

## **CONSTITUTIONAL DEVELOPMENT IN INDIA FROM 1773 TO 1947**

The duration of historical British Constitutional investigations can be characterized into two stages:

- Phase 1 (1773-1857) - Constitutional investigation during the power of the East India Company.
- Phase 2 (1857-1947) – Constitutional investigations under the British Crown.

### **Development of Indian Constitution under East India Company Rule (1773 –1857)**

Below are the 5 constitutional development and national movement of India that controlled the British East India Company's functioning and helped them rule over India from 1757 to 1857.

Constitutional Development Act Year

Regulating Act 1773

Pitts India Act 1784

Charter Act 1813

Charter Act 1833

Charter Act 1853

#### **Regulating Act (1773):**

Centralization in India was formed through the Regulating Act of 1773. It was the first Act enacted by the British Parliament to manage and control the affairs of the East India Company in India.

- Governor-General was the Governor of Bengal according to the Act.
- India's first Governor-General was Warren Hastings.
- The Governors of Madras and Bombay were inferior to the Governor of Bengal.
- The power to create laws and statutes was in the hands of the Governor-General, assisted by 4 members of the council.
- East India Company had a fixed number of directors, which was 4.
- The Governor-General had to obey the directives of the Company's Directors.

#### **Pitts India Act (1784)**

In the development of the Indian constitution, this Act brought in many consequential modifications. As per this Act of 1784, the colonies of East India Company were called the "British Possessions in India."

- The Crown and company were founded, which ran a mutual Government of British India

and had the supreme power of authority.

- A Court of Directors was created for Commercial Operations, and 6 member Board of Control was designated for Political affairs.
- The council of the Governor-general was decreased to 3 from 4 members, appointed in Madras and Bombay.

### **Charter Act (1813)**

The Act ended East India Company's proprietorship by establishing trade with India that was outstretched for even the citizens of British except for the Tea Trade.

### **Charter Act (1833):**

East India Company ceased as a mere executive body; it was no longer a commercial body. The Act was the final step in the approach of Centralization in India, which began with the Regulating Act of 1773.

- Bengal Governor-General evolved as the Governor-General of India.
- The first Governor-General of India was Lord William Bentick, who was given full authority over earnings, military, and civil.

### **Charter Act (1853):**

The Act marked the introduction of competitive exams, including the civil service examination, which helped recruit individuals into civil services.

- The legislative and executive processes of the Governor-General were divided.
- There was an addition of 6 new members to the Legislative Council, 4 members were selected by the Provisional Governments of Bombay, Madras, Agra, and Bengal.
- Central Legislative Council was the new name given to the Governor General's Legislative Council under the Act.
- It started operating as a Mini-Parliament and embraced the same guidelines as the British.