

Modern Indian History Class 14

31st October, 2023 at 9:00 AM

REGULATING ACT OF 1773 (CONTINUES) (09:17 AM)

- For the first time the right of Parliament to regulate EIC's affairs was legally recognised as now EIC came under the supervision of the British Parliament.
- However, commercial affairs were still out of supervision and only political affairs were under supervision.
- GG Bengal to collect info on all matters of EIC affairs and send it to COD (Court of Directors)/ EIC.
- COD/EIC to submit info regarding CMR (Civil, Military and Revenue) affairs to the British state.
- Supreme Court was to be set up in Calcutta with one chief Justice and 3 judges who were to be chosen by the Crown.
- The jurisdiction of SC was applicable to all cases of Britishers in Bengal Suba and to their Indian servants.
- GG Bengal and his council members headed Sadar Diwani Adalat and Sadar Nizamat Adalat- Top Courts on civil and criminal matters in Bengal.
- Banned taking gifts from Indians.
- Tenures-
- 4 years for directors of COD of EIC and not eligible for re-election by shareholders,
- 5 years for GG Bengal and also could be reappointed and dismissed in between.
- 4 years for councillors.
- All appointments were done by EIC as all were employees of EIC.
- Result
- Huge distance Between India and London led to poor supervision.
- Centralisation of power in GG began therefore, the journey of central govt begins.
- Vague wordings of emergency meant that GBO and GMA acted independently in practice.
- Disunity in GG's council and lack of veto power with GG led to a problem of indecision.
- The conflict between SC and GG's council occurred due to a lack of clarity on jurisdiction.

AMENDING ACT, 1781/ BENGAL JUDICATURE ACT/ DECLARATORY ACT (10:52 AM)

- In any case in Calcutta, all cases of Britishers in Bengal Suba and all cases related to EIC property in Fort Williams except acts done by EIC officials in their official capacity- these cases will go to GG.

PITTS INDIA ACT, 1784 (11:00 AM)

- British state lost 13 colonies in North America(NA) in 1783. Therefore, there was fear of EIC declaring independence like colonies in NA. Therefore, the focus was on control from supervision.
- For the first time, the phrase 'British territorial possessions in India' was used, but issue of sovereignty was still not decided clearly.
- Political affairs of EIC and its administration in India were brought under the supreme control of Parliament by setting up the Board of Control in London.
- Double govt for EIC's affairs in India as now commercial and political affairs of EIC in India were separated and BOC was made top authority in political/ CMR matter while COD/EIC continued as the top authority.
- In BOC there were six members- 1 of the secretaries of state (President of BOC), Chancellor of the Exchequer, 4 privy council members
- Role of BOC-
- To superintend, direct and control all acts, operations and control related to CMR (Govt of British Territorial possession in East Indies).
- COD was to send all incoming and outgoing letters for India to BOC.
- Principal servants of EIC in India were to be appointed by EIC but only after approval of the crown.
- EIC retained commerce and Patronage (Power of appointing EIC officials other than Principal servants).
- Dual control over GG. BOC could pass binding orders to COD and also to GG. Therefore GG had two bosses (in CMR matters).
- GBO and GMA subordinated to GG Bengal in matters of war, peace and revenue.
- Responsibilities of GG and Governors were clearly defined to overcome the vagueness created by the word 'emergency circumstances'.
- To resolve the problem of indecision, the GG council's size was reduced to 3 from 4. GG was given a regular and a casting vote. Therefore even with 1 councillor, GG could get his decision approved.
- A council of 3 headed by the Governor was also created in Bombay and Madras.
- High war expenditure in the first Anglo-Maratha War 1775-82, the second Anglo-Maratha War- therefore imperial expansion was banned.
- Impact -

- Dual control of GG in practice meant no control as GG could play his two masters against each other.
- Still no veto power to GG over his council therefore issue of indecision continued.
- Conflict between GG and CIC - the decision of war and peace was with GG but the right to use the Army was with CIC which created friction.

AMENDING ACT 1786 (12:19 PM)

- Gave veto power to GG over his council in extraordinary circumstances.
- EIC was empowered to appoint the same person to the two posts of GG and CIC. Therefore, Cornwallis was the first to be both GG and CIC.
- The above system of controlling EIC continued till 1858 with very little change.

TOPIC OF THE NEXT CLASS- CHARTER ACT OF 1793