

## Modern Indian History Class 15

1st November, 2023 at 9:00 AM

### CHARTER ACT OF 1793 (09:12 AM)

- The hallmark of this act was the concept of **civil law as a code of all regulations for governing Bengal**.
- These regulations dealt with the Rights of persons and Property and contained rules and directives.
- Courts were now bound to follow these regulations while passing orders. All laws were to be printed in the vernacular so people knew their rights and privileges.
- **British State-**
- **Subjects of the Crown** can not acquire sovereign powers over territory on their own but only on behalf of the Crown therefore now the company was to exercise political power only on behalf of the British State and as the agent of the British State.
- **The size of BOC** decreased and now BOC means the President of BOC was one of the Secretaries of State plus two junior members who may not be from the privy council. Therefore, the power of the President of BOC increased (Junior won't oppose).
- The salary of BOC was to be given by EIC.
- **Powers of GG**
- GG's power over GBO and GMA increased further.
- Renewed Charter for 20 years.

## CHARTER ACT 1813 (09:55 AM)

- Renewed Charter for 20 years.
- **Westernisation of India** began.
- **Ideology-**
- The greatness of **ancient Indian civilisation was called a myth** and hence **evangelist Charles Grant in COD, liberals and utilitarianists- argued for westernising India** to fulfil White man's burden.
- The Industrial Revolution (IR) from 1750-1850 led to the rise of machine-based factories and now Britain wanted India as a source of cheap raw materials and an export market for British finished goods.
- There was high pressure on manufacturers and free traders to end EIC's monopoly over business with India.
- Adam Smith via his work, '**An Enquiry into Nature and Causes of Wealth of Nations**' argued in favour of free market economy and the idea of monopoly therefore came under criticism.
- It was also argued that opening up India to non-EIC businesses would westernise and industrialize the Indian economy via the transfer of technology and FDI.
- Undoubted sovereignty under Indian territorial possessions.
- Monopoly over trade with India ended. EIC retained a monopoly over trade with China plus the tea and opium trade.
- **Cultural colonialism-** The goal of British Rule was defined as the moral and spiritual development of India.
- Therefore, there was a push for Western education, social reforms and Christianity.
- **EIC to spend 1 lakh rupees per annum** on education for Indians. There originated a debate over the syllabus and medium of education.
- Entry of Christian Missionaries was legalised and they could not enter India by taking a License from COD of EIC or from BOC.
- The shift away from Orientalism contributed to the 1857 revolt.

## CHARTER ACT 1833/ ST HELENA ACT (10:52 PM)

- The Island of St Helena (A port of call) was taken over by British EIC for refuelling and repair of ships and to project Naval power.
- **EIC lost its monopoly over the tea and opium trade with China.** Commercial affairs of EIC were ended. Therefore now EIC had only political functions and that also on behalf of the Crown.
- BOC's supervisory visors extended to all administrative affairs in India.
- President of BOC in 1833 was renamed as minister for Indian affairs.
- **Powers of GG-**
- A high number of Britishers entered India therefore a need was felt for uniform laws and administration in the whole of British India.
- Therefore **GG Bengal was elevated to GG India** with direct control over all of British India's CMR matters.
- **GGI-in-council now to be the executive and legislative head of British India** i.e. empowered to make and administer laws for the whole of British India.
- These laws were to be equally applicable to Indians and Britishers in India i.e. racial equality was promised. But special privileges continued for the British.
- The **legislative powers of GBO and GMA were taken away.**
- Therefore centralisation of power in the centre began in 1773 and peaked in 1833.
- **One law/legal member (Thomas Macaulay) was added to GGI's council.** Therefore, a grain of separation of power between executive and legislative functions within GGI's council was introduced.
- **A law commission was to be set up under Macaulay** for the codification of laws.
- This was completed by 1837 but deliberation and updating continued and full implementation post 1857 via Civil Procedure Code 1859, Indian Penal Code 1860, Criminal Procedure Code 1861.
- Racial equality was promised as Charter 1833 declared that no person was to be deprived of a chance to enter into service of EIC on the grounds of religion, colour, birth and colour.
- **Bentinck** was already encouraging recruiting Indians in higher judiciary.
- Now judicial possessions and lower civil services i.e. uncovenanted CS.

### CHARTER ACT 1853 (12:04 PM)

- The charter was not renewed for 20 years but only till Parliament specified otherwise therefore now a sword was hanging on the neck of EIC.
- EIC lost patronage i.e. the power to appoint officials as per its wish as the CS exam was introduced (Held for the first time in 1855 in London).
- Therefore from now on EIC rarely controlled policies in India.
- Covenanted CS was now open to Indians as the CS exam could be given by Indians.
- Separation of powers was introduced with the GGI council as six more legal members were added.
- Size- 10 members (3 executive members plus 7 legal members)

### ACT FOR BETTER GOVERNMENT OF 1858 (12:18 PM)

- **Background**
- EIC was blamed for mismanagement.
- British Public demanded the end of EIC rule i.e. replacing absentee sovereignty with the direct rule of British state.
- The Western-educated middle class of India wanted direct British rule for greater accountability of Govt. They believed that India would modernize with the direct rule of the British state.
- EIC rule was ended and rule of the British state began in British India.
- The policy of the Subordinate Union towards Indian rulers began.
- The sovereignty of the Whole of India was now with the crown and Jafar was pensioned off to Burma. Therefore legally Mughal empire ended and Indian states were made part of the British empire.
- Via the **Royal Titles Act 1876**, Queen Victoria was empowered to take the title of Kaiser-i-Hind (Empress of India).
- In 1877, Lytton organised the imperial/Delhi Durbar where Queen Victoria was Coronated as Kaiser-i-Hind (was using this title informally since 1858)
- However **administratively, more continuation than change-**
- The President of BOC was replaced by SOS for India who was to be the main authority and in charge of Policy on India.
- BOC 1784 was replaced by the Council of India, headed by SOS for India and having 15 members. Seven members of the COD of EIC were absorbed into it.
- Dual control of GG ended as viceroy and GG- now he had only one boss i.e. SOS for India as GG he was governor/ ruler of British India and as viceroy, he represented the crown.
- No change in the powers of GGI as viceroy.

- **Canning** was the first viceroy. The same CS exam of 1853 continued and was held only in London as earlier but now it was to be conducted by the government and training to be given by the government. Therefore **Haileybury College** was discarded.

**TOPIC OF THE NEXT CLASS- RESPONSIBILITY FOR EIC CONQUEST & EIC ADMINISTRATION**