

Provisions of important Acts in India During British Rule

The Regulating Act of 1773:

- This was the first attempt towards Centralised Administration.
- It prohibited servants of the company from engaging in any private trade or accepting bribes from the natives.
- Governor of Bengal became Governor General for all British territories in India.
- Warren Hastings became the first Governor-General of Bengal.
- It subordinated the Governors of Bombay and Madras to the Governor-General of Bengal.
- Executive Council of the Governor-General was established (Four members). There was no separate legislative council.
- The Supreme Court was established at Fort William (Calcutta) as the Apex Court in 1774.

The Pitts India Act of 1784:

- The Pitts India Act, 1784 (The East India Company Act 1784) gave the British Government supreme control over the Company's affairs and its administration in India.
- It established dual system of governance -
- For the purpose of Joint Government, a Board of Commissioners for the Affairs of India called Board of Control was created.
- The Secretary of the State was entitled as the President of the Board of Control.
- The Company was to be represented by the Court of Directors.
- The companies territories in India were called "the British possession in India".
- Governor's councils were established in Madras and Bombay.

The Charter Act of 1813:

- This act is also known as The East India Company Act 1813.
- Charter act of 1813 ended the monopoly in trade of the East India Company in India.
- The act also granted permission to Christian Missionaries for promoting moral and religious improvements in India.

The Charter Act of 1833:

- The Act centralised the administration of India.
- Governor-General (of Bengal) became as the Governor-General of India.
- Lord William Bentick became the First Governor-General of India.
- This act brought an end to the East Indian Company's trade monopoly even in tea and trade with China.
- A fourth member, law member, added to Council of Governor-General.
- The Act ended the activities of the East India Company as a commercial body and it became a purely administrative body.
- India's first law commission was set up under Charter act of 1833 and Lord Macaulay was made its Chairman.



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The Charter Act of 1853:

- It separated, for the first time, the legislative and executive functions of the Governor- General's council.
- Charter Act of 1853 reduced the number of Directors of the Company from 24 to 18.
- It introduced a system of open competition as the basis for the recruitment of civil servants of the Company (Indian Civil Service opened for all).
- Law member was made a full member of the Executive Council of the Governor-General.

The Government of India Act of 1858:

- Indian Administration transferred from Company to British crown i.e. end of rule of East India Company and beginning of direct rule of Crown.
- It ended the system of double government by abolishing the Board of Control and Court of Directors.
- The post of Secretary of state for India was created (who was the member of the British cabinet and a direct representative of the Parliament).
- The Governor-General was made the Viceroy of India.
- Lord Canning was the first Viceroy of India.

The Indian Councils Act of 1861:

- Foundation of Indian legislature was laid down in 1861 and the Policy of association of Indians in legislation started.
- It provided that the Viceroy's Executive Council should have some Indians as the non-official members while transacting the legislative businesses.
- Portfolio (or Cabinet) system in the Government of India was introduced.
- The Viceroy was allowed to issue ordinances lasting six months if the Legislative Council is not in session in an emergency.

The Indian Councils Act of 1892:

- It increased the number of additional (non-official) members in the Central and provincial legislative councils.
- Enlarged the functions of the Legislative Councils and gave them the power of discussing the Budget and addressing questions to the Executive.

The Indian Councils Act of 1909:

- This Act is also known as the Morley- Minto Reforms.
- Morley was the Secretary of State and Minto was the Indian Viceroy.
- It changed the name of the Central Legislative Council to the Imperial Legislative Council.
- The number of members in the Central Legislative Council was raised from 16 to 60.
- It enlarged the deliberative functions of the legislative councils, members were allowed to ask supplementary questions, move resolutions on the budget.
- Indians for the first time in Viceroys executive council. Satyendra Prasad Sinha became the first Indian to join the Viceroy's Executive Council as the law member.
- It introduced a system of communal representation for Muslims by accepting the concept of 'separate electorate'.
- This Act legalised communalism and Lord Minto came to be known as the Father of Communal Electorate.

The Government of India Act of 1919:

- This Act is also known as the Montague-Chelmsford Reforms.
- It introduced, for the first time, bicameralism and direct elections in the country.
- The scheme of dual governance, 'Dyarchy', was introduced in the Provincial subjects. The provincial subjects into two parts—transferred and reserved.
- Subjects of administration were divided into two categories – 'Central' and 'Provincial'. The central and provincial legislatures were authorised to make laws on their respective list of subjects.
- Indian legislature became 'bicameral' for the first time.
- It extended the principle of communal representation by providing separate electorates for Sikhs, Indian Christians, Anglo-Indians and Europeans.
- An officer of the High Commissioner of India was created in London.
- The salary of Secretary of State for India was made a charged expenditure on British revenue this time.

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BILINGUAL

The Government of India Act of 1935:

- The Government of India Act, 1935 provided for setting up of the Federation of India comprising British Indian provinces and Indian States (Princely States).
- The Act divided the powers between the Centre and units in terms of 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).
- The residuary powers were vested with the Governor-General.
- It provided for the adoption of dyarchy at the Centre and abolished dyarchy in the provinces, introduced 'provincial autonomy'.
- Introduced bicameralism in 6 out of 11 Provinces, namely the legislatures of Bengal, Bombay, Madras, Bihar, Assam and the United Provinces.
- Provided for the establishment of Federal Court.
- It abolished the Council of India, established by the Government of India Act of 1858.

The Indian Independence Act of 1947:

- The Indian Independence Act was based upon the Mountbatten plan.
- It provided for two dominion states : India and Pakistan -The authority of the British Crown over the princely states ceased and they were free to join either India or Pakistan or remain independent.
- It assigned dual functions (Constituent and Legislative) to the Constituent Assembly and declared this dominion legislature as a sovereign body.
- The office of the Secretary of State for India was to be abolished and his work was to be taken over by the Secretary of State for common wealth affairs.

Note:

- **Laws made before Charter Act of 1833 were called Regulations and those made after are called Acts.**
- **Lord Ripon's resolution was hailed as the 'Magna Carta' of local self-government. He is regarded as the 'Father of local self-government in India'.**