

## CHAPTER I

### INTRODUCTION

On September 6, 1965, the Minister of Home Affairs made a statement in the Lok Sabha that "in recent years, several steps have been taken to arrive at an amicable arrangement for meeting the needs of the Punjabi-speaking region and the Hindi-speaking region of the Punjab State. Controversy over the reorganisation of the Punjab State was, it was thought, laid at rest in 1956, when the Government of India evolved the Regional Scheme \* \* \*. The demand for a Punjabi Suba has now been revived by Sant Fateh Singh. It seems to stem from a sense of dissatisfaction with the manner in which the previous undertakings have been implemented \* \* \*. A considerable element of the population in the Punjab insists that a separate State should be formed for the Punjabi-speaking area on the linguistic basis. There is also a considerable section which is strongly opposed to the adoption of such a course. Strong sentiments of a section of the people have, however, to be given consideration.

The whole question can be examined with an open mind. Government would be prepared to have further talks on the subject. We may hope that a co-operative solution will be discovered based on good-will and a reasoned approach. \* \* \* \* \*

2. The Minister of State in the Ministry of Home Affairs reiterated that declaration of policy in the Rajya Sabha.

3. On September 23, 1965, the Minister of Home Affairs announced in both Houses of the Parliament the decision of the Government to set up a Parliamentary Committee of Members of both Houses of Parliament to examine the question of formation of a Punjabi-speaking State. The Parliamentary Committee under the chairmanship of Sardar Hukam Singh presented their report to the Parliament on March 18, 1966. The Committee were of the view that:—

" \* \* \* \* \* it would be in the larger interest of the people of these areas and the country as a whole that the present State of Punjab be reorganised on linguistic basis. The Punjabi Region specified in the First Schedule to the Punjab Regional Committees Order, 1957 should form a unilingual Punjabi State, the hill areas of the Punjab included in the Hindi Region of the Punjab which are contiguous to Himachal Pradesh and have linguistic and cultural affinity with that Territory should be merged with Himachal Pradesh. The remaining areas of the Hindi-speaking region of the Punjab should be formed as a separate unit called the Haryana State. The distribution of population and density of population in the (i) Hill area, (ii) Haryana area and (iii) other

areas of the existing State of Punjab are indicated in appendix X."

They recommended that a Committee be set up to adjust the boundary between the three States of Punjab, Himachal Pradesh and Haryana.

4. On March 21, 1966, the Minister for Home Affairs made a statement in the Lok Sabha that the Government had given careful thought to the recommendations made by the Committee of the Members of Parliament and had decided to accept in principle that the present State of Punjab be reorganised on linguistic basis. On April 18, 1966, the Minister of Home Affairs made a statement announcing the decision of the Government to appoint a Commission for examining the matter relating to determination of the boundary and then to undertake legislation to give effect to the scheme of reorganisation.

5. On April 23, 1966, the Government of India published a resolution appointing this Commission to examine the existing boundary of the Hindi and Punjabi Regions of the present State of Punjab and to recommend what adjustments are necessary to secure linguistic homogeneity in the proposed Punjab and Haryana States. In due course the Commission entered upon their duty. The Commission were of the opinion that the issue of a questionnaire was likely to entail delay and was otherwise inappropriate to the nature of the enquiry. The Commission therefore issued a Press-Note on April 28, 1966, inviting associations, bodies and members of the public interested in the problem to submit memoranda and representations supported by statistical data, accompanied by maps or plans.

6. The Commission issued two supplementary press-notes on April 30, 1966, and after preliminary discussions commenced their sittings at Chandigarh.

7. The total number of memoranda and representations received were 4314. The Commission heard different bodies, associations and individuals as shown at Appendix No. XIV. At Appendix No. XV is the list of those who filed representations but did not ask for an interview. Appendix No. XVI contains a list of telegrams and letters received from the members of the public indicating their views about certain areas to be merged with one region or the other.

8. The sittings were held day to day from May 9, 1966 till May 23, 1966 with a break of May 15, 1966.

## II. Language controversy in the Punjab

9. History of the language controversy in the Punjab is over fifty years old. In the Punjab of pre-British days, the Court language was Persian, and Punjabi was almost invariably written in the Persian script. Under the British rule, Urdu was the language of the Courts and of district administration in addition to English. During the last decades of the 19th Century two important social reform movements gained strong foothold in the Punjab. The Arya Samaj movement took hold among the urban Hindu population and

use of Hindi in the Devnagari script was propagated. After Swami Dayanand, founder of the Arma Samaj movement, published his "Satyarth Prakash" in the eyes of a section of the Hindus the Hindi language and the Devnagari script acquired religious significance. During the same period, the cause of Punjabi was espoused by the Chief Khalsa Dewan. They published a large number of books and pamphlets dealing with the lives of Gurus and diverse facets of the Sikh religion. These books were written in Punjabi and in Gurmukhi script, which had been given its present form by the Second Guru of the Sikhs, and in which the holy Granth is written. The language issue in course of time got linked up with the politics of the Province. Demands for giving better status in the administrative scheme to Punjabi in Gurmukhi script and Hindi in Devnagari script gained strength, and the Government of the day agreed to accede to these demands and recognised the status of both Punjabi and Hindi in the educational curricula. The Education Department of the Punjab Government ordered that:—

"All education in the schools of the East Punjab shall be given in the mother-tongue of the children and either Devnagari or Gurmukhi script can be used in the 1st and 2nd class, provided arrangements be made to teach Gurmukhi in the third class in schools where initially Hindi is taught. The same rule is required to be observed in such schools where the initial education was in Gurmukhi."

This order was the forerunner of the scheme which later came to be known as the Sachar Formula.

10. The language issue assumed political importance in 1949. There was political agitation which canvassed support from the two linguistic groups. The Punjab Government decided to take the initiative in the matter. On October 1, 1949, the Punjab Government submitted on the language issue its proposals which came to be known as the "Sachar Formula". The territory of the Punjab (then called the East Punjab) was under the formula to be divided into two regions, Punjabi and Hindi. Punjabi in Gurmukhi script was to be the language in the Punjabi Region, and Hindi written in Devnagari was to be the language in the Hindi Region.

11. Under the Sachar Formula the Hindi Region consisted of the Districts of Rohtak, Gurgaon, Karnal, Kangra, Hisar (South of Ghaggar), Jagadhari and Naraingarh tehsils, Punjabi Region consisted of the Districts of Amritsar, Jullundur, Gurdaspur, Ferozepur, Ludhiana, Hoshiarpur, Hissar (north of Ghaggar) and Rupar and Kharar tehsils of District Ambala. Simla and Ambala tehsils were declared bilingual. Broadly stated the language of each region was to be the medium of instruction upto the pre-university stage, but the parents and guardians of the students could select the medium of instructions in the primary stages. In unaided recognised schools, the medium of instruction was to be determined by the management, provided Hindi or Punjabi was taught as a second language. English and Urdu were to continue as court languages to be progressively replaced by Hindi and Punjabi. The basis on which division of the Province was founded has not been made available to us.

12. The Pepsu Government adopted a similar formula. Under that formula, Mohindergarh and Kohistan, including Chichrauli tehsil (but excluding the police station of Dera Bassi) and tehsils of Narwana and Jind of Sangrur District were declared as the Hindi Region. Districts of Patiala, Kapurthala, Batala excluding Jind and Narwana tehsils of Sangrur District, and police station Dera Bassi of District Kohistan were declared Punjabi Region.

13. The Sachar Formula did not meet with unqualified acceptance: it was severely criticised and demands for reorganisation of Punjab on linguistic lines were made.

14. On December 29, 1953 the Government of India appointed a Commission under the chairmanship of Saiyid Fazl Ali, then Governor of Orissa to examine "the whole question of reorganisation of States carefully, objectively and dispassionately so that the welfare of the people of the constituent unit as well as of the nation as a whole is promoted". The Commission recommended reorganisation of Madras, Kerala, Karnataka, Hyderabad, Bombay, Vidarbha and Madhya Pradesh. But the States Reorganisation Commission declined to recommend division of the Punjab on the ground that "Linguistic homogeneity \* \* \* has to be aimed at as an instrument for facilitating social and political inter-course among the people, and for ensuring the close association of the people with the Government. If this criterion be applied, it will be found that there is no real language problem in the State of Punjab as at present constituted. This is so because the Punjabi and Hindi languages as spoken in the Punjab are akin to each other and are both well-understood by all sections of the people of the State." They also opined that "the problem of language in the Punjab is \* \* \* primarily one of scripts, and in this battle of scripts, sentiment is arrayed against sentiment." The conclusion as recorded by the Commission in paragraph 535 of the Report was as follows

"The creation of a Punjabi-speaking State would offer no solution to the language problem, the present arrangements for the recognition of both Punjabi and Hindi could not be done away with, and the controversies would not in all probability come to an end, and while no major problem would be solved, both the languages might suffer."

### III. Scheme for Regional Formula—

15. The recommendations of the States Reorganisation Commission roused vigorous opposition from the protagonists of the Punjabi language, and demands were repeatedly made for the formation of a Punjabi-speaking State. To meet the demands, a Regional Formula was evolved and the scheme embodying the terms of the formula was placed on the table of the Lok Sabha on April 3, 1956. The Regional Formula provided, among other things, that:—

- (i) the State of Punjab will be bi-lingual, recognising both Punjabi (in Gurmukhi script) and Hindi (in Devnagari script) as the official languages of the State:

- (ii) the State will be divided into two regions—Punjabi and Hindi. Demarcation of the Regions to be made in consultation with the State Government and other interests concerned;
- (iii) the official language of each region at the district level and below to be the respective regional language;
- (iv) for each region there will be a Regional Committee of the State Assembly consisting of members of the State Assembly belonging to each region;
- (v) for each region there will be a Regional Committee of the State Assembly consisting of members of the Assembly belonging to each region. Legislation relating to specified matters will be referred to the Regional Committee. In respect of specified matters proposals may be made by the Regional Committees, and the advice tendered by the Regional Committees will normally be accepted by the Government and the State Legislature;
- (vi) the State will continue to have one Legislature for the whole of the State and one Governor aided and advised by the Council of Ministers responsible to the State Legislature;
- (vii) the Regional Committees will deal with the matters specified in cl. 6.;
- (viii) the general safeguards proposed for linguistic minorities would be applicable to the Punjab as to other States;
- (ix) in furtherance of the policy to promote the growth of all regional languages, the Central Government will encourage and develop the Punjabi language.

16. Paragraph 8 of the "Outline of the Scheme for the Regional Committees in the Punjab" provided that demarcation of the Hindi and Punjabi Regions in the Punjab State would be made in consultation with the State Government, and other interests concerned. Pursuant to that clause a conference was convened by Shri Govind Ballabh Pant—Minister of Home Affairs. At that conference the Chief Ministers of the former States of Punjab and Pepsu and representatives of the main political organisations and interests were invited. This Conference was held on October 15, 16 and 17, 1956. As no decisions could be reached by the conference a six-men Committee was set up at the suggestion of the Minister of Home Affairs under the chairmanship of the Chief Minister of Punjab in which the principal interests were represented. The six members of the Committee agreed on the demarcation of the two regions "generally on the District basis", but they suggested departure in two respects:

- (i) that Jind and Narwana Tehsils of Sangrur District should be included in the Hindi Region; and
- (ii) that Rupar and Kharar Tehsils of Ambala District should be included in the Punjabi Region subject to—
  - (a) certain adjustments to be made in regard to Kharar Tehsil; and

- (b) recommendation about the special position of the Chandigarh Capital Project area.

The Government of Punjab supported these recommendations. The formula apparently received the blessings of the Central Government, but it does not appear that the scheme was ever discussed on the floor of the Parliament or the State Legislature.

17. The Constitution was amended by the Constitution (Seventh Amendment) Act, 1956, authorising the President to provide for the constitution and formation of the Regional Committees of the State Legislatures of certain States including the Punjab. On July 24, 1957, the Government of Punjab issued a notification announcing that the Government of India had decided that for the purpose of the Regional Committees of the Legislative Assembly of the Punjab State, the State shall be divided into two regions. Under the notification, Chandigarh Capital Project area was not to form part of either of the two regions.

18. In exercise of the authority conferred by Art. 371 of the Constitution, the President issued an order in November 1957 constituting Regional Committees for the Hindi and Punjabi regions of the Punjab. By the order, certain matters, (which are called "Scheduled matters") such as Local-self Government; public health, and sanitation; local hospitals and dispensaries; primary and secondary education; agriculture; live-stock and animal diseases, veterinary training; cattle-trespass and cattle-pounds; protection of wild animals and birds; fisheries; cottage and small scale industries; markets and farms; inns & innkeepers, co-operative societies; charities; charitable institutions; charitable and religious endowments, and religious institutions and development and economic planning, were declared to be within the purview of the Regional Committees.

19. By the First Schedule of the Regional Committees Order, 1957, areas falling within the two regions were specified. The order was amended by two Amending Orders issued in 1962, which made no substantial alteration in the territorial operation of the order. They were issued to bring the order in conformity with the reorganised districts of Patiala, Ambala and Simla. The Regional Committees Order is at Appendix X to this Report. The map\* at Appendix XIII-A shows the division of the Punjab in the two Regions. The shaded territory represents the Punjabi Region, and the unshaded territory represents the Hindi Region. The Capital Project of Chandigarh which does not fall within either Region is indicated by a circle.

20. The scheme was intended to serve a dual purpose—(a) to define the language policy of the State, and (b) to provide for consultation with the Regional Committees on legislation relating to scheduled matters, while maintaining the unity of the Legislature.

21. The Official Languages Act 28 of 1960 which was enacted by the State Legislature to declare the official languages of the State by s. 3 provided that as from the second day of October, 1960, Hindi in the Hindi region, and Punjabi in the Punjabi region, shall be the official languages for all purposes in the districts or parts thereof

\*Not printed

situated in those regions except such purposes as are specifically excluded by the Constitution, and in respect of such matters as may be specified by the State Government from time to time.

22. But the scheme did not work satisfactorily. Certain drawbacks were noticed in giving practical shape to the Regional Committees Scheme. Different interpretations were placed upon the extent of powers of the Committees and it was complained that the scheme was not being faithfully implemented. Agitation from the protagonists of the two languages demanding division of the State on a linguistic basis continued unabated. In 1960 there was agitation by the protagonists of Punjabi which led to the incarceration of some 50,000 Akalis. Later the agitation was withdrawn. There was thereafter a lull in the storm, but it was short. The demand was revived in 1965. The Minister of Home Affairs made an announcement on September 6, 1965, in the Parliament expressing the hope that a co-operative solution of the problem agitating the mind of the people of Punjab will be discovered on goodwill and a reasoned approach. The statement is at Appendix I to this Report.

23. A Parliamentary Committee of twenty-two members belonging to different parties and from both the Houses of Parliament was then appointed. The Committee recorded evidence of a large number of witnesses. The Committee was informed by practically "all interests" that the Regional Scheme had failed to achieve the purpose for which it was evolved and that it had not satisfied any section of the people. The Committee were of the opinion that if the scheme had been implemented in the spirit in which it was initiated, the problems facing the people of the Punjab would not have arisen. But the situation after ten years since the initiation of the scheme had completely shaken the faith of the people in the arrangement. The Committee on a consideration of the issues involved and taking an "overall picture of the point of view" presented before them observed: "From the evidence, both oral and written, given before the Committee, it emerged conclusively that—

- (i) the people of Haryana were opposed to the use of Punjabi language in any case; and
- (ii) the areas comprising the Haryana region would like to remain as a compact State of territory and would not countenance any dismemberment of any portion thereof."

The Committee recorded their conclusions in paragraph 69 of their report that:—

"After carefully considering all the view-points represented before the Committee and taking all relevant factors into consideration, the Committee have come to the conclusion that it would be in the larger interests of the people of these areas and the country as a whole that the present State of Punjab be reorganised on linguistic basis. The Punjabi Region specified in the First Schedule to the Punjab Regional Committees Order, 1957, should form a

unilingual Punjabi State, the hill areas of the Punjab included in the Hindi Region of the Punjab which are contiguous to Himachal Pradesh and have linguistic and cultural affinity with that Territory should be merged with Himachal Pradesh. The remaining areas of the Hindi-speaking region of the Punjab should be formed as a separate unit called the Haryana State. The distribution of population and density of population in the (i) Hill area, (ii) Haryana area and (iii) other areas of the existing State of Punjab are indicated in Appendix X."

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