

CHAPTER LIII.

Krishnaraja Wodeyar IV.

Montagu-Chelmsford Reforms—Constitution of the Chamber of Princes—The Butler Commission and its Report.

After the conclusion of the German War, the British Government decided to adopt a new policy in relation to British India and the Indian States. Edwin Montagu, Secretary of State for India, announced in the House of Commons on the 20th August 1917 that it was intended to increase the association of Indians in every branch of the administration and gradually to develop self-governing institutions for the progressive realisation of responsible Government in India as an integral part of the British Empire. A further announcement was also made that in order to have a free and informal exchange of opinions on the subject, the Secretary of State was himself visiting India.

Shortly after, Montagu arrived in India and a joint investigation by him and Lord Chelmsford the Viceroy was carried out by touring in all parts of the country and a joint report was submitted by them to Parliament. In 1919 a new Government of India Act was passed by Parliament.

Prior to 1919, there was no defined and authoritative distribution of business between the Central Government and the Governments of the British Indian Provinces. The Government of India was responsible for the whole country and necessarily kept certain classes of business in its own hands such as the Army, Relations with Asiatic countries and with most of the Indian States. It also controlled Currency and Exchange, Public Debts, Tariffs, Post Office, Telegraph and Railways. In certain spheres such as Education, Police, Land Revenue, Public Health, the Government of India shared responsibility with the Provincial Governments. The Central Government was prior to 1919, more or less, a closely compacted official machine and generally autocratic. The Parliamentary Act of 1919 introduced a demarca-

tion of business between the Central and Provincial Governments and entrusted to the latter full control over certain subjects comprised within their sphere of action. New Legislative Councils were set up in all the major Provinces on a unicameral and triennial basis, elected for the greater part on a general franchise from territorial constituencies. In these Councils the element of responsibility was restricted to certain specified subjects, thereby creating what was called a dyarchical form of Government designating some departments of Government as 'Transferred', while others were regarded as 'Reserved'. At the Centre a bi-cameral Legislature was set up in which the Upper and the Lower Houses, namely, the Council of State and the Legislative Assembly were each given a majority of elected members with powers as to legislation, finance and interpellation, but without the power to change the executive government which remained solely responsible to the Governor-General and through him to the Secretary of State and Parliament.

With regard to the Native States, the powers of the Government of India were obviously not so wide as those over the Provincial Governments. No doubt the British Crown was regarded as possessing general supremacy over the Native States on the ground that the security which the Ruling Princes enjoyed was due ultimately to the protecting power of the British Government. In Lord Reading's words, where imperial interests were concerned or the general welfare of the people of the State was seriously or grievously affected, the ultimate responsibility for taking remedial action rested with the Paramount Power.

The Princes were fully aware of their obligations to the Paramount Power. But their anxiety lay in other directions. They found that a body of political usage was gradually growing up based on the precedents and rulings of the Political Department of the Government of India which were often in conflict with their rights as secured to them by their treaties. The financial and economic relations between British India and the Indian States were vague and various fiscal burdens were also found indirectly thrown on the States without their having any

voice in the matter. Indeed, shortly after Montagu's pronouncement in the Parliament, Sir M. Visvesvaraya who was then Dewan of Mysore took occasion at the Dasara Session of the Representative Assembly held in October of the same year to observe that the Native States had a direct interest in the reforms proposed for British India, the subjects of Indian States being affected quite as much as the people of British India, especially in questions connected with Currency, Fiscal and Commercial Autonomy, Salt duties, Emigration, Army, Navy and Foreign Affairs and he claimed on that score an effective voice for the States in the Councils of the Empire.

The Montagu-Chelmsford Report conceded, as a result of the enquiries made, the claim of the Indian States for a share in the deliberations of the Government of India in matters such as those referred to by the Dewan of Mysore. The Report also contained a recommendation for the creation of a Chamber of Princes as a permanent consultative body. Accordingly in 1920 a Chamber of this kind was inaugurated in which the leading Princes were made members in their own right, while the rest elected their representatives. The inauguration ceremony was performed by the Duke of Connaught in February 1921 and the Royal Proclamation then read formally marked the abandonment of the policy of isolation of the Princes from the Central Government of the country. It may be noted here that Lord Chelmsford had before the Act of 1919 was passed, adopted the policy of establishing direct relations with all the Indian States instead of several of them remaining under the political control of the Provincial Governments.

The Act of 1919, however, was regarded by several of the Princes as further adding to their anxiety and they desired to know whether in case a self-governing constitution was given to British India or for India as a whole, this new constitution was to have the conduct of the political relations which existed between them and the Government of India and what safeguards there would be for their sovereignty or in other words, whether the States would continue as before to deal with the Governor-General in Council

who was responsible to the Government in England or whether their relations were to be transferred to the executive government responsible to the Indian Legislature. The Government of India appreciating the point of view from which the Princes looked at the proposed reforms undertook a revision of the methods of carrying on political business with them, especially in relation to their treaty rights, and the same Government also started a codification of political practices as they existed both in the Government of India Secretariat as well as outside in consultation with the Standing Committee of the Chamber of Princes. A special committee was also appointed by the Secretary of State for India with Sir Harcourt Butler as chairman to report, firstly, upon the relationship between the Paramount Power and the Indian States with particular reference to the rights and obligations arising from treaties, engagements, sannads, usage or other causes, secondly, to enquire into the financial and economic relations existing between British India and the States and lastly, to make any recommendations that they deemed advisable or necessary for a more satisfactory adjustment of all such relations for the future.

This special committee first assembled at Delhi in the middle of January 1928 and held informal conferences and consultations with the Government of India and with the Indian Princes and their ministers. They also visited some of the larger and more important States including Mysore. The members of the committee sailed from Bombay for England and reached London in the early part of May. Several of the Princes also led by the Maharaja of Patiala, Chancellor of the Chamber of Princes, visited England and presented their case before the special committee through Sir Leslie Scott whom they employed as their legal adviser. The Mysore State was not represented by any counsel but sent a separate reply of its own to the questionnaire issued by the committee, as also did Hyderabad and a number of other States. The representations of the counsel on behalf of the Princes in England sought to establish the defectiveness of the political machinery as it then existed on some main points. In the first place, it gave the States no share in the determination of policy

affecting their relations with the Paramount Power as well as in matters of mutual concern to them and to British India and in the next place, it provided no impartial method of arriving at decisions when differences arose between them and the British Government or when questions arose regarding the proper interpretation of their treaties.

The Butler Committee completed their report in 1929. They were of opinion that Paramountcy vested in the Crown and that it was difficult to devise a proper formula that would define its scope. Paramountcy must, they said, be paramount in the interests of the Princes themselves. This committee also recognised that the policy of discriminating protection adopted by the Government of India had raised the revenue from maritime customs from 5 to nearly 50 crores of rupees, thereby reducing the taxable capacity of the subjects of the States and created a situation in which the States were entitled for relief.