

## EPILOGUE

### Epilogue

By the end of the 13th century most of the towns in Great Britain secured certain measure of self-government and also freedom from feudal exactions. The trade guilds also functioned in each town and craftsmen were freely admitted to the merchants' guilds. The line of demarcation between merchant and craftsmen was not very sharply defined. In 16th century there took place a rapid development of industries and specialization of industries. Guilds and craftsmen multiplied and became powerful. In course of time the position of merchants in England became more strengthened as the English Crown accorded special privileges to them. The English Crown in 16th century was not only a debtor to these merchants but was under the recurrent necessity of new borrowing. This enhanced the position of the merchants. With the growth of trade the Crown also thought it profitable to help promoting trade. As a result of this the Traders' Associations forming into companies came into existence with the sanction of the government. On the other hand the joint stock company with one capital holding it jointly by many members became an important feature of English trade in the 17th century. The trading companies served a very useful adventurous purpose in the geographical discoveries in the world. It is in this process that the East India Company was formed in Great Britain with the charter of the Crown with the main aim to trade with India. The East India Company thus came

into existence with logical sequence with growth of merchants' capital in England. The Company was empowered to make only these laws which will not be in contravention to the English laws.

The English Crown in these charters issued in the early years of 17th century to the East India Company gave it more and more power to make laws to appoint officers and to raise the armies as it feels necessary to meet the local situation. James I on February 4, 1623 extended the power of the Company even to try the cases and punish the offenders. The East India Company owned the fortresses of Bombay, Madras and Calcutta naturally built up on the lines suggested by these charters. The Governors in the forts of Bombay, Madras and Calcutta also started exercising judicial authority in their respective areas. By the charter of 1683 the Company was given right to make peace and war with native princes in India. This charter laid the foundation for empire building by the Company in India. This charter also made it clear that war and peace would ultimately be the authority of the Crown. This would mean that the Company was authorised to make war and peace and its decisions were finally to be approved by the Crown. This was a remarkable decision in the sense that a Company was made free in war and peace matters but at the same time government of Great Britain controlled the Company by reserving the final sanction of authority to King. The Charter (1683) also accorded the authority to the company within their

forts to coin any species of money usually coined by native princes. This power of coining money made their commercial power of remarkable importance. It is this charter which authorised the company for establishing municipal constitution for Madras. This gave the company a territorial character in Madras, therefore an important political base. The charter Act of 1698 is epoch making. It gave sovereign powers to the East India Company to govern its territory, its factories and plantations. The Company was also authorised to appoint governors and officers who could raise forces for the defence of forts, factories and plantations.

This would indicate that from time to time the English Crown issued charters guiding both governmental and trade affairs of East India Company in India. After the revolution of 1688 the English parliament became almost supreme in Great Britain. The English Crown or the King became then a constitutional Monarch and parliament became a supreme Law making body of the land. There was no country in Europe which adopted the representative system of government as early as the close of the 17th century. Europe was the vanguard of the modern civilization. Therefore, English parliament as early as the closing years of 17th century made England the mother of parliamentary system of the world.

It is the English parliament that in place of the Crown issued charters from time to time to the East India Company from the 18th century onwards. The English parliament was dominated

equally by the commercial class which was replacing the feudal class in the 18th century very rapidly. The charter Act of 1698 granted territorial sovereignty to the East India Company in India. By this Act the East India Company not only became administrative and commercial agency of the parliament (Crown) but also was empowered to acquire territory and also make war or peace with native powers in India. This was a great landmark in the life of the East India Company as it fully used this provision of the Charter Act to humble the native powers in India and build up an empire in the Indian sub-continent. How did it attain this objective is a matter of great interest for the students of commercial and military history of India.

The East-India Company was established on the West coast of India in Surat in 1612 and thereafter went on pleading its case with the Mughal government for securing the new trading basis. Thereafter in 1639 the local chief of Wandivash empowered the East India Company to build a fortress to mint money and to govern Madras, on condition that half of the customs and revenues of the port were paid to the grantor. In this way the company secured a strong base of Madras. The Company also obtained in 1693 the grant of three villages adjoining Madras.

It was in an unexpected manner that the island of Bombay was acquired by the East India Company in 1660's. Bombay as it was a guarded island rose up politically and commercially within

a span of fifty years. At the close of the 17th century the East India Company also successfully interfered in the affairs of the Eastern India and its adjoining territories. Bengal was always a weak administrative spot of the Mughal government. It was very much cut off from the central government at Delhi. The Mughal government at Delhi was also not apprehensive as there was no threat from the bay of Bengal as it was so often from the north western frontier. Therefore government of Bengal remained a neglected child. It is this isolation of Bengal that was the advantage of the nababas of Bengal who remained loyal to the Mughal government only in name, otherwise in case of weak ruler at Delhi Bengali nababs remained free for all practical matters. It is this situation of Bengal that gave upper hand to the Marathas and to the East India company in the last phase of Mughal rule in Bengal. Plassy and Buxar were fought in this background and the East India Company acquired Diwani rights in 1765 over Bihar, Bengal, and Orissa.

The acquisition of Diwani rights in Bengal by the Company made the Company rule very much unpopular in that area. By acquiring Diwani rights Company remained unchallengeable, important tax collecting power without sharing any administrative responsibility of any kind in acquired territory. Here comes the role of English parliament to interfere in the Company's affairs in India. It was argued in the English parliament that a trading

company which is making territorial gains in India should not be allowed to remain outside the interests of the English State. In fact the East India Company which had secured charter of power from the English Crown should have gone on well in establishing its own kingdom either independently or under the sovereignty of the Mughal rulers. But the political theories that were advanced in Europe made East India Company conscious of the responsible citizenship with its own motherland. In fact Bengal, Bihar, Orissa were sort of donation to the East India Company. But the English Parliament felt that whatever territory its citizens acquired even in alien land its sovereignty power ultimately rests with the English parliament. It is to the credit of both the East India Company and the English parliament that they remained loyal to the soil of their land. It is in this environment that the famous Regulating Act of 1773 was passed in British parliament.

In this Regulating Act the judicial system was established in Bengal for enforcing the English law as well as Hindu and Mohomedan law in the territory. Chief justice with three puisne judges were appointed. The role of the court was to settle the revenue as well as other matters that came before the court. Chief justice was one of the senior members in the governor's council. Result of this Act was the constant tussle between the Governor and the chief justice in Bengal. This difficulty was removed by the Parliamentary Act of 1781 by demarcating the jurisdiction of the Governor and Chief Justice.

Another landmark in the process of parliamentary control over the East India Company in India was the Charter Act of 1813. By this Act three remarkable decisions were taken by the parliament: i) Christian missionaries were allowed to propagate their religion without any inhibition. It was felt that the activities of Christian missionaries were profitable to promote the English way of life in India. The promotion of English way of life in India would help creating favourable atmosphere in the Indian markets for selling the English goods. ii) The Charter Act also laid down that indigenous education must be promoted by yearmarking rupees one lakh every year from the governmental fund. The idea that English education must be promoted for meeting the needs of the East India Company's government in India was there but considering the temperament of the Hindus and the Muslims they went cautiously in this connection in the promoting of this policy.

Third important point of the Act was that all the British traders were permitted to trade with India whether they were the members of the East India Company or not. This third point liberalized the policy of trade and ended the East India Company's monopoly in the affairs of Indian trade.

This Act of British Parliament sufficiently shows two things - one was that they became politically aware of the importance of the Indian situation. It also indicated that the



commercial class in Great Britain exerting its influence in Great Britain was sufficiently dominating in England. The third point that became important in this connection was that the English trade with India was profitable and encouraging for the traders. The Charter Act of 1813 marks the merchants' domination in the English parliament. The twenty years that elapsed between 1813 and 1833 were remarkable as much for what happened in England as well in India in the growth of East India Company's power in India and the power of British parliament in England. The growth of British power in India had reached to its logical conclusion. Establishing British model of administration, communication and education became the issues of prime importance in India. Therefore, the Charter Act of 1833 dealt with English education extensively as English education to Indians was necessary for manning the English model of administration in India. It is in this connection that Macaulay's famous minutes on English education are important. Macaulay dealt with whole issue on two principles - one on moral ground and another on the ground of expediency. Macaulay felt that West had to perform the sacred duty of civilizing the East. In his view English education alone will civilize the Indians. Therefore, he pleaded the cause of English education for the Indians in uncompromising terms. It is because of him that English education was started in India. It is this English education that proved to be the main cause of socio-economic and political changes in India. English education helped British

government in India in getting the human resources for English administration but it also helped Indians in creating awareness among them. The Charter Act of 1853 was just an extension of the Charter Act of 1833. Lord Dalhousie established university in India. He was a dominating figure who introduced western science, state craft, communication, education and telegraph system in India. Mutiny occurred in 1857 and British parliament became the sole governor in India.