

## CHAPTER IV

### THE UNITY OF INDIA

846. We have now come to the end of our appointed task. The problem of reorganisation of States has aroused such passions and the claims which have been made are so many and so conflicting that the background against which this whole problem has to be dealt with may quite often be obscured or even forgotten. In order that the recommendations which we have made may be viewed in proper perspective, we should like to emphasise two basic facts. Firstly, the States, whether they are reorganised or not, are and will continue to be integral parts of a Union which is far and away the more real political entity and the basis of our nationhood. Secondly, the Constitution of India recognises only one citizenship, a common citizenship for the entire Indian people, with equal rights and opportunities throughout the Union.

847. It may seem that we have merely stated what should be obvious to all. It is, however, patent that, if the implications of these important facts had been fully appreciated and generally accepted, the question of territorial redistribution would not have developed into a major national problem of disquieting proportions. It has been most distressing to us to witness, during the course of our enquiry, a kind of border warfare in certain areas in which old comrades-in-arms in the battle for freedom have been pitted against one another in acrimonious controversy, showing little appreciation of the fact that the States are but the limbs of the same body politic and that territorial readjustments between them should not assume the form of disputes between alien powers. Deliberate efforts to whip up popular frenzy by an appeal to parochial and communal sentiment; threats of large-scale migration; assertions such as that, if a certain language group is not allowed to have an administrative unit of its own, its moral, material and even physical extinction would follow as an inevitable consequence; and finally incidents such as those in Goalpara, Parlakimedi, Ludhiana and Amritsar; all point to an acute lack of perspective and balance.

848. A great deal of this heat and controversy may prove to be a passing phase. Nevertheless, it would be unwise not to take note of these disruptive trends. One view, which is strongly held by certain sections of public opinion, is that only a unitary form of government

and division of the country into purely administrative units can provide the corrective to the separatist tendencies. We feel, however, that in the existing circumstances this approach would be somewhat unrealistic. Other methods have, therefore, to be found to keep centrifugal forces under check.

849. Unfortunately, the manner in which certain administrations have conducted their affairs has itself partly contributed to the growth of this parochial sentiment. We have referred earlier to the domicile rules which are in force in certain States, governing eligibility to State services. The desire of the local people for the State services being manned mainly by "the sons of the soil" is understandable, but only up to a point. When such devices as domicile rules operate to make the public services an exclusive preserve of the majority language group of the State, this is bound to cause discontent among the other groups, apart from impeding the free flow of talent and impairing administrative efficiency.

850. We were greatly concerned to observe that in one State for instance, domicile rules were applied not only to determine eligibility for appointment to the public services but also to regulate the awards of contracts and rights in respect of fisheries, ferries, toll-bridges, forests and excise shops. The conditions to be satisfied for acquiring a domicile in this State are also generally such as to deserve some notice. These conditions are: (a) ownership of a homestead in the State; (b) residence in such a homestead for ten years; (c) a clear intention to live in the State till death; and (d) renunciation of the old domicile, which is to be established by such circumstantial evidence as whether the applicant has landed property or other interests in his native place, or whether he pays frequent visits to that place.

851. Such stipulations, in our opinion, are not only inconsistent with Articles 15, 16 and 19 of the Constitution but go against the very conception of an Indian citizenship. We do not feel called upon to pronounce on the purely legal aspects of these restrictions, but we have no doubt whatsoever that their total effect is the exact opposite of what was intended by the Constitution.

852. In Chapter I of this Part we have already recommended that the domicile rules in force in certain States should be replaced by appropriate Parliamentary legislation as contemplated in Article 35(a)(i) of the Constitution.

853. It has, however, been alleged before us that certain State governments have imposed restrictions, in practice though not in

theory, on the acquisition of property by outsiders. It is obvious that, if such administrative malpractices exist, they should be immediately discarded. Otherwise, the concept of a common Indian citizenship would have no meaning.

854. There are certain other measures which, if adopted, will, we hope, help in correcting particularist trends and also in securing greater inter-State co-ordination for the efficient implementation of all-India policies.

855. Our first proposal is that, as far as possible, about fifty per cent of the new entrants in any cadre of an existing All-India Service should be from outside the State concerned. We understand that several State governments have already accepted the proposition that one entrant every year in the Indian Administrative Service should be taken from outside the State. We are given to understand that this amounts approximately to only one-third of the total annual allotment of personnel to the Indian Administrative Service. Besides, the principle, in the form in which it has been accepted, does not take into account the fact that twenty-five per cent of the vacancies in the Indian Administrative Service are filled by promotion. We would, therefore, recommend that, in order that the fifty per cent target might be achieved, the computation should be made after deducting the number of posts in any State to be filled by promotion; and these principles should apply to all the All-India Services. It would also be necessary to ensure that the proportion of members of the All-India Services recruited from outside the State is not reduced in practice by such devices as the deputation of officers to the Centre.

856. We also consider that, apart from the Indian Administrative Service and the Indian Police Service, some more All-India Services should now be constituted. The question of reconstituting all-India cadres for certain technical departments and particularly the suggestion that the Indian Service of Engineers should be revived, has, we understand, been under the consideration of the Union Ministries concerned for some time. The Central and State Governments have to work in very close co-operation in executing important development projects, which necessitates that technical personnel should be recruited and trained on a common basis and that they should have uniform standards of efficiency and the feeling of belonging to common and important cadres.

857. We recommend, therefore, that the following Services, namely, the Indian Service of Engineers, the Indian Forest Service, and the Indian Medical and Health Service should now be constituted.

858. The *raison d'être* of creating All-India Services, individually or in groups, is that officers, on whom the brunt of the responsibility for administration will inevitably fall, may develop a wide and all-India outlook. This advantage will become illusory, however, if members of the All-India Services remain too long either in the service of any particular department or on deputation to the Central Government. In so far as the present All-India Services are concerned, the Centre is already aware of the problem, and transfers to and from the States are intended to be arranged regularly. It is doubtful whether, in practice, it has been easy to give effect to what the Central Government has already accepted in principle. But we think that, in the set-up which we recommend, regular transfers to and from the Centre will be even more important.

859. Another point which we would emphasise is that the training of probationers to the All-India and Central Services should be such that they should have a good introduction to the essentials of Indian geography, history, religions, customs and manners. We realise that, even if the period of training were extended, it would not be possible to impart detailed instruction in these subjects. What is desired, however, is that the probationers, when they complete their training should have an all-India outlook and should cease to consider themselves as Andhras, Tamilians, Marathas or Bengalis etc. The present emphasis on regional languages in the Universities will inevitably lead to the growth of a parochial attitude, which can only be corrected by a system of training which emphasises the all-India point of view. We understand that it has been recently agreed that a detailed knowledge of the five-year plan should form part of the curriculum of studies for the new entrants to the Indian Administrative Service. We suggest that, in addition, basic and essential knowledge of Indian history, geography, religions, customs and manners be included in the curriculum of studies for new entrants to the All-India and Central Services.

860. There is another suggestion which we wish to make about the training of the members of the All-India and Central Services. The progressive adoption of Hindi for the official purposes of the Union will, no doubt, be an important factor towards national unity. But it is of very considerable importance that languages other than Hindi should also figure much more prominently in the training programme of the All-India and Central Services than is now the case. In a recent statement of the policy of the Government of India, regarding the medium in which competitive examinations for the All-India Services are to be conducted in future, there is a refer-

ence to a proposal that candidates from the Hindi-speaking areas should be asked to pass a qualifying examination in one Indian language other than Hindi. The details of the Government of India's policy will have to be settled in due course. We only wish to suggest that the principle might be extended to the Central Services also and to add that the arrangements proposed are essential in order to ensure the transfer of service personnel from one State to another. The Indian language other than Hindi should preferably be a South Indian language.

861. Guided by the consideration that the principal organs of State should be so constituted as to inspire confidence and to help in arresting parochial trends, we would also recommend that at least one-third of the number of Judges in a High Court should consist of persons who are recruited from outside that State. In making appointments to a High Court bench, professional standing and ability must obviously be the over-riding considerations. But the suggestion we have made will extend the field of choice and will have the advantage of regulating the staffing of the higher judiciary as far as possible on the same principles as in the case of the Civil Service.

862. As we have already observed, the progressive adoption of Hindi for the official purposes of the Union should operate as a unifying factor. A common national language, however, to be a really integrating force should have a wider range. English, though a foreign language, has helped to bring the people of different regions in India closer to each other firstly because it has been the official language both at the central and at the provincial levels, and secondly because it has been the medium of instruction for higher education throughout the country. It has, therefore, provided a common vehicle for higher thought as well as for administrative activity and has helped to maintain common standards at the higher educational institutions.

863. Hindi is to replace English to a limited extent. At the national level Hindi will replace English, but in the States it is to be succeeded to a large extent by the regional languages. The Official Language Commission, recently appointed by the Government of India, will, no doubt, consider fully the manner in which the constitutional provision about the adoption of Hindi as the official language is to be enforced. It is, however, quite obvious that replacement of English by Hindi should be so phased that there may

be no vacuum from the point of view of social and political intercourse between different parts of the country and that standards of higher education in the country do not suffer.

864. Any possible decline in the standards of education must be viewed with grave concern, because with her progressive advance in the political, social, economic and technical fields, India will require men of high calibre, and the training of such men must depend on our educational system.

865. A wide field of choice for higher education and migration from universities and other institutions for higher education has been possible in this country, not only because English has so far been the medium of instruction in these institutions, but also because the standards of teaching and research have been, generally speaking, comparable. Some of these institutions are contemplating the adoption of the regional languages as the media of instruction. If English in any of these institutions is replaced prematurely, and if facilities are not provided for acquiring necessary proficiency in that language in the interests of higher research, standards of higher education are bound to suffer.

866. It has to be remembered that English is an important international language and that a knowledge of it makes available to Indian students the results of advanced studies and higher research in other progressive countries. As the Secondary Education Commission has pointed out, provision has been made in many foreign countries for acquiring a knowledge of English or other foreign languages. In the U.S.S.R., for example, a foreign language is compulsory subject in the Soviet middle and secondary schools. Suitable measures will, therefore, have to be adopted to encourage the study of English and other foreign languages at our important educational institutions, even after the adoption of the regional languages as the media of instruction.

867. We fully realise the importance of the study of Hindi and the regional languages, but we feel that for the present the use of English in higher technical studies does not come into conflict with the growth of these languages.

868. From the point of view of national unity, it is also of great importance that there should be closer understanding between the north and the south. All institutions and establishments which help to bring about such an understanding should receive particular encouragement from the Government of India. The Osmania University in Hyderabad is one of such institutions. We suggest

that this University may be placed under the Central Government. The medium of instruction at this University should be Hindi; and if standards of instruction at this institution are maintained at a high level, this would attract students from the adjoining areas and be of advantage to the South.

869. We also consider it necessary that another central university should be established further south with emphasis on Hindi and that in the principal North Indian universities there should be faculties for the study of South Indian languages and cultures.

870. The proposals which we have made in the preceding paragraphs are intended to bring about greater administrative integrity and to provide against any particularist trends being promoted within the administration itself or in the country at large. Important as these measures are, it is obvious that they are by themselves not adequate to give a deeper content to Indian nationalism. National unity can develop into a positive and living force capable of holding the nation together against the disruptive and narrower loyalties only if there is a real moral and mental integration of the people. Fortunately, forces making for such integration are already at work. What is necessary is that nothing should be done to impede their freeplay. We should like to say something on this subject before we conclude.

871. India is now on the eve of vast economic and social changes. These changes must affect every institution and will call for a constant review of our traditional methods of thought and ways of life.

872. One of the important developments in recent times has, for example, been the country's conversion to the ideal of social, political and economic equality. We do not mean to minimise the difficulties in the way of realising this ideal of equality, to which the country is now committed. Nevertheless, it is a great advance that the comparatively backward sections of the community are now in the picture. An important source of tension within the body politic is, therefore, being progressively removed.

873. Internal migration on a scale which renders unrealistic any attempt to regard the linguistic situation in any area as static is another major factor which has now to be taken into account. Economic opportunity and the rapid development of communications have contributed, in recent years, to this general increase in mobility within the Indian Union. Even age-old conceptions regarding personal laws, including in particular the law of succession to property in Hindu society which used to be regarded as unalterable,

are now in the process of being changed, to suit the needs and requirements of a modern and developing society. With the vast increase in industrialisation that is now being planned under the auspices of the Centre, it is also inevitable that migration within the country will increase even further. More and more cities or pockets, which are Indian rather than provincial in character, are, in consequence, bound to come into existence all over the country.

874. The consequences of economic planning to which the country is now committed are very great. When resources are mobilised and investment is undertaken at the national rather than at the regional or State level, the States will inevitably get more and more integrated in a joint endeavour for the economic advancement of the nation as a whole.

875. In formulating our proposals for reorganisation, we have naturally been most anxious to discover and to respect the greatest common measure of agreement between the various points of view. But we have also taken note of the operation of the dynamic forces to which reference has been made in the preceding paragraphs. We, therefore, wish to emphasise that considered in its proper perspective, the reorganisation of the States can only be regarded as providing the necessary adjustments to remove tensions and to enable the Union to function more effectively.

876. It is the Union of India that is the basis of our nationality. It is in that Union that our hopes for the future are centred. The States are but the limbs of the Union, and while we recognise that the limbs must be healthy and strong and any element of weakness in them should be eradicated, it is the strength and the stability of the Union and its capacity to develop and evolve that should be the governing consideration of all changes in the country.

877. Regionalism has a legitimate place in a country as large as India, but unless its limitations are recognised, and the supremacy of the Union not merely in the political but also in the economic thinking of the country is fully accepted, it will be a source of weakness to us as a nation. If this is generally realised, we have no doubt that the issues arising out of the reorganisation of the States will not be allowed to assume the proportions of major political controversies.

878. Free India is now on the move. What has already been achieved can be viewed with a measure of legitimate pride. The manner in which the very difficult problem of princely India was solved in the anxious and bewildering circumstances following the



Partition will, by itself, be a standing testimony to the political wisdom and strength of the Indian people and their firm determination to eradicate artificial barriers and cramping loyalties.

879. We conclude in the hope that the scheme of reorganisation which we have proposed will be viewed against this background and that men of goodwill will co-operate with those charged with the onerous responsibility of reconciling competitive claims and of balancing regional sentiments with national interests in giving effect to the decisions which might be taken, in an atmosphere of tolerance and understanding.

S. FAZL ALI,  
*Chairman.*

H. N. KUNZRU,  
*Member.*

K. M. PANIKKAR,\*\*  
*Member.*

P. C. CHAUDHURI,  
*Secretary.*

NEW DELHI,  
*Dated 30th September, 1955.*

\*It should be mentioned that, owing to my long connection with Bihar, I have refrained from taking any part in investigating and deciding the territorial disputes between:

- (1) Bihar and West Bengal; and
- (2) Bihar and Orissa.

Further, whatever is to be found in this report in regard to Himachal Pradesh is subject to my separate note on that area which has been appended to this report.

S. FAZL ALI.

\*\*Subject to my note on Uttar Pradesh.

K. M. PANIKKAR.