

Lecture-10



Supreme Court of 1774

INTRODUCTION

British come here as merchant for doing jobs, slowly they establish their factories and increase the territorial area under them because their factories provide a lot of opportunity of employment for Indian and they started shifting near the factories which later called as mofussil area and then slowly British take control over the native people. Because of increasing trade and business, they require a proper management of the system and a regular system for suppressing the wrong activities. Slowly this process of management led to such a vast system of administration.

Charter by charter their system and administration criteria enhanced and development in the system of administration all over the country takes place. This also give us a sense a proper administer, by the flaws in the system, it gives us idea to improve the system. Among these the Enactment of the Regulating Act of 1773 and the Act of Settlement were two major enactments in the Indian Legal History.

The Supreme Court of Judicature at Fort William, Calcutta was founded in 1774 by the Regulating Act of 1773. It replaced the Mayor's Court of Calcutta and was British India's highest court from 1774 until 1862, when the High Court of Calcutta was established by the Indian High Courts Act 1861.

From 1774 to the arrival of Parliament's Bengal Judicature Act of 1781 in June 1782, the Court claimed jurisdiction over any person residing in Bengal, Bihar or Orissa. These first years were known for their conflict with the Supreme Council of Bengal over the Court's jurisdiction. The conflict came to an end with Parliament's passing of the Bengal Judicature Act of 1781 which restricted the Supreme Court's jurisdiction to either those who lived in Calcutta, or to any British Subject in Bengal, Bihar and Odisha, thereby removing the Court's jurisdiction over any person residing in Bengal, Bihar and Odisha.

The courthouse itself was a two storied building with Ionic columns and an urn-topped balustrade and stood by the side of the Writers' Buildings. The building also served as the Town Hall of Calcutta at one time. It was demolished in 1792 and replaced by the present building in 1832.

