



# Government of India Act 1935

## 1935 CHAPTER 2

### PART I

#### INTRODUCTORY.

**1 Short title.**

This Act may be cited as the Government of India Act, 1935.

**2 Government of India by the Crown.**

- (1) All rights, authority and jurisdiction heretofore belonging to His Majesty the King, Emperor of India, which appertain or are incidental to the government of the territories in India for the time being vested in him, and all rights, authority and jurisdiction exercisable by him in or in relation to any other territories in India, are exercisable by His Majesty, except in so far as may be otherwise provided by or under this Act, or as may be otherwise directed by His Majesty:

Provided that any powers connected with the exercise of the functions of the Crown in its relations with Indian States shall in India, if not exercised by His Majesty, be exercised only by, or by persons acting under the authority of, His Majesty's Representative for the exercise of those functions of the Crown.

- (2) The said rights, authority and jurisdiction shall include any rights, authority or jurisdiction heretofore exercisable in or in relation to any territories in India by the Secretary of State, the Secretary of State in Council, the Governor-General, the Governor-General in Council, any Governor or any Local Government, whether by delegation from His Majesty or otherwise.

**3 The Governor-General of India and His Majesty' Representative as regards relations with Indian States.**

- (1) The Governor-General of India is appointed by His Majesty by a Commission under the Royal Sign Manual and has—

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*Status: This is the original version (as it was originally enacted).*

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- (a) all such powers and duties as are conferred or imposed on him by or under this Act; and
  - (b) such other powers of His Majesty, not being powers connected with the exercise of the functions of the Crown in its relations with Indian States, as His Majesty may be pleased to assign to him.
- (2) His Majesty's Representative for the exercise of the functions of the Crown in its relations with Indian States is appointed by His Majesty in like manner and has such powers and duties in connection with the exercise of those functions (not being powers or duties conferred or imposed by or under this Act on the Governor-General) as His Majesty may be pleased to assign to him.
- (3) It shall be lawful for His Majesty to appoint one person to fill both the said offices.

#### **4 The Commander-in-Chief in India.**

There shall be a Commander-in-Chief of His Majesty's Forces in India appointed by Warrant under the Royal Sign Manual.