IMPORTANT ACTS



TABLE OF CONTENTS	PAGE NO.
The Company Rule Regulating Act, 1773	3
Amending Act, 1781	3
Pitt's India Act, 1784	3
Charter Act of 1793	3
Charter Act of 1813	3
Charter Act of 1833	4
Charter Act of 1853	4
The Crown Rule Government of India Act, 1858	4
Indian Council Act, 1861	4
Indian Council Act 1909	4
Government of India Act, 1919	5
Government of India Act, 1935	5
Indian Independence Act 1947	5

Historical Background

-Queen Elizabeth I granted the East India Company a charter (license) on December 31, 1600

-The charter gave the company the exclusive right to trade within India

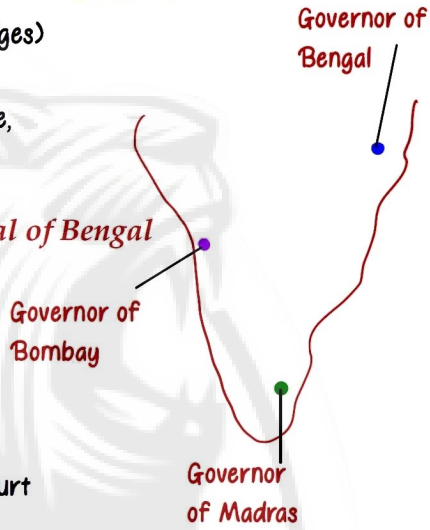
Centralisation (bringing things to one central place or under unified control) started from 1773

THE COMPANY RULE (1773-1858)

Regulating Act 1773

1. Governor of Bengal converted to Governor General of Bengal (more power given)
2. Creation of Executive Council of 4 members to assist Governor General
3. 1st Governor General — Warren Hasting
4. Bombay and Madras Presidencies made subordinate to Bengal
5. Establishment of Supreme Court at Calcutta (1774), (1 Chief Justice + 3 other judges)
6. It prohibited the servants from taking any Bribe or Presents from Indians
7. Court of Directors (to manage commercial functions) — Will report on its Revenue, Civil and Military affairs

Supreme Court was established on 26 Jan 1950
Inaugural session on: 28 Jan 1950



- *Warren Hastings — The last Governor of Bengal + 1st Governor General of Bengal*
- *1st Chief Justice of SC Calcutta pre-independence — Elijah Impey*
- *1st Chief Justice of India post-independence — Justice Harilal Kania*

Amending Act, 1781

1. It is known as Act of Settlement to rectify the defects of Regulating Act 1773
2. Exempted the Governor-General and Council from the Jurisdiction of Supreme Court

Pitt's India Act, 1784

1. Differentiated commercial (taken care by Court of Directors) and administrative functions of company
2. It created Board of Control to manage administrative affairs i.e. dual control system started from here
3. It was called as "Half Loaf System" as it sought to mediate between Parliament and the company directors
4. For the first time company territories in India was called as British Possessions in India



The Pitt's India Act was named after William Pitt the Younger

Charter Act of 1793

1. It extended the trade Monopoly of the company in India for another period of 20 years
2. Commander-in-chief was not to be a member of the Gov-Gen council, unless he was so appointed
3. Members of Board of Control and staffs were to be paid out of the Indian Revenue

Charter Act of 1813

1. It abolished Trade Monopoly of the company in India and continued the monopoly of the Company over trade in tea and trade with China
2. It asserted the Sovereignty of the British crown over the company's territories in India
3. It allowed Christian Missionaries to come to India — To promote Christianity
4. Rs 1 Lakh was allotted to be spent on Indian Education
5. It authorised the local governments in India to impose taxes on persons and punish the persons for not doing so

Charter Act of 1833 (Also known as "Saint Helena Act)

1. Gov-Gen of Bengal converted to Gov-Gen of India (1st: William Bantick)
2. Deprived the Governor of Bombay and Madras of their legislative powers
3. It ended activities of EIC as a commercial body , became purely administrative body (lost monopoly trade with China)
4. It provided for the establishment of Law Commission of India to consolidate and codify Indian laws
5. It attempted to introduce a system of open competition for selection of Civil Servants
6. A law member to be in Govenor's Executive Council — 1st law commissioner of India Thomas Babington Macaulay

·IPC (Indian Penal Code) was introduced in 1860
·1st Indian to qualify Civil Services Satyendranath Tagore (1863)

Charter Act of 1853

1. Separated legislative and administrative functions of the Gov-Gen's Council
2. Under it, there was an addition of 6 new members to Council as Legislative Councillors.
3. It introduced Open Competition for Civil Services.
4. It extended the Company rule in Indian Territory, but period is not specified
5. Introduced, Local Representation in the Indian Legislative Council
6. Of the 6 Legislative Members of the Gov-Gen's Council 4 members were appointed by the local government of Madras, Bombay, Bengal and Agra

The Crown Rule

Government of India Act, 1858 (Also known as "Queen's Proclamation)

The act known as the Act for the Good Government of India, which abolished the East India Company, and transferred the powers of Government, territories and revenues to the British Crown

Features

1. It changed the designation of Governor General of India to that of Viceroy of India; Lord Canning becomes 1st Viceroy of India
2. It ended the system of Dual Government by abolishing the Board of Control and Court of Directors
3. It created a new office Secretary of State for India which was assisted by a 15-member council of India with complete authority and control over Indian administration

Peel Commission 1858 (after 1857 Revolt)
It suggested reforms and the British Government accepted the recommendations and redesigned the Indian military

Indian Council Act, 1861

Features

1. Associating Indians with law making process, in 1862 Viceroy Nominated Raja of Benaras, Maharaja of Patiala and Sir Dinkar Rao to Legislative Council
2. It initiated the process of decentralisation by restoring the legislative powers to the Bombay and Madras Presidencies
3. It also provided for the establishment of new legislative councils for Bengal, North-Western Provinces and Punjab
4. Recognition to the 'portfolio' system, introduced by Lord Canning in 1859
5. It empowered the Viceroy to issue ordinances, without the concurrence of the legislative council, during an emergency. The life of such an ordinance was 6 months

Indian Councils Act, 1909

This Act is also known as Morley-Minto Reforms (Lord Morley was the then Secretary of State for India and Lord Minto was the then Viceroy of India)

Features

1. It considerably increased the size of the legislative councils, both Central and Provincial. The no. of members in the Central legislative council was raised from 16 to 60
2. Members —— Official majority in Central legislative council and non-official majority in Provincial legislative council
3. Members were allowed to ask supplementary questions, move resolutions on the budget and so on
4. It provided for the association of Indians with Executive Councils of the Viceroys and Governor —— Satyendra Prasad Sinha was the 1st Indian to join and was later appointed as the Law member
5. It introduced Separate Electorate for Muslims (System of Communal Representation) —— Muslim members were elected by muslim voters (Lord Minto —— Father of Communal Electorate)

Government of India Act, 1919

This Act is also known as Montagu-Chelmsford Reforms (Montagu was the Secretary of State for India and Lord Chelmsford was the Viceroy of India)

Features

1. Classification of all the subjects of administration into two categories, namely, the central subjects and the provincial subjects
2. This was further divided into two parts: Transferred and Reserved — Dyarchy introduced in provinces



3. It introduced Bicameralism and direct elections in the country for the 1st time consisting of an Upper House (Council of State) and a Lower House (Legislative Assembly).
4. It required that the 3 of the 6 members of the Viceroy's executive Council (other than the Commander-in-Chief) were to be Indian
5. It created a new office of the High Commissioner for India in London and transferred to him some of the functions
6. Public Service Commission was established and a Central Public Service Commission was set up in 1926 for recruiting civil servants
7. It separated Provincial budget from Central budget
8. It extended the system of Separate Electorate for—Sikhs, Indian Christians, Anglo-Indians and Europeans

Government of India Act, 1935 (Enforced on: 1st April 1937)

Features

1. It abolished dyarchy in the provinces and introduced dyarchy at the Centre
2. It provided for the establishment of an All India Federation consisting of provinces and princely states as units
3. It introduced bicameralism in 6 out of 11 provinces. Thus, the legislatures of Bengal, Bombay, Madras, Bihar, Assam and the United Provinces were made bicameral consisting of a legislative council (upper house) and a legislative assembly (lower house)
4. It reserved certain no. of seats for Scheduled Castes, women and labours
5. It extended adult franchise — Only 14% of total population had right to vote
6. Reserved Bank of India was established
7. Federal Public Service Commission, Provincial Public Service Commission and Joint Public Service Commission were established
8. Federal Court was setup in 1937
9. Burma (now Myanmar) was separated from India
10. The Act divided the powers between the Centre and units in three lists-Federal List (for Centre, with 59 items), Provincial List (for provinces, with 54 items) and the Concurrent List (for both, with 36 items)
11. Residuary powers were given to the Viceroy (Governor-General)
12. It abolished the council of 15 members

Indian Independence Act,1947

On February 20, 1947, the British Prime Minister Clement Atlee declared that the British rule in India would end by June 30, 1948; after which the power would be transferred to responsible Indian hands

Features

1. It ended the British rule in India and declared India as an independent and sovereign state from August 15, 1947
2. Partition of India and creation of two independent dominions of India and Pakistan with the right to secede from the British Commonwealth was done
3. It abolished the office of Viceroy and provided a Governor General, who was to be appointed by the British King on the advice of the dominion cabinet
4. It abolished the office of the Secretary of State for India and transferred his functions to the Secretary of State for Commonwealth Affairs.
5. It proclaimed the lapse of British paramountcy over the Indian princely states and treaty relations with tribal areas from August 15, 1947
6. It granted freedom to the Indian princely states either to join the Dominion of India or Dominion of Pakistan or to remain independent
7. The Governor-General would have full power to assent to any bill in the name of His Majesty
8. It designated the Governor-General of India and the provincial governors as constitutional (nominal) heads of the states
9. It dropped the title of Emperor of India from the royal titles of the King of England
10. It discontinued the appointment to civil services and reservation of posts by the secretary of state for India

At the stroke of midnight of 14-15 August, 1947, the British rule came to an end and power was transferred to the two new independent Dominions of India and Pakistan

- ***1st Governor General of India: Mountbatten***
- ***1st and last Indian Governor General: C Rajagopalachari***

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