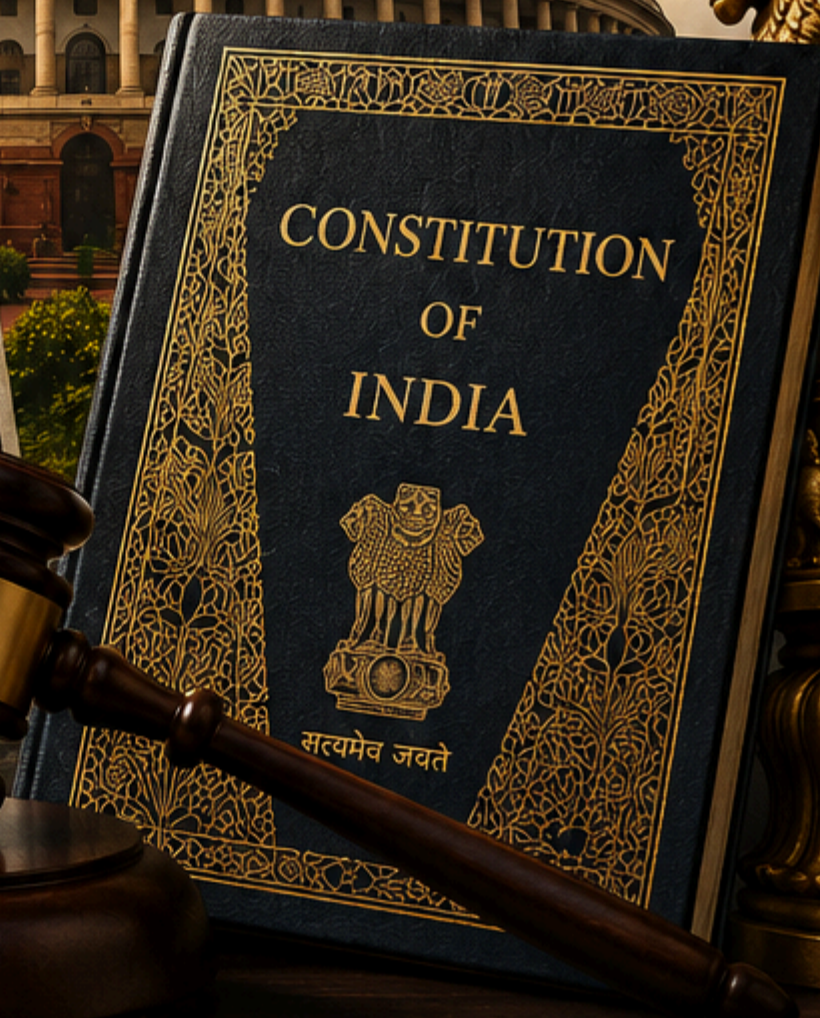




HISTORICAL BACKGROUND OF THE INDIAN CONSTITUTION

FROM COLONIAL LAWS TO A DEMOCRATIC VISION



COLONIAL
LEGISLATIONS



REFORMS &
ACTS



FREEDOM
MOVEMENT



CONSTITUENT
ASSEMBLY



CONSTITUTION
OF INDIA



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HISTORICAL BACKGROUND OF THE INDIAN CONSTITUTION

2. EVOLUTION THROUGH IMPORTANT LEGISLATIONS

- 1773 Regulating Act**
 - First attempt to regulate the affairs of the East India Company.
- 1784 Pitt's India Act**
 - Established Board of Control.
 - Company became an instrument of British Government.
- 1813 Charter Act**
 - End of Company's monopoly in trade.
 - Missionaries allowed in India.
- 1833 Charter Act**
 - Ended Company's trade monopoly.
 - Governor-General of Bengal became Governor-General of India.
- 1853 Charter Act**
 - First step towards open competition for civil services.
 - Legislative Council enlarged.
- 1858 Government of India Act**
 - Transfer of power from Company to British Crown.
 - Secretary of State for India and Viceroy introduced.
- 1861 Indian Councils Act**
 - Portfolio system introduced.
 - Legislative Councils expanded.
 - First inclusion of Indians in Councils.
- 1909 Indian Councils Amendment Act**
 - Introduction of indirect elections.
 - Councils enlarged and powers slightly increased.
- 1919 Montagu-Chelmsford Reforms (GOI Act)**
 - Diarchy introduced at provincial level.
 - Franchise expanded.
 - Bicameral legislature in some provinces.
- 1935 Government of India Act**
 - Most comprehensive Act.
 - Federal structure proposed.
 - Provincial autonomy granted.
 - Bicameralism at Centre and in provinces.

1. INTRODUCTION

- The Indian Constitution is the supreme law of India.
- It is the result of a long historical evolution and struggle.
- Various events, laws, reforms and freedom movements shaped its making.



3. INFLUENCE OF FREEDOM STRUGGLE

- Demand for self-government grew through national movement.

Important movements:

- Swadeshi Movement
- Home Rule Movement
- Non-Cooperation Movement
- Civil Disobedience Movement
- Quit India Movement



Objectives: Poorna Swaraj, democracy, rights, justice and equality.

Indian leaders' vision and sacrifices shaped the Constitution.



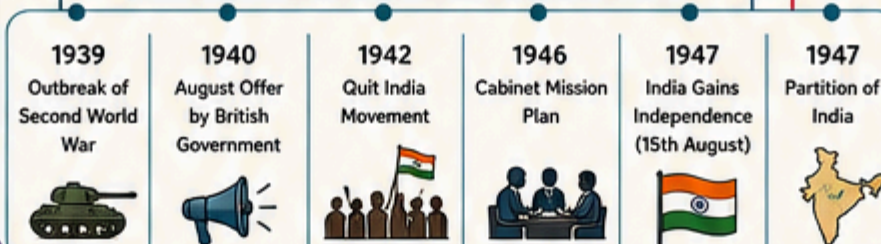
HISTORICAL BACKGROUND OF THE INDIAN CONSTITUTION

6. FEATURES INFLUENCED BY HISTORICAL BACKGROUND

- Parliamentary Government
- Fundamental Rights
- Independent Judiciary
- Federal Structure with Unitary Bias
- Directive Principles of State Policy
- Universal Adult Franchise
- Emergency Provisions
- Amendment Procedure



7. KEY EVENTS LEADING TO CONSTITUTION



8. SOURCES OF INDIAN CONSTITUTION

- Government Structure (UK)
- Fundamental Rights (USA)
- Directive Principles (Ireland)
- Federal System (Canada)
- Emergency Provisions (Weimar Germany)
- Judicial Review (USA)
- Amendment Procedure (South Africa)

9. ADOPTION OF CONSTITUTION

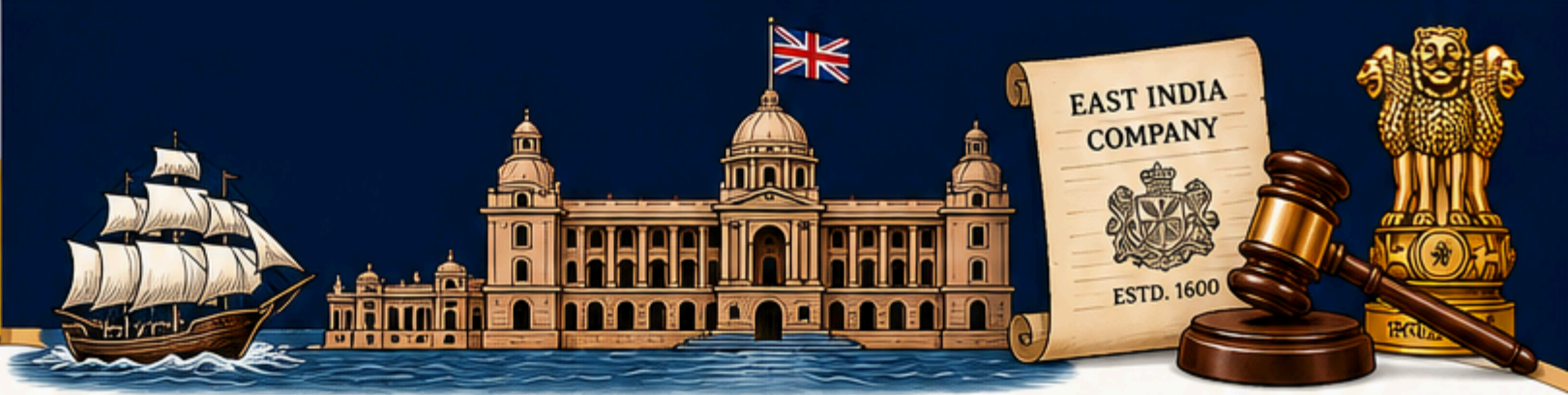
- Drafting completed after extensive debates.
- Adopted on 26th November, 1949.
- Came into effect on 26th January, 1950.
- India became a Sovereign Democratic Republic.



10. SIGNIFICANCE

- Ensures justice – social, economic and political.
- Guarantees rights and equality.
- Establishes rule of law.
- Provides framework for governance and development.





THE COMPANY RULE (1773-1858)

LEGISLATIVE MILESTONES OF EAST INDIA COMPANY

1. REGULATING ACT OF 1773



- First attempt by British Parliament to regulate the affairs of the East India Company.
- Governor of Bengal made Governor-General of Bengal.
- Established a Supreme Court at Calcutta.
- Established a Council of 4 members for the Governor-General.
- Company's Directors required to send accounts to Britain.

SIGNIFICANCE:

First step towards control of Company by the British Government.

2. AMENDING ACT OF 1781 (ACT OF SETTLEMENT)



- Amended the Regulating Act, 1773.
- Reduced the Governor-General's Council from 4 to 3 members.
- Made the Governor-General's decisions final in the Council.
- Restricted the Supreme Court's jurisdiction.
- Restored power and authority of the Company.

SIGNIFICANCE:

Strengthened the position of Governor-General and the Company.

3. PITT'S INDIA ACT OF 1784



- Reorganized the control of Company.
- Established Board of Control (6 members) to supervise Company's political affairs.
- Retained Board of Directors for commercial affairs.
- Introduced principle of Dual System of Control.

SIGNIFICANCE:

Marked the real beginning of British Government control over the Company.

4. CHARTER ACT OF 1793



- First Charter Act passed under Pitt's India Act.
- Extended Company's trade monopoly for 20 more years.
- Strengthened Company's administration.
- No important changes in constitution.

SIGNIFICANCE:

Merely a renewal of the Company's charter; no major reforms.

5. CHARTER ACT OF 1813



- Ended Company's monopoly of trade (except in tea and trade with China).
- Opened India to British merchants, missionaries and others.
- Allowed Christian missionaries to work in India.
- Spent ₹1 lakh annually on education.
- Laid foundation for modern education in India.

SIGNIFICANCE:

Introduced liberal ideas and paved the way for socio-religious and educational reforms.

6. CHARTER ACT OF 1833



- Ended Company's commercial activities completely.
- Company became an administrative body only.
- Governor-General of Bengal made Governor-General of India.
- Introduced Law Member in Council.
- Laid foundation for centralization of administration.

SIGNIFICANCE:

A turning point; Company transformed from a trading to a governing body.

7. CHARTER ACT OF 1853



- Extended Company's rule for unlimited period.
- Enacted comprehensive reforms.
- Introduced open competitive examination for civil services.
- Separated the legislative and executive functions of the Governor-General's Council.
- Added more members to the Council.

SIGNIFICANCE:

Opened the door to merit-based civil services and better administrative system; important step towards future reforms.

CHRONOLOGICAL TIMELINE





THE CROWN RULE (1858-1947)

From British Crown Control to Indian Independence

1. GOVERNMENT OF INDIA ACT 1858



- Ended the East India Company rule.
- Government of India transferred from Company to the British Crown.
- Secretary of State for India appointed (a British Cabinet Minister).
- Council of India abolished.
- Viceroy became the representative of the British Crown.

SIGNIFICANCE:

Established direct British Crown rule in India.

2. INDIAN COUNCILS ACT OF 1861



- Reintroduced legislative councils at the Centre and in the Provinces.
- Viceroy's Executive Council enlarged.
- Portfolio system introduced.
- Legalized nominated non-official members in councils.
- First step towards associating Indians in administration.

SIGNIFICANCE:

Laid the foundation of legislative institutions.

3. INDIAN COUNCILS ACT OF 1892



- Increased the number of non-official members in councils.
- Introduced indirect elections (by nomination through bodies like municipalities, universities, chambers of commerce).
- Allowed discussion on budget.
- Limited right to ask questions.

SIGNIFICANCE:

Slightly widened the base of representation and introduced budget discussion.

4. INDIAN COUNCILS ACT OF 1909 (MORLEY-MINTO REFORMS)



- Increased the size of legislative councils.
- Introduced separate electorates for Muslims.
- Official majority reduced in Imperial and Provincial Councils.
- Expanded franchise in limited form.

SIGNIFICANCE:

Introduced separate electorates; a step towards communal politics.

5. GOVERNMENT OF INDIA ACT 1919 (MONTAGU-CHELMSFORD REFORMS)



- Dyarchy introduced in provinces (Subjects divided into Transferred and Reserved).
- Bicameral legislature introduced at the Centre.
- Expanded franchise (limited electorate).
- Established Public Service Commission.
- Laid foundation for future responsible government.

SIGNIFICANCE:

First attempt towards responsible government at the provincial level.

6. GOVERNMENT OF INDIA ACT 1935



- All-India Federation proposed (never implemented).
- Provincial Autonomy introduced.
- Bicameral legislatures in provinces.
- Federal Court established.
- Separate electorates continued.
- Expanded franchise (about 14% of population).

SIGNIFICANCE:

Most comprehensive act; provided framework for future governance.

7. INDIAN INDEPENDENCE ACT OF 1947



- Passed by the British Parliament on 18 July 1947.
- Granted independence to India and Pakistan on 15 August 1947.
- Provided for the partition of British India into two Dominions.
- Established legislatures for India and Pakistan.
- Ended British paramountcy over princely states.
- Marked the end of British rule in India after 89 years of Crown rule.

SIGNIFICANCE:

Paved the way for freedom and birth of two independent nations.

1858
Government of India Act 1858



1861
Indian Councils Act of 1861



1892
Indian Councils Act of 1892



1909
Indian Councils Act of 1909 (Morley-Minto Reforms)

1919
Government of India Act 1919 (Montagu-Chelmsford Reforms)

1935
Government of India Act 1935



1947
Indian Independence Act of 1947



HISTORICAL BACKGROUND OF
THE INDIAN CONSTITUTION

QUICK EXAMINATION

FACTS



REMEMBER

- Small facts
- Build strong memory
- High scores!

HISTORICAL BACKGROUND – The events, ideas and developments that influenced the framing of the Indian Constitution.

INDIAN CONSTITUTION – The supreme law of India, framed by the Constituent Assembly and adopted on 26th November, 1949.

QUICK EXAMINATION FACTS

- **1773 – Regulating Act:** First step towards regulation of British power in India.



- **1784 – Pitt's India Act:** Established system of Dual Control.



- **1833 – Charter Act:** Ended Company's commercial activities.



- **1858 – Government of India Act:** Transfer of power from Company to the British Crown.



- **1861 – Indian Councils Act:** First step towards involving Indians in administration.



- **1892 – Indian Councils Act:** Introduced indirect elections.



- **1909 – Morley-Minto Reforms:** Separate electorates for Muslims.



- **1919 – Montagu-Chelmsford Reforms:** Diarchy introduced in provinces.



- **1935 – Government of India Act:** Most comprehensive Act; introduced federal structure.



- **1947 – Indian Independence Act:** India got independence; end of British rule.



- **1928 – Nehru Report:** Proposed democratic constitution for India.



- **1931 – Karachi Resolution:** Laid down Fundamental Rights and National Economic Programme.



- **1935 – Govt. of India Act:** Provided for Provincial Autonomy and Federal Court.



- **Cabinet Mission Plan (1946):** Proposed federation; paved the way for Constituent Assembly.



- **Constituent Assembly:** First meeting on 9th December, 1946.



- **Dr. Rajendra Prasad:** Elected as permanent President of Constituent Assembly.



- **Dr. B. R. Ambedkar:** Chairman of Drafting Committee.



- **Drafting Committee:** Appointed on 29th August, 1947.



- **Objectives Resolution:** Moved by Jawaharlal Nehru on 13th December, 1946.



- **The Constitution** was adopted on 26th November, 1949.



- It came into effect on 26th January, 1950.



- **India became a Sovereign, Socialist, Secular, Democratic Republic.**



- **Fundamental Rights** inspired by American Constitution.



- **Directive Principles** inspired by Irish Constitution.



- **Parliamentary System** inspired by British Constitution.



- **Federal Structure** inspired by Canadian Constitution.



- **Single Citizenship** inspired by British System.



- **Fundamental Duties** added by 42nd Amendment Act, 1976.



- **Amendment Process** is a blend of rigid and flexible features.



- **The Indian Constitution** is the longest written constitution in the world.



ONE LINE MEMORY TRICKS



Events & Acts

+



Ideas & Ideologies

+



Freedom Struggle

+



Constituent Assembly

+



Constitution Framed

=



Indian Constitution

→



Rights & Duties Protected

→

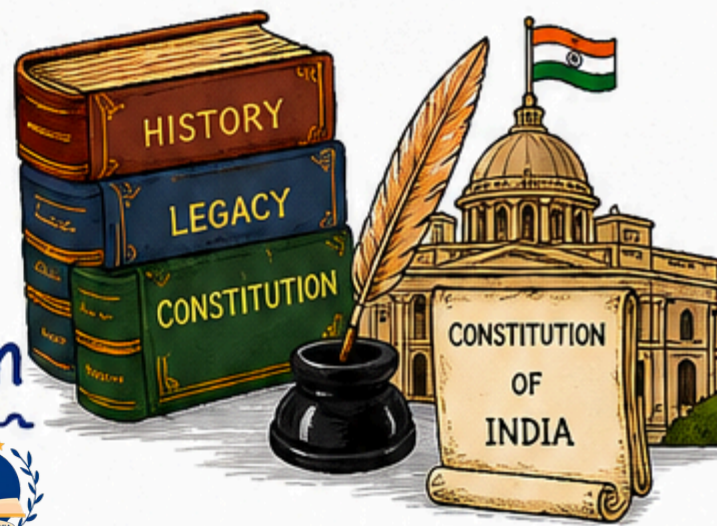


Democracy Strengthened





Historical Background of the Indian Constitution



1 Which Act was the first attempt by the British Parliament to regulate the affairs of the East India Company in India?

- A. Pitt's India Act, 1784
- B. Regulating Act, 1773
- C. Charter Act, 1813
- D. Government of India Act, 1858

 EXPLANATION

- The Regulating Act of 1773 was the first legislation passed by the British Parliament to regulate the political, administrative and financial affairs of the East India Company in India.
- It marked the beginning of British government control over Company administration.

Answer: B

2 What was the main purpose of the Regulating Act of 1773?

- A. To renew the Company's trade monopoly
- B. To regulate the administration of the Company in India
- C. To grant additional territories to the Company
- D. To abolish the Company's rule in India

 EXPLANATION

- The main purpose of the Regulating Act of 1773 was to regulate the political, administrative and financial affairs of the East India Company in India.
- It also aimed to curb corruption and mismanagement by Company officials.

Answer: B

3 Which Act is also known as the Act of Settlement?

- A. Pitt's India Act, 1784
- B. Amending Act, 1781
- C. Charter Act, 1793
- D. Charter Act, 1813

 EXPLANATION

- The Amending Act of 1781 is also known as the Act of Settlement.
- It clarified and amended certain provisions of the Regulating Act, 1773.

Answer: B

4 Which Act established the system of Dual Government in India?

- A. Regulating Act, 1773
- B. Amending Act, 1781
- C. Pitt's India Act, 1784
- D. Charter Act, 1793

 EXPLANATION

- Pitt's India Act of 1784 established the system of Dual Government in India.
- It divided control between the Court of Directors of the Company and the Board of Control appointed by the British Government.

Answer: C

5 Which Act extended the Company's charter period and confirmed its trade monopoly?

- A. Charter Act, 1793
- B. Charter Act, 1813
- C. Charter Act, 1833
- D. Charter Act, 1853

 EXPLANATION

- The Charter Act of 1793 extended the Company's charter period for another 20 years.
- It also confirmed the Company's trade monopoly in India and China.

Answer: A



NOTE:

These questions are strictly based on the period of Company Rule (1773–1858).



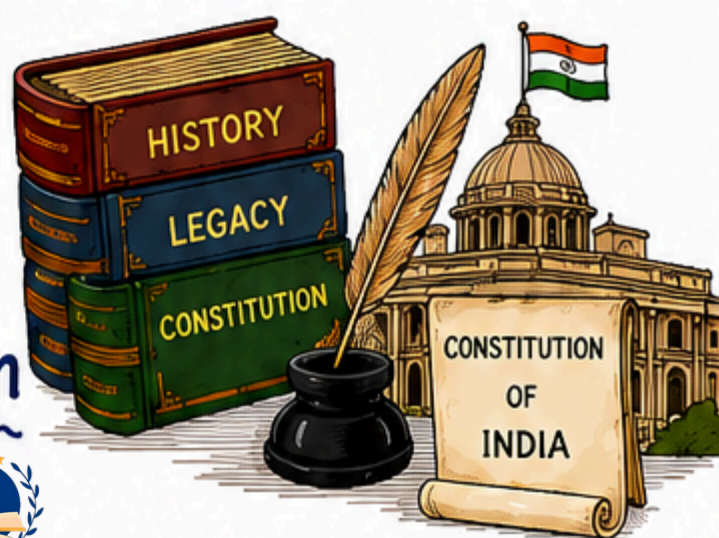


MCQs

Historical Background of the Indian Constitution



PAGE 2



6 Which Act transferred the power of government of India from the East India Company to the British Crown?

- A. Government of India Act, 1858
- B. Indian Councils Act, 1861
- C. Government of India Act, 1935
- D. Montagu-Chelmsford Reforms, 1919

EXPLANATION

- The Government of India Act, 1858 ended the rule of the East India Company in India.
- All the powers of government were transferred to the British Crown.

Answer: A

7 Who was the head of the new Indian administration established under the Act of 1858?

- A. Governor-General
- B. Viceroy
- C. Secretary of State for India
- D. Commander-in-Chief

EXPLANATION

- Under the Act of 1858, the office of the Secretary of State for India was created in Britain.
- He became the head of the new Indian administration and exercised supreme control over India.

Answer: C

8 Which Act reconstituted the legislative councils and introduced the element of non-officials?

- A. Government of India Act, 1858
- B. Indian Councils Act, 1861
- C. Indian Councils Act, 1892
- D. Morley-Minto Reforms, 1909

EXPLANATION

- The Indian Councils Act, 1861 reconstituted the legislative councils at the centre and in the provinces.
- It introduced nominated non-official members in the councils.

Answer: B

9 Which Act expanded the legislative councils and allowed discussion on the budget?

- A. Indian Councils Act, 1861
- B. Indian Councils Act, 1892
- C. Government of India Act, 1858
- D. Morley-Minto Reforms, 1909

EXPLANATION

- The Indian Councils Act, 1892 enlarged the legislative councils.
- It provided for discussion on the budget but did not allow voting.

Answer: B

10 Which Act introduced separate electorates for Muslims in India?

- A. Indian Councils Act, 1892
- B. Indian Councils Act, 1861
- C. Morley-Minto Reforms, 1909
- D. Government of India Act, 1935

EXPLANATION

- The Morley-Minto Reforms of 1909 introduced separate electorates for Muslims.
- This was the beginning of the policy of communal representation in India.

Answer: C



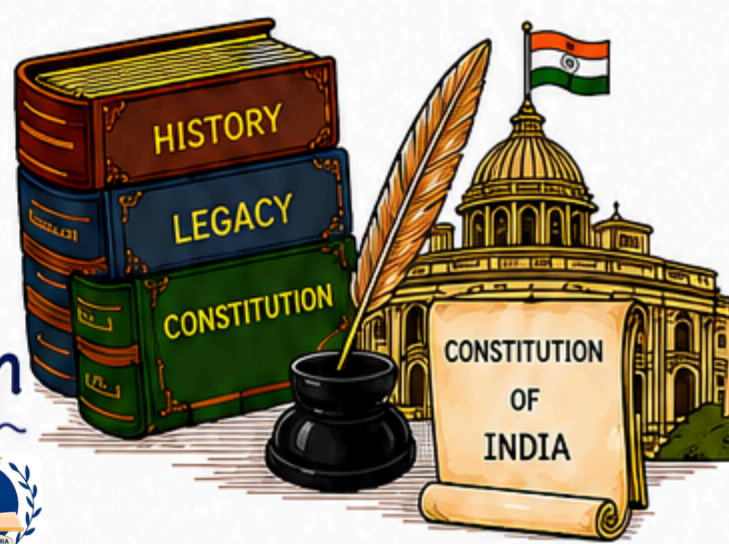
NOTE:

These questions are strictly based on the period of Crown Rule (1858–1947).





Historical Background of the Indian Constitution



11 Which Act of the British Parliament abolished the trade monopoly of the East India Company in India (except for trade in tea and trade with China)?

- A. Regulating Act, 1773
- B. Pitt's India Act, 1784
- C. Charter Act, 1813
- D. Charter Act, 1833

EXPLANATION

- The Charter Act of 1813 ended the monopoly of the East India Company in India, allowing other British merchants to trade.
- However, the company's monopoly in trade with China and trade in tea with India was kept intact for another twenty years.

Answer: C

12 Which Act ended the Company's commercial activities and made it a purely administrative body?

- A. Charter Act, 1813
- B. Charter Act, 1833
- C. Charter Act, 1853
- D. Indian Councils Act, 1861

EXPLANATION

- The Charter Act of 1833 ended the Company's trade monopoly.
- It converted the Company into a purely administrative body.

Answer: B

13 Which Act introduced an open competition system for the selection and recruitment of civil servants for the first time?

- A. Charter Act, 1813
- B. Charter Act, 1833
- C. Charter Act, 1853
- D. Government of India Act, 1858

EXPLANATION

- The Charter Act of 1853 introduced an open competition system for selection and recruitment of civil servants.
- This meant that the covenanted civil service was thrown open to Indians as well.

Answer: C

14 Who was the first Viceroy of India appointed under the Government of India Act, 1858?

- A. Lord Canning
- B. Lord Dalhousie
- C. Lord Bentinck
- D. Lord Wellesley

EXPLANATION

- Lord Canning was the first Viceroy of India.
- He took office in 1858 after the transfer of power to the British Crown.

Answer: A

15 Which Act is considered the most comprehensive constitutional document introduced during British rule in India?

- A. Indian Councils Act, 1861
- B. Government of India Act, 1858
- C. Government of India Act, 1935
- D. Indian Councils Act, 1892

EXPLANATION

- The Government of India Act, 1935 was the longest and most detailed Act.
- It provided for provincial autonomy and laid the foundation for the federal structure.

Answer: C



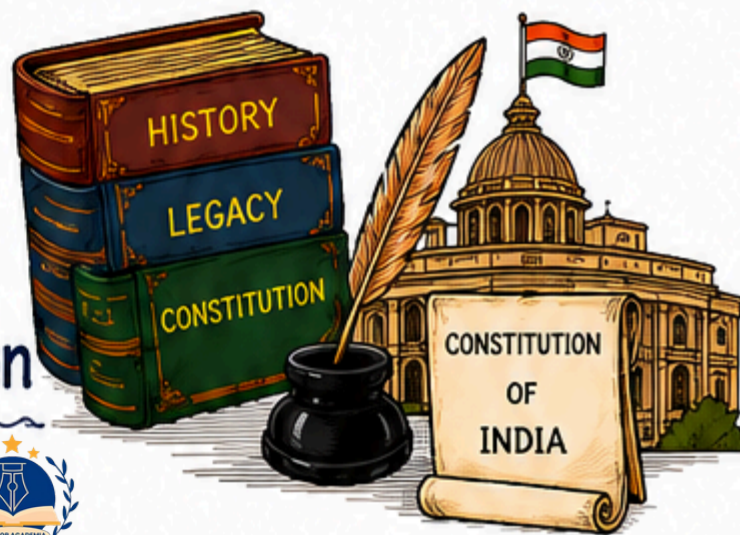
NOTE: These questions cover both the period of Company Rule (1773–1858) and the period of Crown Rule (1858–1947).





MCQs

Historical Background of the Indian Constitution

**PAGE 4**

16 Which Act enlarged the legislative councils and introduced the principle of portfolio system?

- A. Government of India Act, 1858
- B. Indian Councils Act, 1861
- C. Indian Councils Act, 1892
- D. Morley-Minto Reforms, 1909



EXPLANATION

- The Indian Councils Act, 1861 enlarged the legislative councils.
- It also introduced the principle of non-official majority and the portfolio system.

Answer: B

17 Which Act laid the foundations of central administration in India by establishing a Supreme Court at Calcutta?

- A. Regulating Act, 1773
- B. Pitt's India Act, 1784
- C. Charter Act, 1813
- D. Charter Act, 1833



EXPLANATION

- The Regulating Act of 1773 was the first step taken by the British Government to control and regulate the affairs of the East India Company in India.
- It laid the foundations of central administration and provided for the establishment of a Supreme Court at Calcutta (1774).

Answer: A

18 Which Act introduced bicameralism and direct elections in the country for the first time?

- A. Indian Councils Act, 1909
- B. Government of India Act, 1919
- C. Government of India Act, 1935
- D. Indian Independence Act, 1947



EXPLANATION

- The Government of India Act of 1919 introduced bicameralism (replacing the Indian Legislative Council with an Upper and Lower House).
- It also introduced direct elections in the country for the first time.

Answer: B

19 Which Act introduced diarchy in the provinces?

- A. Morley-Minto Reforms, 1909
- B. Government of India Act, 1919
- C. Government of India Act, 1935
- D. Indian Independence Act, 1947



EXPLANATION

- The Government of India Act, 1919 introduced diarchy in the provinces.
- Subjects were divided into 'Transferred' and 'Reserved' subjects.

Answer: B

20 Which Act provided for an All India Federation and provincial autonomy?

- A. Government of India Act, 1919
- B. Government of India Act, 1935
- C. Indian Councils Act, 1892
- D. Charter Act, 1833



EXPLANATION

- The Government of India Act, 1935 provided for an All India Federation.
- It also granted provincial autonomy and had the largest franchise so far.

Answer: B

NOTE: These questions cover both the period of Company Rule (1773-1858) and the period of Crown Rule (1858-1947).





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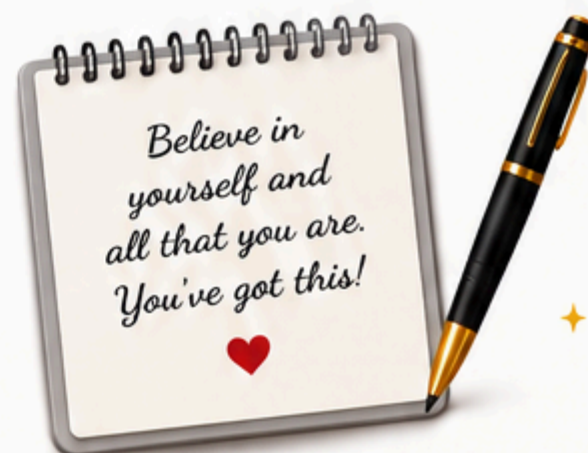
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