

BPSC

64th BPSC Common Combined (Main) Competitive Examination

Revised Study Materials

GENERAL STUDIES

PAPER - 2

PART - 1



INDIAN POLITY

“This part questions will be asked related to Indian Political system and constitutional framework”

Basic structure of the Indian Constitution

The Indian constitutional development start from the year of 1858. It was after the first war of independence (Sepoy Mutiny) in 1857, the transfer of power from the East India Company to the British crown was affected by the Government of India Act, 1858. It was subsequently followed by the Indian Councils Act, 1861 and the Indian Councils Act, 1892.

Though the British Govt. repeatedly asserted its desire of providing better and more participatory government to the Indians, all the acts cited above, in effect, strengthened the hands of the British government. The much lauded Indian Councils Act, of 1909, which, in fact, initiated the process of decentralisation had a positive vice in the form of introduction of communal representation for the first time.

The seeds of separation between the Hindus and the Muslims were sown for the first time aiming to weaken the nationalist agitation. During the First World War, which started in 1914, the British government, in order to elicit Indian support, declared on 20th August 1917 its desire to associate the Indians in a significant manner in the administration after the end of the war. However, the Government of India Act, 1919, which was subsequently enacted, was a big disappointment for the Indians. Apart from retaining the unitary and centralised features of administration, it sought to perpetuate the communal representation system introduced in 1909. Subsequent to the enactment of the 1919 Act, a seven-man Statutory Commission was appointed in 1927 under the chairmanship of Sir John Simon to report on the working of the 1919 Act. The Indian National Congress boycotted the Commission as all the members were English men. The report of the Commission was placed before a Round Table Conference which was boycotted by the Congress.

The findings of the conference was again examined by a Joint Select Committee of the British Parliament and on the recommendations of the Select Committee, the Government of India Act, 1935 was enacted. While this Act, promised to set up a federal government in India, an attempt was simultaneously made to deepen the communal cleavages in the country further by providing separate representation not only to the Muslims, but also to the Sikhs, the European, Indian, Chris-

tians and Anglo-Indians.

The Congress won overwhelmingly in the 1937 elections held as per the provisions of the 1935 Act. However, with the outbreak of Second World War in 1939, the Indian National Congress governments resigned demanding right of self determination by framing their own Constitution through a Constituent Assembly. Such a demand was earlier made by the Congress for the first time in 1935 and repeatedly made several times between 1935 and 1939. It was never paid any attention by the British Government till 1942, when it was faced with the danger of defeat at the hands of Germany.

The *Cripps Mission* which came to India in 1942 though accepted the demands of an elected Constituent Assembly to frame a constitution, it indirectly accepted the plans of the Muslim League for a separate state i.e. Pakistan.

The rejection of Cripps proposal was followed by the dynamic Quit India Movement in August 1942. It was only after the end of the war, the British Government despatched the Cabinet Mission to India in March 1946. As per its recommendations, elections were held to the Constituent Assembly.

The Muslim League members, though elected, boycotted the proceedings of the house which started on 1 Dec. 1946. The grouping clause of the cabinet recommendation indirectly accepted the Muslim League's demand. Ultimately on 20th February, 1947 the British Government announced its decision to transfer power to India by June 1948, keeping the option open to hand over power to a truncated India.

The Mountbatten Plan envisaged by Lord Mountbatten clearly decided in favour of partitioning India. With surprising speed, the Indian Independence Act 1947 was passed by the British Parliament on 4th July and received royal assent in 18th July 1947. Accordingly, India and Pakistan were to emerge as two independent Dominions and the Constituent Assembly of each Dominion was to have unlimited powers to frame and adopt any constitution it liked. India and Pakistan became two completely sovereign states on the 'appointed day', that is 15 August 1947.

Landmarks

The Constitution of India, as opted by the Constituent Assembly in 1949, was not something absolutely new. It was, to a