



# INDIAN POLITY BY- SUJEET BAJPAI SIR



# Constitution =

ORIGIN

→ Constitutere (Latin)

→ Meaning → [Fundamental Law]

→ 26<sup>th</sup> Nov. 1949 - Enacted  
→ 26<sup>th</sup> Jan 1950 - Adopted

Hist. Background of  
Const. dev.

① Company Rule  
(1773 - 1858)

② Crown Rule  
(1858 - 1947)

# The Company Rule (1773–1858)

## Regulating Act of 1773

1. It designated the Governor of Bengal as the 'Governor-General of Bengal'. The first such Governor-General was Lord Warren Hastings.

→ S.C. - founded  
C. Calcutta  
C. Eliza Empey

2. It made the governors of Bombay and Madras presidencies subordinate to the governor-general of Bengal, unlike earlier, when the three presidencies were independent of one another.

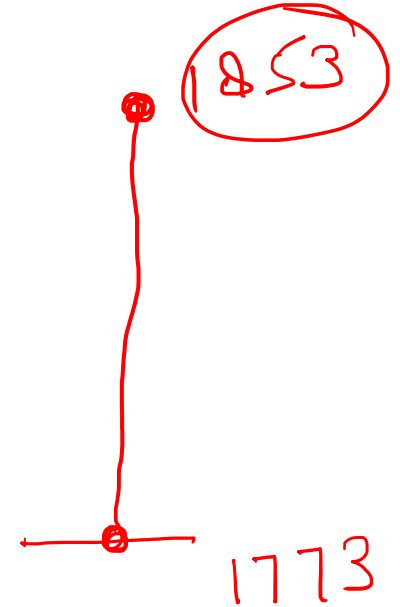
3. It provided for the establishment of a Supreme Court at Calcutta (1774) comprising one chief justice and three other judges.



pm of Britain

## Pitt's India Act of 1784

In a bid to rectify the defects of the Regulating Act of 1773, the British Parliament passed the Amending Act of 1781, also known as the Act of Settlement. The next important act was the Pitt's India Act of 1784.



1.

It allowed the Court of Directors to manage the commercial affairs but created a new body called Board of Control to manage the political affairs. Thus, it established a system of double government.

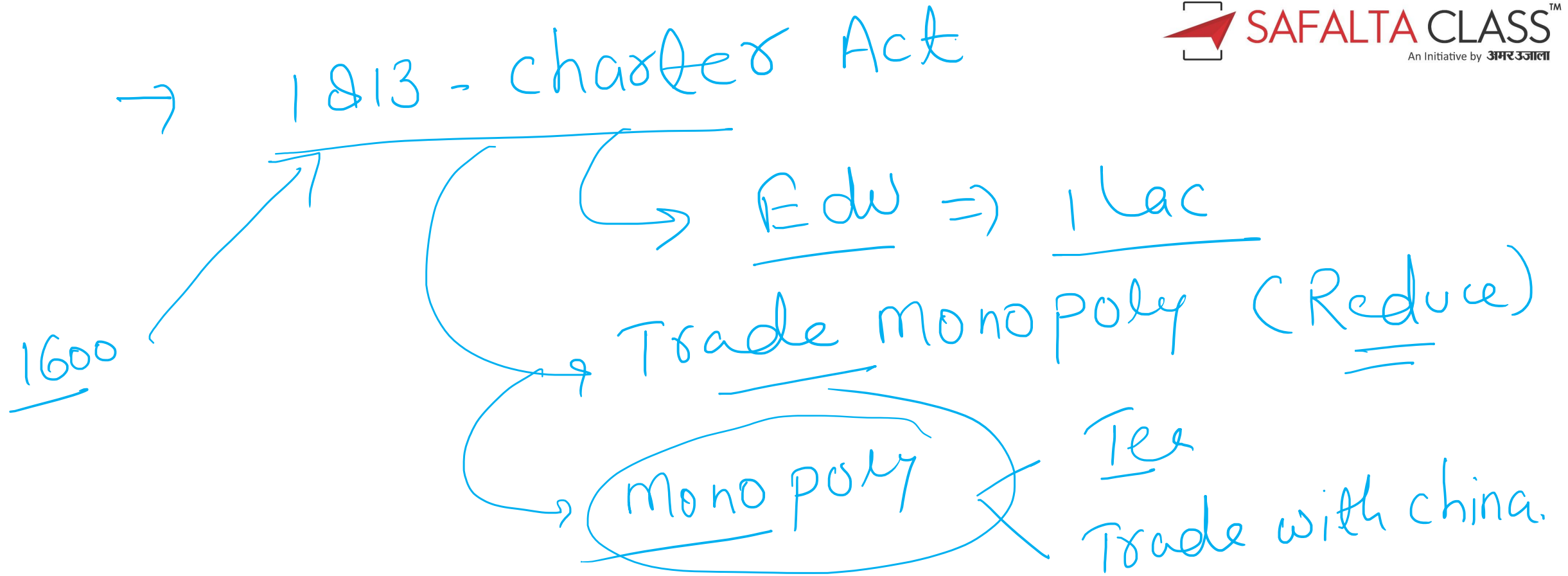
**2. Thus, the act was significant for two reasons: first, the Company's territories in India were for the first time called the 'British possessions in India'.**

→ 1773 + 1784  
↓

Parliament ⇒ charter

→ 1793  
→ 1813  
→ 1833  
→ 1853

Gov. Gen  
→ Act



# Charter Act of 1833

① Gov. of Bengal

↑  
old

(last) →

W. Bentick

1. It made the <sup>②</sup> Governor-General of Bengal as the Governor-General of India and vested in him all civil and military powers. <sup>③</sup>

→ Ist ⇒ William Bentick

**Thus, the act created, for the first time, a Government of India having authority over the entire territorial area possessed by the British in India.**

**Lord William Bentick was the first governor-general of India.**

→

EIC

Trade of Tea  
(+)  
Trade with China (X)

→

1833

→

Civil Services

Indian

(Implementation (X))



**2. It ended the activities of the East India Company as a commercial body, which became a purely administrative body.**

**3. The Charter Act of 1833 attempted to introduce a system of open competition for selection of civil servants, and stated that the Indians should not be debarred from holding any place, office and employment under the Company. However, this provision was negated after opposition from the Court of Directors.**

## Charter Act of 1853

**This was the last of the series of Charter Acts passed by the British Parliament between 1793 and 1853. It was a significant constitutional landmark.**

**It extended the Company's rule and allowed it to retain the possession of Indian territories on trust for the British Crown. But, it did not specify any particular period, unlike the previous Charters. This was a clear indication that the Company's rule could be terminated at any time the Parliament liked.**

# The Crown Rule (1858–1947)

## Government of India Act of 1858

**This significant Act was enacted in the wake of the Revolt of 1857—also known as the First War of Independence or the ‘sepoy mutiny’.**

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

Canning

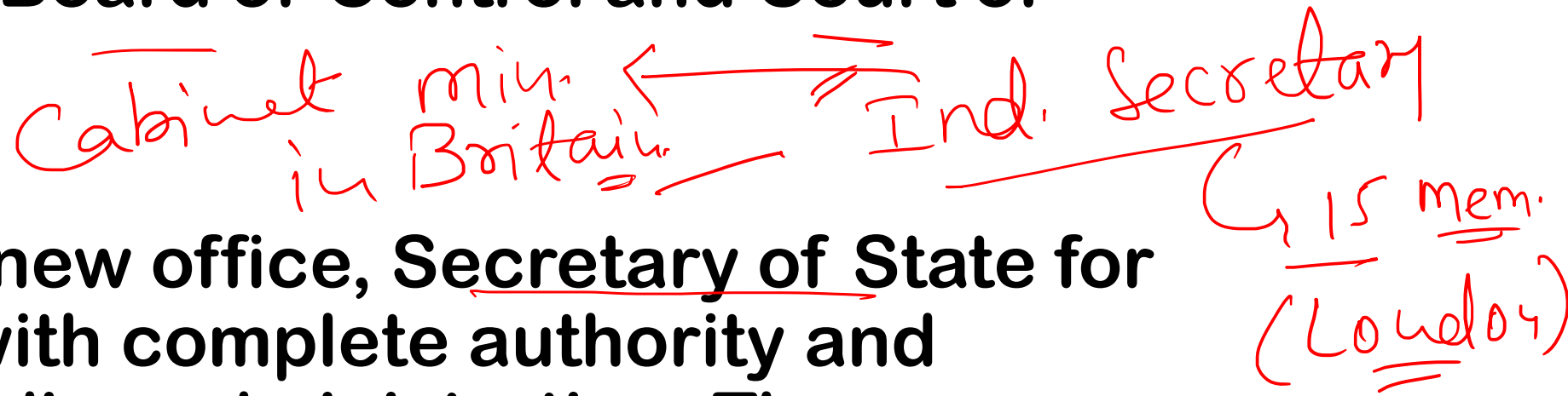
← Last

1. It changed the designation of the (Governor-General of India) to that of (Viceroy of India). He (viceroy) was the direct representative of the British Crown in India. Lord Canning thus became the first Viceroy of India.

I<sup>st</sup>  
↓  
Canning

→ Victoria - I<sup>st</sup>  
=

2. It ended the system of double government by abolishing the Board of Control and Court of Directors.



3. It created a new office, Secretary of State for India, vested with complete authority and control over Indian administration. The secretary of state was a member of the British cabinet and was responsible ultimately to the British Parliament.



**4. It established a 15-member Council of India to assist the secretary of state for India. The council was an advisory body. The secretary of state was made the chairman of the council.**

# Indian Councils Act of 1861 decent

1. It made a beginning of representative institutions by associating Indians with the law-making process. It thus provided that the viceroy should nominate some Indians as non-official members of his expanded council.

In 1862, Lord Canning, the then viceroy,  
nominated three Indians to his legislative  
council—the Raja of Benaras, the Maharaja of  
Patiala and Sir Dinkar Rao.

2. It initiated the process of decentralisation by restoring the legislative powers to the Bombay and Madras Presidencies. It thus reversed the centralising tendency that started from the Regulating Act of 1773 and reached its climax under the Charter Act of 1833. This policy of legislative devolution resulted in the grant of almost complete internal autonomy to the provinces in 1937.

3. It also gave a recognition to the 'portfolio' system, introduced by Lord Canning in 1859. Under this, a member of the viceroy's council was made in-charge of one or more departments of the government and was authorised to issue final orders on behalf of the council on matters of his department(s).

ministries

~~Q2~~  
 4. It empowered the Viceroy to issue ordinances, without the concurrence of the legislative council, during an emergency. The life of such an ordinance was six months.

→  $\frac{\text{Pres.}}{\text{Gov.}} \Rightarrow$   $\text{Art. } 123.$   
 $\text{Art. } \Rightarrow 213$

# Indian Councils Act of 1892

It increased the functions of legislative councils and gave them the power of discussing the budget and addressing questions to the executive.

India Sec.

# Indian Councils Act of 1909

(Morley -  
Minto Reforms)  
↳ Viceroy

1.

It retained official majority in the Central Legislative Council but allowed the provincial legislative councils to have non-official majority.



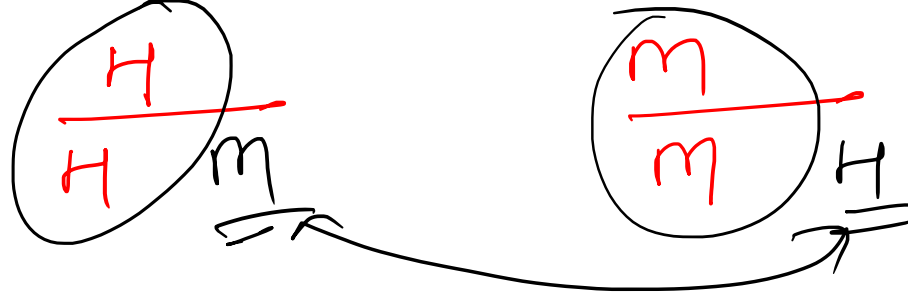
2.

It enlarged the deliberative functions of the legislative councils at both the levels. For example, members were allowed to ask supplementary questions, move resolutions on the budget, and so on. ↑

3.



It provided (for the first time) for the association of Indians with the executive Councils of the viceroys and Governors. Satyendra Prasad Sinha became the first Indian to join the viceroy's Executive Council. He was appointed as the law member.



4.

It introduced a system of communal representation for Muslims by accepting the concept of 'separate electorate'. Under this, the Muslim members were to be elected only by Muslim voters. Thus, the Act 'legalised communalism' and Lord Minto came to be known as the Father of Communal Electorate.

