With the spread of education and political ideas there arose a general awakening among the people of the country. Mysore was the first Princely State to establish a University of its own as early as 1916, to encourage higher education among her people. The rise of Public Associations and her progressive administration under the Dewanship of Sir M. Visvesvaraya, have to a great extent prepared all sections of the people for political advancement of the state. Even the Royal Court was anxious to see that Mysore did not lag behind other provinces and States in the pace of progress, and even promoted the cause of education and economic growth to the fullest possible extent permitted by the resources of the state.

Although Visvesvaraya retired as Dewan in 1915, he continued to take active interest in the affairs of the state by guiding the state in economic, constitutional and other matters. On 15th November, 1919 the leaders of Praja Mitra Mandal, in an address to Dewan Kantharaj Urs, stated that they were a political organisation constituted to advocate to secure by constitutional means the economic and political reforms in the

administration of the State. By 1920 a good number of patriotic young men without any distinction of caste, creed or community were attracted to the Congress Committee formed in Mysore. There was no hindrance to Congress movement in the State but owing to pressure from Paramount power, now and then, the Congress activities were kept within some limits. In 1921, the members of the Representative Assembly urged for the constitution of a non-official Committee to prepare a scheme of reforms on the lines of the reforms in British India. Again in 1922 a resolution was moved in the Assembly urging for the same. Sympathising with the aspirations of the people, the Dewan stated, 'Conditions in Mysore are not all fours with those in British India and it will not do merely to copy what is considered suitable for British India. The question of adoption of the measures for giving the people an increasing share in the administration is engaging the earnest attention of the Government. The views of the Assembly as indicated in the discussions to-day will be submitted to His Highness the Maharaja for his precious consideration and I trust it will be possible to evolve a scheme of reforms which may be placed before the Assembly for discussion when we meet.'

2. R.A., 1921. (Representative Assembly Proceedings)
3. Ibid
In accordance with the assurances given, Dewan Kantharaj Urs proposed a scheme of reforms which indicated to extend and enlarge the two representative institutions, i.e., Representative Assembly and Legislative Council, with a view to afford them an increasing opportunity to influence His Highness's Government decisions. This scheme provided for an Executive consisting of the Dewan and members of Council responsible to His Highness the Maharaja and out of the members of the Executive Council, two might be appointed from the public service and one might be selected among the members of Legislative Council or Representative Assembly. The Representative Assembly and the Legislative Council were to continue with enhanced status and influence. The resolutions passed by at least three-fifths majority in both houses to be binding on the Government, barring reserved subjects. The franchise for both houses to be widened and the sex disqualifications to be removed in respect of voters.

Weling the reforms measures Hosekoppa Krishna Rao led the discussion on the floor of the Representative Assembly with the observation that the changes announced were a due fulfilment of pledges given by the Government, although they might fall short of popular expectations. Sri Krishna Sastri observed that although it was

inappropriate to raise a discussion on the announcement he could yet urge that the strength of the Representative Assembly might be increased to 250 and that of the Council to 50 or 60.

Sri C. Srinivasa Rao wished that the changes announced would enhance the prestige of the Institutions and a fully representative body would prove a tower of strength to Government. He pleaded for the grant of more powers to the Representative Assembly which should never hold a secondary place.

Sri M. Subbayya dealt on the need for increasing the strength of the Assembly and for granting it the privilege of voting on State expenditure and expressed the heartfelt gratitude of the Assembly for the announcement of reforms.

According to M.A. Abbas Khan, the announcement doubtless conferred additional powers on the Assembly though it might not be up to popular expectations. A written representation by a few members urged that since the public had just begun to evince interest in matters of administration the time was not yet ripe for reducing the strength of the Assembly. 5

Many prominent officials, retired officers and

5. R.A.P.'s, Oct. 1922.
non-official members were consulted on the question of reforms. Sri Srikanteswara Iyer was not for any substantial reforms and wanted the existing status of the two houses to continue.

Dr. Brindavanamath Seal, Vice-Chancellor of Mysore University who later headed the Committee on the constitutional development, suggested a council of four of whom one was to be non-official and they should be chosen and be responsible to the Supreme Executive head. He wanted the revision of the Representative Assembly and the Legislative Council to suit the changed conditions and these bodies were mainly to serve the purpose of referendum and initiative.

Mr. M.C. Fanga lyengar emphasised the need for reforms in the Representative Assembly and Legislative Council. Sri J.C. Chakravartti felt that the proposals of the Lawon were inadequate and suggested an executive responsible to the Legislature and the Representative Assembly to constitute the first house and the Legislative Council, a revising chamber. All the Taxes and budget grants should be voted by Representative Assembly. The Lawon was not to be a member of either house, and their Presidents and Vice-Presidents were to be elected.
K. P. Puttanna Chetty pleaded for making the Executive responsible to the legislature elected by the people. People of Mysore were equally advanced and had a long experience of representative institutions to go a step forward in constitutional advancement at least equal to the degree of progress secured by the British Indian Provinces.

Sir M. Visvesvaraya came forward with threefold suggestions for reforms—(i) To remodel the two existing popular assemblies so as to be really representative of the various interests in the State; (ii) To grant a partial form of responsible Government by making the two representative bodies more responsible than they were by nominating one or more members of the Executive Council from persons who enjoyed the confidence of the legislature and making the decisions and resolutions of the legislature binding on the Executive in regard to certain specified departments or branches of the administration corresponding to what were known as transferred subjects in British India. (iii) Making the executive responsible to the legislature or at least the executive to consist of persons who enjoyed the confidence of the legislature and whose acts would be supervised and controlled by the legislature in harmony with the
public opinion of the State. Of the three schemes of Vivesaraya, the second one was considered more desirable because it failed with the provisional scheme put forward by the Dewan. According to this scheme, the two houses were to become the Upper House and Lower House of the Legislature and they would enjoy the right of interpellations, of passing resolutions and the lower House would exercise control over the Finance. Vivesaraya was of the opinion that Mysore was the first Indian State to start some kind of representative bodies. Any reform contemplated by the Government must be in the direction of giving the people some form of responsible Government. With such real power gradually the best and the most popular men in two houses would be appointed to the Council. In that case people will work with hope and His Highness will be saved the anxiety arising out of public agitation and the Mysore State will continue to maintain the lead in the constitutional progress.  

When all these suggestions for constitutional reforms were before the Government, Sir Kantharaj Urs retired from Dewanship in 1922 due to illness and was succeeded by Sir Albion Raj Ramaraja, a retired I.O.S. from

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7. Ibid.
Bengal with rich experience in administration. Though a Brahmin, he quickly proved himself sympathetic to non-Brahmins. He had a flair for parliamentary system and constitutional Government and earnestly desired some reforms to the existing representative institutions. He suggested that a greater association of people in the affairs of the State would be appreciated by the educated elite and also beneficial to the well-being of the State. In announcing the intention of the Government for further reforms, the Lenan stated His Highness the Maharaja feels that the time has now come for taking further step in the policy of associating the people more and more with the Government, and increasing the popular element in the administration. He has accordingly been graciously pleased to sanction the reconstitution of the Representative Assembly and the legislative council with enlarged functions and has commanded me to communicate to you the main features of the contemplated developments.

In accordance with the announcement by Bowan in the Representative Assembly a committee of Officials and Non-Officials under the Chairmanship of Ely Prizendrarahth

Seal, Vice-Chancellor of Mysore University was constituted to work out the details to give effect to the constitutional developments. The terms of reference to the Committee were:

1) to indicate the manner in which the Representative Assembly may be given a definite place in the Constitution;

2) to specify definitely the extent to which the property and other qualifications prescribed for the voters may be substantially reduced;

3) to propose the strength of the assembly keeping in view the principle that for an efficient discharge of enlarged and more responsible functions of the Assembly;

4) to go into the details of the constitution of the Assembly and the electorates and to suggest whether all the elected members should be chosen by primary election or partly by primary and partly by secondary election, and to detail the special interests and minorities requiring representation; and the manner of such representation;

5) to propose the qualifications and disqualifications for the candidates to the Assembly;
vi) to draft rules relating to the conduct of elections to the Assembly, corrupt practices and the disposal of objection petitions;

vii) to submit specific recommendations as to the length and frequency of the sessions of the Assembly, the number of interpellations, resolutions and representations that may be brought forward at a session;

viii) the procedure of the Assembly and the order of the business with reference to the enlarged functions granted by the announcement.

As regards the Legislative Council:

1) to propose the strength of the Council subject to a minimum of 40 and maximum of 50; the distribution of seats between elected, nominated non-official and official members keeping in view the representation of special interests and minorities; the information of suitable electorates; the qualifications and disqualifications of the candidates; and the rules relating to election, corrupt practices and objection petitions;

11) to make specific recommendation for increasing the number of interpellations and resolutions that may...
be brought forward at a session of the council;

iii) To consider carefully the power of voting on the annual State Budget, conceded in the announcement of the session and to advise on the procedure to be followed in respect of such voting, the heads to be voted upon, reappropriations and supplementary grants;

iv) To send up proposals for the revision of the rules of business of the Legislative Council, rendered necessary by the enlargement of its functions;

v) To advise as to number of standing Advisory Committees and their respective functions and to suggest rules for the selection of members to such committees.

Under these terms of reference, the committee had a defined scope and were not free to offer their independent suggestions or desires in building up a new constitution for the State. This, however, did not mean that the committee should take a mechanical view of its work or entertain a narrow idea of its responsibilities.

Firstly, the announcement gave only a general framework. It defined the scope and powers of the two houses leaving their constitution and composition to the deliberations of the Committee. Further, the generality of

announcement lent itself in some matters to alternate the schemes of development and the Committee was free to move in direction of what appeared was the sound constitutional development in the circumstances of Mysore and her people. But the most responsible task of the committee was to visualise the reformed constitution as a whole, to bring out the meaning that runs through the entire plan and pattern, and ensure that it becomes a living entity having in it 'a plastic principle' which would enable it to grow in response to inevitable changes in the course of historic development. The Committee having borne in mind these fundamental considerations proceeded to propose a scheme of reforms. The Committee considered that a Constitution is not made but grows. The new scheme must evolve out of historical conditions and traditions in response to new needs and new facts. Mysore had certain unique constitutional and ultra-constitutional developments in the past, notably the Representative Assembly and economic conference unknown to British India. Mysore also had in the Legislative Council the rudiments of a legislature to reflect the collective will of the people. Above all the basic tradition of the sovereignty of the head of the State as the original institution exercising all functions -
legislative, Judicial and Executive, and the existing conditions of the masses of rural population and their political potentialities and educability were also kept in view by the Committee in giving shape to its decisions of principles and policy.  

The Committee also kept in view, as applicable to large, the actualities of Indian social and rural organization which dominated the forms of polity in India. For instance, India had always had intermediary groups between the State and the individual such as the village community, the five assemblies, the guild, the puga, the Sreni, the gana, the Caste and other interest or function group, which had an independent origin and sanction. The State could not completely assimilate their quasi-independent character or usurp their jurisdiction or functions. It is true, in recent times, there has been considerable disorganization of the village communities and the functional groups, but any political organization to be built up in India must take into account the deeply embedded social instincts and social postulates of the Indian people, though they have to be adapted to the spirit of the age and the governing facts. Thus the Committee had kept in view to reorganise

12. B.N. Seal Committee Report - Sec.1, Ch.1, p.2.
the special-interest-groups as an organic character, having emphasis on democracy, rationalism, individual liberty, party Government, the majority rule and the constitutional checks and correctives to preserve the balance and equipoise of the State. Mysore being a unitary State, internally the head of the State was supreme executive as well as the source and sanction of law. Externally its relation to paramount power was defined by the treaty of Mysore. The incorporation of the people in the Government was essential to the strength and stability of the State. To maintain the sovereign unity of the people and the ruler, political organisations and assemblies had come into existence as auxiliaries. Those bodies had to be incorporated by giving a constitutional status in the sovereign unity, replacing the autocratic unity and the loose heterogeneous of structure which so far existed in the body politic of Mysore. The revision of the Representative Assembly and the Legislative Council was considered by the Committee to meet the spirit and the times that obtained in Mysore. Under the then existing constitution of Mysore the Representative Assembly and the Legislative Council did not correspond to a double chamber of legislature. The reforms contemplated did not

13. B.N. Seal Committee Report, Sec. 1, p. 3.
have a bi-cameral legislature in view. Because the compact and viable population, simple socio-economic structure and the economic land holdings required a single chamber. A double chamber was considered economically wasteful and politically unsound from the point of view of deliberations. To influence the sovereign at the top of the polity there was ample room for representation, initiative and corrective from below. Law making requires three stages -- the Representative Assembly in Mysore performed the function of representing the wants and grievances, with power of initiative. The Legislative Council representing the collective wisdom and experience of the people formulated the laws, policies and programmes. To aid and guide the council there must be advisory standing committees endowed with expertise and scientific knowledge.

The Committee wanted that the Representative Assembly to serve informally and rudimentarily two main ends, i.e., the initiative and referendum which are considered as useful supplements and correctives to the machinery of formal constitutional representation. The scheme suggested must be capable of serving the people by methods which are more direct and intimate in their outlook on the life of the common people than the
political machinery of the orthodox parliamentary pattern. The members of the assembly coming from the body of the people should bear mandate regarding the peoples' wants, desires and grievances which the assembly may formulate for the purpose of an initiative to the legislature. They should be consulted on all important legislative measures and the general principles of all bills should be referred to them and their views ascertained. They should discuss the budget on general lines. And finally, they may also bring mandates regarding matters which have been referred to the people by the Government or the Legislature especially in the case of bills touching closely and directly the people's daily life. A properly composed and developed Representative Assembly would be eminently suited to discharge such functions as mentioned above. Thus the Representative Assembly was to be shaped to seek to combine the forms of representation with the substance of a referendum and an initiative.

Legislative Council:

While the Representative Assembly must be the epitome of the people sufficiently large and comprehensive, the Legislative Council having different function and end,

15. Ibid p.10.
must be an assembly embodying the collective wisdom and virtue of the people, as it has to shape and formulate legislative measures to secure the wellbeing of the people by ways and means acceptable to the representatives of the people. Such a body must be composed of persons who have a large outlook, who can understand the theory and art of Government. Its composition must bear some proportion to the size and population of the State and also to the variety of its interests. The representation should be divided between (i) the territorial groups representing urban and rural areas;

(ii) Functional groups representing different vocations, professions and interests to be elected by registered bodies, corporations and associations;

(iii) The interests of the people represented by the State in the form of nomination of officials from different departments of Civil Services and non-official representatives appointed to protect the interests of the minorities.16

All these considerations were kept in view for constituting the Legislative Council for the simple reason that functional groups and interest groups are outstanding factors in rural economic and political organizations.

16. B.N. Seal Committee Report, Ch. I, Sec. IV, para-23, p. 11.
The principle of groups has been recognized as a basic factor in economic and political compositions. The great advantage of such a composition of legislature is that it is bound to work for softening of differences including communal differences and thereby establish in the society the representation of interests and functions for bringing unity and concord. To maintain the contact and rapport with the people other than the machinery of constitutional representation in the legislature, the Committee felt the need for providing the Government for the purpose of administration and development a number of standing Committees such as Board of Education, a Board of Sanitation and Public Health, a Board of Agriculture, a board of Industries and Commerce, a board of Railways and Public Works, a standing committee of Taxation and Finance, a board of development, and even chartered corporation like Universities were to serve as means for devolution of power and were expected to become popular and non-bureaucratic in character and composition.17

Thus the Representative Assembly and the legislative Council would have to share between them the primary functions in the process of law making. The former was to express the people's will and give a guiding line to

17. B.N. Seal Committee Report, Ch. I, Sec. IV, p. 19.
policy. This, in essence, was the meaning of any referendum or initiative. The Legislative Council was to bring its collective wisdom and experience to the task of formulating reasoned and well thought out policies, laws and measures.

With these general considerations and constitutional plan in view, the committee began its work with industry, patience, foresight, and bestowed its attention on the intricate and difficult task entrusted to them. The Committee's sittings commenced on 23rd October, 1922 and had thirty six meetings. The first twenty four meetings were devoted to consider the various points for formulation of proposals and the remaining twelve for discussion and passing of the final report. In making the recommendations and preparing the report, the Committee took into consideration the representations received from public bodies, associations and also private individuals.

On the basis of the above principles, the Committee recommended the following scheme of reforms to the Representative Assembly and the Legislative Council. The Representative Assembly should be given a definite place in the constitution by a special proclamation of His Highness the Maharaja under the signed manual implying its constitutional status, powers and scope with reference
to lawmaking i.e., actual legislation, initiative, referendum, or mandate as the case may be and in relation to other public powers.

1) Representative should ordinarily be consulted about every important legislative measure before the first reading of the bill in the legislative council.

ii) All the legislative measures about which the Representative Assembly is to be consulted shall be placed before it with a statement embodying the general principles of such measures.

iii) The discussions will be confined to the general principles of the bills.

iv) Members were to be free to propose an amendment to the general principles of any measure but not to the particular clauses in the bill.

v) The Committee's recommendations comprised of rules of procedure, taxation, interpellations, representation, resolutions, discussion of the budget, strength of the assembly, electorate, representation of minorities and special interests, qualifications of voters in urban and rural constituencies, qualifications for candidates and members, duration of the sessions, and order of business,
On election rules, corrupt practices and objection petitions and standing committees.

As to the Legislative Council, the Committee's recommendations referred to the strength and composition of the Council, constituencies, electorate, qualifications of voters and candidates, election rules, voting on budget, reapportionment and supplementary grants, amendment of the rules of business of the Legislative Council.

The Committee's recommendations included the constitution of standing committees to advise the Government on matters of education, health, sanitation, local-self government, railways, industries and commerce. These standing committees were to some extent be means of securing expert advice and of popularising the administration. These committees of experts representing varied interests, as statutory bodies outside the legislature and constituted for advising the executive and the legislature in all matters touching intensive development were considered as an outstanding characteristic of Mysore Polity.

The report of the Committee was submitted to the Government on 7th March, 1923. It was unanimous on all essential points involved, except on the vexed question of the representation of the minorities. The committee developed the main outlines of the scheme.

with great precision and consistency. In preparing the report the Committee kept in view the theory of Government as applied to a state in which the ruler remains supreme, but desires to give as large a share as possible in the Government to the representatives of his people.

The Seal Committee report was considered as one of the most remarkable and interesting documents in constitutional development in recent years and evoked praise from eminent statesmen both in India and Europe. Many intricate and difficult issues were disentangled and envisaged in their true perspective from the point of view of the future evolution of Mysore, so as to remove any misconception in regard to many objectives in view and to the ultimate form in which the scheme has to be crystallized in its final shape in harmony with the local conditions and past traditions of the state.

The report was published on 26th April, 1923 for general observation and criticism by the Public. It was widely discussed by the public bodies in the state and at several conferences. The conferences at Mysore, Tumkur and Bangalore considered the report at length and in detail. The representations were also received from fifteen public bodies and about sixteen private individuals from different parts of the state.
At the June session of the Representative Assembly
the members discussed the report at length. The main
trends of criticism in the Assembly were:

1) that the recommendations did not show any such
definite place as was promised in the announcement of
Dewan to be assigned to the Representative Assembly in
the Constitution.

ii) The two houses were kept independent of one
another with defined functions and composition of their
own. The Representative Assembly which was designed to
serve the ends of initiative and Referendum, was not
allowed any substantial power over the budget and
legislation.

iii) The composition of the assembly was also
cumbersome. It contained both elected and nominated
members coming from different constituencies representing
divergent interests, whose opinions could not crystallise
into reasonable principles of law.

iv) The composition of the Legislative Council was
even worse. The Ex-officio members, nominated officials,
and nominated non-officials outnumbered the elected
members of general and special interests, thereby
making the elected elements ineffective in influencing the legislative activities of the Council.

v) It is true that the reforms were intended to avoid communal virus in the body politic of Mysore by recommending a system of representation through recognised associations which was expected to cut a compromise by eliminating the system of communal electorate and at the same time provide for the political protection of the minorities. The so called facultative representation by associations created a disengagement of interest among the members of the different communities and castes.

vi) As regards the powers granted to the assembly in terms of interpellations, representations and resolutions, mostly they were recommendations because the Dewan-President was all powerful and his decisions could not be challenged. He had the necessary power to disallow anything that was inconvenient to the administration on the plan of public interest. Representative Assembly really played no part in the constitutional life of the State. It remained a petitioning body and enjoyed really no effective voice in shaping the policies of the Government. 19

vii) Even with regard to legislative council, to a large measure, the same was the position. The Dewan-President was a powerful institution and disallowance of questions and resolutions was not uncommon. It is true the Council was given power of discussion of the budget and voting on the grants under heads. In actual working absolutely there was no chance of a demand for grants being rejected owing to the character of the composition of the Council. even then the Government was vested with special powers to restore the rejected or reduced grants by the Council.

viii) Another important criticism against the reforms was the grafting of parliamentary usages without the parliamentary system. At best it was a responsive system. The autocratic nature of the Government more or less continued. Legislature exercising virtually no effective control over the Government.

ix) The disfranchisement of the District Boards, reduction of seats in urban areas, increase of nominations and representation to associations made the representation of various interests in the Assembly really illusory. Even in rural constituencies the distribution of seats among the various districts was not based on any
rational principle of representation. For instance, Fheicga with a population of four lakhs and ninety two thousand was allotted 21 seats while Bangaloro district with seven lakhs and eighty eight thousand population was given only 20 seats, and Tumkur with seven lakhs and seventy three thousand got only 19 seats. This was considered as iniquitous.

vi) Disqualifying the Government servants from exercising the franchise was another Allen in the franchise. The criticism was that the Government servants happened to be a well informed section of people should not have been deprived of the elementary right of citizenship.

vii) The retention of sex disqualification of women to be members of the representative assembly and the Legislative Council was considered a retrograde measure. There was no justification for such discrimination as women were already serving as members of various bodies like University Senate, Economic Conference and its Committees. They had established a name on their own in medical and education departments. In the neighbouring province of Madras they were being appointed even to the Bench. Their activities in social
service were wide as well as varied in character. It is not merely differences of interests that must have been taken into consideration in giving representation, but difference in point of view was equally important. Therefore, this right could reasonably not be refused to women. 20

xii) The reforms proposed could not satisfy even the moderate section of the public as no provision was made to include a non-official member to the Executive Council who had the support of the legislature as it was the case with reforms in British India.

After giving careful and detailed consideration to the report of the committee as well as to all other views placed at the disposal of the Government, the general scheme and decisions embodied in the proclamation and in the two regulations, one relating to the Representative Assembly and another to the Legislative Council was issued on 27th October, 1922, announcing the constitutional reforms sanctioned for the State.

The Proclamation affirmed His Highness's constant desire to provide for the increasing association of women in government business.

his people with his Government in the administration of the State, and announced that as various measures which had been adopted from time to time in accordance with that desire had met with a gratifying response from the people and to take further substantial steps in the same direction. His Highness invited the people to utilise the larger opportunities for public service and usefulness to the State which he was now conferring upon them, and expressed his confidence that they would respond to his call with the same loyalty and sense of responsibility as in the past and in a spirit of mutual toleration and good-will. 21

The law relating to the constitution and functions of the Representative Assembly and the Legislative Council was promulgated in Acts XVIII and XV of 1923 respectively. The Representative Assembly which had been functioning till now, was based on an Executive Order of Government, the changes in its constitution, powers and functions were introduced by similar orders. With the promulgation of this Act the Representative Assembly was placed on a statutory basis and its powers and functions were defined by the Representative

Assembly Act and the rules framed thereunder.

Previously the composition of the Assembly comprised of 232 members who were all elected non-officials representing different taluks, Municipalities, District Boards and Associations, which was considered defective in some respects. While the election of the members from taluks and sub-taluks was direct, the election of those by the Municipalities and district boards was indirect. Further, there was no clear line of division between the urban and the rural electorate and the representation of special interests through public Association was based on a general scheme. Moreover, there were no definite provisions for the protection of the claims of the minorities. The Committee considered that in view of the enlarged powers and functions, with which, it was proposed to invest the Assembly, a reduction in strength to 250, and made due provision for representation of new interests and constituencies that may spring up in future such as the tahsilir taluks of Sringeri and Yelamdu.

Accordingly, the strength of the Assembly was fixed at 250, but with power vesting in Government to increase the number up to a maximum of 275 for the purpose of

removing inequalities, if any, of representation and in order to meet the demand for the representation of the constituencies that may develop in course of time. The membership of the Assembly was restricted to non-officials but Officers deputed by the Government for the purpose were allowed to attend the meetings and to take part in the proceedings but without right of voting. 23 Out of this total strength, not less than 50 members were elected by the urban constituencies; but less than 35 members were elected by the minorities and the remaining 15 and more were elected by the approved special interests. As regards distinct special groupings who were not likely to secure representation through the general electorate, i.e., Muslims, Indian Christians and the depressed classes a minimum number of 15, 5 and 3 seats respectively, were guaranteed. In case, these communities failed to get the required number of seats through the rural and urban constituencies, provision was made for the return of guaranteed number of members, either through recognised associations or by nomination by Government, if necessary. All other communities with 20000 and more population who failed to obtain representation in

the Assembly through the general electorate were represented in the Assembly through associations satisfying certain prescribed conditions. Power was vested in the Government to nominate a member of any community whose number is less than 20000 if there is a justification for such a special treatment in the interest of the community. Provision was also made for nomination of members for special interests and minorities in the absence of some constituencies as recognised by the Government. By these safeguards the principle of separate communal electorate was rejected by the Government as inexpedient and unsuited to the State of Mysore.

The strength of the Assembly fixed at 250, and distribution amongst different constituencies was as follows:

<table>
<thead>
<tr>
<th>Category</th>
<th>Seats</th>
</tr>
</thead>
<tbody>
<tr>
<td>i) Rural Constituencies</td>
<td>163</td>
</tr>
<tr>
<td>ii) Urban Constituencies</td>
<td>37</td>
</tr>
<tr>
<td>iii) Special interests</td>
<td>15</td>
</tr>
<tr>
<td>iv) Minorities</td>
<td>35</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>250</strong></td>
</tr>
</tbody>
</table>

The duration of the Assembly was three years, however the Government by notification in the Gazette.

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was given power to extend the period by one year. 25

As to the qualifications of the voters and candidates, the committee's suggestion to reduce the property qualifications of voters and candidates by 50% was accepted. This entitled persons paying land revenue or rent of not less than Rs.25/- per annum or municipal or mahatarfa tax of not less than Rs.25/- per annum and persons who owned one or more insan villages with Beris of not less than Rs.125/- per annum and all persons paying income tax were to be voters, and candidates. The sex disqualification was removed so as to render women eligible to vote at Representative Assembly Elections.

The qualifications in the urban constituencies were the same as those of voters for municipal elections in the constituencies concerned. The voters of urban constituencies were not entitled to vote in rural constituencies, unless they also possessed the property or other qualifications prescribed for the rural constituencies. Graduates and retired military persons were voters in the urban constituencies but were not entitled to vote in rural constituencies unless otherwise

qualified. In the case of special interests and minority communities recognised by the Government for the purpose of representation in the Assembly, the qualification of voters and candidates was the membership of the association or other institutions concerned. But in the case of Mysore University, only fellows were eligible to stand as candidates for the representative Assembly. In addition to the above qualifications, a voter or candidates must be subject by birth or domicile and should have resided in Mysore State for at least three years. Further, the following conditions were laid down to become a voter and to be returned as a candidate to the Assembly.

A person must have completed 21 years of age, and must be of sound mind; must not be undischarged insolvent or bankrupt or sentenced by a criminal court to imprisonment for six months or more, or convicted of an offence punishable with imprisonment for 7 years or more. He must not be a dismissed Government servant. Under the rules women and Government servants were not eligible to stand as candidates. 26

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President of the Representative Assembly:

Dewan was the Ex-Officio President of the Assembly. Members of the Executive Council of His Highness the Maharaja, were Ex-Officio Vice-Presidents. Generally, the Dewan presided at all meetings of the Assembly. In his absence, the senior Vice-President presided at the meetings of the Assembly. Presence of not less than 75 members of the Assembly constituted the quorum for the meeting.

Powers and functions of the Representative Assembly:

Formerly the functions of the Assembly were limited to the representation of the grievances and expression of opinion on matters referred to it by the Government, discussion of the State Budget and putting interpellations. Dewan's announcement for reforms foreshadowed the grant of larger powers in respect of legislation, taxation, budget and the moving of resolutions. Three fold measures contemplated on legislative measures were of normal, exceptional and urgent matters. Every important legislative measure before the first reading of the bill in the Legislative Council, should ordinarily be placed on the floor of the Representative Assembly.
and its opinion ascertained. All legislative measures which were to be placed before the Assembly embodying the general principles of such measures may or may not be accompanied by a draft bill in each and every case.

The discussion was confined to the general principles of the bills. Any member may propose an amendment to the general principles of any measure. The President had the power to disallow an amendment if it related not to general principles but to details.

In the case of bills which were of great urgency were to be placed before the Legislative Council for being passed at a single sitting by suspending the ordinary rules of business. Bills brought forward by the non-official members had to receive the sanction of the House before they could be introduced in the Assembly. After discussing the general principles of a bill in the Representative Assembly the opinion of the Assembly was placed before the Legislative Council.

Resolutions:

Hitherto there was no provision for moving
resolutions in the Representative Assembly. As announced by Dewan, the Assembly was given the right to move resolutions on matters relating to the Public administration as well as on the annual State budget. The number of resolutions that were allowed to each district were:— For Dasara Session - Bangalore and Mysore Districts 4 each and other districts 3 each; for Budget session - Bangalore and Mysore Districts 2 each and other districts one each. The selection of the subjects to be brought up at the assembly was left to the meeting at District Headquarters where all the members of the Assembly residing in the district including the representatives of special interests and minorities were invited. In addition to these, President was empowered to admit additional resolutions relating to special interests and minorities. The right of division was given to the assembly on all questions on which its opinion was taken.

Interpellations:

The privilege of putting questions to Government in the form of interpellations on matters of public interest or importance was granted to the Representative

27. R.A. Regulation No. VIII of 1923, Art. 12(b).
Assembly in 1916. The same privilege was continued with increased numbers of questions subject to such conditions and restrictions which were laid down by rules framed under the new Regulation. President had the power to disallow any interpellation as not satisfying the conditions laid down and as were not in the public interest. President had the discretion to permit any member to put a supplementary question for the purpose of elucidating any matter of fact regarding which an answer had been given. President had the power to admit in addition to the limit of 52, interpellation on behalf of special interests or minorities.

Representations:

The privilege of bringing up representations before the Representative Assembly on matters of public importance for consideration of Government was in vogue from the very commencement of the Assembly. This was the main characteristic feature of the Assembly. With the increase in power and status of the Assembly, Representations were likely to play a diminishing role in the proceedings of the Assembly.

Hence, it was found feasible to effect a reduction in number of representations. The total number of representations were limited to 180 at Basara Session and 90 at the budget session. President had the power to admit representations relating to minorities or special interests. Selection of subjects was made at the district meetings at which interpellations and resolutions were selected under the presidency of Deputy Commissioners. The practice of presenting addresses to Dowan and President of the Assembly during Basara Session was discontinued. However, that addresses by the whole House to His Highness the Imm- 
raja was permitted.

**Taxation:**

So far, the Assembly had no recognised right of expressing its views as regards proposals for new or additional taxation although for some time past Government was consulting that body on certain important taxation measures. In the new Regulation it was expressly provided that no new tax should be levied unless the opinion of the Assembly as to the levy of such tax, had been obtained by votes before hand.
Any modification in course of discussion required the approval of the Assembly. In the case of new taxation involving legislation only after approval in the Assembly a bill for any new tax or enhancement of any existing tax could be introduced in the Legislative Council.

**Budget:**

The practice so far was to place the annual budget before the Assembly for general discussion. Under the new regulations, its power on the budget were further extended so as to include the right of moving resolutions on the budget. But such resolutions must have had reference to general principles and policy underlying the budget and not to any particular grants or appropriations included in the budget. Certain items of expenditure like the Palace, household and military forces, expenditure of His Highness the Maharaja; pensions of public servants; financial commitments arising out of the relations of the Maharaja with the Paramount power or with other States; matters governed by treaties or conventions or agreements with paramount power; interests on loans & charges on account of

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sinking funds and expenditures of which the amount was specified by or under any law, were not open to discussion and kept outside the purview of the Assembly.

If any question were to arise whether any proposed appropriation of revenues relating to the above excluded subjects, the decision of Deputy-President or of the Vice-President presiding at the time was final. 30

**Legislative Council:**

The Legislative Council which was established in 1907 underwent many changes. As it stood in 1919 under regulation II, the minimum and maximum number of members of the council stood 15 and 30 respectively. The reforms committee recommended that exclusive of the Ex-Officio members the strength of the Council be fixed at 50. According to the Regulation 1923 and the rules framed thereunder, out of the total of 50 not less than 60% comprised non-official members, and the remaining were official members nominated by the Government. Out of the non-official members not less than two-thirds were elected by the Mysore Representative Assembly and by the urban, rural and non-territorial

Constituencies and the remaining members were nominated by the Government for giving representation to special interests and minorities or for any other cause. The number of members returned by the Representative Assembly was eight. In the case of special interests where election was not possible, Government was given power to nominate a member to represent such special interest. Further, in addition to the number fixed, the Government had the privilege to nominate not more than two persons for a particular period, for the purpose of any bill introduced or proposed to be introduced in the Council, having special knowledge or experience of the subject matter of the bill.

The distribution of seats among the different constituencies was as follows -

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<th>Elected</th>
<th>Nominate</th>
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<tr>
<td>Officials</td>
<td>20</td>
<td>2</td>
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<tr>
<td>Non-Officials</td>
<td>8</td>
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1) Elected members -

a) Elected by urban constituencies of Bangalore & Mysore (one each) ... 2

31. I.L.C. Regulation, No. IV, 1923, Sec. 4(3).
b) Elected by rural constituencies of 8 districts (one each) ... 8

c) Elected by Representative Assembly ... 8

d) Elected representatives of special interests (non-territorial constituencies) ... 4

- Mysore University ... 1
- Commerce and Trade ... 1
- Planting ... 1
- Labour ... 1

Total ... 22

ii) Elected members:

a) Officials ... 20
b) Non-Officials ... 8

Total ... 28

Among the elected, eight were from the Representative Assembly voting as a whole without any restriction as to the candidates representing particular district or division. Of the constituencies representing special interests, the fellows of the Mysore University and Registered Graduates of not less than seven years standing constituted the Mysore University constituency. The members of the Mysore Chamber of Commerce and Merchants Associations, represented the interests of Commerce and Trade.
The Planters constituency composed of owners of estates of not less than 50 acres under Coffee, tea, Cardamum or rubber. Labour was represented by one member, pending formation of a proper electorate, nominated by the Government. As regards eight seats reserved for nomination of non-officials, securing representation of depressed classes, child and women welfare, minorities and education was kept in view. In respect of minorities, a minimum of two seats was guaranteed to Muslims in the event of no Mohamaden was returned by election. Two out of eight seats were filled up by nomination of two Mohamaden representatives deputed by recognised associations. If one Mohamaden was returned by election the nomination was confined to the remaining one only. Similarly, on the same principle one seat each was guaranteed to Indian Christians and depressed classes. Thus under the new regulation the elected 22 non-officials and nominated 3 non-officials ensured a clear majority of non-officials in the Legislative Council.

Qualifications of Voters and candidates:

Under the previous rules the qualifications of

voters to the Legislative Council and Representative Assembly were identical. In view of difference in functions and the powers of the two bodies, the Reforms Committee recommended that the franchise should be different and further the Committee was of the opinion that while in respect of the Representative Assembly there need be no difference in the qualifications of voters and candidates but in the case of Legislative Council qualifications of candidates should be higher than those of voters. In conformity with these views, rules were framed by the Government regarding the qualifications and disqualifications of voters, candidates and members in connection with the several constituencies of the Legislative Council. 33

Rural Constituencies:

1) Every person who is the registered occupant of the land paying a land revenue of Rs.50/- per annum or who pays annually Mahatma tax or Municipal tax of not less than Rs.10/-;

2) Every person who is the owner of one or more rural villages with a total Bazar of Rs.250/- per annum.

and who ordinarily resides in the district;

iii) Every graduate of a University who ordinarily resides in the Constituency;

iv) Every person who is retired and pensioned Officer of the Mysore State Troops;

v) Every person who pays income-tax to Government, was eligible to vote. 34

Urban Constituencies:

The qualifications of the voters in these constituencies were the same as those of rural constituencies, except that, in respect of property qualifications which must correspond with qualifications laid down for voters at Municipal elections.

Qualifications of Candidates:

1) Every person who is the registered occupant of land assessed to land revenue of not less than Rs.50/- per annum;

ii) who is Khadi tenant paying an annual rent of not less than Rs.50/- per annum to the holder of an

iii) Who pays annually Mahatarfa tax or Municipal tax of not less than Rs.10/-;

iv) Every person who is the owner of one or more entire Inam villages with a total Beris of Rs.250/- per annum and who ordinarily resides in the district;

v) Every graduate of an Indian or English University of not less than ten years standing who has been resident in the constituency for at least three years previous to the date of election;

vi) Persons paying an Incometax of Rs.100/- and above, were eligible to be candidates.

As regards the candidates representing special interests and Representative Assembly, the qualification was the membership of the body returning the candidate.

Thus qualifications prescribed for the electors to the Legislative Council were twice as high as those of the voters to the Representative Assembly. Even a little higher qualifications were fixed for the candidates.

Duration:

Every Legislative Council constituted under the new regulations was to be for a period of three years from the date of its first meeting. However, the Government had power to extend the term by an official notification for a period not exceeding one year. From the date of the dissolution of the Council the next session was to be convened within six months. 37

Dewan was the ex-officio President of the Council and he could fix the place and time of the meeting of the Council. In the absence of the President, the senior ex-officio member present, presided at the meetings of the Council. All questions before the Council were determined by a majority of votes of the members present and voting. In case of a tie, presiding officer had a casting vote. President had power to adjourn any meeting of the Council. 38

Powers of the Legislative Council:

Although other powers and functions were assigned to the Council after it was established, legislation still remained the main function of the Legislative Council:

38. Ibid, Art. 7.
Council. Under the new regulation, it possessed full powers of legislation on all matters other than those specifically kept outside its jurisdiction. The list of excluded subjects were also curtailed so as to bring within the purview of the Council of all matters pertaining to the internal administration of the State. The subjects excluded were those relating to the royal family, imperial relations and changes in the Constitution of the State. Section 9 of the Council regulation of 1923 lists the excluded subjects as follows:

a) The ruling family of Mysore;
b) The relations of H.H. The Maharaja with the paramount power or with the foreign Princes of States;
c) Matters governed by treaties, conventions and agreements then in force or thereafter to be made by the Maharaja with paramount power;
d) The provisions of the Legislative Council Act;
e) The provisions of the Representative Assembly Act;
f) Such other matters as may from time to time be specifically reserved by H.H. the Maharaja for consideration by the Government.

In all matters thus excluded from the purview of the Council the Government were empowered as before to frame such measures as are necessary and temporary emergent regulations for a period of six months on
matters falling within the scope of the council and submit them for the assent of the Maharaja. 39

The prerogative of the Maharaja to make laws independently of the council which was all along implicit, was expressly affirmed in the statute. 40

The reforms committee did not propose any material change or modification in the present position and powers of the council in respect of legislation. The suggestion of the Committee to keep the amendment of the Constitution outside the competence of the Legislative Council was accepted. Since the matters affecting the Constitution, powers and privileges of the Legislative Council and Representative Assembly were kept outside the scope of the council, changes in the constitution were possible only by means of a proclamation or regulation promulgated by His Highness the Maharaja independently of the council. As to the suggestion made by the Committee to empower the Government to frame regulations, independently of the council, for the safety and tranquility of the State, it was considered unnecessary to reserve any special powers to the Government in respect of measure

40. Ibid, Art. 16.
that would be required for the safety and tranquility of the State, in view of the co-operation extended by the Council and the sense of responsibility which has been characterised its deliberations in the past. However, in the event that the measures approved by the Council were considered inadequate for the due discharge of their responsibilities the dead-lock thus created could be removed by the exercise by the Maharaja of his inherent powers to frame law independently of the Council. The Government was empowered to frame any bill required for an emergency if such bill is assented by His Highness the Maharaja. It had the same force as regulation passed through the Council for a period of six months from its promulgation in the Official Gazette. 41

**Budget:**

The most important feature contemplated in connection with the scheme of legislative development was in respect of the powers and position of the Legislative Council in matters of State budget. The privilege of discussing the State budget, subject to certain conditions, was given to the Legislative Council.

Council in 1914. It was only a general discussion without any power to propose resolutions on it. The right of making interpellations was conceded in 1917. But the number of questions were limited to 20 only. The right of moving resolutions was given in the year 1919 which were in the nature of recommendations, and not more than 12 resolutions were allowed at any session of the council. Thus the legislative council so far acted as advisory legislative body with limited functions. In the Dagen's announcement for constitutional reforms it was stated that the legislative council would be given the power of voting on the annual State budget by major heads in respect of all items of expenditure except those affecting the palace, the military, the pensions of public servants and the relations of the State with the British Government under the treaty, with the proviso that if the council rejects a provision in the budget or reduces it, it would be competent to Government to restore the provision if they considered it necessary for the carrying on of any department. 42

The grant of right to vote on State budget to the Legislative Council was a measure of far-reaching

42. Dagen's announcement in R.A., dated 7-10-1922.
importance and particularly significant in the development of legislative control over finance. Since voting on a grant had a binding effect on the Government which can be annulled only under exceptional circumstances by the exercise of a specific power by the Government for a definite reason, further, voting by major heads imposed an important limitation on the Government's powers of reappropriation of sanctioned expenditure. Since the grants were sanctioned by the Council under major heads reappropriation by the Government from one major head to another was no longer permissible. The Legislative Council with its statutory non-official majority was expected to exercise a large measure of control over the financial policy of the Government. Moreover, the power extended to the Council in bringing under its control the salaries of all classes of public servants, for its voting, constituted not only a major departure in Council's control over financial policy and administration but an improvisation compared with the corresponding provisions of the Government of India Act which kept salaries as well as pensions of persons appointed by or with the approval of His
His Majesty or by the Secretary of the State, as non-votable.

Provision was also made in the new regulation enabling Government, in cases of emergency, to authorise expenditure considered necessary for safety and tranquility of the State or for discharge of Government's responsibility without submitting it to the vote of the Council.

Resolutions:

As already stated, the members of the Legislative Council were given the right to move resolutions subject to the condition that no member can move more than one resolution at any session of the Council, and not more than twelve resolutions at any session in all. In the previous years the number of resolutions brought before the Council at any session hardly exceeded the maximum number fixed. This was due to the fact that the resolutions were not binding on the Government as they were in the nature of recommendations. Further, all matters of general interest were brought up in the Representative Assembly alone as Representations.

43. Legislative Council Regulation, 1923, Sec.13(1)(a)(b).
and were fully represented. Nevertheless, with enlargement of functions and composition of the Council in terms of non-official members, the old rule under which a member was allowed to bring up not more than one resolution at any session was retained thereby raising the maximum number of resolutions at any session of the Council to thirty.

**Interpellations:**

The right of asking questions in the form of interpellations on matters of public importance was granted to the members of the Legislative Council in 1914. In 1915, the privilege of putting supplementary questions for elucidating information was permitted. Since the interpellations served a useful measure in exercising a sobering influence on the Government, the total number of questions answered at a session was raised to 20 under the new regulation. Every member was allowed to put not more than two questions, thereby raising the maximum number of interpellations to sixty at any session of the Council.

**Merits of the Reforms:**

However the criticisms already referred to
of the reforms should not overshadow the merits of the reforms introduced in 1923. These reforms clearly marked the initiation of a constitutional government in Guiana. No doubt the measures embodied in the reforms were of a transitory character but it is this transitory character which was not realized in many criticisms describing the reforms as unsatisfactory and unprogressive. The object of the reform was specifically stated as the association of the people more and more with the Government and increasing of the popular element in the administration.

ii) It is true that the Legislative Council and Representative Assembly were not likely to grow into two houses of a bi-cameral legislature with equal powers and functions. The Assembly as a popular house must necessarily develop to a position of commanding influence and power. The Legislative Council was to be a body of elder statesmen-experts, and men of experience in public affairs to give form and expression, in legislative enactments and to the mandates of the Assembly.\(^4\)

iii) Undoubtedly, the reforms constituted an

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improvement on the representative and legislative bodies so far existed in Jyore. Direct election was introduced in the place of indirect and secondary election. The qualification of the voters to the Representative Assembly were reduced considerably thereby extending the franchise to larger section of the population. Women were given the right to vote for the first time which meant influencing the policies substantially as these voters formed a good chunk of the electorate.

iv) In the legislative process, the right of putting supplementary questions, the privilege of voting on the budget and tabling adjournment motions, moving resolutions were important gains to the legislative bodies for exercising control over the executive part of the Government.

v) Instituting the standing advisory committees and bodies to help scientific legislation with expert knowledge in their respective field of legislation was a novel innovation and placing these bodies on the statutes served better aid to administration and
legislation. This was considered as an outstanding character of the new polity.\textsuperscript{45}

vi) The Representative Assembly, with a creditable record of forty years of useful work, emerged as a stronger, well-defined constitutional body which was in harmony with the sentiments and traditions of the country and the genius of the people. It took a definite and more important place in the body politic of Mysore State not merely because its constitution was based on statute but because its functions, powers and responsibilities.

vii) The members of the House were returned by an electorate four times as large as by direct election. While majority of members represented territorial constituencies, there were also new representatives of minority and special interests under a well-regulated system of election through recognized associations. The result of all these changes, judging from the constituent element which formed the new assembly, was considered satisfactory. The new members were not mere representatives but were

\textsuperscript{45} Legislative Council Manual, Part-III, p.123.
expected to exercise definite functions in respect of legislation, administration and finance.

Inaugurating the reconstituted Representative Assembly and the Legislative Council, His Highness the Maharaja Sri Krishnaraja Wadiyar IV stated, "Representing an enlarged electorate, you have been returned under a wider franchise, in true sense than ever before, and you have far greater opportunities of influencing the decisions of Government in accordance with popular demands. The changes which I am inaugurating to-day are fundamental, providing as they do for a far closer association of the representatives of the people with the administration and affording a freer outlet for their natural and legitimate aspirations than seemed possible a few years ago. You will use your new powers to strengthen all the beneficent activities in the country to spread education, to diffuse knowledge and to foster the civic virtues and the spirit of social service."

Speaking on the role of the representatives, His Highness stated "You must keep in close touch

46. Speeches of Krishnaraja Wadiyar, Address to Joint Session, 12-3-1924."
with the Government and the people and interpret one to the other. In this way, may we hope that the long silence of the depressed and the humble will be broken and full responsibility for their well-being shouldered by the educated and well-to-do classes. Sri Krishnaraja Wadiyar who had evinced keen interest in the progress of the State and his people gave expression that 'it is the ambition of my life to see the people of the State develop self-sustaining qualities, exhibit initiative and enterprise and take a front rank in all progressive movements and activities in the country.

The reformed Legislative Council met on 4th April, 1924 under the presidency of Leen Albion P. Mukherjee and passed the High Court Fee Regulations as an emergent measure. It met again on 23rd June, 1924 for discussion of the budget and continued its sittings for eight days. In exercise of its power to vote on the budget the Council discussed as many as fifty six cut motions but most of them were withdrawn after discussion. Further, leave to introduce nine bills was granted by the

47. Speeches of Krishnaraja Wadiyar, op.cit.
Council, the most important of which were to amend
the Mukerji, the factories and the Press Regulations.

The budget session of the reconstituted Representative Assembly met on 9th June, 1924 and the general principles of the budget were carefully discussed in the Assembly for more than two days and several useful suggestions were made to the Government both in the course of general discussion and the resolutions on the budget. The Government consulted the Assembly in regard to nine bills under their consideration and secured the approval of the assembly to the general principles thereof. Interpellations were asked by the members on a number of important subjects like education, agriculture, medical relief, public health and supplementary questions were also put to elicit more information on many issues.

The Assembly exercised its new power of moving resolutions on matters of public importance for the first time. The agenda for the session included the consideration of one hundred five representations but, for want of time only five of the more important

46. Legislative Council Proceedings, April 1924.
representations were taken up and the Government promised to examine the rest and take suitable action.

Thus the Mysore State which had a record of solid progress in the past behind it was adjusting itself to the new conditions created by the constitutional reforms. The popular voice was making itself more felt in the Government of the country and the mutual adaptation between the Government and the governed was a matter of everyday concern to both. Amidst these conditions the administration of the year marked the beginning of the new era.