

AN EVENTFUL CENTURY OF LEGISLATIVE BODIES

- The people of Kerala had acquaintance with democratic institutions and experience in representative form of government much before India attained independence. The progress of education among the people, their increased awareness and interest in public affairs have been major factors which accelerated the evolution of political parties in the State. Kerala can take legitimate pride in having made a rich contribution to the parliamentary system of government.

The Legislative bodies of Kerala had three parallel courses of development in the three regions of the state namely Travancore, Cochin and Malabar until they were merged together on November 1, 1956 to form the State of Kerala; Travancore and Cochin were princely states and Malabar was a district of the neighbouring Madras Province. The Kingdom of Travancore is the larger unit of modern Kerala and it forms the southernmost portion of the west coast of India.

The rulers of Travancore have from early times shown a desire to allow their subjects to participate in the management of public affairs. In fact, Travancore was the earliest among the Indian states to establish democratic institutions to associate the people with the administration. On March 30, 1888 Sri Mulam Thirunal Rama Varma, the Maharaja of Travancore passed a regulation establishing a Council for the purpose of making laws and regulations. The Council had eight members, six officials and two non-officials who were nominated by the Maharaja and was presided over by the Dewan. The tenure of the Council was three years. The inaugural meeting of the Council was held at 12 noon on Thursday the 23rd August 1888 in the Dewan's room. The Council was a deliberative body for purposes of legislation and had no administrative function. Its functions were mainly of an advisory nature. Nevertheless the establishment of the council was a very significant and bold step. "Travancore was the first among the native states in India to recognise the value of a Legislative Council as an indispensable adjunct to a civilised and enlightened Government."

Hardly three years after the establishment of the Legislative Council, an event of far reaching significance occurred in Travancore. The people demanded for the first time a share in the government of the State. More than ten thousand people of the State including top ranking men of all prominent communities signed a memorial in 1891 and submitted it to the Maharaja of Travancore. Through the memorial which came to be known as the "Malayali memorial", the people highlighted "the denial to them of a fair share in the Government of the country and their systematic exclusion from the higher grades of its services." It was the beginning of a series of popular agitations in the State which eventually resulted in the establishment of responsible Government in the State.

Ten years after the formation of the Travancore Legislative Council another Regulation was passed on March 21, 1898. By this regulation the membership of the Council was raised to 15. The proportion of non-officials was fixed as two fifth of the total number of members. Thus out of the 15 members in the Council,

9 were to be officials and 6 non-officials. The new Regulation contained clear provisions regarding the constitution and the nature of business to be transacted by the Council. It excluded certain subjects from the cognisance of the Council and empowered the executive to enact laws for the purpose.

The year 1904 is another landmark in the history of the legislative bodies in the state. It was in that year that the Maharaja took another significant step to associate the people with the administration by creating the Sri Mulam Popular Assembly of Travancore in addition to the Legislative Council. It was "an assembly of the representatives of the landholders and merchants in the country." The object of the Maharaja in calling this Assembly into existence was "to give the people an opportunity of bringing to the notice of Government their requirements, wishes or grievances on the one hand, and on the other, to make the policy and measures of Government better known to the people so that all possible grounds of misconception in regard to the actions of the Government may be removed." According to the original order of 1904 constituting the Assembly, the members of the Sri Mulam Popular Assembly were to be selected by the Division Peishcars, i.e. the heads of Districts, two representatives of the agricultural, trading and industrial interests being chosen for each taluk, from among the landholders who pay on their own account an annual land revenue of not less than Rs. 100 and landholders or traders whose net annual income was Rs. 6,000 or above.

The first meeting of the Sri Mulam Popular Assembly was held on October 22, 1904 in the Victoria Jubilee Town Hall, Trivandrum. The members were then nominated by the Government from among the agricultural, trading, industrial and other classes. From the second year the privilege of electing members to the Assembly was granted to the people, and a set of rules regulating the constitution and conduct of business of the Assembly was issued on May 1, 1905. The total number of members in the Assembly was 100 and the membership was only for a year. 77 of the members were elected and the remaining 23 were nominated by the Government to represent any interest or community which might otherwise fail to get representation. Every person who paid on his account an annual land revenue of not less than Rs. 50 or whose net income was not less than Rs. 2,000 and every graduate of a recognised University, of not less than ten years standing and having his residence in the taluk was given the right to vote. In addition to the general constituencies, the Municipal Councils, the Planters Associations, the mercantile and trading classes and the land lords were also allowed to return representatives to the Assembly.

The Sri Mulam Popular Assembly, though not a lawmaking body, became in course of time a powerful forum for expression of popular feelings on matters of administration. Each member was allowed to bring forward two subjects for representation before the Assembly. Representations were repeatedly made for the enlargement of the strength, powers and functions of the Legislative Council and for the conferring on the Assembly of the right to elect a fair proportion of non-official members to the Legislative Council. The Government made favourable response to their wishes and in 1907 the Assembly was enabled to select four members to the Legislative Council.

The Legislative Council was remodelled in 1919 in order "to give the people a greater share in the work of administration and to enhance the sphere of usefulness of the Legislative Council by giving the Council a broader basis and larger powers." The strength of the Council was raised to a maximum of 25 and a bare official majority was provided for. Eight of the eleven non-official seats were thrown open for election thereby introducing for the first time an elected element

- in the Council. The right to discuss the annual budget and the right to ask interpellations were conceded. In October 1921 the composition and character of the Council underwent further changes. The strength of the council was raised to fifty, of whom 28 were to be elected and 22 nominated. Among the nominated members 7 were to be non-officials. Provision was thus made for a non-official majority in the Council. A Deputy President, not necessarily an official was also appointed to preside at the meetings of the Council in the absence of the President, who was the Dewan. The members were given the right to vote on the budget demands subject to certain limitations, to move resolutions on matters of public interest, to ask supplementary questions and to bring motions for adjournment. Again in 1930 by an amendment of the Regulation governing the Legislative Council, freedom of speech was guaranteed in the Council.

On October 28, 1932 the Maharaja of Travancore, Sri Chithira Thirunal introduced a major reform through the promulgation of the Travancore Legislative Reforms Regulation II of 1108. The Sri Mulam Popular Assembly and the Legislative Council were abolished and a new bicameral legislature was created on January 1, 1933. The Lower House was called the Sri Mulam Assembly and the Upper House the Sri Chitra State Council. The Assembly consisted of 72 members of whom 62 were non-officials and the Council had 37 members of whom 27 were non-officials. Of the 72 members of the Assembly, 43 were elected by general constituencies and 5 from special constituencies. 14 seats in the Assembly were reserved for minority Communities. In the Council, out of the 27 non-official members, 16 members were elected from general territorial constituencies and 6 from special constituencies. Five members were nominated by the Government.

The powers, privileges and functions of the Legislature were enhanced. The Dewan was the ex-officio President of both the Houses. The Assembly elected its own Deputy President. The Assembly was given the right to vote on Demands for Grants and to reduce or to omit any item of the demands. The right of asking supplementary questions which was reserved for the member asking questions was extended to all members. Provision was also made for the creation of a Public Accounts Committee to deal with the audit and appropriation of the Accounts of the Government, thereby giving the legislature for the first time a chance to expose the irregularities and misappropriation on the part of the executive.

The bicameral legislature continued till September 4, 1947 when the Maharaja proclaimed the establishment of responsible government in Travancore. The new Assembly called the Representative Body was to function as the Constituent Assembly of Travancore. It had 120 members elected on the basis of adult franchise. The Constituent Assembly held its first sitting on March 20, 1948 and Shri A. J. John was elected its first President. At that meeting the Constituent Assembly expressed the desire to be invested with powers and functions of a Legislative Assembly and to have a ministry responsible to it. In accordance with that desire the Travancore Interim Constitution Act, was promulgated by the Maharaja on March 24, 1948 with provision for a Council of Ministers headed by a Prime Minister. The Council of Ministers was made collectively responsible to the Assembly and the Maharaja became a constitutional head. Shri Pattam Thanu Pillai became the first Prime Minister of Travancore on March 24, 1948, and he held the post till October 22, 1948. Shri Parur T. K. Narayana Pillai succeeded him and he was the Prime Minister of Travancore till July 1, 1949 when Travancore and Cochin were integrated.

In the neighbouring Princely State of Cochin the first Legislative Council was inaugurated in April 1925 under the Cochin Legislative Council Regulation promulgated in 1923. The Council had 45 members, 30 elected and 15 nominated. The franchise was based upon property, qualification and in addition to general constituencies, certain special constituencies were created to represent interests like those of landlords, planters etc. The Council was allowed to introduce Bills, to elicit information from Government through interpellations, to move resolutions and to discuss and vote on the Budget demands. In 1932 the strength of the Council was increased to 36 elected members and 18 nominated members. In 1935 four Standing Advisory Committees of the Legislative Council were constituted. In 1938 a system of diarchy was introduced in Cochin under the Government of Cochin Act, 1938 by which a member of Legislature was appointed as Minister to administer certain transferred subjects. Shri Ambat Sivarama Menon was appointed Minister for Rural Development and on his death Dr. A. R. Menon was sworn in as Minister on September 5, 1938. Dr. Menon resigned on February 25, 1942 in the wake of a no-confidence motion. He was succeeded by Shri T. K. Nair.

In 1946, the number of Ministers in Cochin was raised to four and more subjects were transferred. The first popular ministry of Cochin consisting of Shri Panampilly Govinda Menon, Shri C. R. Iyyunni, Shri K. Ayyappan and Shri T. K. Nair assumed office on September 9, 1946. On August 14, 1947 the Maharaja of Cochin announced his decision to grant full responsible government. A Council of Ministers with Shri Panampilly Govinda Menon as Prime Minister assumed office on September 1, 1947 and remained in power till October 22, 1947. Subsequently a Council of Ministers with Shri T. K. Nair as Prime Minister was formed on October 27, 1947 and it continued till September 20, 1948. In 1948, adult franchise was introduced and Legislative Council was termed Legislative Assembly. After the general elections a popular ministry, headed by Shri Ikkanda Warriar was formed on September 20, 1948 and it remained in office till the integration of Travancore and Cochin on July 1, 1949.

Travancore and Cochin were integrated on July 1, 1949. The Maharaja of Travancore became the Head of the State or the Rajpramukh of the new State of Travancore-Cochin. The Legislative Assembly was composed of members of the representative body of Travancore and the Legislative Assembly of Cochin. The Ministers of Travancore and Cochin continued as Ministers of the new State. The Chief Minister of Travancore Shri Parur T. K. Narayana Pillai became the Chief Minister of the new integrated State. Shri T. M. Varghese was elected as the Speaker of the new Assembly at its meeting held on July 11, 1949.

General elections were held in Travancore-Cochin in December, 1951 and the Indian National Congress formed a ministry headed by Shri A. J. John. This Ministry which assumed office on March 12, 1952 was voted out on September 23, 1953. The Assembly was dissolved the next day. In the elections subsequently held in January 1954 as no single party could secure a majority, the 19 member Praja Socialist Party headed by Shri Pattom Thanu Pillai formed a ministry with the support of the Congress Party which had 45 members. This ministry fell in February 1955 when it was defeated in the Legislature. Shri Panampilly Govinda Menon, leader of the Indian National Congress formed the ministry. This Cabinet was in power till March 23, 1956 when due to the resignation of six members of the ruling party it lost its majority in the Assembly. President's rule was imposed for the first time on the advice of the Rajpramukh and the Assembly was also dissolved.

Malabar region was a district of the Madras Province under the British rule and it continued to be so under the Madras State after independence. The Malabar District was being represented in the Madras Legislative Assembly from 1920's onwards. In the elections to the Madras Legislature held in 1936 almost all the Congress candidates from Malabar were elected. Shri Kongattil Raman Menon served as a minister in the Rajagopalachari Cabinet during 1937-39. In the first general elections to the Legislative Assembly held in 1951, Malabar had returned 29 members to the Madras Legislative Assembly.

The State of Kerala was formed on November 1, 1956 with the merger of Travancore-Cochin and Malabar. Under the States Re-organisation Act of 1956 the Southern Taluks of Tovala, Agastiswaram, Kalkulam and Vilavancode and a part of Shenkottah Taluk were separated from Travancore-Cochin and included in the Madras (now Tamil Nadu) State. The District of Malabar and the Kasaragod Taluk of South Kanara District were added to Travancore-Cochin to form the new State of Kerala. The first general elections to the Kerala Legislative Assembly were held in February-March 1957. There were 126 seats for the Assembly. The first Communist Ministry in India came to power on April 5, 1957 under the Chief Ministership of Shri E. M. S. Namboodiripad. Shri Sankaranarayanan Thampi was elected as the Speaker of the first Kerala Legislative Assembly.

The "Liberation struggle" launched by the opposition parties and others brought about the downfall of the E. M. S. Ministry. On July 31, 1959 the President dismissed the ministry and dissolved the Assembly. The State went under President's rule. In the elections held in February 1960 the Congress Party which had forged an alliance with the Praja Socialist Party and the Muslim League secured majority and the first coalition ministry came to power in the State. Shri Pattom Thanu Pillai of the Praja Socialist Party became the Chief Minister. Shri K. M. Seethi Sahib was elected Speaker on March 12, 1960. Following his sudden demise on April 17, 1961, Shri C. H. Mohammed Koya was elected Speaker on June 9, 1961. Shri Koya resigned on November 10, 1961 and Shri Alexander Parambithara was elected as Speaker on December 13, 1961. When Shri Pattom Thanu Pillai was appointed as the Governor of Punjab, the P. S. P. quit the coalition. Shri R. Sankar, leader of the Congress Legislative Party became the Chief Minister. This ministry fell two years later, in September, 1964. President's rule was imposed on September 10, 1964 and the Assembly was dissolved. In the elections to the Assembly held in 1965 no party could get majority to form a Government. President's rule continued till March 1967.

In the general elections held in March 1967 a United Front led by the C.P.I. (M) was voted to power and Shri E.M.S. Namboodiripad formed a coalition ministry. Shri D. Damodaran Potti was elected Speaker of the Assembly. The ministry soon ran into rough weather as some ministers of coalition parties resigned. The Ministry resigned on November 1, 1969. A realignment of political parties soon followed and a coalition ministry under the leadership of Shri C. Achutha Menon of the C.P.I. was formed. In order to seek a fresh mandate from the people the Assembly was dissolved on June 26, 1970. The ministry resigned on August 1, 1970 and the State once again came under the President's rule.

Elections were held on September 17, 1970 and the United Front was returned to power. Shri C. Achutha Menon formed the ministry again and assumed office on October 4, 1970. Shri Moideenkutty Haji was elected as the Speaker. Shri Haji resigned on May 8, 1975 and Shri R. S. Unni, Deputy Speaker performed

the duties of the Speaker till the election of Shri T. S. John as Speaker on February 17, 1976. The life of the Assembly was extended for about 18 months in three stages and the Assembly continued till March 22, 1977.

In the next general elections held in March 1977 a United Front headed by Shri K. Karunakaran came to power. Shri Chakkeeri Ahamed Kutty was elected Speaker on March 28, 1977. Shri Karunakaran resigned on April 25, 1977 and Shri A. K. Antony assumed office as Chief Minister on April 27, 1977. When Shri Antony resigned on October 27, 1978 the Chief Ministership passed on to Shri P. K. Vasudevan Nair of the C. P. I. His ministry quit office on October 7, 1979. Thereupon a Ministry under the leadership of Shri C. H. Mohammed Koya was sworn in on October 12, 1979. That Ministry also resigned on December 1, 1979. The Assembly was dissolved and the State was placed under President's rule on December 5, 1979.

Elections were again held on January 21, 1980. The Left Democratic Front led by the Communist Party of India (Marxist) secured majority and a ministry headed by Shri E. K. Nayanar came to power on January 25, 1980. Shri A. P. Kurian was elected Speaker on February 15, 1980. When the partners of the L.D.F., the Indian National Congress (U) and the Kerala Congress withdrew their support, the Nayanar Ministry resigned on October 20, 1981. The State again came under President's rule and the Assembly was kept under suspended animation. Subsequently a political realignment took place. A new ministry under the leadership of Shri K. Karunakaran assumed office on December 28, 1981. Shri A. P. Kurian resigned on February 1, 1982 and Shri A. C. Jose was elected Speaker on February 3, 1982. Both the Ruling Front and the Opposition had Seventy members each. Following the withdrawal of support to the ruling front by one member, the ministry resigned on March 17, 1982. The Assembly was dissolved and the State was placed under President's rule.

Kerala went to poll on May 19, 1982. The United Front led by the Indian National Congress was voted to power. Shri K. Karunakaran was sworn in as Chief Minister on May 24, 1982. Shri Vakkom Purushothaman was elected Speaker on June 24, 1982. Following his elections to the Lok Sabha in December 1984 Shri V. M. Sudheeran was elected as Speaker in March 1985. The Ministry headed by Shri K. Karunakaran completed its term and resigned on March 25, 1987 immediately after the general elections.

Elections for the Eighth Kerala Legislative Assembly were held on March 23, 1987. The Left Democratic Front led by the Communist Party of India (Marxist) was voted to power. The Ministry headed by Shri E. K. Nayanar assumed office on March 26, 1987. Shri Varkala Radhakrishnan was elected Speaker on March 30, 1987.

The evolution of the Legislative bodies in Kerala over the hundred years is closely linked with the hopes and aspirations of the people of the State. The progress of education among the people and their political awareness have been the main factors that made possible the achievements of the legislative bodies over these years. The enlightened administration in the former Princely States have also played their part in this endeavour. Travancore Legislative Council was constituted as early as in 1888 and "Travancore was the first among the native States of India to recognise the value of a Legislative Council as an indispensable adjunct to a civilised and enlightened Government." The Sri Mulam Popular Assembly, though devoid of any legal power, served as a powerful forum for expression of people's feelings. During the course of the years the powers, privileges and functions of the Legislature were enhanced. In

Cochin also the administration adopted a farsighted policy to meet the democratic aspirations of the people. A popular minister was appointed in Cochin early in 1938. Thus when the State of Kerala was formed in 1956 Parliamentary tradition had already taken deep roots in the State.

The Kerala Legislative Assembly had some remarkable achievements especially in the Legislative sphere. The series of land reforms measures introduced in Kerala have helped in accelerating the pace of social and economic progress of the state. Among the other progressive and notable Regulations are the labour laws affecting workers in various occupations and the laws to reorient education at all levels in the state. Acts establishing the Cochin University of Science and Technology, Kerala Agricultural University, Calicut University and Mahatma Gandhi University have been passed to broadbase the University education in the State. Quite a number of Welfare measures have been enacted affecting workers in various occupations such as agricultural workers, cashew workers, headload workers, handloom workers, coir workers, construction workers etc.

The Standing Committees of the Kerala Legislative Assembly have been functioning effectively. The financial committees, petitions committee, committee on the welfare of scheduled castes and scheduled tribes have all done commendable work and their reports have helped a great deal to ensure administrative accountability and to help the weaker sections of the people. In the field of parliamentary reform, Kerala has given a unique contribution by introducing the Subject Committees. The Subject Committees have been functioning as effective instruments of Legislature's control over executive functioning.

Over the years the Legislative bodies of Kerala have established high traditions of Parliamentary practices and they have served as instruments for political democracy as well as for social change. The progressive socio-economic measures initiated by these bodies have helped in ushering in a new era of development in the State.

VENUES OF LEGISLATIVE BODY MEETINGS



Front view of the Dewan's Chamber, North Block, Secretariat Main Building where the first meeting of the Travancore Legislative Council was held on August 23, 1888.



Another view of V. J. T. Hall



Cochin Legislative Assembly Building which is now the Government Law College, Ernakulam.

THE INAUGURAL SESSION OF THE COCHIN LEGISLATIVE COUNCIL

(April 3, 1925)

The inaugural session of the Cochin Legislative Council was held in the Darbar Hall of the Hill Palace at 2.30 p.m. on Friday the 21st of Meenam 1100, corresponding to the 3rd of April 1925. His Highness the Maharaja of Cochin graced the occasion with his presence; so too Mr. C.W.E. Cotton C.I.E., I.C.S., the Agent to the Governor General. There were also present His Highness the Elaya Raja of Cochin, M. R. Ry. Paliyat Valiya Achchan, Avl., the Syrian Metropolitan of Malabar and Archbishop of Ernakulam, the Bishop of Trichur, the important officers of the State, a few of its leading gentry, Sreemati V.K. Parukkutti Naithyamma, the Consort of His Highness the Maharaja, and other prominent ladies.

The members of the Council, except Dr. A. R. Menon who was absent, first met in the lower hall. After the President of the Council himself took and subscribed the prescribed oath, the members, one after another, did the same. They next went up to the Darbar Hall.