

FACULTY OF JURIDICAL SCIENCES

COURSE: B.A.LL.B. II Semester

SUBJECT: HISTORY II

SUBJECT CODE: BAL-202

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Lecture-22



Lord Cornwallis: Judicial Plans of 1787

Introduction

Lord Cornwallis succeeded Warren Hastings as the Governor General of India. He put forward certain conditions before The Crown before accepting the post of Governor-General. They were:

- The office of Governor General and the commander-in-chief would be united under one person i.e. the Governor General.
- The Governor General-in-council will have veto over the council on all decisions made concerning administration and military.
- His aims as Governor General were to:
- Uproot corruption from the present judiciary and administration system.
- Tackle the problem of land revenue.
- Develop a proper system of administration of justice.

Lord Cornwallis was Governor General from the year 1786 to 1793 and his most noted work was in the field of criminal judicature. He introduced changes in the judicial system in three years – 1787, 1790 and 1793. These were known as Judicial Plan of 1787, 1790 and 1793 respectively.

Judicial Plan of 1787

1. Reorganisation of districts

The number of districts in Calcutta were reduced from 36 to 23.

2. Appointment of collector

A collector was appointed in each district. He was an Englishman. Collector was assigned with two tasks – to collect revenue and to decide cases arising out of revenue matter.

He also presided over the mofussil diwani adalat (district level civil court) as a judge. In mofussil diwani adalat, he would decide civil cases and cases of zamindars. Appeals from the mofussil

diwani adalat lay to the Sadr Diwani Adalat when the matters exceeded Rs.1000/-. The Sadr Diwani Adalat was presided was the Governor General.

He also presided over the Magistrate's Court as a Magistrate, where he was empowered to try and punish cases of petty crimes and offence upto Rs. 200. Offences having value of more than Rs.200 would be sent to the Sadr Nizamat Adalat by the Magistrate.

3. Establishment of Mal Adalats

- Mal Adalats were revenue courts in each district which exclusively dealt with revenue matters.
- This court was presided by the Collector who decided cases related to revenue as he was an in charge of revenue matters.
- Appeal from the Mal adalat lay to the Board of Revenue in Calcutta and then to the Governor General-in-council.

4. Establishment of Registrar Courts

An assistant officer of the collector was appointed who was known as the Registrar. He was appointed in each district who presided over the Registrar's court which decided civil cases upto the value of Rs.200/-

But the decree passed by the Registrar was not final until it was signed by the Mofussil Diwani Adalat i.e. the Collector.