

Charter Act 1853 - A Complete Overview
(27 November, 2021)

The Charter Act, 1853 - Lord Dalhousie



Background of Charter Act 1853

1. Now, **politically conscious Indians** (RRMR, The Bombay Association, and Madras Native Association) made **efforts** to bring to an end the reactionary govt of EIC. But Board of Control and Court of Directors(CoD) opposed.
2. There was a demand in Europe to end Double Govt.
3. Bombay & Madras also demanded representation in the Central Legislative body.
4. Indians demanded separation of Legislative and Executive functions.

Provisions of Charter Act 1853

1. The **Charter act 1853 was renewed** (but not for 20 years). Left to the Parliament. Now, they could easily take entire control.
2. Court of Directors reduced from 24 to 18 of which 6 to be nominated by Crown.
3. **Executive**
 1. The **Law member was made a full member of the Executive Council.**
 2. The **Chief Justice of the Supreme Court of Calcutta** was to be the ex-officio member of the Council.
 3. 2 more Civilians to be nominated by GG but never exercised.
4. **Legislative**

UPSC GS Study Notes

1. It for the 1st time separated the Executive and Legislative functions of the GG in Council.
2. The **Central /Indian Legislative Council (a.k.a Mini Parliament)** was to consist of 1 representative each from the Provinces. Thus, it **introduced local representation for the 1st time**. Thus, a Legislative Council with Local Representation commenced.
3. The **Council** in its legislative capacity = **12 members**. GG, CiC, 4 members of GG in Council, and **6 'Additional' members**.
 1. Provision of **additional members of Council for legislative purposes only**. 4 represented 3 Presidencies and the Govt of NWFP and 2 were Judges. The Act styled such members as "**Legislative Councillors**".
 2. The proposal to add non-official members, either European or Indian, **was not accepted**.
4. The "Legislative Councillors" were neatly distinguished from the "Executive Councillors". Thus, the **legislation, for the 1st time was considered a function of the Govt**.
5. The **consent of GG was made necessary for all legislative proposals**.

In this framework, the central legislature was completed.
5. The **Covenanted Civil Services were thrown open to Natives**. It **introduced a competitive examination** for recruitment to the (rechristened) Indian Civil Service (ICS). The **Macaulay Committee for ICS was appointed in 1854**.

Limitations of Charter Act 1853

1. No Indian element was associated with the Legislative Councils.
2. In practice, the Legislative Council threatened to alter the whole structure of the Indian Government.
3. It had developed into "an Anglo-Indian House of Commons."
4. *Legislative Council had no real official powers until 1920.*