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British rule in India

The British rule in India is divided into two parts:

- The company rule (1773-1858)
- The crown rule (1858-1947)

The Company Rule (1773-1858)

The British East India Company was established in 1600. After its establishment, they started looking towards the East because of the **flourishing trade of spices, cotton and Jute.**

They established their first factory at **Masulipatnam** (Andhra Pradesh) in India but they had the desire to establish their factory at Surat. This is because of two reasons:

- The sea route between Surat and England was shorter as compared to Masulipatnam and England.
- Surat was the centre of trade of spices, cotton and jute.

Finally, they established their factory in **Surat in 1612** and from then the company followed its expansionist policy to establish its empire all over the country.

Regulating act 1773

This act holds a great importance because:

- It was the first act through which British government tried to regulate the affairs of East India company.
- For the first time, this act recognized the political and administrative functions of the company.
- This act laid the foundations of central administration in India.

Background of the act (Why was it enacted?)

By 1773, the East India Company was in dire financial status. They did not have funds to manage their daily expenses and salary of servants of the company. Since 1768, they were even not able to pay their commitment of 4,00,000 pounds to the British Government and also asked for a loan to manage their affairs.

But what led to such financial conditions?? Let's discuss.

Financial Crisis

Continuous Wars

Loss of Tea Sales

The Great Famine

Lawlessness &
Corruption

Continuous wars – Intending to expand its empire, the company employed itself in continuous wars. For ex – Battle of Plassey 1757, Battle of Buxar 1764, Anglo-Mysore wars etc.

Loss to tea sales to America – Due to expensive tea, Americans switched on towards the Dutch who were offering tea at a cheaper rate. This led to a decay of million of kgs of tea in the warehouse of the company.

The Great Bengal famine – The famine caused to monsoon failure in 1769 led to shrinkage of revenue from the farmers.

Lawlessness and corruption – The servants of company while collecting taxes (Authorised by the Diwani rights) were involved in huge corruption which hollowed the revenue of the company.

All the above-mentioned reasons led Lord North (Frederick North), the then PM of British, to enact the regulating act 1773 to control and regulate the affairs of East India Company.

Provisions of the act

- Governor of Bengal was designated as the Governor-General of Bengal with an executive council of 4 members to assist him. Lord Warren Hastings was the first Governor-General of Bengal.
- Governors of Bombay and Madras were made subordinate to the Governor-General of Bengal. Their military and foreign affairs were then under the control of Bengal.
- A Supreme Court was established at Fort Williams, Calcutta. Sir Elijah Impey was the first Chief Justice of the Supreme court.
- Servants were denied to engage themselves in private work and accepting bribes.
- Court of directors was required to report on its revenue, civil, and military affairs in India.

Criticism of the act

- Jurisdiction and powers of Governor-General and his executive council were not defined. Governor-General did not have veto power, so the decisions were made by the council only.
- Jurisdiction of the Supreme court was not defined. The act did not specify as which law was to be applied by the SC.
- It did not define who actually are the servants of the company which created an ambiguity as on whom this act would be applicable.
- It could not control the corruption as there were no stringent provisions against the guilty.
- It did not address the concerns of the Indian population who were paying them taxes to manage the company's affairs.

Pitt's India Act 1784

Why Pitt's India act 1784?

- The act was named after the then British PM William Pitt The Younger
- This was enacted to overcome the shortcomings of Regulating act 1773.
- To have supreme control over company's affairs and its administration in India

Provisions of the act

- Company's territories in India were first time called as "**British Possessions**" in India.
- The act established a dual form of governance by establishing **Board of control** along with already established **Court of directors**.
- Board of control was charged with controlling the political affairs while the court of directors was assigned the commercial affairs.
- Governor-General council's strength was reduced to **3 members**. One of the three would be commander-in-chief of the British army in India.
- The governor-general was given the **casting vote**.
- The governors of Madras and Bombay were deprived of their independence. All the matters related to wars, revenue and diplomacy were taken up by the governor-general.
- All officers of the company were required to disclosing their property within two months of joining failing which they were subjected to severe punishments.

Criticism of the act

- Margins between government control and company's powers were not clear.
- The Governor-General had to serve East India company as well as British crown.
- The boundaries between board of control and court of directors were unclear.
- The board of control was alleged for nepotism.
- This act also failed in catering the needs of Indian population.

Charter act 1793

Why Charter act 1793?

This act was enacted to renew the charter issued to the British East India Company to extend the term of trade monopoly in India.

Provisions of the act

- The act continued the trade monopoly of company in India for another **20 years**.
- The **over-riding powers of governor-general** over his council was affirmed.
- More power and control were given to governor-general over the governor of Bombay and Madras.
- The financial commitment of the company to British government had been increased to **5 lakh pounds annually**.
- The act affirmed that “**acquisition of sovereignty by the subjects of the crown is on behalf of the crown and not in its own right**”. This means that the company’s political functions were on behalf of the British government.
 - For ex – If a British person acquires any territory in India, then he/she would not be the king of that territory, rather he/she has to control that territory under the stamp and seal of the British crown.
- The composition of the board of control was changed. It was to have a president and two juniors.
- The salary of the staffs and the board of control were now charged on the company.
- The act provided that the **commander-in-chief was not be a member of governor-general’s council**, unless he was so appointed.
- Senior officials were denied to left India without permission. If they did so, it would be considered as a resignation.
- The revenue administration was separated from Judiciary which led to the **disappearance of Maal Adaalats** (Revenue courts)
 - Maal adaalats – All the revenue related disputes were decided here and it was chaired by the collector who had the responsibility of collecting the revenue as well as deciding the revenue disputes.

Charter act 1813

Why charter act 1813?

This was also enacted to renew the charter issued by the Charter act 1793.

Provisions of the act

- The company’s rule was extended for another **20 years**.

- The act **abolished the company's trade monopoly** in India which means the Indian market was then open to all British merchants. However, monopoly of the company over trade in **tea, opium and with China continued**.
 - Reason of ending the trade monopoly
 - The rise of Napoleon Bonaparte in France created a blockage for British exports to France and other European countries.
 - As a response of the Naval blockade of the French coast enacted by the British government, Napoleon issued the **Berlin Decree** and thus implemented the **Continental system** in Europe.
 - **This decree put a blockade on the British exports to France** which brought about hard days for the merchants.
 - Therefore, British merchants asked for permission to trade in Asia.
- The act granted permission to the Christian missionaries to come to India for the purpose of enlightening the people.
- The act permitted for expending **Rs.1 lakh annually on the education of Indians**.
- It authorised the local governments in India to impose taxes on persons. They could also punish the persons for not paying the taxes.

Charter act 1833/Saint Helena Act 1833

Why Charter act 1833?

This act was also intended to extend the royal charter granted to East India company. The company's rule was extended by 20 years. This act was the final step towards the Centralization in India.

Provisions of the act

- **Colonization of India**
 - The act made the Governor-General of Bengal as Governor-General of India and vested in him all the military and civil powers. Lord William Bentick was the first Governor-General of India.
 - Governor of Madras and Bombay lost their legislative powers and all the legislative powers were given to the Governor-General.
 - The Governor-General's council was to have four members.
 - For the first time, governor-general's government was called as "Government of India" and his council as "India council"

- Hence, the act affirmed the unified control of India.
- **Company – Administrative body**
 - The act ended the activities of East India company as a commercial body and it became a purely administrative body.
 - The company also lost its monopoly of trade with China.
- **Open civil services**
 - The act attempted to introduce an open competition for recruitment of civil servants.
 - It stated that Indians should not be denied from joining civil services under the company.
 - However, this provision was negated by the company officials who continued to hold the privilege to appoint the officials.
- **Indian Law commission**
 - The Indian law commission was established with Lord Macaulay as its first chairman.
 - From then, any law made in India was to be called as an “act”
- **Slavery** – The British Parliament abolished slavery in all its possessions as well as in Britain.
- **Christianity** – “On the roll”
 - The number of Bishops in India were increased to 3 on account of increased British residents in India.
- **Saint Helena Island** – Control of this island was transferred from the company to the crown.

Charter act 1853

Why Charter act 1853?

This was the last act in the series of Charter acts. It extended the company’s rule in India but unlike previous charter acts, it did not specify the period of extension. This indicated the company’s rule in India would soon be ended.

Provisions of the act

- **Separation of legislative and executive functions**

- The act, for the first time, separated the legislative and executive functions of the governor-general's council.
- Six new members (Legislative councillors) were added to the council
- This legislative organ of the council performed its functions on the lines of British Parliament and acted as a mini-parliament.

- **Representation of locals**

- Of the six new members in the legislative council, 4 members were appointed by local government of Madras, Bombay, Bengal and Agra.

- **Open civil services**

- The act introduced an open competition for appointment of civil servants.
- It was opened for Indians also.
- Hence, the committee on civil services headed by Macaulay was formed.
- The act deprived the court of directors of its rights of patronage to appointment in India.

- **Separate governor for Bengal**

- The act provided for a separate governor for Bengal presidency to reduce the work load of governor-general of India.
- However, till 1912, no governor was appointed. The Bengal presidency was administered by Lt. governor appointed by the Board of control.

- **Reduction in number of directors**

- The act reduced the number of directors of the company from 24 to 18. Out of these 18 members, 6 were to be appointed by the crown.

The Crown Rule (1858-1947)

The crown rule in India began with the enactment of Government of India act 1858. The imposition of crown rule was a result of the revolt of 1857. During the revolt, the British government felt that people in India had a discontent towards the company because of its expansionist policy, economic exploitation and administrative innovations which had affected everyone.

Hence, to have a direct control over administration in India, the crown rule was established. The span of annexation and expansion ended and the British promised to respect the dignity and rights of the native princes.

The Government of India act 1858

Why this act?

- This act marks the beginning of the crown rule in India.
- British government, after the revolt of 1857, felt that company was then not capable of running the administration in India.
- This was due to the immense discontent towards the company which came out in the form of revolt of 1857.
- So, to have a direct control over Indian administration, the government of India act 1858 was enacted and it led to the termination of the East India Company.
- The act is also known as the “act for the good governance in India”

Provisions of the act

- **Office of Viceroy**
 - The act created a new office of Viceroy of India. First viceroy – Lord Canning.
 - Both the offices of Governor-General and Viceroy were to be held by a single person in order to avoid any conflict.
 - Office of Governor-general was responsible for administration in the country while office of viceroy was responsible for diplomatic relations.
 - Viceroy and Governor – general were the direct representative of the British crown in India and was also appointed by the crown.

- The viceroy was assisted by an executive council also referred to as the ***Council of Four***.
- **Office of the secretary of state**
 - The offices of Board of control and Court of directors were abolished.
 - A new office of secretary of state for India was created and vested with the complete authority and control over Indian administration.
 - He was to be appointed by the British Crown on the advice of British PM.
 - He was to be a British MP and also a member of PM's cabinet.
 - A council of 15 members was constituted to assist him.
 - Lord Stanley was the first secretary of state for India.
- The act abolished the ***Doctrine of Lapse***
- **Indian civil services**
 - An Indian Civil service was to be created under the secretary of state and there was provision of admitting Indians to the services also.

The Government of India act 1919

Why this act?

- Edwin Montagu (Secretary of state) and Lord Chelmsford (The Viceroy) came up with a set of constitutional reforms – Montagu-Chelmsford reforms, which led to the enactment of Gol act 1919.
- The sole purpose of the act was to enhance the representation of Indians in the government.

Provisions of the act

- **Central government**
 - The legislative subjects were divided into *Central and Provincial subjects*. The central and provincial legislatures were authorised to make laws on their respective subjects.

- For the first time, *bicameralism and direct elections* were introduced. Two houses were introduced; lower house (Central legislative assembly) and upper house (Council of states)
 - Lower house – 145 members with 3 years tenure (41 nominated and 104 elected)
 - Upper house – 60 male members with 5 years tenure (26 nominated and 34 elected)
- The legislators could now ask questions, pass adjournment motions and vote a part of the budget (although only 25% of the budget was votable)
- It was necessary to get the permission of the governor-general to introduce a bill.
- The act provided that *3 of the 6 members of Viceroy's executive council were to be Indians.*

- **Provincial government**

- The provincial subjects were divided into two parts – *Transferred and Reserved*; thereby introducing “**Dyarchy**”
 - Reserved – Administered by the governor; included subjects such as law and order, finance etc.;
 - Transferred – Administered by the ministers nominated from among the elected members of legislative council; included subjects such as education, health etc.
- The Dyarchy was introduced in *8 provinces*:
 - Assam
 - Bengal
 - Bihar and Odisha
 - Central province
 - United province
 - Bombay
 - Madras
 - Punjab
- In case of failure of constitutional machinery in the state, the governor had the powers to take over the subjects in Transferred list.
- For initiating any legislation, governor's consent was required.

- **Principle of communal representation**

- It extended the principle of communal representation by providing separate electorates for Sikhs, Anglo-Indians, Europeans and Indian Christians.

- **Direct elections**

- Although direct elections were introduced, yet the franchise was restricted and there was no universal adult suffrage.
- **Who could vote?**
 - Voters should have paid land revenue of Rs.3000 or have a rental property or have a taxable income.
 - Should possess previous experience in legislative council.
 - Should be a member of a university senate
 - Should hold certain office
 - Should hold some specific titles

- **Office of high commissioner**

- A new office of high commissioner of India was formed and some functions which were hitherto performed by Secretary of states, transferred to the new office.

- **Public service commission**

- The act provided for establishment of a public service commission and hence a central public service commission was established in India in 1926.

- **Appointment of statutory commission**

- The act provided for appointment of a statutory commission to inquire into and report on its functioning after ten years of its enactment. As a result, Simon commission was constituted in 1927.

The Government of India act 1935

Why this act?

- India's support to British in first world war intensified the demand of inclusion of more Indians into the direct administration of the country.
- There was a growing demand of constitutional reforms within the country.
- Dyarchy introduced in the Gol act 1919 was proved unsatisfactory.
- Efforts made in the 1919 act to include Indians into the central administration were not encouraging.

The act was based on various committees and reports viz;

- Simon commission report
- Round table conferences
- White paper by British government in 1933
- Report of Joint Select committees.

Provisions of the act

- **Federalism**
 - The act introduced a federal structure at the centre level; dividing powers between the centre and the provinces into 3 lists:
 - Federal list – for centre
 - Provincial list – for provinces
 - Concurrent list – for both
 - Residuary powers were vested with Viceroy.
 - Conditions for forming a federation:
 - I. States with allotment of 52 seats in the council of state should agree to join the federation.
 - II. Aggregate population of states in the above category should be 50% of the total population of all Indian states.
- ❖ The federation never came into existence as the princely states did not join it.

- **Dyarchy at the centre**

- The subjects were divided into *transferred and reserved* subjects.
- Reserved subjects like defence, foreign affairs etc. were to be administered by the Governor-General on the advice of executive council.
- Transferred subjects (subjects of less importance) were to be administered by Governor-General on the advice of ministers elected by the legislature.
- Governor-General could act in his independence and could interfere in the transferred subjects also.

- **Legislature**

- Bicameral legislature was introduced at the centre.
- It was to have a *Council of States* (Upper house) and *Federal Assembly* (Lower house)
- Council of states – 260 members (60% directly elected from British India and 40% nominated by the princes)
- Federal assembly – 375 members (Partly indirectly elected from British India and partly nominated by Princes)
- **Communal representation was extended** by providing separate electorates for depressed classes, women and labourers.

- **Provincial autonomy**

- Provinces were granted more autonomy in their functioning.
- From then onwards, the **provinces were to derive their authority directly from the British Crown** without the interference of Secretary of state and governor-general.
- The governor was the head of executive with a council of ministers to advise him.
- The ministers were responsible to the provincial legislatures.
- Governor had the special reserve power.

- **Council of India**

- The council of India erstwhile headed by Secretary of state was abolished and team of advisors was provided to the secretary.

- **Reserve Bank of India and Federal court**
 - The act provided for the establishment of a Federal court and Reserve bank of India.
- **Public service commission**
 - Along with Federal PSC, it provided for *Provincial PSC and Joint PSC* for two or more provinces.

Criticism of the act

J.L. Nehru called the act – “*a machine with strong brakes but no engine*”

- The numerous safeguards to the Governor – General worked as hindrances in the effective implementation.
- The extensive powers to viceroy and governors of provinces inflicted anger among the nationalists.
- The system of communal electorates once again agitated Indians.
- Princely states were not satisfied and did not join the federation.
- Only around 14% of British India was enfranchised.

Indian Council Act 1861

Why this act?

After the revolt of 1857, the British parliament felt the need of associating Indian in the administration of the country. For this policy of association, 3 Indian council acts were passed in 1861, 1892 and 1909.

Provisions of the act

- **Expansion of the council of Viceroy/Governor-General**
 - The number of members in the council was increased to five. Fifth member was added for the matters of finance.
 - Sixth member was added in 1874 for handling the public works.

- The act provided for the expansion of the council for legislative purpose. There were to be between 6 and 12 additional members, out of which at least half were to be non-official.
- These additional members were to be appointed by Governor-General for a period of 2 years.
- The function of additional members was confined to legislative purpose only.

- **Indians in the council**

- The act provided for inclusion of Indians in the expanded council.
- Three Indians – Raja Ishwari Prasad Narayan Singh of Benaras, Maharaja Narinder Singh of Patiala and Sir Dinkar Rao were appointed to the expanded council.

- **Portfolio system**

- It was introduced by Viceroy, under which one member of the council was assigned portfolio of a particular department.

- **Decentralization**

- The act marks the restoration of decentralization in the provinces.
- The legislative powers of Bombay and Madras were restored.

- **Ordinance making power of Viceroy**

- The act empowered the viceroy to issue ordinance without the concurrence of legislative council during an emergency. The life of ordinance was to be 6 months.
- The secretary of state for India could dissolve any act passed by the council.

- **New legislative council**

- The act provided for establishment of new legislative councils in Bengal, North-West Province and Punjab.

Criticism

- The legislative council had very limited rule. They could not criticise the administration and ask any question.
- Indians were included in the council but there was no statutory provision for including Indians.
- Absolute powers were given to governor-general through ordinance making powers.
- The policy of inclusion of Indians was used to placate the princes for their own benefit.

Indian Council act 1892

Why this act?

- The advent INC in 1885 led to the growth of Nationalism in the country.
- The Indians demanded reforms in the legislative council and direct election in place of nomination.
- There was also a demand to augment the powers of legislative council by allowing to ask questions

Provisions of the act

- **Expansion of central and provincial legislative councils**
 - The act increased the number of additional members from 12 to 16, out of which not less than half were to be non-officials.
 - Number of Indians in the council increased but official majority was there.
 - Similar changes were made in the provincial legislative councils.
- **Right to ask questions**
 - The members of legislative council were then allowed to hold a discussion on annual budget and other public matters without the right to vote.
 - Councillors could ask questions after giving a 6 days' notice.
- **Indirect elections**

- The act provided for nomination of non-official members in the legislative council by the viceroy on the recommendation of legislative councils and Bengal Chamber of commerce.
- Nomination in provincial legislatures by the governors on the recommendation of district boards, municipalities, universities, trade associations etc.

This act was the first step towards the representative form of government of India which led to the establishment of parliamentary form of government.

Criticism

- The demand of direct election was not fulfilled.
- There was nothing for a common Indian.

Indian Council act 1909 (Morley-Minto Reforms)

Why this act?

- The resentment among people of India against Bengal Partition led British government to brought some reforms to pacify the anger of Indians.
- The INC was continuously demanding more representation of Indians.
- A deputation of the newly founded Muslim League met Lord Minto in 1906 and placed their demand for separate electorate – Simla Deputation.
- John Morley, the then secretary of state for India, who was a liberal philosopher, wanted to associate moderate Indians to suppress the armed activities by young nationalists.

Provisions of the act

- **Legislative council**
 - The strength of Central legislative council (CLA) and provincial legislative council were increased.
 - The number of members in CLA raised from 16 to 60.
 - Non-Official majority allowed in provincial councils but not in CLA.
 - Deliberative functions of legislative councils were augmented. For ex – Supplementary questions, resolution on budget were allowed.

- **Indians in the executive council**

- The act for the first time allowed inclusion of Indians in the executive council and as a result, Satyendra Prasad Sinha was the first Indian to join the council.

- **Elections for members of legislative councils**

- Members were indirectly elected.
- The local bodies elected an electoral college who would elect members of the provincial legislative councils. These members would, in turn, elect the members of the Central legislative council.

- **Separate electorate**

- The British government on the demands of Muslim league provided separate electorate for Muslims.
- Some constituencies were marked for Muslims and only Muslims could vote for their representatives.

Criticism

- Nothing was done to provide a responsible government.
- The act introduced communal representation to suppress the nationalism by creating a divide on the basis of religion.
- Although non-official majority was provided in the provinces yet it was not fruitful because the members were nominated.
- Provision of direct election was not introduced.

Indian Independence Act 1947

Why this act?

- The Indian Independence act 1947 was an act of British Parliament, enacted to grant independence to two nations – India and Pakistan.

- The act was based on Mountbatten plan (Also called June 3 plan)
- The act received the royal assent the came into force on 18th July 1947. However, the actual date decided for transfer of power from British crown to the hands of responsible Indians was 15th August 1947.

Provisions of the act

• **Two dominions**

- The act provided for two dominions – **India and Pakistan.**
- The Legislative Assemblies of Punjab and Bengal voted for the partition according to which these provinces were to be divided between the two dominions along religious lines.
- Sind was given the choice to join the Indian constituent assembly but it decided to join Pakistan.
- In the North Western Frontier Province (NWFP) and Sylhet, a referendum was to be held which would decide the country they were to join.
- The new boundaries of two dominions were to be decided by the Boundary commission headed by Sir Radcliffe.
- The constitution framed by the constituent assembly would not be applicable to the new dominion of Pakistan.

• **End of suzerainty**

- The British suzerainty over the princely states came to an end. The princely states were free to join either India or Pakistan or remain independent.

• **Abolition of office of viceroy**

- The act abolished the office of viceroy.
- A governor-general was to be appointed by the British King on the advice of cabinet of dominion.

• **Govt act 1935 – The interim constitution**

- The act provided that until the new constitution had been framed, affairs of the dominions would be governed by the Government of India act 1935.

- **Governor-General as the constitutional head**

- The act designated governor-general as the constitutional head of the dominions.
- The governor-general was to act in accordance with the advice tendered by the cabinet/council of ministers.

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48 Students got selected in RBI

SEBI



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