

## CHAPTER L.

### Krishnaraja Wodeyar IV.

#### **Education—Local Self-Government—Chief Court designated High Court—The Representative Assembly and the Legislative Council—1926—1936.**

The Elementary Education Regulation was passed in the year 1929-30. Its main object was to invest Local Bodies with the management, control and financing of elementary education, while retaining effective powers of supervision, direction and ultimate control over educational policy and administration in the hands of the Education Department. It was a measure of far-reaching importance and the credit of bringing it out belonged to Dewan Bahadur Mr. K. Mathan, Member of the State Council. The Regulation came into force from 1st January 1931 and 12 educational authorities were constituted 8 for the districts, two for the cities of Bangalore and Mysore, 1 for the town of Tumkur and 1 for the Kolar Gold Field Sanitary Board area. School Boards were formed as required by the Regulation and the rules framed defining the powers and duties of the Boards. The District Educational Officers were appointed as School Board Officers under the Regulation.

As an experimental measure, Kanada was made the medium of instruction in one of the Government High Schools in each of the cities of Bangalore and Mysore.

The transfer of control over primary education to the local authorities took effect from 1st July 1931. The Mysore University Regulation was amended in 1933 so as to make the Senate more representative of popular interests.

Scouting continued to be popular. There were on the 30th June 1933 ten thousand six hundred and forty-eight boys getting scout training in all the branches. A contingent of four rovers and a scout were deputed to represent the Mysore Boy Scouts at the world rally at Godollo in Hungary. The Girl Guide Movement was reorganised in May 1932 and there were about 500 Girl Guides at this time.

The District Boards were re-constituted under the new District Board Regulation from 1st February 1927 and the Taluk Boards ceased to exist from that date. The Hassan and Kolar District Boards were given the right to elect their own Presidents and the Tumkur District Board the privilege of electing a Vice-President. Women were given the privilege of voting at elections and women members were nominated to some of these Boards. In the year 1928-29 the Municipal Regulation was amended removing the disqualification of women on the ground of sex from being members of Municipal Councils.

The District Boards extended their operations in directions not hitherto usual to them. The District Board of Chitaldrug started an orphanage in 1929 for providing a house for the board, lodging and training of orphans. The District Board of Kadur established at Chickmagalur a poor house for destitutes. The District Boards of Hassan and Kolar undertook to contribute a portion of the cost of maintenance of the high schools at Hole-Narsipur and Chintamani respectively.

In 1930 the District Board election rules were modified providing for a deposit to be made by every candidate seeking election which was liable to forfeiture in certain cases.

The term of the Malnad Improvement Committee constituted for a period of two years ended in August 1929. Each of the four District Boards of Shimoga, Kadur, Hassan and Mysore now came to have a Malnad Improvement Committee with the President of the Board as chairman and four members of the Board as members of the Committee, with the District Economic Superintendent as Secretary. The Committees possessed the power of co-opting other members for special purposes and were authorised to administer the annual grants allotted for approved schemes of Malnad improvement.

The Regulations relating to local self-government were further revised in 1932-33. The main features of the revision of the Municipal Regulation were the increase in the elected element in

Municipal Councils and the introduction of adult suffrage in the Minor Municipalities.

In 1930 the designation of the Chief Court was changed to that of the High Court of Mysore.

The pension scheme was defective in that it provided no relief in cases where officials died before or soon after retirement. Government therefore sanctioned in 1929 a scheme of compassionate gratuities for the families of officers dying in harness or soon after retirement without enjoying the benefits of their pensions.

The second general election of members to the reformed Representative Assembly took place in 1926. Out of the 1,30,000 persons who were eligible as voters, more than 60,000 persons actually attended the polls. There were as many as 782 candidates who contested the 204 seats reserved for the rural and urban constituencies. The facts indicated that the membership of the Assembly was coming to be sought more and more as affording a valuable opportunity for public service.

A special committee was appointed in 1927 in response to a resolution in the Legislative Council to revise the rules relating to the Representative Assembly and the Legislative Council. As suggested by this committee, it was provided that an oath of allegiance to the Maharaja was to be taken by the members of the Legislative Council on their first entry. Another recommendation of this committee was also accepted, namely, the removal of sex disqualification so as to render women eligible for membership of the Representative Assembly and of the Legislative Council. In June 1930 for the first time some ladies took their seats as members at the Budget Session of the Representative Assembly and the Dewan on behalf of the whole Assembly offered them a warm welcome not only on account of their practical knowledge of many matters of which men were ignorant, not only because of their ready sympathy with all those who were suffering or in distress, but because it was essential to the welfare of Mysore as it was to that of India in general that the women should work hand-in-hand with

the men who could never reach the common goal without their aid. The other changes introduced were:—(1) the inclusion of pleaders as distinguished from the advocates in the Legal Interests constituency of the Representative Assembly and title-holders in the rural and urban constituencies of the Representative Assembly and the Legislative Council and registered graduates in the Mysore University constituency of the Legislative Council; (2) the obligation on the part of those seeking election to the Representative Assembly or the Legislative Council to make a deposit of a fixed sum of money unless exempted in special cases on the ground of being members of the Depressed Classes or candidates for a minority or special interest on penalty of forfeiting the deposits, if the candidates failed to secure at least one-eighth of the total number of valid votes counted; (3) adjudication of disputes relating to elections triable by District Judges instead of by Deputy Commissioners, subject further to an appeal to the Chief Court on points of law; and (4) permission to the members of the Representative Assembly and the Legislative Council to put questions and move resolutions in the respective bodies on matters relating to or affecting the provisions of the Representative Assembly and the Legislative Council Regulations.

The year 1931 was the year of the Golden Jubilee of the Representative Assembly which, as we know, came into existence in the year 1881. Sir M. N. Krishna Rao who was acting as Dewan at the time referred to the Assembly as the oldest political institution of elected representatives in India and also as having contributed in no small measure to the success and high standard of administration of the State.

In June 1932 a special committee was appointed to review the existing distribution of seats allowed to the Representative Assembly and to examine certain other questions referred to it. The committee on investigation proposed that the number of seats to be given to a taluk or sub-taluk should depend upon its population, weightage being given to the Malnad taluks and to the taluk of Molakalmuru on account of its remoteness. The committee also proposed some re-adjustment in the number of seats allotted

to special interests and recommended that the seats for women should be increased from 2 to 4. As regards the minorities, the committee recommended the increase of Muslim seats from 15 to 18 and those of the Depressed Classes from 6 to 10, the latter being contingent on suitable persons being available for nomination. Among other matters, the committee recommended that the system of proportional representation by means of the single transferrable vote should be introduced for the election of members from the Representative Assembly to the Legislative Council and for the election of Representative Assembly members from the city constituencies of Bangalore and Mysore. These recommendations were accepted by Government and brought into effect.

In the year 1934 a constitutional question of some delicacy arose. At the meeting of the Budget Session of the Legislative Council of that year, one of the members Mr. D. V. Gundappa wished to move the following resolutions and interpellations :

1. This Council recommends to the Government of His Highness the Maharaja of Mysore that they may be pleased to appoint a committee at an early date to frame and submit, after consulting public opinion, a comprehensive scheme of constitutional reforms with a view to expedite progress in the direction of Responsible Government.
2. This Council recommends to the Government of His Highness the Maharaja of Mysore that they may be pleased to appoint a Standing Committee to consider all questions pertaining to the entry of Mysore into an All-India Federation and to make suggestions thereupon to Government from time to time.

The interpellations were :

1. Will the Government be pleased to state: (a) What action they have so far taken to secure for the State and the citizens the utmost possible benefit of the abrogation of the Article 18 of the Mysore Treaty of 1913 announced by His Excellency the

Viceroy in December 1933; and (b) what action they propose to take hereafter towards that end?

2. Will the Government be pleased to State: (a) whether they were consulted by the Government of India or by His Majesty's Secretary of State for India as to the necessity for the legislative measure called the Indian States Protection Act passed by the Indian Legislative Assembly in April 1934; (b) and if consulted, what opinion they were pleased to give in reply; and (c) whether the Government of Mysore have at any time expressed a desire for such a measure of protection?

3. (a) Will the Government be pleased to lay on the table a copy of the agreement between the State and the Government of India as regards the adjustment of the surplus revenues of the Assigned Tract of Bangalore? (b) Will the Government be pleased to state how this agreement will be affected by the terms of the proposed retrocession of the said Assigned Tract to the State of Mysore?

These questions were, however, disallowed by the President of the Legislative Council who was also the Dewan of the State. Mr. Gundappa being dissatisfied with the ruling of the President, thereupon wrote an article in the "Hindu" newspaper of Madras of 23rd June 1934, discussing whether it was permissible for a member of the Legislative Council to give publicity to matters not admitted into the agenda by the President of the House. Where the President was a person, said Mr. Gundappa in his article, who might represent all sections of the House and who might fairly be taken to give due consideration to every school of thought present in the House, it was proper that the decision should be accepted as binding every member not only in relation to his conduct on the floor of the House but in relation to all his proceedings outside the House also on matters which he sought to place before the House. The supreme maxim, according to Mr. Gundappa, in this as in other matters was that the highest and the largest public interest should prevail, and when the discretion was vested in the President, the presumption was that his decisions, welcome or

unwelcome to individual members, were actuated by considerations of nothing less than the highest and the largest public interest. The President's authority was in such matters final, because the President might be presumed to have taken into consideration all conceivable points of view and after deliberation to have upheld in the end that which appeared to him as best in the interests of the public. This general principle was, however, open to modification where the President was not one who could be presumed to represent all sections of the House and was one who might reasonably be presumed to be identified with one point of view more than with other possible viewpoints. The President of the Mysore Legislative Council was not a member elected by the vote of the House and that therefore was not entitled to be regarded as the representative of the entire House in relation to those matters on which there was any sharp cleavage of opinion in the House. He was, besides, the head of the executive administration of the State. Holding this view, the member felt that he had liberty to give publicity to the resolutions and interpellations which he wished to bring forward in the House.

It need not be said that the conventions and principles referred to by Mr. Gundappa can have their full application only in countries which have full political independence. But in British India or in the Native States, they have obvious limitations as matters stand at present. On the concluding day of the Birthday Session of the Representative Assembly in June 1934, Sir Mirza Ismail referred to this subject and had apparently these limitations in mind when he said :—“ Improve by all means what you have got when any improvement is needed, but attempt no radical changes. Let us, like practical men, check our ideals by actualities. There lies our success and happiness.”