

CHARTER OF 1600

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- THE EAST INDIA COMPANY, WITH ITS OFFICIAL TITLE AS “ **THE GOVERNOR AND COMPANY OF MERCHANTS OF LONDON TRADING INTO EAST INDIES**” WAS INCORPORATED IN ENGLAND ON THE 31ST DECEMBER 1600, BY A CHARTER OF QUEEN ELIZABETH WHICH SETTLED ITS CONSTITUTION, POWERS AND PRIVILEGES.

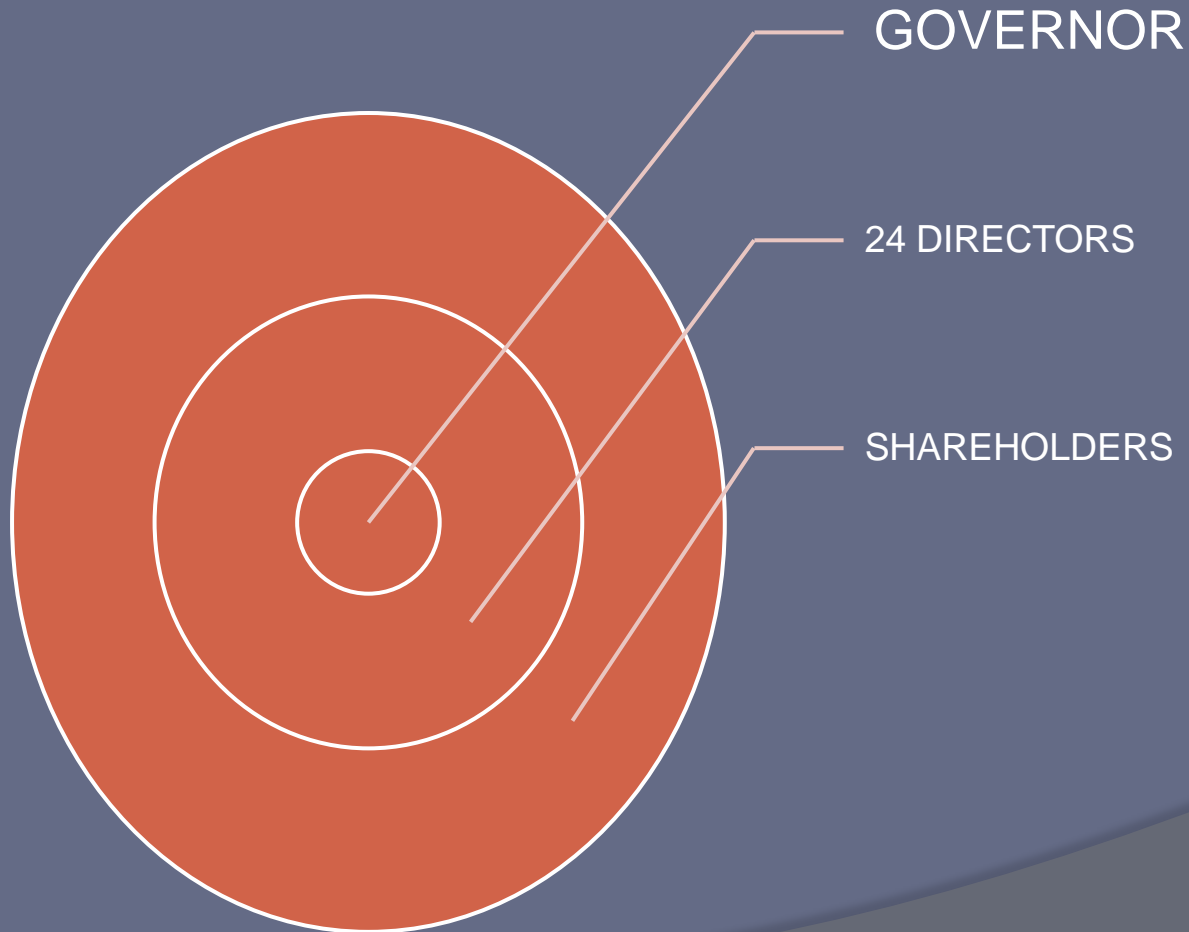
PROVISIONS

- THE COMPANY WAS TO HAVE A LIFE SPAN OF 15 YEARS.
- CHARTER COULD BE REVOKED ALSO ON TWO YEARS' NOTICE.
- EXCLUSIVE TRADING RIGHTS TO COMPANY.
- INDIA, ASIA, AFRICA AND AMERICA FALL WITHIN THEIR GEOGRAPHICAL LIMITS.

PROVISIONS CONTD....

- WITHOUT A LICENCE FROM COMPANY NO BRITISH SUBJECT COULD CARRY ON THE TRADE.
- UNAUTHORISED TRADERS WERE LIABLE TO FORFEITURE OF SHIPS AND MERCHANDISE.
- THE AFFAIRS OF THE COMPANY WERE TO BE CONDUCTED ON DEMOCRATIC LINES.

PROVISIONS CONTD....



SHORTCOMINGS

- THE LEGISLATIVE POWERS THUS CONFERRED ON THE COMPANY WAS VERY LIMITED.
- SERIOUS CRIMES COULD NOT BE ADEQUATELY DEALT WITH.
- NO POWER TO THE COMPANY FOR GOVERNING ANY TERRITORY.

IMPORTANCE

- DESPITE ITS LIMITED SCOPE THE EARLY GRANT OF LEGISLATIVE POWER TO THE COMPANY IS OF HISTORIC INTEREST.
- IT IS OUT OF THIS MODEST BEGINNING IN THE YEAR 1600 THAT THE VAST POWERS OF LEGISLATION GREW IN COURSE OF TIME.

KING'S COMMISSION FOR VOYAGES

- THE COMPANY SOON FOUND THAT ITS LEGISLATIVE POWER WAS INADEQUATE IN PRACTICE FOR MAINTAINING DISCIPLINES AMONGST ITS SERVANTS WHILE ON LONG VOYAGES.
- THIS PROVED TO BE AN INADEQUATE DETERRENT TO PREVENT LAWLESSNESS.

- TO MEET THE SITUATION, THE COMPANY INVOKED THE CROWN'S PREROGATIVE AND USED TO SECURE FROM IT A COMMISSION TO THE COMMANDER- IN- CHIEF OF EACH VOYAGE SEPARATELY, EMPOWERING HIM TO INFLICT PUNISHMENT TO CRIMINAL OFFENCES, AND TO PUT INTO EXECUTION THE LAW CALLED "LAW MARTIAL"

YEAR 1601

- THE FIRST OF SUCH COMMISSION WAS ISSUED BY QUEEN ELIZABETH ON 24TH JAN 1601, TO CAPTAIN FOR THE FIRST VOYAGE.

YEAR 1615

- TO OBVIATE THE PRACTICE OF GRANTING A SEPARATE ROYAL COMMISSION FOR EACH VOYAGE, KING JAMES I ON DEC 14 1615 CONFERRED ON THE COMPANY A GENERAL POWER TO ISSUE SUCH COMMISSION TO ITS CAPTAINS.

YEAR 1623

- ON FEB 4, 1623, JAMES I GRANTED TO THE COMPANY THE POWER OF ISSUING COMMISSIONS TO ANY OF ITS PRESIDENTS IN ITS SETTLEMENTS AUTHORISING HIM TO PUNISH OFFENCES COMMITTED ON LAND BY THE BRITISH SUBJECTS, AFTER TRIAL BY JURY.

JUDICIAL ADMINISTRATION IN SURAT FACTORY

A FACTORY

- A FACTORY WAS A PLACE CONSISTING OF OFFICES, RESIDENCES FOR COMPANY'S EMPLOYEES AND SPACIOUS WAREHOUSES FOR STORAGE OF GOODS.

YEAR 1612

- CONSEQUENTLY IN 1612 THE ENGLISHMEN SUCCEEDED IN ESTABLISHING THEIR FACTORY AT SURAT WITH THE PERMISSION OF THE LOCAL MUGHAL GOVERNOR.

Sir Thomas Roe



1615 Sir Thomas Roe went to Jahangir's Court



MUGHAL FIRMAN

- COULD LIVE ACCORDING TO THEIR OWN RELIGION AND LAWS.
- DISPUTES COULD BE SETTLED BY THEIR OWN PRESIDENT.
- MUGHAL GOVERNOR AND QAZIS WERE ALSO DIRECTED TO DO SPEEDY JUSTICE.

A map of the state of Gujarat, India, with a dark green background. The state's outline is shown in a lighter green. The word "Gujrat" is written in large, bold, white letters across the center of the state. In the southeastern part of the state, the word "Surat" is written in bold, white letters. Below the text "Surat", there is a small red square marker indicating the city's location.

Gujrat

Surat

SURAT

- MOST SUITABLE PLACE.
- IMPORTANT COMMERCIAL CENTRE.
- AN INTERNATIONAL PORT.
- POPULOUS TOWN
- THESE FEATURES ATTRACTED BRITISHERS FOR WHOM SEA WAS THE ONLY MEANS OF COMMUNICATION.

FIRST BRITISH FACTORY

- BY THAT TIME PORTUGUESE ALREADY ESTABLISHED THEMSELVES AT SURAT. THEY WERE NOT RELISHING COMPETITION IN THEIR INDIAN TRADE.
- THIS LED TO A NAVAL CONTEST BETWEEN THEM IN WATERS OF SURAT.
- BRITISHERS ROUTED PORTUGUESE



JUDICIAL ARRANGEMENTS IN SURAT FACTORY

- ◉ ADMINISTRATION VESTED IN PRESIDENT AND COUNCIL.
- ◉ DECISIONS TAKEN BY MAJORITY OF VOTES.
- ◉ NO VETO POWER TO PRESIDENT.
- ◉ IN AREA OF LAW AND JUSTICE, ENGLISHMEN AT SURAT WERE UNDER A DUAL SYSTEM OF LAW VIZ., ENGLISH LAW AND THE INDIAN LAW

- MAIN RESPONSIBILITY OF THE ENGLISHMEN AT SURAT WAS TO GOVERN THEMSELVES AND NOT TO CARE FOR THE INDIANS WHO HAD LOCAL COURTS TO GO TO.
- NO COMPLEXITY AROSE AT SURAT.
- PROBLEMS OF ADMINISTRATION OF JUSTICE WAS LIMITED ONE.
- NO REGULAR TRIBUNAL WAS CREATED.

- KING'S COMMISSION OF 1623.
- THE PRESIDENT AND COUNCIL WIELDED THE JUDICIAL POWER.
- QUALITY OF JUSTICE WAS NOT VERY HIGH.
- CASES WERE DECIDED ACCORDING TO THE SENSE OF JUSTICE AND FAIRPLAY.
- REASON WAS THAT PRESIDENT AND COUNCILLORS WERE TRADERS NOT LAWYERS.

- NO KNOWLEDGE OF ENGLISH LAWS.
- AS FAR AS INDIAN CONDITION OF ADMINISTRATION OF JUSTICE WAS CONCERNED, THEY WERE AT ITS LOWEST EBB AND SUFFERED FROM MANY EVILS AND VICES.
- CORRUPTION AND BRIBERY WAS RAMPANT.
- ENGLISHMEN DID NOT HAVE ANY CONFIDENCE OR RESPECT FOR THE ESTABLISHED JUDICIARY.