

CHAPTER LX.

Krishnaraja Wodeyar IV.

The Mysore State and Federal India—Settlement of certain issues prior to its accession to the Federation.

The preliminaries to be settled before the new India Act can fully take effect are numerous and complicated as not only the British Provinces have to be consulted before they can be placed on a basis of autonomy but also the Indian States. The next stage is that the Parliament should satisfy itself that the statutory provisions have all been properly complied with and then present an address to the King for the issue of the necessary proclamations. These introductory measures must necessarily take some time and it is only after all these formalities are fulfilled that the present anomalous relations existing between the Government of India and the Indian States can disappear.

The Mysore State has already in explicit language expressed its readiness to join the Federation. But at the same time, there are some obstacles in the way which the people of Mysore eagerly wish to be removed before Federation becomes materialised. It may be said that so far as Mysore is concerned, already a sort of Federation exists between it and the Government of India in external affairs, inter-State and Provincial trade, currency, public loans, post and telegraph, railways, labour questions, defence and public health. But the State is also under certain disabilities at present. It possesses no liberty to levy frontier or transit duties. So far back as 1864 the Commissioner of Mysore represented to the Government of India that if Mysore or any other Native State was required by the Paramount Power to surrender such duties, it should receive compensation for doing so from the British Government. But the levy of all import duties was brought to an end by a peremptory order of the Government of India without any compensation in return. When Cotton Excise duties were imposed in British India, there was a similar imposition in the Mysore State at the instance of the Government of India. When,

however, these duties were taken off, Mysore was not consulted and it was left in the invidious position of continuing the levy alone or of facing a serious deficiency in its budget. In the case of silk, the State is placed under a serious handicap. This industry gives employment to nearly 2 lakhs of families. The Mysore State is the largest producer of silk in India amounting nearly to 60 per cent of the total output. The industry is threatened with serious competition from China and Japan. In 1934 the Government of India passed a measure which afforded some protection to this industry against foreign competition. But Mysore had no voice in the matter, though it has the largest production.

Then again, the Indian Taxation Enquiry Committee found on a comparison of the figures for 1913-14 and 1924-25 that in the case of articles of direct consumption there had been an increase in the case of those consumed by the population of India as a whole from Rs. 430 lakhs to Rs. 1746 lakhs or by 307 per cent and in the case of articles mainly of luxury consumed by the richer classes, from Rs. 400 lakhs to Rs. 1416 lakhs or by 254 per cent. On a calculation being made of the burden of this tax on the Mysore State, it was found that in the case of the articles consumed by the poor man alone a new burden had been imposed of approximately Rs. 35 lakhs or $3\frac{1}{2}$ times the burden imposed by the salt tax. Next, in the matter of Exchange, the Mysore State has a serious grievance. It receives part of the Royalties on gold, payments for electric power by the Gold Mining Companies, payments for sandalwood oil and one or two other items of revenue in sterling in London, and the raising of the exchange value of the rupee from one shilling and four pence to one shilling and six pence has caused to the State a loss of about 7 lakhs of Rupees a year. The salt tax is a tax imposed for Imperial purposes upon the State subjects and amounts to about Rs. 10 lakhs a year so far as the Mysore State is concerned. In the Mysore State the British Indian coinage is current, but it gets no share of the profits nor of the interest on the currency reserves. *

* The profits on the coinage of silver, it may be stated, are not treated as revenue but are held as a special Gold Reserve Fund available for maintenance of exchange and they are invested in sterling securities in England.

Next taking the burden of the Subsidy. As Sir Mirza Ismail stated at the meeting of the Representative Assembly held in October 1932, the Davidson Committee while recognising the justice of the abolition of tributes as they were arbitrary and unequal in their incidence on particular States, made a halting recommendation that only that portion of the subsidy paid by a State which exceeded 5 per cent of its annual revenue should be immediately remitted and the remission of the balance might be spread over a period extending to twenty years. This recommendation weighed heavily on Mysore inasmuch as it was the one State which enjoyed no privileges or immunities worth mentioning as a compensation for its payment. It may be said, however, that the question of the abolition of the subsidy as far as Mysore is concerned is not so much a Federal issue as one of political equity. At present these tributes whatever might have been their origin have become archaic and a source of humiliation to the people of the States from whom they are levied.

On the 27th July 1933 at the meeting of the Joint Parliamentary Committee, Sir Mirza Ismail drew the attention of the Secretary of State, Sir Samuel Hoare, to the opinions expressed by the Peel and Davidson Committees that there was no place for cash contributions of unequal incidence paid by certain States as such payments contravened the fundamental principle that contributions to Federal revenues should be on a uniform and equitable basis and asked whether a practice so wholly at variance with principle did not deserve immediate termination. The Secretary of State admitted the justice of Sir Mirza's contention but pleaded want of funds, though it constituted a terrible drain on the resources of the State and though the question had been coming up before the Government of India for nearly a century in one form or another.

The third subject in connection with the entry of Mysore into the Federation is the retrocession of what is known as the Assigned Tract of Bangalore. After the fall of Seringapatam in 1799, a certain number of British troops were maintained there. The place, however, proved unhealthy and thereupon the Madras Government which had the control of the Provincial army selected some lands

near the city of Bangalore for the purpose of locating the troops there and approached the Mysore Durbar for permission to occupy the lands. This was readily granted and on a large vacant ground near the village of Ulsoor some British troops were first settled in 1807. Later, some private dwelling-houses appeared on the fringe of the military lands. The Commanding Officer at the time asked the British Resident in Mysore to inform him as to the tenure, if any, by which individuals held private property adjacent to the Cantonment area. Thereupon the Madras Government wished to fix an imaginary boundary to the Cantonment by extending its limits as they stood then and proposed that the lands given were to be held under certain conditions. Negotiations were then carried on with the Maharaja through A. H. Cole the British Resident at the time. The Maharaja while readily consenting to the proposed conditions disagreed as to the need for any boundary being fixed to the military lands, observing that he was at all times ready to give such extent of land as was needed for the barracks, parades, houses for the accommodation of military officers and similar requirements, but that he could not assign more than was needed as it would mean a considerable loss of revenue to the Durbar. The Madras Government on the advice of the British Resident did not pursue the matter further.

From the preamble of the old title-deeds it is clear that lands for dwelling-houses within the Cantonment area were given by the Commanding Officer only with the approval and the authority of the Maharaja, thus recognising in an indisputable manner the Maharaja's sovereign rights over the military lands. The lands on which the present Civil Station stands were outside the limits and the Commanding Officer had little to do with them. They remained in the possession of the Mysore Government and were disposed of by the officers of that Government without any reference to the Commanding Officer. A civil population which had been attracted by the trade and other opportunities for public and private employment offered by the presence of the British troops began to settle on these lands in growing numbers. The administration of the two areas was not materially affected by the

presence of the British troops as both the military lands and the Civil Station remained under the authority of the State. The police arrangements for the Cantonment were the same as those of a standing camp, that is to say, the Commanding Officer had the power of punishing all persons belonging to the army but he had no authority over the civil population, this power being in the hands of the Foujdar of the Bangalore Division and the Amildar of the Bangalore taluk. In 1811 the Madras Government moved the Durbar through the British Resident for the transfer of the entire civil and criminal jurisdiction over the bazaars and the Cantonment to their Commissariat Department. The Maharaja however was unwilling to make any change in the existing arrangement. But the Madras Government were anxious to secure the police jurisdiction and as a compromise, the Maharaja agreed to appoint a Commissariat officer under his own authority as the Superintendent of Police, Bangalore, and the first Superintendent so appointed was Captain Cubbon who later became the Commissioner of Mysore. To avoid delay in the enquiry and punishment of offences Cubbon was authorised to dispose of all smaller offences committed within the Fort or Cantonment. But all great offences such as robberies of sums above 500 Pagodas were reported to the Foujdar who referred the same to the Maharaja for instructions. The Commissariat officer so appointed was ex-officio head of the police over all persons belonging to the army and in all such cases he was under the control of the Commanding Officer while his power over the non-military classes as Superintendent of Police was derived from the Maharaja. All cases civil and criminal beyond his jurisdiction were required by the Raja's Nirup or order of appointment to be referred to the Mysore authorities, to whom also appeals lay against his decisions. Both in the Cantonment and Civil Station all persons not belonging to the military were treated as subjects of the Mysore State paying their taxes to the Mysore Government and submitting their disputes both civil and criminal to the adjudication of the Mysore officers.

By 1830 the original Cantonment area had gathered importance and when the headquarters of the Mysore Government were

established at Bangalore in 1831, this importance obtained additional significance. When the authority of the Maharaja was vested in a Commissioner in 1831, the Madras Government attempted to take the Cantonment area under their own control by disposing of the lands without any reference to the conditions agreed upon in 1814. But the Government of India soon put an end to this action on the part of the Madras Government by the observation that the rights of the Maharaja had not been alienated and the fact that a Commissioner was in charge of Mysore did not confer any rights on the Madras Government to act in contravention of the terms of the agreement. Strict conformity with the conditions was enjoined and all grants of lands made in the area were ordered to be reported to the Maharaja as before.

Though the Government of India thus set the matter at rest for the time being, it was revived once again in 1858 in a more intensified form. The Madras Government now set up the plea that the Maharaja had transferred all his rights over the area to themselves and that the area had come to be considered as a purely military station from the time when the British troops began to be first stationed there in 1807. This plea elicited a vigorous protest from Sir Mark Cubbon on behalf of the Government of Mysore and he maintained that the terms of the agreement of 1814 and the wordings of the Maharaja's Nirup conclusively negated the claim of the Madras Government. Matters came to a head and both the Governments appealed to the Government of India. The Supreme Government upheld the contention of Sir Mark Cubbon and observed that Bangalore was not like an ordinary British Cantonment but only a military station in a foreign territory where houses were lawfully held under a peculiar tenure from the Raja's Government.

The above arrangements in their entirety remained in force till 1881, when the British Government obtained the entire tract from Chamaraja Wodeyar for the purposes of a British Cantonment under the ninth Article of the Instrument of Transfer and since then it came to be treated as an independent area under the direct control of the Government of India. The sovereignty right of the

Maharaja no doubt is recognised even now. So recently as 1923, Lord Reading the Governor-General who was a great jurist also, when he visited Bangalore in replying to an address presented by the Municipality of the Assigned Tract declared in these memorable words the status of the tract as he viewed it:—"Aspirations to share in the responsibility for the administration and for representation always command my respect. You must however remember that in your case your suggestion is hedged round with difficulties arising out of the history and special conditions of the Assigned Tract. This tract, you are aware, is not British India but is a portion of an Indian State assigned to the Government of India to be held and administered as a military station. The permanent status of the tract is that of an integral part of the Mysore State, though for a special reason the administration of this portion of State territory is carried on by a Resident responsible to the Government of India." Though the civil jurisdiction over the Cantonment was ceded by Chamaraja Wodeyar immediately after he assumed charge of the administration of the State on 25th March 1881, it was not until 1st April 1884 that the Government of India arranged for the full exercise of their jurisdiction over the assigned area.

After the Government of India vested the civil jurisdiction in the Cantonment area in the hands of the British Resident with the powers of a Local Government, complicated questions arose regarding the claim to the surplus revenue that accrued in this tract. Under the Instrument of Transfer, the burden was cast on the Durbar of carrying out in the lands adjoining the British Cantonment all sanitary measures as were considered necessary; similarly, the Durbar was expected to facilitate the supply of provisions and other articles needed for the troops and to exempt from duties and taxes all goods imported or purchased for that purpose. Though these obligations rested on the Durbar, it was not till 1913 that the Mysore Government was able to obtain an explicit declaration when Lord Hardinge was Viceroy that the surplus revenue belonged to the Maharaja's Government.

The growth of political consciousness among the people of Mysore has revealed to them that the situation as it stands a

present is greatly disadvantageous to them. The present area of the Assigned Tract is $13\frac{1}{2}$ square miles containing a group of 15 villages, three times as much as the areas occupied by the cantonments at Secunderabad in the Nizam's State or that of Mhow in the Indore State. The population of the City and the Assigned Tract together combined is 3,06,470, of whom 1,72,357 live in the Assigned Tract made up of 1,24,435 Indians and something under 10,000 including the British troops 1300 and 9678 Europeans and Anglo-Indians. The Cantonment area which originally was an assignment only for military purposes has thus come to assume the character of an Anglo-Indian colony attracting settlers even from distant parts of India on account of the salubrity of its climate and the facilities it affords for the education of Anglo-Indian children. In the light of the facts summarised here, the people of Mysore regard that the restitution of the civil and criminal jurisdiction over the Assigned Tract is an independent issue and its solution need not wait till the Mysore State becomes a partner in the Federation of India.