CABINET.


Proposed formal Bill to secure reprinting of the Government of India Act as two separate Acts, one relating to India and the other to Burma.

MEMORANDUM BY THE SECRETARY OF STATE FOR INDIA.

I have to seek the general approval of my colleagues to the introduction at as early a date as possible of a purely formal Bill for the purpose indicated in the title of this memorandum. It has from the start been recognised that, although for the sake of general convenience it was necessary to include in a single Act the provisions for the new Governments of both India and Burma, thereby saving much Parliamentary time in the passage of the Bill, yet it would be quite inappropriate to leave the Constitution for Burma after its separation from India to be found for all time in the Indian Constitution Act, an arrangement which would, moreover, be most distasteful to Burman sentiment. The Government of India Act, 1935, was accordingly so framed as to include the whole of the provisions relating to Burma in a self-contained Part, consisting of 157 sections, so that it will be possible to reprint Part XIV of the Government of India Act, with certain purely formal alterations, as a separate Act; and similarly to reprint the remainder of the Act minus the Burma Part (also with certain purely formal alterations) as the Government of India Act.

I have not thought it necessary to trouble my colleagues at this stage with the actual text of the proposed Bill, which is now in course of final revision, but if the Cabinet decide to give general approval to my proposal the Bill will, of course, be circulated to the Home Affairs Committee. I need only say here that the proposed Bill will consist of a single operative section (apart from the short title) and of two Schedules, and that the latter will specify the formal changes to be made in reprinting the Burma and Indian Acts respectively.

As the Bill will be of a purely formal character I do not anticipate that its passage will occasion any controversy or any prolonged debate in either House, and it might, I suggest, be introduced in the House of Lords if this is likely to facilitate despatch.

India Office,
17th September 1935.