

FACULTY OF JURIDICAL SCIENCES

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

SUBJECT: HISTORY II

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NAME OF FACULTY: Dr. SADHNA TRIVEDI

Lecture-30



Codification of laws

The Charter Act of 1833

The Charter Act of 1833 was passed in the British Parliament which renewed the East India Company's charter for another 20 years. This was also called the Government of India Act 1833 or the Saint Helena Act 1833.

Features of the Charter Act of 1833

- The company's commercial activities were closed down. It was made into an administrative body for British Indian possessions.
- The company's trade links with China were also closed down.
- This act permitted the English to settle freely in India.
- This act legalised the British colonisation of the country.
- The company still possessed the Indian territories but it was held 'in trust for his majesty'.

Provisions of the Charter Act of 1833

India became a British colony

- The Governor-General of Bengal was re-designated as the Governor-General of India. This made Lord William Bentinck the first Governor-General of India.
- Thus, the country's administration was unified under one control.
- The Governors of Bombay and Madras lost their legislative powers.
- The Governor-General had legislative powers over entire British India.
- The Governor-General in council had the authority to amend, repeal or alter any law pertaining to all people and places in British Indian territories whether British, foreign or Indian native.
- The civil and military affairs of the company were controlled by the Governor-General in council.

- The Governor-General's council was to have four members. The fourth member had limited powers only.
- For the first time, the Governor-General's government was called Government of India and the council was called India Council.

Indian Law Commission

- The act mandated that any law made in India was to be put before the British Parliament and was to be called 'Act'.
- As per the act, an Indian Law Commission was established.
- The first Law Commission had Lord Macaulay as its chairman.
- It sought to codify all Indian law.

Split in Bengal Presidency

- The act provided for the Presidency of Bengal to be divided into the Presidencies of Agra and Fort William.
- But this never came into effect.

Indians in Government service

- This was the first act that gave permission for Indians to have a share in the country's administration.
- It stated that merit should be the basis of employment to government service and not birth, colour, religion or race.

Slavery

- The act provided for the mitigation of slavery existing in India at that time.
- The British Parliament abolished slavery in Britain and all its possessions in 1833.

Tilt towards Christianity

- Since the number of British residents in the country was increasing, the act allowed for having three Bishops in India.

- It also sought to regulate the establishment of Christian institutions in India.

Significance of the Charter Act of 1833

- It was the first step in the centralisation of India's administration.
- The ending of the East India Company's commercial activities and making it into the British Crown's trustee in administering India.
- Codification of laws under Macaulay.
- Provision for Indians in government service.