

Indian Council Act 1892

(06 December, 2021)

The Indian Councils Act / Lord Cross' Act, 1892 =Landsowne

Background

1. From the point of view of the Government, the 1861 Act worked satisfactorily. But this was a period of **rising of National Consciousness**.
2. *Indian National Congress was established in 1885 and the demands of Moderates were*
 1. **Expansion of Central and Provincial LCs by addition of elected members** by having **50% members elected** not by the general public, but by local bodies, chambers of commerce, universities, etc.
 2. They wanted 2 Indian members in the GG's executive council and 1 such member in each of the provincial councils.
 3. INC wanted the **abolition of the India Council** which prevented the Secretary of State (SoS) from initiating liberal policies in India.
 4. The budget should be referred to the legislature which should have the right to discuss it, amend it and vote on it. They also wanted the right to appeal directly to the £ parliament against the Government of India.
3. British apparently viewed the demands of educated Indians with suspicion and denied that they in any way represented the people of India.
4. The British Committee of India wanted their representation in LC.
5. Moderates demanded that India should be ruled in the interest of Indian people while **for Britain, imperial interests were paramount**. For this, British needed to enlarge the basis for their support in India and they **did this by satisfying the aspirations** of those Indians who were ready to confine their **demands within a narrow constitutional framework**. This would also ensure British autocracy. It was with this objective the Act of 1892 was passed.



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Features of Indian Council Act 1892

1. It was an amending act and the basic constitutional provisions remained the same as the 1861 Act. Mainly 2 types of changes were introduced
 1. Changes in the composition of Legislative bodies
 2. Enlargement of functions.
2. The Imperial Executive Council:
 1. The **Additional members** were increased from 6-12 mem to **10-16 members**. (>50% non-officials)
3. The Imperial Legislative Council composition:
 1. Though the **Official Majority** was retained, **non-officials increased** in Central and Provincial LCs. Now there were 6 official + 10 non-official members of LC of Bengal, BoMad, and NWFP and 9 ex-officio mem (= GG, 6 mem of Executive Council, CiC and the head of the Province in which the LC met).
 2. Non-official members were to be nominated by the Bengal Chamber of Commerce and provincial councils. There would be **no election but selection by the governor** from amongst the recommended candidates by such bodies.

UPSC GS Study Notes

4. Imperial council powers:

1. It **could now discuss the budget** and **address questions to the executive**. But **supplementary questions were not allowed**, could **not vote on the budget**, nor **move any resolutions** or demand a vote on any resolution brought by the government.

5. Provincial council composition:

1. Though the **Official Majority was** retained, **non-officials increased** in Central and Provincial LCs.
2. Non-official members were to be nominated by certain local bodies like municipalities, universities, district boards. There would be no election but selection by the governor from amongst the recommended candidates by such bodies.

6. Provincial council powers:

1. It **could now discuss the budget** and address **questions to the Executive**.
2. But **supplementary questions were not allowed**.
7. The Act made a **limited, obscure, and indirect election in filling up some non-official mem.** The Word election was not used and it was described as a nomination made on the recommendation of Certain bodies.

Significance of Indian Council Act 1892

1. In spite of the limitation of no supplementary questions, it was a **significant innovation** because even in the British House of Commons till that time Question Hour had not fully evolved.
2. The regulations were liberal enough to attract talents of G K Gokhale, W C Banerjee, S N Banerjee, P S Mehta to enter the legislature.
3. The non-official members gave a good account of themselves wrt debating skills and took every opportunity to put forward Indian pov.
4. On the whole, the Act satisfied the aspirations of nationalist leaders. But it was short-lived coz incidents of Extremism and further demands.

Limitations of Indian Council Act 1892

1. The systems like election-cum-nomination showed British distrust on Indians and hence did not satisfy educated Indians.
2. The principle of direct election was not introduced.