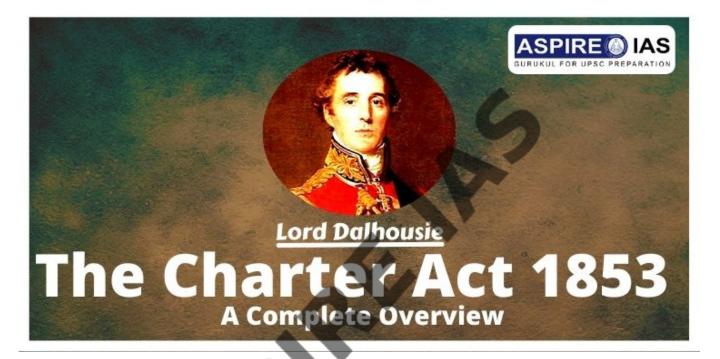


Charter Act 1853 - A Complete Overview

(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 bodv.
- 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 exofficio 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.