

The Government of Mysore Act, 1940

ACT No. XVIII OF 1940

**(PROMULGATED BY HIS HIGHNESS THE MAHARAJA ON THE THIRTIETH DAY OF
APRIL, 1940)**

WHEREAS His Highness the Maharaja has been pleased, under a Proclamation issued on the sixth day of November, 1939, to ordain that the Representative Assembly and the Legislative Council shall function under a consolidated law relating to the constitution of Mysore, and

WHEREAS it is expedient to consolidate and amend the laws relating to the Government of Mysore,

His Highness the Maharaja is pleased to enact as follows:-

CHAPTER I.

INTRODUCTORY.

Short title.

GOM.1

1. This Act may be cited as the Government of Mysore Act, 1940.

Extent.

GOM.2

2. This Act extends to the whole of Mysore.

Interpretation.

GOM.3

3. In this Act, unless the context otherwise requires, the expressions "Chamber" or "Chambers" shall mean the Representative Assembly or the Legislative Council or both, as the case may be.

CHAPTER II

THE EXECUTIVE.

Council of ministers.

GOM.4

4. (1) There shall be a council of ministers consisting of the Dewan and such number of ministers, not being less than four, as His Highness the Maharaja may determine to aid and advise His Highness the Maharaja in the exercise of the executive authority of the State.

(2) The council of ministers shall not be disqualified for the transaction of business by reason of any vacancy or vacancies among the members thereof.

Appointment of the Dewan

GOM.5

5. (1) The Dewan shall be appointed by His Highness the Maharaja, and shall hold office during the pleasure of His Highness the Maharaja.

(2) The Dewan shall preside at meetings of the council of ministers.

Appointment of ministers.

GOM.6

6. (1) The ministers shall be appointed by His Highness the Maharaja and shall be sworn as members of the council of ministers.

(2) Two at least of the ministers shall be chosen from among the elected members of the Representative Assembly or the Legislative Council.

Tenure of office of ministers.

GOM.7

7. (1) The ministers shall hold office during the pleasure of His Highness the Maharaja.

(2) A minister chosen from either Chamber shall vacate office if he ceases to be a member of such Chamber:

Provided that, when such minister vacates office owing to the dissolution of a Chamber, His Highness the Maharaja may, notwithstanding anything contained in sub section (2) of section 6, direct that such minister do continue in office, or appoint such other person as His Highness the Maharaja may deem fit to be the minister, until a minister is appointed in accordance with the provisions of sub-section (2) of section 6.

Conduct of business of the Government of His Highness the Maharaja.

GOM.8

8. (1) All executive action shall be expressed to be taken in the name of the Government of His Highness the Maharaja of Mysore.

(2) Orders and other instruments made and executed in the name of the Government of His Highness the Maharaja of Mysore shall be authenticated in such manner as may be specified in rules to be made by the Government, and the validity of any order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Government.

(3) His Highness the Maharaja may make rules for the more convenient transaction of the business of the Government, and for the allocation of the said business among the Dewan and the ministers.

CHAPTER III

THE REPRESENTATIVE ASSEMBLY AND THE LEGISLATIVE COUNCIL.

GENERAL.

Constitution of the Representative Assembly and the Legislative Council.

GOM.9

9. There shall be a Representative Assembly and a Legislative Council for Mysore.

Composition of the Representative Assembly

GOM.10

10. The Representative Assembly shall consist ordinarily of three hundred and ten members, of whom twelve shall be nominated by the Government and the remainder elected in accordance with rules made under this Act;

Provided that-

(a) the Government may increase the strength of the Representative Assembly up to a maximum of three hundred and twenty-five in order to provide for the representation of any new constituencies that may be formed in future; and

(b) such officers of the Government as may from time to time be deputed for the purpose may attend the sittings of the Representative Assembly and take part in its proceedings, but shall not have the right to vote.

Composition of the Legislative Council.

GOM.11

11. (1) The Legislative Council shall consist of sixty eight members, of whom twenty-four shall be nominated by the Government and the remainder elected in accordance with rules made under this Act.

(2) Every minister who has not been chosen from the Legislative Council in accordance with sub-section (2) of section 6 shall, by virtue of his appointment, be an additional member of the Legislative Council.

Term of the Chambers.

GOM.12

12. (1) Every Representative Assembly and every Legislative Council, unless sooner dissolved, shall continue for four years from the date appointed for their first meeting and no longer, and the expiration of the said period of four years shall operate as a dissolution of the Representative Assembly or the Legislative Council:

Provided that the said term may, by notification in the official Gazette, be extended by the Government by a period not exceeding one year.

(2) After the dissolution of a Chamber, the Government shall appoint a date, not later than six months from the date of dissolution, for the next session of such Chamber.

Sessions of the two Chambers and dissolution.

GOM.13

13. (1) Each Chamber shall be summoned to meet at least twice every year.

- (2) Subject to the provisions of this section the Government may from time to time-
- (a) summon the Chambers or either Chamber to meet at such time and place as it thinks fit ; and
 - (b) dissolve the Chambers or either Chamber.

Right of the Dewan to address the Chambers.

GOM.14

14. The Dewan may address either Chamber or both Chambers assembled together, and for that purpose require the attendance of the members.

Officers of the Representative Assembly.

GOM.15

15. (1) The Dewan shall *ex-officio* be the President of the Representative Assembly, and the ministers shall *ex-officio* be Vice-Presidents.

(2) The Dewan shall preside at all meetings of the Representative Assembly and, in his absence, the senior Vice-President present shall act as President.

Officers of the Legislative Council.

GOM.16

16. (1) There shall be a President of the Legislative Council, who shall, until the expiration of four years from the first meeting thereof, be a person appointed by His Highness the Maharaja, and shall thereafter be a member of the Legislative Council elected by the Legislative Council and approved by His Highness the Maharaja.

(2) There shall be a Deputy President of the Legislative Council, who shall preside at meetings of the Legislative Council in the absence of the President, and who shall be a member of the Legislative Council elected by the Legislative Council and approved by His Highness the Maharaja.

(3) The appointed President shall hold office until the date of the election of a President under this section, but he may resign his office by writing under his hand addressed to the Dewan, or may be removed from office by order of His Highness the Maharaja, and any vacancy occurring before the expiration of his term of office shall be filled by a similar appointment for the remainder of such term.

(4) An elected President or Deputy President shall vacate his office if he ceases to be a member of the Legislative Council, may at any time resign his office by writing under his hand addressed to the Dewan, and may be removed from his office by a resolution of the Legislative Council passed by a majority of not less than two-thirds of the total number of members of the Legislative Council and approved by His Highness the Maharaja ; but no resolution for the purpose of this sub-section shall be moved unless it is supported by not less than fifteen members of the Legislative Council and at least fifteen days' notice has been given of the intention to move the resolution :

Provided that, whenever the Legislative Council is dissolved, the President shall not vacate his office until the election of a new President at the first meeting of the Legislative Council after the dissolution.

(5) While the office of President is vacant, the duties of the office shall be performed by the Deputy President, or, if the office of Deputy President is also vacant, by such member of the Legislative Council as His Highness the Maharaja may appoint for the purpose, and during any absence of the President from any sitting of the Legislative Council the Deputy President or, if he is also absent, such person as may be determined by the rules of procedure of the Legislative Council, or, if no such person is present, such other person as may be determined by the Legislative Council, shall act as President.

(6) There shall be paid to the President and the Deputy President of the Legislative Council such salaries as may be determined, in the case of an appointed President by His Highness the Maharaja, and in the case of an elected President and Deputy President by a resolution of the Legislative Council and approved by His Highness the Maharaja.

Voting in Chambers, quorum and power of Chambers to act notwithstanding vacancies.

GOM.17

17. (1) Save as in this Act otherwise expressly provided, questions at any sitting of the Chambers shall be determined by a majority of votes of the members present and voting, other than the President or person acting as such.

The President or person acting as such shall not vote vacancies in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

(2) Either Chamber shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the Chambers shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do sat or voted or otherwise took part in the proceedings.

(3) If at any time during a meeting of the Representative Assembly less than eighty members of the Representative Assembly are present, and if at any time during a meeting of the Legislative Council less than one-half of the total number of members of the Legislative Council are present, it shall be the duty of the President or person acting as such either to adjourn the Chamber, or to suspend the meeting until at least the required number of members are present.

PROVISIONS AS TO MEMBERS OF THE CHAMBERS.

Oath of members.

GOM.18

18. Every member of either Chamber shall, before taking his seat, make and subscribe before the Dewan, or some person appointed by him, an oath of allegiance to His Highness the Maharaja in the form set out in the schedule to this Act, and rules made under this Act may provide for penalties for failure to take the oath owing to negligence or any other cause.

Vacation of seats.

GOM.19

19. (1) Subject to the provisions of this Act, no person shall be a member of both Chambers, and rules made under this Act shall provide for the vacation by a person who is chosen a member of both Chambers of his seat in one Chamber or the other.

(2) If a member of either Chamber-

(a) becomes subject to any of the disqualifications mentioned in sub-section (1) of section 20; or

(b) by writing under his hand addressed to the Dewan resigns his seat,

his seat shall thereupon become vacant.

Disqualifications for membership.

GOM.20

20. (1) A person shall be disqualified for being chosen as, and for being, a member of either Chamber-

(a) if he holds any office in the civil or military service of His Highness the Maharaja, other than an office declared by rules made under this Act not to disqualify its holder;

(b) if he is of unsound mind;

(c) if he is an undischarged insolvent;

(d) If, whether before or after the passing of this Act, he has been convicted, or has, in proceedings for questioning the validity or regularity of an election, been found to be guilty, if any offence or corrupt or illegal practice relating to elections which has been declared by any Act or by rules made under this Act to be an offence or practice entailing disqualification for membership of either Chamber, unless such period has elapsed as may be specified in that behalf by the provisions of that Act or rule;

(e) if, whether before or after the passing of this Act, he has been convicted of any other offence and sentenced to imprisonment for not less than six months by a court in Mysore or elsewhere, unless a period of five years, or such less period as the Government may allow in any particular case, has elapsed since his release;

(f) if he has been dismissed from the civil or military service of His Highness the Maharaja, unless five years have elapsed from the date of dismissal or the Government has removed the disqualification;

(g) if, having been a legal practitioner, he has been debarred or is under suspension from practising as such by order of a competent court, the disqualification in the latter case being operative during the period of such suspension or the term of the Chamber, whichever is longer;

(h) if, having stood as a candidate for election for either Chamber or having acted as an election agent of any person who has so stood, he has failed to lodge a return of election expenses within the time and in the manner required by any Act or rule made under this Act, unless five years have elapsed from the date by which the return ought to have been lodged, or the Government has removed the disqualification :

Provided that a disqualification under paragraph (h) of this sub-section shall not take effect until the expiration of one month from the date by which the return ought to have been lodged or of such longer period as the Government may in any particular case allow.

(2) A person shall not be capable of being chosen a member of either Chamber while he is serving a sentence of transportation or of imprisonment for a criminal offence.

(3) Where a person who, by virtue of a conviction, or a conviction and a sentence, becomes disqualified by virtue of paragraph (d) or paragraph (e) of sub-section (1) of this section is at the date of the disqualification a member of either Chamber, his seat shall, notwithstanding anything in this or the last preceding section, not become vacant by reason of the disqualification until three months have elapsed from the date thereof or, if within those three months an appeal or petition for revision is brought in respect of the conviction or the sentence, until that appeal or petition is disposed of, but during any period during which his membership is preserved by this sub-section he shall not sit or vote.

(4) The disqualification mentioned in clause (a) of sub-section (1) of this section shall not be applicable to ministers and to such officers as may be nominated to the Legislative Council by the Government.

Penalty for sitting or voting when not qualified or when disqualified.

GOM.21

21. If a person sits or votes as a member of either Chamber when he is not qualified or is disqualified for membership thereof, or when he is prohibited from so doing by the provisions of sub-section (3) of the last preceding section, he shall be liable in respect of each day on which he so sits or votes to a penalty of one hundred rupees which may be recovered as an arrear of land revenue.

Privileges of members.

GOM.22

22. (1) Subject to the provisions of this Act and to the rules and standing orders regulating the procedure of each Chamber, there shall be freedom of speech in the two Chambers, and no member of either Chamber shall be liable to any proceedings in any court in respect of anything; said or any vote given by him in the Chamber or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of either Chamber of any report, paper, votes or proceedings.

(2) No member of either Chamber shall be liable to arrest or detention in prison under a civil process during the continuance of any meeting of the Chamber of which he is a member.

(3) A person released from detention under sub section (2) of this section shall, subject to the provisions of the said sub-section, be liable to re-arrest and to the further detention to which he would have been liable if he had not been released under the provisions of the said sub-section.

Allowances of members.

GOM.23

23. Members of either Chamber shall be entitled to receive such allowances as may from time to time be determined by the Government and, until provision in that respect is so made, allowances at such rates and upon such conditions as were immediately before the date of the passing of this Act applicable in the case of members of the Representative Assembly or the Legislative Council

constituted under the Mysore Representative Assembly Act, 1923, and the Mysore Legislative Council Act, 1923, respectively.

LEGISLATIVE PROCEDURE.

Powers of the Legislative Council.

GOM.24

24. Subject to the provisions of this Act, the Legislative Council may make laws for the whole or any part of Mysore, and for subjects of His Highness the Maharaja wherever they may be.

Prior consultation of Representative Assembly on Bills.

GOM.25

25. No Bill shall be introduced in the Legislative Council unless the Bill shall have been first placed before the Representative Assembly with a statement of the principles of the Bill.

Powers of the Representative Assembly.

GOM.26

26. (1) The Representative Assembly shall have the right to discuss the principles of a Bill and its general provisions, but the details of the Bill shall not be discussed further than is necessary to explain its principles, nor shall any amendment be moved other than an amendment of principle.

(2) When the principles of a Bill or its general provisions are opposed by a majority of not less than two-thirds of the total number of members of the Representative Assembly, the Bill shall not be introduced in the Legislative Council; if any amendment of principle is carried by a majority of not less than two-thirds of the total number of members of the Representative Assembly, the Bill shall not be introduced in the Legislative Council without embodying therein such amendment:

Provided that the Government may introduce any such Bill in the Legislative Council with or without such modifications, if the Government considers it necessary to do so in the public interest, after appending to the Bill a statement giving reasons for such introduction.

Non-official bills.

GOM.27

27. The provisions of the last two preceding sections shall have the same effect in relation to non-official Bills as they have in respect of Government

Provided that-

(a) no non-official Bill shall be placed before the Representative Assembly without the previous sanction of the Dewan; and

(b) no such Bill shall be introduced in the Legislative Council, if its principles are opposed by a majority of the members present and voting in the Representative Assembly; if any amendment of principle is carried by a majority of the members present and voting in the Representative Assembly, the Bill shall not be introduced in the Legislative Council without embodying therein such amendment.

His Highness the Maharaja's assent to Bills.

GOM.28

28. (1) When a Bill has been passed by the Legislative Council, it shall be submitted through the Dewan to His Highness the Maharaja for assent with a statement of the opinion expressed by the Representative Assembly on the principles of the Bill or its general provisions.

(2) No such Bill shall become law until it has received the assent of His Highness the Maharaja.

Excluded subjects.

GOM.29

29. Notwithstanding anything contained in this Act, it shall not be lawful for either Chamber to consider any Bill, amendment or motion, or resolution or representation, nor shall questions lie put therein, relating to or affecting :-

(a) the Ruling Family of Mysore ;

(b) the relations of His Highness the Maharaja with His Majesty the King Emperor or the Crown Representative;

(c) matters governed by treaties or conventions or agreements, now in force or hereafter to be made by His Highness the Maharaja;

(d) the provisions of this Act;

(e) such other matters as may, from time to time, be specially reserved by His Highness the Maharaja.

Power to legislate on excluded subjects.

GOM.30

30. In respect of matters excluded from the jurisdiction of the Chambers by the last preceding section, the Government may frame any measure required for the purpose, and every such measure shall have the force of law on receiving the assent of His Highness the Maharaja.

Emergency Legislation.

GOM.31

31. (1) If at any time the Government is satisfied that circumstances exist which render it necessary to take immediate action in matters other than those falling under section 29, the Government may frame any measure required for the purpose.

(2) Every such measure shall have the force of law on receiving the assent of His Highness the Maharaja for such period not exceeding six months as may be specified therein,-

(a) but may by a similar measure be extended for a further period not exceeding six months ; and

(b) may be withdrawn at any time by His Highness the Maharaja.

PROCEDURE IN FINANCIAL MATTERS.

Annual Financial Statement.

GOM.32

32. (1) In respect of every financial year a statement of the estimated receipts and expenditure of the State for that year, hereinafter referred to as “the annual financial statement,” shall be laid by the Government before the Representative Assembly and the Legislative Council.

(2) The estimates of expenditure embodied in the annual financial statement shall show separately-

(a) the sums required to meet expenditure described by this Act as expenditure on excluded heads; and

(b) the sums required to meet other expenditure proposed to be made from the revenues of the

(3) The following expenditure shall be expenditure on excluded heads :-

(i) the Palace, including the staff and household of His Highness the Maharaja, and the Palace troops;

(ii) the pensions of public servants;

(iii) expenditure relating to or affecting—

(a) the relations of His Highness the Maharaja with His Majesty the King Emperor or the Crown Representative;

(b) matters governed by treaties or conventions or agreements now in force or hereafter to be made by His Highness the Maharaja;

(iv) interest on loans and charges on account of sinking funds guaranteed at the time of raising the loans;

(v) expenditure of which the amount is specified by or under any law.

(4) Any question whether any proposed expenditure falls within a class of expenditure on excluded heads shall be decided by the Dewan.

Procedure in the Chambers with respect to estimates.

GOM.33

33. (1) So much of the estimates of expenditure as relates to expenditure on excluded heads shall not be open to discussion in either Chamber.

(2) No proposal for the appropriation of any revenue or moneys for any purpose shall be made except on the recommendation of the Government.

(3) Any member of the Representative Assembly may move a resolution in respect of the annual financial statement, provided that such resolution shall have reference only to the general principles and policy underlying the statement, or any of the major heads of expenditure included therein, and shall not have reference to particular grants or particular provisions.

(4) The resolutions of the Representative Assembly on the annual financial statement shall be communicated by the Government to the Legislative Council.

(5) So much of the said estimates as relates to expenditure other than on excluded heads shall be submitted to the Legislative Council in the form of demands for grants, and the Legislative Council

shall have power to assent or to refuse to assent to any demand, or to assent to any demand subject to a reduction of the amount specified therein.

Authentication of schedule of authorised expenditure.

GOM.34

34. (1) The Dewan shall authenticate by his signature a schedule specifying-

- (a) the grants made by the Legislative Council under the last preceding section;
- (b) the several sums required to meet the expenditure on excluded heads, but not exceeding, in the case of any sum, the sum shown in the statement previously laid before the Legislative Council:

Provided that, if the Legislative Council has not assented to any demand for a grant or has assented subject to a reduction of the amount specified therein, the Dewan may, if in his opinion the refusal or reduction would affect the carrying on of any department. or the due discharge of the Government's responsibility, include in the schedule such additional amount, if any, not exceeding the amount of the rejected demand or the reduction, as the case may be, as appears to him necessary.

(2) The schedule so authenticated shall be laid before the Legislative Council, but shall not be open to discussion or vote therein.

(3) Subject to the provisions of the next succeeding section, no expenditure from the revenues of the State shall be deemed to be duly authorised unless it is specified in the schedule so authenticated.

Supplementary statements of expenditure.

GOM.35

35. If in respect of any financial year further expenditure from the revenues of the State becomes necessary over and above the expenditure theretofore authorised for that year, a supplementary statement showing the estimated amount of that expenditure shall be laid by the Government before the Legislative Council, and the provisions of the preceding sections shall have effect in relation to that statement and that expenditure as they have effect in relation to the annual financial statement and the expenditure mentioned therein.

Special Provisions as to financial proposals.

GOM.36

36. (1) No proposal-

- (a) for imposing or increasing any tax ; or
- (b) for regulating the borrowing of money or the giving of any guarantee by the Government, or for amending the law with respect to any financial obligations undertaken or to be undertaken by the Government ; shall be made in either Chamber except on the recommendation of the Government.

(2) A proposal shall not be deemed to make provision for any of the purposes aforesaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered.

Resolutions, questions and representations.

GOM.37

37. (1) Subject to such conditions and restrictions as to subject and other matters as may be imposed by rules made under this Act, any member of either Chamber may, at a meeting of the Chamber of which he is a member-

(i) ask questions; and

(ii) move resolutions; on any matter of public interest or importance relating to the administration of the State.

(2) Any member of the Representative Assembly may, at a meeting of the Representative Assembly, submit a representation for the consideration of the Government on any matter of public interest or importance relating to the administration of the State.

PROCEDURE GENERALLY.

Rules of procedure.

GOM.38

38. (1) Provision may be made by rules made under this Act for regulating the course of business and the preservation of order in either Chamber.

(2) Each Chamber may make, from time to time, standing orders for regulating its procedure and the conduct of its business in so far as these matters are not provided for by rules made under this Act:

Provided that the first standing orders shall be made by the Government, but may, with the consent of the Government, be altered by the Chamber to which they relate.

(3) If and in so far as any rule made under this Act is inconsistent with any standing order made by a Chamber, the rule made under this Act shall prevail.

Immunity of officers of the Chambers from the jurisdiction of courts.

GOM.39

39. No officer or other member of either Chamber in whom powers are vested by or under this Act for regulating procedure or the conduct of business, or for maintaining order, in either Chamber shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

CHAPTER IV.

THE SERVICES.

Appointment of a Public Service Commissioner or Public Service Commission.

GOM.40

40. The Government may appoint a Public Service Commissioner, or a Public Service Commission consisting of a Chairman and such number of members as the Government may determine.

Functions of the Commissioner or the Commission.

GOM.41

41. (1) The Government may consult the Public Service Commissioner or the Commission, as the case may be, on :-

- (a) matters relating to methods of recruitment to any of the services;
- (b) the principles to be followed in making appointments in the services and in making promotions and transfers from one service to another;
- (c) the suitability of candidates for such appointments, promotions or transfers;
- (d) disciplinary matters affecting a person in any service, including memorials or petitions relating to such matters;
- (e) any claim by, or in respect of, a person who is serving or has served His Highness the Maharaja in any service that any costs incurred by him in defending legal proceedings instituted against him in respect of acts done or purporting to be done in the execution of his duty should be paid out of the revenues of the State;
- (f) any claim for the award of a pension in respect of injuries sustained by a person while serving His Highness the Maharaja in any service and any question as to the amount of any such award.

(2) It shall be the duty of the Commissioner or of the Commission to advise the Government on any matter so referred to them, and, in exercising their functions, the Commissioner or the Commission shall observe the rules prescribed by the Government in that behalf.

CHAPTER V.

MISCELLANEOUS.

Power of the Government to make provision with respect to franchise, etc.

GOM.42

42. (1) The Government shall have power, from time to time, to make provision by rules not inconsistent with this Act to carry out all or any of the purposes of this Act.

(2) Without prejudice to the generality of the powers conferred by sub-section (1) of this section, such rules may provide for all or any of the matters herein after mentioned, that is to say-

- (a) the delimitation of territorial and other constituencies for the purpose of elections under this Act;
- (b) the qualifications entitling persons to vote in territorial or other constituencies at such elections, and the preparation of electoral rolls;
- (c) the qualifications for being elected at such elections as a member of either Chamber;
- (d) the filling of casual vacancies in the Assembly or the Council;
- (e) the conduct of elections under this Act and the methods of voting thereat
- (f) the expenses of candidates at such elections;
- (g) corrupt practices and other offences at, or in connection with, such elections;
- (h) the decision of doubts and disputes arising out of, or in connection with, such elections;
- (i) matters ancillary to any such matter as aforesaid.

CHAPTER VI.

COMMENCEMENT, REPEALS, ETC.

Commencement.

GOM.43

43. (1) This Act shall come into force on such date as the Government may appoint in this behalf by notification in the official Gazette.

(2) If it appears to the Government that it will not be practicable or convenient that all the provisions of this Act should come into operation simultaneously on that date, the Government may, notwithstanding anything in this section, fix an earlier or a later date for the coming into operation, either generally or for particular purposes, of any particular provisions of this Act.

Power of the Government to remove difficulties.

GOM.44

44. For the purpose of facilitating the transition from the provisions of the Mysore Representative Assembly Act, 1923, and the Mysore Legislative Council Act, 1923. to the provisions of this Act, the Government may-

(a) direct that this Act and any provisions of the Mysore Representative Assembly Act, 1913, or the Mysore Legislative Council Act, 1923, shall, during such limited period as may be specified in that behalf, have effect subject to such adaptations and modifications as may be specified; and

(b) make temporary provisions for the purpose of removing any difficulties which may arise in relation to such transition.

Continuation of existing laws.

GOM.45

45. Notwithstanding the repeal by this Act of the Mysore Representative Assembly Act, 1923, and the Mysore Legislative Council Act, 1923, but subject to the provisions of this Act, all the law in force in Mysore immediately before the commencement of this Act shall continue in force, until altered or repealed or amended by competent authority.

Repeals.

GOM.46

46. Subject to any temporary provisions which may be made under sections 43 and 44, on the commencement of this Act, the Mysore Representative Assembly Act, 1923, and the Mysore Legislative Council Act, 1923, shall be repealed.

CHAPTER VII.

SAVINGS.

Preservation of the prerogative of His Highness the Maharaja.

GOM.47

47. Nothing in this Act shall affect or be deemed to have affected the prerogative of His Highness the Maharaja to make and pass Acts, Proclamations and Orders in His Highness's discretion without

reference to the Legislative Council or the Representative Assembly, which right is hereby declared to be and to have always been possessed and retained by His Highness the Maharaja.

MIRZA M. ISMAIL,

Dewan.