsibility for the administration of country remained undivided. The real powers continued to be centralized in the Executive. According to Mr. K.V. Punniah, “the main function of the official bloc was to vote, to vote with the Government and to vote against the non-official opposition. However eloquent the non-official speakers might talk and however reasonable and weighty their arguments might be, when the time for voting came, the silent official phalanx stepped in and decided the matter against them”.

Principal Shri Ram Sharma remarks: The debates lacked life. The proceedings bore an air of unreality. What was still more irritating to the Indian members was the Government’s usual policy of letting the non-official members speak and intervene in the debate at the end, though the members-in-charge exhibiting an unconcern for the views of the Indian members which let them smarting. “In 1910 Mr. Gokhale complained before the Imperial Legislature, “That once the Government had made up their mind to adopt a particular course, nothing that the non-official members may say in the Councils is particularly of any avail in bringing about any change in that course”.

Curtailment of the rights of the Members. The rules and regulations governing the proceedings of the Legislative Councils, were so framed that
the powers of its members were substantially restricted. The Minto-Morley reforms neither contemplated any transfer of power nor meant to make the Councils real law-making bodies. The function of the members was confined to heated deliberations without affecting the policies of the Government. Mr. Coupland has justly remarked that the Legislative Councils looked more like Durbars than parliaments. To quote the Montagu Chelmsford Report, “To recur to Sir Bartle Frere’s figure, the Government is still a monarch in durbar, but his councilors are uneasy, and not wholly content with his personal rule; and the administration in consequence has become slow and timid in operation… We have in India neither the best of the old system, nor the best of the new. Responsibility is the savour of popular government and that savour the present councils wholly lack”.

**IMPORTANCE AND UTILITY OF MORLEY-MINTO REFORMS**

Despite all the drawbacks the Act of 1909 suffered from, it was a definite advance on the preceding Act of 1892. It marked an important stage in the growth of representative institutions in India. For the first time recognition was given to elective principle as the basis of the composition of Legislative Councils. In spite of the disclaimer of Lord Morley, the Act did pave way for a parliamentary Government although indirectly in the country. According to Shri Ram Sharma, The constitutional autocracy that he (Morley) set up was bound to find its autocratic side challenged by its constitutionalism, and an answer had to be found for that challenge. Autocracy was likely to go overboard”. The elected Indians in the councils got a platform to ventilate their grievances.
W.H. Morris Jones observes about the Morley-Minto reforms, “The atmosphere may not have been wholly parliamentary but the change, as compared with the pre 1909 period, was marked enough.”

It was not less heartening a fact that an Indian was also included in Governor-General’s Executive Council. The enlargement of the size of Legislatures and the presence of elected members in it, although by indirect elections, set the ball rolling of increasing demand for complete Indianisation of Legislatures. Another significant feature of the Act was the increase in the rights of the members. They were empowered to discuss the budget and divide the House on many of the items included in it. Thus the members got the opportunity to criticize the executive and make suggestions for better administration of the country. To quote Mr. Ramsay Macdonald, “It (Act of 1909) was a compromise between bureaucracy and democracy, inevitably a shortlived if, necessary, experiment”. The reforms thus brought the country to a stage whence there was no going back, instead the only course open was further advancement towards self-government which was confirmed by Montagu’s August Declaration of 1917.

**CAUSES FOR THE FAILURE OF MORLEY-MINTO REFORMS**

- The Act was no doubt an improvement upon the preceding Act but it fell far short of the national expectations. What disappointed the people most was the admixture of the two incompatible elements of constitutionalism and autocracy, of the nominative and elective principles. Supreme power continued to be vested in the Executive on the principle that the

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33 Morris Jones, W.H. Parliament in India. p.50
responsibility to rule over India had devolved exclusively on the British people. Indians were considered ill-fitted for higher posts in the administration. The local bodies continued to be officialised. The Councils established under the new Act remained ‘gilded shams’ and ‘magnified nonentities where constituency was the Government House’.

- Another cause of the failure of Reforms was the introduction of indirect elections for returning the members to the Legislative Councils.

- The system of communal representation also proved a thorn in the sides of the discerning leaders.

- On proper analysis they found it nothing better than a political game of the Government to inflame communal passions and crack national solidarity. The public opinion also objected to the excessive importance that the Act gave to vested interests by giving them special representation. According to the Report on Indian Constitutional Reforms (1918): “It was opposed to the teaching of history. It perpetuated division by creeds and classes which meant the creation of political camps organized against each other and taught them to think as partisans and not citizens. It stereotyped existing relation and was a very serious hindrance to the development of the self-governing principle”.

The exclusion of Indian from senior posts and from public services also pin-pricked the educated unemployed youths of India. Indians continued to be treated like ‘pariah’ by the arrogant British. Even the Secretary of State during his visit to India was taken aback to learn that the doors of British clubs were
closed for his Indian friends. The inadequacy of the reforms as such gave a fillip to extremist movement in India.

The Indian press criticized the loopholes of the Act. They considered the Reforms as an apple of discard. In January 1910 the First General Election was held to the Imperial Legislative Assembly and Provincial Legislative Councils, Emperor George V and his wife visited India in 1911 to inaugurate the Councils\textsuperscript{34}. Despite the several defects, the Act of 1909 instilled into the minds of the Indian people a feeling of confidence and made an impressive beginning in Provincial Self-Government\textsuperscript{35}.

\textsuperscript{34} Rangswami Parthasarathi, \textit{A Hundred Years of the Hindu}, Madras, 1980, p.194.

\textsuperscript{35} The West Coast Spectator, Calicut, 9\textsuperscript{th} January 1909, Madras Native News Paper Report (hereinafter referred to as MNNR) p.17.