

Charter Act, 1833

Introduction

■ Background of Act:

- The **Charter Act, 1833** came under the backdrop of great changes that had taken place in Great Britain because of the [Industrial Revolution](#).
- Laissez Faire was accepted as the principle of the government's attitude towards industrial enterprise. The liberal movement resulted in the Reform Act of 1832.
- In ◦ this atmosphere of liberalism and reforms the Parliament was called upon to renew the Charter in 1833. ■ **About the Act:**
- It is also known as the **Saint Helena Act 1833 or Government of India Act 1833**.
 - Control of the **island of Saint Helena** was transferred from the East India Company to the Crown.
- It was passed by the British Parliament to renew the **Charter Act, 1813** of the **East India Company**.
 - This act renewed the charter of the EIC for 20 years.
- The **East India Company was deprived of its commercial privileges**.
 - The Company's monopoly over the trade except for tea and trade with China was ended as a result of **Laissez-Faire** and the [continental system](#) of Napoleon Bonaparte.

Note

■ Industrial Revolution:

- It was the **transition to new manufacturing processes** in Europe and the United States, in the period from between 1760 to 1820 and 1840.
 - The Industrial Revolution changed the world by transforming business, economics, and society.
 - These shifts had major effects on the world and continue to shape it today. ◦ Before industrialization, most European countries had economies dominated by farming and artisan crafts such as hand-woven cloth. ■
- ### Continental System:

- It was Napoleon's strategy to weaken Britain's economy by banning trade between Britain and states occupied by or allied with France, which proved largely ineffective and eventually led to Napoleon's fall.

■ Laissez-faire:

- It is an economic philosophy of free-market capitalism that opposes government intervention. The theory of laissez-faire was developed during the 18th century and believes that economic success is more likely the less governments are involved in business.

Features of Charter Act of 1833

■ Office of Governor General:

- The Governor-General of Bengal became the Governor-General of India with exclusive legislative powers.
 - The presidencies of Bombay and Madras were deprived of their legislative powers.
- The Governor-General of India was given **civil and military powers**.
 - The Government of India was created for the **first time having the authority over the entire territorial area** possessed by the British in India.
 - The First Governor-General of India was **Lord William Bentick**.

■ Governor General Council:

- The members of the Governor General's council were reduced by the Pitt's India act 1784 was again increased to 4.
 - The fourth member had very limited powers, **he was not entitled to act as a member of the council except for legislative purposes**.
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The Governor General Council had the authority to amend, repeal or alter any law in the entire length and breadth of India for any British, Foreigner or Indian.

■ **Administrative Body (EIC):**

- The activities of East India Company as a **commercial body came to an end**. The company purely became an administrative body.
- The company's territories in India were to be held by it "**in trust for his Majesty, his heirs and successors**".

■ **Attempt to Open Civil Services:**

- The act attempted to **introduce a system of open competition for selection in Civil Services**.
 - It stated that **Indians should not be debarred** from holding any place, office and employment under the company.
 - It was nullified after opposition from the Court of Directors.
 - The concept of a merit based **modern Civil Service in India was introduced** on the recommendations of **Lord Macaulay's Report in 1854**.

■ **Legal British Colony:** The Act permitted the English to settle freely in India. It effectively legalized British Colonization of India.

■ **Ended Slavery:**

- The slavery existed in India at that time, the act provided for the mitigation of slavery in India.
 - The slavery was abolished by British Parliament in Britain and all its possessions in 1833 ■ **Law**

Commission:

- The Indian Law Commission was established in 1833 and **Lord Macaulay** was made its first chairman. It aimed to codify all kinds of law in India.
- The Act provided that the laws made in India were supposed to be laid in British Parliament.

Significance of the Act

- This Act was a watershed moment for the constitutional and political history of India. It **elevated the Governor General of Bengal as Governor General of India** and consolidated and **centralized the administration of India**.
 - It made the East India Company a trustee of the crown in the field of administration.
 - The Act provided to freely admit Indians into administration in the country.
 - The Act **separated the legislative functions of the Governor General in Council from the executive functions**.
 - The law commission under Lord Macaulay codified the laws. **Mains Question**

Q. What are the key Features of the Charter Act, 1833?

Q. Discuss the significance of Charter Act, 1833 and its role in Constitutional development of India.

Q. What are the circumstances in Europe that caused the implementation of the Charter Act, 1833 in India?

Multiple Choice Question

Q. Consider the following statements:

1. Governor-General of Bengal became the Governor-General of India.
2. The Act also took away legislative powers of Bombay and Madras provinces.
3. The Act ended the activities of the East India Company as a commercial body and it became a purely administrative body.

Which one of the following Acts had the above provisions?

- A. Regulating Act of 1773
- B. Charter Act of 1813
- C. Charter Act of 1833
- D. Charter Act of 1853

Ans: C

Q. Consider the following statements about 'the Charter Act of 1833':

1. It provided for the establishment of a law commission.
2. It ended the administrative functions of the East India Company.
3. It lifted all the restrictions on European immigration.

Which of the statements given above is/are correct?

- A. 1 and 2 only
- B. 1 and 3 only
- C. 1 only
- D. 2 and 3 only

Ans: B