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MEMORANDUM

TO BE PRESENTED TO THE HON'BLE THE PRESIDENT
OF THE CONSTITUENT ASSEMBLY OF INDIA, BY
THE REPRESENTATIVES OF BIHAR IN THE CONSTI-
TUENT ASSEMBLY, AS A REJOINDER TO A NOTE
SUBMITTED BY THE REPRESENTATIVES OF WEST
BENGAL IN THE CONSTITUENT ASSEMBLY, ON THE
QUESTION OF THE AMALGAMATION OF CERTAIN
DISTRICTS, OR PARTS OF DISTRICTS, OF BIHAR WITH
WEST BENGAL.

By

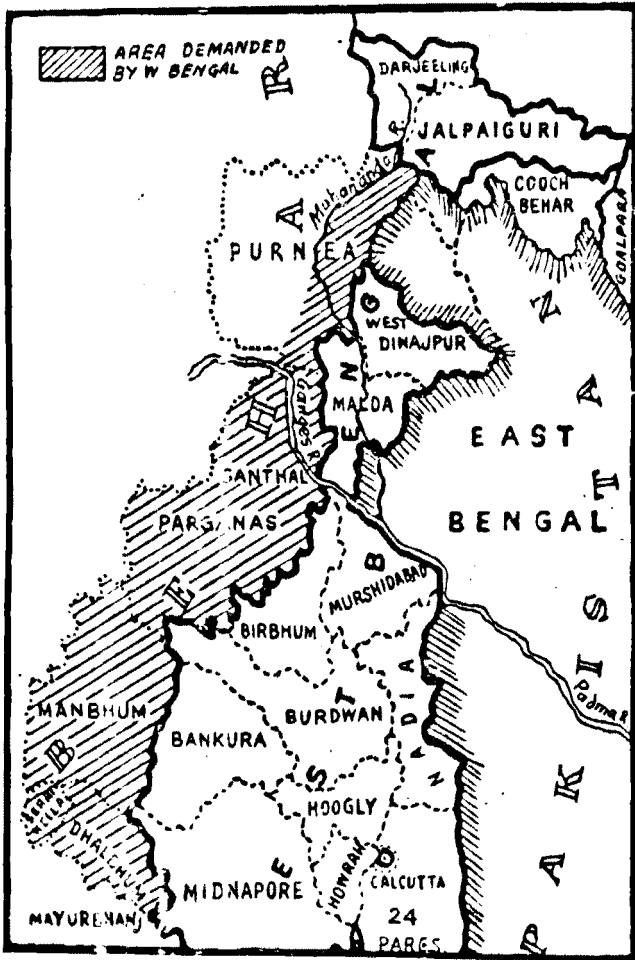
SACHCHIDANANDA SINHA, -

Member Constituent Assembly of India.

A PREFATORY NOTE

In August last the sixteen representatives of the Province of West-Bengal, in the Constituent Assembly of India (including the two Hon'ble Ministers of the Government of India from that province), presented to the Hon'ble the President of the Constituent Assembly, a note on the subject of the amalgamation of certain districts, or parts of districts, of the Province of Bihar with the Province of West-Bengal. Since then I received several letters from the Bihar representatives in the Constituent Assembly to prepare, on their behalf, a memorandum on that subject, by way of a rejoinder to the West-Bengal note. I have complied with their wishes by preparing this memorandum, with a view to its being presented to the Hon'ble the President of the Constituent Assembly. The only thing which I would like to add is that this problem should be decided, now or later, on the merits rather than on the strength, or otherwise, of any adventitious aid derived from the support extended, one way or another, by any Minister.

SACHCHIDANANDA SINHA.



Areas which can be demanded by Bihar of West Bengal not shown.

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A Memorandum on West Bengal's claims to some Bihar Areas.

CHAPTER I.

INTRODUCTORY AND EXPLANATORY.

Amongst the grounds urged by West Bengal for the amalgamation with it of certain areas of Bihar, perhaps the most important that had been put forward *ostensibly* was the linguistic or cultural; but in many of the writings and speeches of the West Bengal leaders considerable emphasis had been laid also on the historical basis—namely that the areas claimed had at one time formed part of Bengal, and were transferred to Bihar only when the Province of Bihar and Orissa was formed, in 1912. Even had it been so, as it is now nearly four decades since, it might have been reasonably argued by Bihar that a sufficiently long interval had elapsed, during which these so-called transferred areas had integrated to and become consolidated with Bihar. But it is by no means necessary to raise that contention, as more than sufficient reliable data, and authentic materials, are available on the subject of the historical connection between these areas and Bihar. These data and materials are based on unimpeachable historical records, which have been brought together in the next chapter, and which are extracted from the authorized *Reports* and *Gazetteers* of the various districts concerned, all written by British officials (qualified to deal with the subject), who had no axe of their own to grind.

After the historical background has been set forth in the right perspective, and shown that the areas now claimed by West Bengal from Bihar, had appertained to the latter province for a very long period, attention will be invited to the other aspects of the controversy—namely, the linguistic or cultural—and an attempt will then be made to show that the dispute is neither historical, nor linguistic and cultural, but purely economic—that is, a dispute for territorial expansion, and economic exploitation of the admittedly rich mineral resources of these areas—and that the linguistic or cultural garb in which the problem had been presented by the leaders or the

protagonists of West Bengal was but ostensible and not real. This aspect of the case, it is submitted, is amply proved by the extracts (brought together in a chapter of this memorandum) culled from the writings and speeches of eminent leaders of the movement in West Bengal; and it also finds expressions in the memorandum presented on the subject, in August last, by West Bengal representatives in the Constituent Assembly of India, to the Hon'ble Dr. Rajendra Prasad, its President. After the historical background, as sketched out in this memorandum, and the other points dealt with in it, will have been duly considered, the information supplied in regard to each particular district, or smaller area, claimed by West Bengal from Bihar, may then be scrutinized, and a decision arrived at as to whether the claim set up by West Bengal is just and proper, or frivolous and futile.

II

It remains to add before closing this introductory chapter that the claimants, on behalf of West Bengal, of some of the areas situated in Bihar, do not make any distinction between language and culture which they evidently treat as identical, as they use indiscriminately the expression "linguistic or cultural", in their demand for the Bihar areas concerned. The contention has been raised in this memorandum, when dealing later with the local conditions of the districts, or parts of districts, claimed by West Bengal, that language and culture are two wholly different things, and cannot be, and should not be, mixed together. No anthropologist or ethnologist would accept as sound the proposition that because a person speaks a particular language, he belongs necessarily to a particular race, tribe, or community. Of this many instances can be quoted in the India of today. Kashmiri Brahmins, for instance, who have settled down, for several generations, on the plains of Northern India, have all adopted Hindustani (in its Urdu form or style) as their mother-tongue, and even their ladies use the same language till now, though they have recently taken to writing Hindustani in Deonagri script; but no one on that account will be justified in holding that the Kashmiri Brahmins belong to any one of the Indian races in Northern India, amongst whom they had lived for some generations.

Some other examples may also be quoted. Philologists hold that the vast majority of the people in Northern India

from Assam to Pathanistan (North-West Frontier Province), and also down the West Coast below Poona and Ratnagiri, are all speakers of one or other Indo-Aryan language but no anthropologist or ethnologist is prepared to maintain on that account, that these diverse linguistic peoples, speaking one or other of as many as one dozen, or so, allied languages, belong to one race, or to one group. Yet another instance may be cited, on the point. The Brahmins in the Dravidian area of Southern India are believed to have gone down from the North, and to have carried with them their speech at that time; but all the Brahmins in the Dravidian lands now speak one or other of the four principal Dravidian languages—Tamil, Telugu, Canarese, or Malyalam. These few instances, which could easily be multiplied, are sufficient to show that the contention that everyone speaking Bengalee in a certain area is a Bengalee by race also, and has cultural affinity with Bengal, is a wholly unscientific proposition.

III

The difficulty of defining clearly the exact relation between language and culture is so great—in fact, well nigh impossible—that no one has cared to define till now what exactly culture means, and whether it is the same thing as civilization, or different from it; and if so, in what does the difference lie. In the two-nation theory, propounded by the Muslim League leaders, emphasis was laid not on culture or civilization, but on religion, and the fact that the partition of the country was effected last year (in August, 1947) not on the basis of culture or civilization but purely on that of religious communities, as Hindus and Muslims, supports the contention that religion is a thing wholly apart from culture and civilization. It is not surprising, therefore, that the claimants on behalf of West Bengal have never cared to define what, if anything, is the characteristic ingredient of Bengalee culture, as distinguishing it from “Indian culture”, in general, nor have they cared to explain whether Bengalee culture means the culture of all the people of undivided Bengal, as it stood till the 15th of August, 1947, or one only of the two separate religious communities of Bengal, the vast majority of one of which (Muslims) are now in the Eastern Bengal (or Eastern Pakistan), and the vast majority of the other (Hindus) are in West Bengal.

Assuming that Bengal had one distinctive culture common to all the Bengalee-speaking people (Hindus and Muslims

alike), then it requires a clear explanation as to why the demand of the Muslim League for the transfer of whole of Bengal to Muslim League area, on the basis of identity and affinity in culture, was so strongly opposed by Bengalee Hindus, in 1947. In that case, one should not have expected the very strenuous demand which was made last year by Hindu Bengal, most emphatically demanding that Bengal be divided into a Hindu Bengal and a Muslim Bengal (as *had* been done since). The theory, therefore, of the cultural unity of Bengal, and of all Bengalee-speaking people, even outside the boundaries of undivided Bengal, breaks down completely when put to the acid test of scrutiny and searching examination.

IV

On the contrary, we believe with those most eminent foreign and Indian authorities who have maintained, and justly so, that the whole of the Indian sub-continent has but one culture, "Indian", which is a unique synthesis of the contributions towards its development of the numerous peoples, races, tribes, and nationalities that have poured into this country from the earliest dawn of history, and who were absolutely correct in their estimate of the universalism of our culture. The culture of India, as it is today, is an assimilation and a combination in a synthetic process of different religions, and diverse modes of thought, and it is not open now for a particular people to say, with any show of reason, that they possess a culture of their own, which can be distinguished, in any sense, from Indian culture. It is not desirable, for obvious reasons, to burden this memorandum with extracts and quotations from learned books and authorities on the subject; otherwise, it would be easy enough to show that the only culture that now obtains throughout the country, amongst all sections of the population, is that has been rightly called "Indian culture", as opposed to provincial or communal culture.

In this connection may be profitably studied the observations of Mahatma Gandhi made at a Press Conference convened by him in September, 1944, at which one of the pressmen present raised specifically the contention of the redistribution of the provinces on what is popularly called "linguistic and cultural" basis. He put to Mahatmaji a clear-cut question on the subject, who (as was usual with him)

expressed his views on it with great lucidity. The question put to him by the pressman was: "Why not divide India according to language and culture", to which Mahatmaji immediately replied: "But what is 'culture'?" He went on: "It is impossible to define it. As for redistribution on cultural basis, I do not really know what it means, and I am unable to understand how provinces could be reconstituted on cultural lines. It seems to me fantastic and impossible. I do not see the slightest chance for such redistribution". We shall not spoil the effect of the inherent forcefulness of Mahatmaji's remarks by any comments of our own, as the question put to him was quite specific, bearing on the point under discussion, and his reply was so crystal-clear that its significance and implications are not likely to be lost on any one open to conviction, without any attempt to elucidate what Mahatmaji desired to convey. It may be argued that in saying what he did, Mahatmaji expressed his individual views. Even assuming that to be so, it cannot be reasonably urged that he was not familiar with the views of the Congress expressed on the subject on various occasions since 1923, but that he evidently realized, as a practical reformer, the inherent difficulties involved in the solution of the problem on the lines suggested in the question put to him. Keeping the above observations of Mahatmaji in mind, we shall try to show that the demand made by West Bengal has absolutely no reasonable justification whatsoever on any ground—linguistic, cultural, racial, tribal, legal, moral, or any other.

Lastly, addressing the new graduates of the Calcutta University (in March, 1948) Shri Kanhayalal Munshi in the course of his Convocation address observed as follows:— "Each nation has its distinctive culture which forms the source of its strength. Our culture is an organic growth, native to our soil, our history, and the central ideas round which our national life has revolved for generations." In making these observations what did the learned Convocation lecturer desire to convey to his audience? Was it that he was speaking of one Indian culture, or of distinctive racial, communal, or provincial cultures, such as, it is asserted, is possessed by Bengal on the basis of which Bengalee-speaking areas in the neighbouring provinces are to be amalgamated with West Bengal? Surely, there is but one answer, as Shri Munshi did not come all the way from Bombay to Calcutta to tell the graduates anything about Bengalee culture!

The intensely break-neck agitation, in 1947, by the people of West Bengal for the partition of Bengal itself, to avoid the remotest possibility of the establishment of a Muslim League Government over the whole of that Province, which agitation resulted in the constitution of the Province of West Bengal, had been followed, throughout 1948, by an even more strenuous agitation in asserting West Bengal's alleged claims on certain areas in Bihar. At last, in 1948, it was announced on the 25th of August, from New Delhi, that a memorandum signed by the West Bengal representatives in the Indian Dominion Parliament had been submitted to the President of Constituent Assembly of India, with copies of it to the Prime Minister, the Deputy Prime Minister, and the Law Minister, drawing attention to the demand for the amalgamation with West Bengal of the Bengalee-speaking areas of Bihar, and praying for a direction to the Commission appointed (by the Hon'ble the President of the Constituent Assembly to examine and report on the formation of new provinces) to consider the problems of the new State of West Bengal also, so that their recommendations may be given effect to under Section 290 of the present Constitution. The memorandum is signed by sixteen West Bengal members, including the two Bengalee Ministers of the Central Government—Dr. S. P. Mookerjee, Minister for Industry and Supply, and Mr. K. C. Neogy, Minister for Commerce.

The memorandum, presented to the Hon'ble Dr. Rajendra Prasad, asks that the alleged Bengalee-speaking areas in Bihar (such as the district of Manbhūm, the State of Saraikella, and portions of the districts of Singhbhum, Purnea, and Santal Parganas) should be included in West Bengal. The full text of the memorandum is printed as an appendix to this rejoinder to the West Bengal memorandum, in which, it is submitted, all the points urged in favour of Bihar areas being amalgamated with West Bengal, are contested, and conclusively shown to be untenable. It may be added that this rejoinder to the West Bengal memorandum deals both collectively and specifically with all the Bihar areas claimed by West Bengal, except the State of Saraikella, since the Central Government had treated it (and the other State of Kharsawan) as integral parts of Singhbhum, the conditions of which Bihar district are discussed in a separate chapter of this memorandum.

Contrast the above demand of West Bengal--which we have no desire to characterize--with what the Bombay Provincial Congress Committee had resolved and recommended that "at least for ten years the consideration of the question of linguistic provinces should be kept in complete abeyance." Any controversy at this stage, the Committee held, was bound to "weaken our freedom and dissipate our meagre national resources." The Bombay Congress Committee's resolution, quoted from above, is dated the 23rd August, 1948. The text of their resolution is worded as follows:—"India is free only for a year. We are yet beset with a thousand and one difficulties. We are not only yet not free from external danger but we are, as it were, in the midst of it. Our internal security is greatly endangered from more than one quarter. The discipline of the country is at its lowest. India is heavily suffering from the evils of the last war, and our national economy seems to be in imminent danger. At a critical time like this, all fissiparous tendencies which are likely to create division in the country have got to be ruthlessly put down. We have seen during the last one year how this question of linguistic provinces has agitated the minds of our people. Apart from its utility for the administrative purposes, the question has degenerated into narrow provincialism, which is the very negation of sound nationalism." The Committee then proceed as follows:—"If the country could tolerate the present administrative set-up for all these 165 years under the British rule, it can surely wait for a few years more until India is free from external danger, our internal security is an accomplished fact, our economic structure is on a sound footing, our administrative services become thoroughly loyal and efficient, and the large masses of this country make it a habit to think and act in terms of nationalism, and are prepared to serve the nation with single-minded loyalty and devotion."

VI

The re-action of West Bengal to the above resolution, and similar appeals from most eminent authorities (including His Excellency Shri Rajagopalachari, and Prime Minister Pandit Nehru, as also from the leader of the Socialist Party) had been wholly disappointing, and had fallen on deaf ears, as evidenced by the presentation to the President of the Constituent Assembly their memorandum on the subject. But it is interesting to watch the reaction in Bihar, as expressed through the medium of its press. This is how the *Indian Nation*—a Patna daily, edited by a well-known Calcutta journalist,

Dr. Sachin Sen—wrote editorially on the West Bengal memorandum, in its issue of 28th August:—

“ We agree with the stand that the present time is not propitious for the re-opening of old sores. We need cohesion most. India will invite pulverisation if inter-provincial acrimony is not nipped in the bud. We fail to appreciate the logic that the exodus of non-Moslems of East Bengal can strengthen the case for the amputation of Bihar, and for the extension of the boundary of West Bengal. It is unethical for West Bengal to ask for territories from Bihar. That shows the ravenous nature of the demand; that is indicative of West Bengal’s motives; and an expression of the pillaging instincts of a marauder. We deplore the specks which taint the memorandum. It pains us to find that the best men of West Bengal are victims to the worst of piratical impulses. Bihar does not like to do wrongs; she will not remember wrongs. But she must resist all unfriendly attacks. The memorandum unfortunately shows a narrow outlook, and breathes exclusiveness and pettiness, hostile to and subversive of the larger interests of India.”

Thus the *Indian Nation*, to which we may add the editorial comment of so over-zealous a champion of the claims of West Bengal as the *Amrita Bazar Patrika*, which admits the fact that “ the people of Bihar have not, for obvious reasons, reacted favourably to this demand. Their unwillingness to part with what they consider to be integral parts of their own province has been expressed clearly, even in the Bihar Legislative Assembly.” And yet in spite of Bihar’s strong unfavourable reaction to West Bengal’s demand, the representatives of the latter province would persist in urging their alleged claims on Bihar! That is the crucial problem facing the Union of India, at present, which is discussed in this memorandum presented to the President of the Constituent Assembly of India, on behalf of the Province of Bihar as a rejoinder to the West Bengal memorandum.

CHAPTER II.

HISTORICAL RELATIONS WITH BIHAR OF THE AREAS CLAIMED FROM IT BY WEST BENGAL.

Of the areas claimed by West Bengal from Bihar, the Manbhum district, the Dhalbhum subdivision of the Singhbhum district, and certain parts of the Santhal Parganas district, are all physically integral tracts of the Chhota Nagpur plateau, the southern portion of the Province of Bihar. They are physically, ethnologically, and, to a large extent, even linguistically, part and parcel of Chhota Nagpur, and had integrated to it for centuries. In proof of this contention, the first authority we shall quote will be from *Bihar and Orissa First Decennial Review, for 1921-22 of the Administration and Development of the Province*, which was issued during the term of office of the Rt. Hon'ble Lord Sinha, its first Governor. It would show that Chhota Nagpur has had historical relations with Bihar as an integral part of it, for centuries, out of which fairly large areas—Manbhum, Dhalbhum and others—are now claimed by West Bengal. We read at page 59 of that *Decennial Review*:—“In the time of the Emperor Akbar, Kokrah or Jharkhand (as Chhota Nagpur was then called) formed part of the Subah of Bihar, and when in 1765 the Dewani of Bengal, Bihar and Orissæ was granted by Shah Alam to the East India Company, Chhota Nagpur came under British influence as an integral part of Bihar.” (our italics). The words used in this official declaration of the highest authority are weighty and conclusive on the subject. But if further evidence were wanting, it can be found in the *Gazetteers* (issued under the authority of the Provincial Government) of the various districts which are sought to be separated from Bihar, and amalgamated with West Bengal.

But before doing so, we may quote a sentence about Kokrah (or Jharkhand) from the *Memoirs*, written by Emperor Jahangir, which reads in the original Persian as follows:—“In Walayet taaba suba Bihar wo Patna ast”. (This area is under the control of the Province of Bihar and Patna) But the integrity of Kokrah or Jharkhand with Bihar does not date from only the earlier Moghal period. It recedes far back into the Mauryan era in the third century before Christ. “There is definite evidence that this part of the country was ruled by the Mauryan Emperors, and was included in the Empire of the

Imperial Guptas"—so wrote, in 1938, Mr. Jimut Bahan Sen, a Parliamentary Secretary to the Bihar Congress Ministry (1937-39), and himself a Bengali resident of Purulia—the headquarters of the Manbhum district of Chhota Nagpur. That fact, is, therefore, absolutely incontrovertible, being based on unimpeachable historical data. It may be added that for purely administrative purposes the Chhota Nagpur plateau is now divided into the five districts (from the West) of Palamau, Ranchi, Hazaribagh, Manbhum and Singhbhum, while the Santhal Parganas district is attached administratively to the commissionership (or division) of Bhagalpur.

A few extracts from a standard work called "Chhota Nagpur: A Little-Known Province of the Empire", by Mr. F. B. Bradley-Birt, I.C.S., may well be quoted, at this stage, to show the historical connection between this area (including Manbhum) with the Province of Bihar. Writes the author: "The famous compact of 1765 brought us first into touch with Chhota Nagpur, *which was included in Bihar*, (our italics), when the Dewani of that Province, Bengal and Orissa, were ceded by the Nawab (the titular Indo-Moghal Emperor, Shah Alam II) by his Firman of August, 1765. When first seriously taken in hand (about 1780) a district was formed, and known as the Ramgarh Hill tract. It was a huge district including all Hazaribagh and Palamau, with parts of Gaya, Monghyr, and Manbhum. In 1833 Hazaribagh, Manbhum, and a few years later Singhbhum, were formed into separate districts with their own local headquarters and Government officials". In 1854 the designation of the area was altered from the South West Frontier Agency to Chhota Nagpur, and the Agent to the Governor-General became the Commissioner. Thus it is clear that the historical integrity of centuries between Bihar, and its southern projection of Chhota Nagpur, continued throughout the British period, and did not date from 1912, when Bihar and Orissa were formed into a separate Province, as is now alleged by the claimants on behalf of West Bengal.

II

We shall now deal with each of the districts of Chhota Nagpur which is concerned in the controversy. The following extract is from the *Gazetteer*, of the Palamau district, written by Mr. L. S. S. O'Malley, I.C.S., and revised by Mr. P. C. Tallents, I.C.S. (1926):—"The power of the Moghal Emperors was first felt in Palamau during the reign of the Emperor

Akbar, when (according to an account compiled, from the Subahdari registers at Patna, in 1771, by Maharaja Shitab Rai) Palamau was invaded by Raja Man Singh. In 1629 Ahmad Khan was appointed by the Emperor Shah Jahan to be Subahdar, at Patna, and Palamau, with some of the neighbouring country, was given to him as his jagir. In 1641-42 Shaista Khan, the Governor of Bihar, marched from Patna at the head of an army, and penetrated as far as Palamau ”.

Later, “Zabardast Khan marched on Palamau. When he was within six miles of Palamau, Raja Pratap, seeing the hopelessness of resistance, opened negotiations which ended in his going with Zabardast Khan to Patna.” Still later, “Daud Khan, the Governor of Bihar, leaving Patna with a strong force on April 3rd, 1660, penetrated within two miles of Palamau ”. “The capture of the fort of Palamau practically ended the struggle, and the conquest was complete. Daud Khan returned to Patna, leaving Palamau in charge of a Faujdar. The latter was removed in 1666, and Palamau was then placed under the direct control of the Viceroy of Bihar.” The Palamau area was constituted a district from January 1st, 1892, by amalgamating certain Chhota Nagpur tracts with some which appertained till then to the Gaya district of the Patna division. These extracts from an authoritative work establish the old, historical, connection between Bihar and Chhota Nagpur areas, the eastern parts of which are now claimed by West Bengal.

We may now make an extract from the *Gazetteer* of the Ranchi district written by Mr. M. G. Hallett, I.C.S. (1917)—later, as Sir Maurice Hallett, Governor of Bihar, and afterwards of the United Provinces, also. He writes: “The tract which corresponds to the district of Ranchi, formed, in the historical times, part of the Subah of Bihar, and is mentioned in the *Ain-i-Akbari*. In 1765 on the grant of the Diwani of Bengal, Bihar and Orissa to the East India Company, *Chhota Nagpur, as part of Subah of Bihar, (our italics)* passed to the British ”. The next extract, from the *Gazetteer* of the Hazaribagh district, written by Mr. E. Lister, C.I.E., I.C.S. (1917), will show the historical relations between Bihar and this particular area of Chhota Nagpur:—“In 1632 the Emperor Shah Jahan included Chhota Nagpur in the jagir of Palamau, which he gave to the Subahdar of Patna. With the grant of the Dewani of Bengal, Bihar and Orissa, which was made by the Emperor Shah Alam, the Subah of Bihar passed to the East India Company, and *with it passed the right*

to receive the tribute of the areas now comprised in the *Chhota Nagpur*” (our italics). So that in so far as these three districts (namely, Palamau, Ranchi, and Hazaribagh) are concerned, it is fully established that they have been an integral part of the Province of Bihar, since the earlier Moghal period, and had justly come to be regarded, by the Biharees, as undetachable parts of Bihar.

III

We shall now make an extract from the *Gazetteer* of the Manbhum district written by Mr. H. Coupland, I.C.S. (1911): “To the Muhammadan historians the whole of the modern Chhota Nagpur, and the adjoining hill states, was known by the name of Jharkhand. Akbar, about 1585, sent a force to subdue the Raja of Kokrah, or Chhota Nagpur proper. In the *Ain-i-Akbari* Chai Champa, a part of Hazaribagh district, (adjoining the present Manbhum district) is shown as assessed to revenue as a pargana of subah Bihar. It is stated in the *Padeshahnama*, that in 1633 Bir Narayan, Zamindar of Panchet, a country attached to subah Bihar, was a commander of 300 horses”. The Panchet estate is now included in the Manbhum district. Again: “the territory comprised in the present district of Manbhum was acquired by the British with the grant of the Dewani of Bengal, Bihar and Orissa in 1765”; and further that “when the district (of Manbhum) was first established in 1833, it included the estate of Dhalbhum, now attached to Singhbhum. In 1845 the estate of Dhalbhum was transferred to Singhbhum”. So it is clear that the Manbhum district, and the Dhalbhum subdivision of the Singhbhum district, are not new accretions to Bihar (since the formation of the Province of Bihar and Orissa, in 1912, as is often alleged); but that they had been attached to Bihar from the earliest Indo-Moghal period, and had even under British rule, formed a part of the Chhota Nagpur division since 1833; that is for a period of 115 years, out of a total British occupation of Bengal and Bihar for a period of 183 years, dating it from the grant of the Dewani in 1765.

As regards Singhbhum—the fifth district included in the Chhota Nagpur division—the following extracts from the *Gazetteer* of the district will show its historical connection with Bihar. “The north of the district came under the rule of the Singh family of Porahat, who claim to be Rathor Rajputs, and whose head was formerly known as the Raja of Singhbhum.

It is said that their ancestors were three brothers in the bodyguard of Akbar's general, Raja Man Singh, who ended by conquering the country for themselves. British relations with Singhbhum date from 1767 (that is, soon after the grant of Dewani to the East India Company by Emperor Shah Alam, in 1765). The first expedition against Dhalbhum brought the British into contact with the Raja of Porahat, or as he was then called, the Raja of Singhbhum. The Raja at the time (1767) was Jagannath Singh, who seeing the success of the British, thought it a favourable opportunity to make overtures to them. When the Mutiny broke out (in 1857), Chaibassa the headquarters of Singhbhum district, like other stations in Chhota Nagpur, was held by a detachment of the Ramgarh battalion, which though a local corps, was composed, to a great extent, of Hindustanis of the same material as the regiments of the lines". These passages would go to establish the historical connection between the area contained in the Singhbhum district, and the rest of the Chhota Nagpur, the southern upland portion of Bihar.

IV,

It is submitted that the extracts quoted above are unimpeachable authority in support of the contention that the area known, at various times, as Kokrah, Jharkhand, or Chhota Nagpur, had been, beyond a shadow of doubt, an integral part of Bihar for now nearly four centuries, since the days of Akbar—to say nothing of its having been under the direct rule of Chandra Gupta and Asoka the Great, who administered their vast Empire from their capital at Patna. This memorandum will also deal separately with the Santhal Parganas district, parts of which too it is sought to incorporate with West Bengal. The submission, therefore, is that in so far as historical background is concerned, it clearly shows that the areas claimed by West Bengal from Bihar have been integral parts of the latter for centuries, and it is, as such, wholly incorrect to say that they were, for the first time, transferred from Bengal to Bihar in 1912, when the Province of Bihar and Orissa was constituted.

That argument, it is urged, has no leg to stand upon in the light of the unimpeachable data brought together in this chapter. It was with a full knowledge of these facts that the Hon'ble Prime Minister Pandit Nehru is reported to have expressed himself recently in the following emphatic terms:—
“ Although Congress was wedded to the principle of linguistic

provinces, I do not wish the unity of India to be disrupted by this separatist tendency being given priority over other pressing problems. I would, therefore, emphasise the need of unity of India at the present time. If we are not careful this fissiparous and separatist tendency would do us harm. We shall not, therefore, do anything now which strikes at the unity of India. West Bengal has made a demand for inclusion of certain areas of Bihar in the province simply because Bengalee-speaking people happened to be in majority in the areas. *Those areas had been of Bihar for more than a century, and there was no justification for bringing them under West Bengal. This cannot happen, and the Government of India will not allow any alteration in the existing boundaries of the provinces* ”.

CHAPTER III.

THE ALLEGED BASIS OF WEST BENGAL'S DEMAND : CONGRESS DECLARATIONS.

The demand for the redistribution of even comparatively small areas from one province to another—as, for instance, from Bihar to West Bengal—is said to be based on declarations of the National Congress, the last of which was included in its Election Manifesto, dated 11th December, 1945. It may be taken, therefore, to represent the latest views of the Congress, and was worded as follows:—“ The Congress has stood for full opportunities for the people, as a whole, to grow and develop according to their own wishes and genius; it has stood for the freedom of each group and territorial areas within the nation to develop its own life, and culture, within the larger frame-work; and it has stated that for this purpose such territorial areas, or provinces, should be constituted, *as far as possible*, on a linguistic and cultural basis.” We have quoted the passage in full, as it is on the statements it contains that the demand of the West Bengal against Bihar is said to be justified, and is sought to be pressed, irrespective of whatever may happen to the latter province.

The fact that the above passage (from the last Election Manifesto of the Congress) had been utilised as a suitable and appropriate motto on the title-page of a Bengali pamphlet, compiled on the subject, and widely circulated in the West Bengal and Bihar, by the Bengalee Association of Purulia (the headquarters of the Manbhum district, which is one of the districts claimed from Bihar by West Bengal) supports the view expressed above, in regard to its importance in the eyes of those carrying on the agitation. Some other statements on the subject, made by the Congress previous to 1945, are also said to support the contention that the Congress was pledged to even small territorial redistribution throughout the length and breadth of the Union of India, on the basis of language and culture—which are evidently held to be synonymous or co-extensive terms—wholly irrespective of economic integrity, administrative convenience, or any other equally important considerations, and utterly oblivious of what results may accrue thereby. But the words in the Congress Election Manifesto—“ *as far as possible* ”—would not obviously justify any such interpretation as is sought to be placed on it by ignoring those

important qualifying words, clearly limiting the principle enunciated in the earlier part of the Manifesto.

II

We suppose that in the passage quoted from the Congress Election Manifesto it is on the words—" for this purpose such territorial areas, or provinces, should be constituted, *as far as possible*, on a linguistic and cultural basis"—that emphasis is laid by the proponents of the scheme rather than on the other passages, which are of general application, to the whole of India, or on the words of qualification and limitation—" as far as possible"—embodied in them, which it suits their purpose to ignore. Nor can one, in considering *now* the various important aspects of the question under discussion, overlook the tremendous import of that historically most tragic incident, which no human being could possibly have anticipated at that time (even so late as December, 1945)—when the Election Manifesto was issued—namely, what happened on the 15th August, 1947, when India was actually and factually partitioned, into two independent Sovereign States, on an entirely different ground, namely, pure and sheer communalism with religion (and *not* language or culture) as its sole basis. The result of this most tragic historic event, which had resulted in two separate States in Bengal being established—the Eastern (roughly, two-thirds of the old province) forming the eastern part of the State of Pakistan, and the Western (roughly, one-third of the original province) forming a province of the Union of India—cannot be ignored in a serious discussion of the subject, as is often sought to be done by the advocates of the redistribution of certain areas from Bihar to West Bengal. It is submitted that the whole situation had been so completely altered by the incidents and events consequent on the partition of India—reference to which is made later in this memorandum—that it cannot be brushed aside in a dispassionate consideration of the problem.

Similarly the effect of the partition of the old province of the Punjab—in pursuance of the scheme carried out in August, 1947—had led to the formation of the new bi-lingual province of Eastern Punjab, in which there live, side by side, people speaking Punjabee in the Jullunder division and the neighbouring areas, and Hindustani in the Ambala division and its contiguous areas. Whatever may happen hereafter; there is no suggestion whatsoever before the Government (Central or Provincial), at present, that because the people of the Ambala

division are Hindustani-speaking, they should be transferred on that account from the Eastern Punjab Province to the United Provinces, or to a newly-constituted enlarged Province of Delhi, on linguistic or cultural grounds. All these considerations go to show that the statement in the Congress Election Manifesto (of December, 1945)—as also the earlier declarations of the Congress on the same subject—clearly contemplated a situation wholly different from the one we are faced with today, as the result of the division of India in August, 1947, into two independent Sovereign States. It is, therefore, submitted that to hark back to declarations of the Congress made, from time to time, in years before the partition of India in August, 1947, is not likely to help us now, in appreciating correctly the situation facing us, subsequent to the partition of India into the Indian Union, and Pakistan.

III

That the view submitted above is not without the support of the highest and most unimpeachable authority will be apparent by a perusal of the observations made not long back, on the subject, in reply to addresses specifically raising the point, and presented by popular bodies and organisations to His Excellency the Hon'ble Shri Rajagopalachari, then the Governor of West Bengal, and since June 21, the first Indian Governor-General of the Union of India. His Excellency expressed his views, on the point raised before him, in the following terms:—"In this world there is no profit without some loss, and no loss without some profit. By reason of the partition of the province (of Bengal) there is a great deal of loss, but there is also some profit. You cannot get a Government for Bengal in which the Hindus will be in a majority, except by the partition of Bengal. If you look at the loss side only, you will realise that the partition is a great loss. But suppose you had no partition. Then you must always have the courage to accept a Government run by the Muslim majority for the whole of Bengal. You can, therefore, complain, or criticise, or praise, by looking at one side of the picture, but if you look at both sides of it, you will maintain silence, and accept the present condition."

His Excellency urged further: "I shall, therefore, ask you not to worry about the size of the districts in Bengal. Do not worry and get headache over it now. In the old days there was some meaning in the autonomy of the provinces. Hereafter all the provinces have to be so closely knit together

with Delhi, that there will be no distinction whatsoever between province and province. The Dominion of India is so closely knit together that it is not the time to look to provincial boundaries. All provincial borders are practically abolished now, and India is one. What strength can we develop if we go on fighting with one another. Therefore, I appeal to all, to drop our narrow ideas. Let us learn to entertain broad ideas. What we should now concern ourselves about is how to make India strong, safe, and happy."

IV

Although the facts which His Excellency Shri Rajagopalachari had in view, when making the above observations, are quite recent, nevertheless public memory being notoriously short, it is worth while recalling very briefly some of the important ones. In 1946, Mr. Shabees Suhrawardy as the Premier of Bengal, fixed the 16th of August as the date for Muslim League celebrations, throughout that Province. What happened on that and subsequent days need not be recalled or recapitulated. Sometime later came the incidents lasting over days, if not weeks, in the Noakhally district, and the neighbouring areas in Eastern Bengal. These happenings roused feelings in Hindu Bengal to so high a pitch that when last year (1947) it became clear that there was no prospect of the transfer of power being made from British to Indian hands unless India was partitioned, Hindu Bengal set up a most tremendous agitation that Bengal itself should be divided into two provinces on a frankly communal basis—thus discarding openly the linguistic or cultural ground, to which they are again harking back in claiming some Bihar areas! The result was the partition of Bengal into a Muslim area as a part of Pakistan, and a Hindu area as a Province of the Indian Union—on the insistence of Hindu Bengal itself, and not on that of the Muslim League which did not want Bengal to be divided.

It is submitted that in accepting this position Hindu Bengal openly flouted and unceremoniously repudiated, by its open and direct action, the linguistic or cultural basis for the formation of provinces, and frankly accepted in its place the communal principle of the two-nation theory propounded by the Muslim League. It was to these facts to which His Excellency, the then West Bengal Governor, referred in his speeches when he tactfully pointed out that Hindu Bengal had not displayed "courage to accept a Government run by the Muslim majority for the whole of Bengal". Hence his sound

advice to "accept the present situation," rather than clamour for some districts or parts of districts now incorporated in the Province of Bihar—it being a settled principle in law and equity that one cannot, and should not, be allowed "to approbate", and "to reprobate", from time to time, as may suit one's convenience or purpose; and which idea is conveyed in non-legal language by several expressions like "running with the hare and hunting with the hound", "blowing hot and cold in the same breath", and some others. Neither a Court of Justice, nor civilised society, for the matter of that, will lend the weight of its sanction or approval either to an individual or a community in such an inequitable conduct.

CHAPTER IV.

LINGUISTIC CONSIDERATIONS AND ADMINISTRATIVE AREAS.

The exponents of the claims of West Bengal on some of the Bihar areas have not made it clear whether they demand these districts, or parts of districts, on the ground that they are Bengalee-speaking majority areas, or whether in some, or all of them, a certain percentage of people speak Bengalee. It will be shown when we come to discuss the case of each particular district, or parts of a district, that there is no area in Bihar which has a majority of Bengalee speakers. At the best, in certain parts of some of the districts a certain percentage of the population is Bengalee-speaking, the rest being either Hindi-speaking, or the speakers of some tribal language; or speakers of some mixed or corrupt *patois* like the Kurmali of Manbhum area. But the basis of West Bengal's demand seems to be that no Bengalee-speaking human being should be left outside the jurisdiction of the Government of that province. One would search in vain, the whole world over, for any Government which includes in its jurisdiction all the people speaking a particular language, as is evidently the idea of the West-Bengal claimants. Not only it is not so in any of the countries of Asia, but it is not the case in Europe, Africa or America, either, a point which we propose to develop in this chapter.

But before doing so, we may profitably extract the observations of a distinguished Bengalee publicist, Dr. Naresh Chandra Sen Gupta, from an article on the "Problem of Language in Free India", in the *Hindustan Review* (Patna) for August, 1948, in which he writes:—"History would also show the existence in Europe for a long time of the State of Switzerland with three different languages which are the languages of France, Italy and Germany. Modern examples are even more instructive. In the dominion of South Africa two different European languages prevail; and the Afrikanders (like Smuts, Hertzog, Malan, and others) talk English in the Parliament. In Canada French and English thrive side by side; and French Canadians are quite content with English as the official language of the Dominion. In the United States of America where less than half the population is of pure English descent, the language of England flourishes as the national language. In the large and sprawling territories of the Union of the Soviet Republics the multitude

of different languages has not prevented either political solidarity or economic unity, and there Stalin (a Georgian) can now rule the wide territories from Moscow."

That Dr. Sen Gupta's reading of the history of the political trends in the western world is absolutely correct, is amply evidenced by historical data. Let us take first the case of France and Germany. It is well known that the vast bulk, or the majority, of the people of the provinces known as Alsace-Lorraine comprises German-speaking population, and yet it is well known that for centuries they had so integrated with France as to have become part and parcel of that country. And when in 1871, in the war between France and Germany, the latter annexed that province as a part of the German Empire, France vowed to recover possession of it again; and Alsace-Lorraine is now an integral part of France not against the wishes of the people, but because they prefer to be integrated with France, rather than with Germany—in spite of their being a German-speaking people. Here is one prominent example of the fact that all political or administrative system cannot be governed by purely linguistic considerations.

II

Let us take another example, that of Spain. Outsiders, who have not any knowledge of the internal conditions of Spain, believe that the people of the country speak some language called Spanish, but that is not so. In fact, there is no such thing as a Spanish language. The languages of Spain are two—well known as Castilian and Catalonian. The former is undoubtedly spoken by a much larger number of people than is the latter; but in the north-east area of the country (known as Catalonia) the Catalonian language reigns supreme, and is acknowledged as the chief official language of the area, but the Castilians and the Catalonians have lived in peace and amity during now many centuries, and Barcelona, the capital of Catalonia, is one of the most prosperous sea-ports on the Mediterranean.

Dr. Sen Gupta had naturally referred pointedly to the case of Switzerland, and this is perhaps the most prominent instance of various peoples speaking different languages but integrating for the purpose of common administration and popular welfare. Surprising as it may seem, there is no such language as a Swiss language. About two-thirds of the Swiss people are German-speaking, less than one-third French-speaking, a smaller percentage Italian-speaking, and very lately a fourth language,

called Romanch, which is just spoken in a very small area, has also been given equal status with such cultured and developed languages as German, French and Italian, with the result that the official proceedings of the Swiss Legislature are conducted in any of these four languages at the option of the speaker addressing the House. To say, therefore, that because in a certain Bihar area a certain percentage of the people, though not constituting a majority of the population of that area, speak Bengalee the whole area should be transferred to West Bengal, would obviously seem to be a preposterous demand.

Let us now take some other examples. It is very well known that the white population of South Africa consists of two racial elements, the British and the Afrikanders: the language of the former is, of course, English; while that of the latter is a form of old Dutch, which prevailed in the Netherlands at the time when the Dutch came and settled in South Africa, some centuries back. Some of the most prominent South African statesmen, politicians and public men are Afrikanders;—that is of Dutch descent—but they all work smoothly with the British without the least difficulty, and have never demanded any such division of the country on linguistic lines as is now being made by West Bengal. Then there is the case of America, both in the British dominion of Canada, and also in the United States. As is well known, Canada was first colonised by the French, and it was at a later stage that the British appeared on the scene, and succeeded in annexing it to the British Empire. Both these races have lived side by side for now nearly two centuries and they have been able to establish successfully an advanced system of democratic Government, to which each racial element has contributed its quota of strength to the administration, and some of the Canadian French statesmen have enjoyed international reputation. Both English and French are spoken in the Canadian Legislature, and no difficulty has ever been caused on that account, nor has there ever been a demand for the division of the country on what is called here “linguistic or cultural basis”.

Next, there is the case of the United States, which has been justly described as the cock-pit of Europe. Though the original colonists were all of British descent, who carried with them the English language, yet during the last one century and more, immense masses of population have poured into the States from almost every country of Europe, and even of some of Asia. All these colonists have carried with them their own form of speech. They occupy, at several places, fairly extensive areas where they live the life that they lived in their own land before

they migrated to America. They publish their own newspapers in their original tongue, and yet in a few years' time they all became merged, and identified with the land of their seeking and adoption, and are as good Americans as any of the earlier British descent. It is sufficient to recall that the two Roosevelts (who were both Presidents of the United States) were of Dutch descent, their ancestors having migrated from Holland, a fact which is evidenced by their name itself.

In the latest work on America, Mr. Geoffrey Gorer's *The Americans: A Study in National Character* (1948), the author writes: "This book is only concerned with about two-thirds of the inhabitants of the United States. The history, the traditions, and even to a large extent the population of the Southern States, and, to a lesser degree, Texas, rural New England, and California, contrast strongly with those of the remaining portion of the country. The remaining third live in areas whose history and traditions—and, to a certain extent, the make-up of their population—differ markedly from those of the remainder of the country." He adds: "There is noticeable variation in different areas; in some of them pre-dominance of immigrants of a single tradition—for example, the Scandinavians in Minnesota, the Germans in much of Wisconsin, Illinois and Pennsylvania the Irish in Massachusetts; the Mexicans in Texas, the French-speaking Acadians in Western-Louisiana—provides a local colouring". Such is the sociological condition of American Union today, which has been the most important United States in the world since 1776, with its many divergences and dissimilarities in language, race and culture; yet all united politically and administratively in one common State. But in the United States of India, every Bengalee-speaking human being must automatically belong to the Province of West Bengal, and to no other!

III

Lastly, it may briefly be recorded that in the countries of Asia (including Turkey) there is none at the present moment, nor was at any time in the past, that can be said to have been a purely unilingual State; but as we generally take our examples and illustrations from the States of the West, and those based on their models, it is not necessary to pursue the subject further. Turning now to India, it may be stated that the British during their period of administration of the country (extending over some parts to one century, and over other parts

to two centuries) never bothered themselves about the language of the people as a basis of one administration. Whether in doing so they were actuated (as is sometimes alleged) by sinister motives, need not be discussed now; but it is sufficient to note that the immensity of the task and the numerous inherent difficulties involved in the matter might well have deterred a race of practical administrators like the British from undertaking to establish administrative areas based on linguistic grounds.

The only two examples which may be said to have departed from the settled practice were the creation, in 1936, of the provinces of Sind and Orissa—the former, being geographically a compact area cut off on all sides from other linguistic areas, presented no difficulty whatsoever and can thus be said to have formed no exception to the general rule of the formation of administrative areas in British India; but that was not the case with the formation of Orissa. The Government of India had to appoint a Commission under the Chairmanship of the late Sir William O'Donnell with two members—one from Assam and the other from Bombay. Besides these three members, there were three Assessors on the Committee—one representing the Madras Andhras, the other Orissa, and the third Bihar. Their proceedings extended over several months as they recorded evidence at various places in Bihar and Orissa, in the Central Provinces, the province of Madras, and also in some other contiguous areas. The publication of their report evoked considerable opposition from amongst various sections of the population affected by their recommendations. At least, after prolonged discussions, a separate province of Orissa, with larger boundaries, was formed on the 1st of April, 1936, with the result that a section of the Andhra population was transferred to the new province of Orissa, and though more than twelve years have passed since, the Andhras in Orissa are still an insistent and a persistent problem. It is one which presents, in one shape or form, some difficulty or other in the day-to-day administration of the province of Orissa.

While if the areas inhabited by these Andhras had not been included, the result would have been that important sections of Oriyas would have still remained under the jurisdiction of a Government established at Madras, which would have continued to cause great dissatisfaction to the Oriya public, in general. This one example is quite sufficient to show the inevitable difficulties of creating unilingual provinces, in a country like India, or for the matter of that, in any other part of the

world. It remains to add that we advisedly refrain from making any comments on the announcement made through the medium of the press that the President of the Constituent Assembly in India had formed a Committee to examine the question of the formation of five new provinces in Southern and Western India. We can, but express the hope that the Committee, and the Boundary Commission which will have to be appointed later to demarcate the areas on linguistic basis, will not meet with any such difficulties as had been experienced in the case of Orissa. We shall wait and see.

IV

Lastly, a brief reference may be made before concluding this chapter to certain incidents in modern European history which bear upon the subject under discussion. It has been mentioned above (in the paragraph dealing with Switzerland) that about one-third of its people speak French and about two-thirds German, and smaller sections Italian and Romanch. But never during the last six or seven centuries—since the Swiss Republic was first formed—have these people made any claim to amalgamation with Germany or France, or Italy on linguistic or cultural ground. Nor is that all; it may not be generally known in India that the country called Belgium, which is situated to the north of France, is a bilingual country. The people of southern Belgium speak French, while those of northern Belgium speak the language locally called Flemish; but which is practically the same language as the Dutch, which is spoken by the people of the Netherlands or Holland. The capital of Belgium, viz., Brussels, is situated in the French-speaking area, and is not unjustly regarded as a miniature Paris. Napoleon made certain territorial changes by adding southern Belgium (the French-speaking area) to France, but the Conference of European statesmen, held in 1815, after the fall of Napoleon, reorganized the territories and attached them to the Netherlands mainly, we suppose, on linguistic grounds. But the experiment did not succeed; and in 1830, there was a revolution with the result that in the next year (1831), the State of Belgium had to be reorganised and reconstituted on the old bilingual basis, with the northern Belgians-speaking Dutch or Flemish, and the southern Belgians-speaking French. And so it continues till now. Thus not only modern European conditions, but even modern European history, afford examples of the failure of unilingual States, and the success of bilingual or multi-lingual ones.

CHAPTER V.

THE SIGNIFICANCE OF THE QUALIFYING WORDS IN THE CONGRESS MANIFESTO.

In an earlier chapter it has been indicated that those who take their stand upon the passage, about redistribution of areas, in the Congress Election Manifesto of December, 1945, conveniently overlook the significance of the qualifying words embodied in it, viz., "as far as possible". Now, what is the implication of those words, and why were they deliberately introduced in the Manifesto? The reason is obvious. In a country like India where the people have been living for centuries and centuries without any proper regulation by the various States, which existed during long stretches of history, and have, therefore, spread out in various directions, it is absolutely impossible and wholly impracticable to bring them into newly-constituted provinces or States, each absolutely compact and strictly confined to a particular people, speaking one language as their mother-tongue. It is this difficulty which must have urged Mahatma Gandhi to have declared, as a practical reformer, that it was impossible to redistribute the areas of Indian provinces on purely linguistic basis (p. 4). But the same difficulty had presented itself to the mind of all others who were qualified to judge of the matter, and who had seriously applied themselves to the study of this problem.

The proponents of the linguistic scheme have stressed in their writings and speeches the recommendation of the Simon Commission on the subject. In discussing the linguistic aspect of the question of the redistribution of provincial areas the Simon Commission expressed their views in the following terms:—"There is no doubt that the use of a common speech is a strong and natural basis for provincial individuality. But *it is not the only test* (our italics). Race, religion, economic interest, geographical contiguity, due balance between country and town, and between coast line and interior, may all be relevant facts." Then they went on to say: "We are all aware of the difficulties encountered in all attempts to alter boundaries, and of the administrative and financial complications that arise", in doing so. These "consequential administrative and financial adjustments", they added, "are bound to be of an extremely complex character". After having made the above observations, and emphasised the serious

“administrative and financial” difficulties consequent on altering provincial boundaries in a country like India, they went on to declare that “the most important (consideration) of all perhaps, for practical purposes, is the largest possible measure of general agreement on the changes proposed, both on the side of the area that is gaining, and on the side of the area that is losing territory”. These are very important observations which cannot be ignored in a serious discussion of the subject as is being done in West Bengal.

It is submitted that because the Congress leaders were thoroughly conversant with the inherent difficulties of the problem, so lucidly set forth by the Simon Commission in their own words quoted above, that they (the Congress leaders) were careful to introduce the qualifying words of limitation in their Election Manifesto, the words, “as far as possible”. Several considerations confirm this view. One is that from the time of the publication of the Simon Commission’s Report, in 1930, till August, 1947, neither the British Government took any action whatsoever in trying to implement the recommendation of the Simon Commission for the appointment of a Commission to consider the question of the redistribution of the territories of the provinces; nor did the Congress members in the Legislatures ever press for it. But if it be urged that in refusing to take action, the then Government were actuated by some sinister motive, it would be observed that emphasis is laid on the same point in the Resolution of the present national Government of India (dated the 16th June, 1948) published on the subject of the constitution of a Commission to consider the question of the formation of four new provinces of Andhra, Karnatak, Kerala and Maharashtra. The communique issued on the subject distinctly lays down that the President of the Constituent Assembly has appointed a Commission to examine the proposals for the formation of the four new Provinces (mentioned above) and to report on “the administrative, economic, financial, and other consequences, of the creation of such new provinces”.

It would thus be seen that not only in substance, but even in form, the Resolution now issued by the President of the Constituent Assembly, with the consent of the Government of India, is practically in the same terms as the views expressed by the Simon Commission, viz. that no new province can be established merely on linguistic or cultural ground, but that the economic, administrative, financial, and other important

aspects underlying the proposal cannot possibly be ignored from consideration in the formation of new provinces, or for territorial redistributions or adjustments. It is submitted that in a matter like this the demand by any Province for the use of force, or compulsion, or resort by it to the Central Government, is no solution of the difficulty; but that—as suggested by the Simon Commission—it is a matter of mutual adjustment and agreement between the provinces concerned. To quote once again, in view of their importance, the very words of the Simon Commission, “the most (important) consideration of all perhaps, for practical purposes, is the largest possible measure of general agreement on the changes proposed, both on the side of the area that is gaining, and on the side of the area that is losing territory”. It is submitted that these fair suggestions and reasonable considerations cannot possibly be ignored in any settlement in the matter of exchange of territories between Bihar and West Bengal, apart from those others set forth in this memorandum.

II

It would be interesting, at this stage, to note how the West Bengal-Bihar controversy is regarded by the leading organs of public opinion of the country, outside the two provincial areas. In the course of a leading article on the subject (in its issue dated the 15th June, 1948) the *Statesman* summed up its views in the following terse but clear terms:—“Last year, the battle between the advocates of a large integral Bengal, and those of partition, was fought and won by the latter. They accepted partition with their eyes open. They got Calcutta, which they wanted. If now they argue that the rump province of West Bengal is too small for its inhabitants, and the immense conurbation of Calcutta is used to prove their case, they should not be surprised that their demand is regarded as neither opportune nor urgent”. We shall leave it at that without any comment, for attention had already been invited to that aspect of the question, in the last chapter of this memorandum.

The *Leader* of Allahabad, which is an old-established organ of nationalist public opinion, expressed itself as follows in a leading article in its issue of 1st June, 1948:—“A tearing and raging propaganda has been set afoot in furtherance of this demand both in the press and on the platform. Newspaper articles and reports of speeches show that a great deal

of heat has been unnecessarily imported into the consideration of this matter. Carping criticism is also being levelled against Congress leaders and others. Even the President of the National Congress has not been immune from criticism. But *the economic problems of one province cannot be satisfactorily solved by creating new problems of a similar nature in a neighbouring province* (our italics). Bihar was made a separate administrative province in 1912, and its economy is bound to be seriously upset by ceding a portion of its territory to West Bengal." As will be seen later, those who demand secession of territory from Bihar frankly profess to be absolutely unconcerned about the economic self-sufficiency of Bihar, or its economic disintegration. They are solely concerned—as will appear from their own declarations brought together in a later chapter of this memorandum—with the economic fortunes of West Bengal alone, wholly irrespective of what may befall Bihar.

The editorial comments of a leading Madras weekly (called *Republic*) which is an exponent of advanced nationalism,—and which being almost equi-distant alike from West Bengal and Bihar may justly be presumed to take an absolutely independent view of the controversy—may also be quoted. In its issue of the 6th June, 1948, this is what *Republic* wrote editorially:—"All the demands and controversies (for territorial redistribution) are, however, mere storms in the tea cup compared with the passion and fury that has been worked up in (West) Bengal. The Bengalee, in spite of his perfervid nationalism, has always remained an even more perfervid Bengalee. Bengal has undergone a cruel amputation, and the rest of India has naturally nothing but the most profound sympathy for Bengal. Nevertheless one cannot countenance the *ex parte* demands that Bengal spokesmen are making upon the sister provinces. Western Bengal seems to be at quarrel with Assam, Bihar, and Orissa. Western Bengal's immediate demand is for the re-incorporation of certain eastern districts of Bihar. These districts are rich in mineral resources, and Bihar on its part is naturally anxious to retain them". That is the crux of the problem; it is not language, but that the Bihar districts are "rich in mineral resources". There's the rub!

'After making the above observations, *Republic* comments further as follows:—"What makes the present controversies appear questionable is the fact that they undoubtedly betray

fissiparous and centrifugal tendencies. The Indian State is hardly a year old, and instead of building up a new Indian consciousness, which will rise above all parochial and communal considerations some misguided spirits amongst us are raising up the ghosts of local patriotism. One has only to glance through the utterances of men like Sarat Chandra Bose (the Founder-President of the Socialist Republican Party and the Evangel of Bengal—for—Ever), or even the editorials of the Bengal press, to realise the harm that is being done."

In the next chapter of this memorandum will be brought together only a few passages from the declarations of West Bengal leaders, which will satisfy any unprejudicial person that West Bengal's demand is but nominally based on identity of language or affinity of culture, but it is really a struggle for the acquisition from Bihar of districts "rich in mineral resources", in the words of *Republic*. That consideration, it is submitted, is at the bottom of the whole agitation for the break-up of the economic and administrative integrity of Bihar.

CHAPTER VI.

THE REAL BASIS OF WEST BENGAL'S DEMAND.

“ To prove that their concern is purely with the population living on the soil, and the soil itself, and not with what lies under it, or in industrial accretions which have taken place (for example, at Jamshedpur) would not be easy for Bengalees. For West Bengal to renounce interests which no other province has relinquished could scarcely be expected. Still less, however, could Bihar be expected to cede freely what she evidently regards as the basis of her future prosperity ”. These editorial observations appeared in the course of a leading article in the *Statesman*, and go far to confirm what even *Republic*, of far-distant Madras, understood and appreciated, that the real struggle on the part of West Bengal is not on the ground of the language of the population living on the soil of the Bihar districts, sought to be incorporated with it, as for “ what lies *under* it ” (in the words of the *Statesman*), namely, its being “ rich in mineral resources, ” as suggested by *Republic*. Conclusive evidence will now be brought together in this chapter in support of this contention by Bihar.

No publicman in West Bengal had been more insistent and persistent in the demand for the incorporation of some Bihar districts than Shri Sarat Chandra Bose. Some only of his numerous statements on the subject are brought together in this section. He said in August 1947: “ A cursory glance at the map of divided Bengal will show that the province of West Bengal as constituted will be poor in wealth, power, and resources. It is true that Bihar and Assam, the two neighbouring provinces of Bengal, will suffer some diminution of their population and area, if the boundaries of provinces are changed on the basis of language; but this cannot be helped. No Bengalee can possibly relinquish this legitimate demand. Every province should have a substantial measure of economic stability and self-sufficiency, and now that West Bengal cannot bank much upon jute, she must have something by way of compensation. Naturally she claims the inclusion of *the rich mineral district of Manbhum* within her territories to consolidate her economic position. The mica of Santal Parganas will also prove to be a valuable asset to her.” These statements speak for themselves, and need no comment

or elucidation, for they betray the real motive for the agitation on the face of them—that though the demand is ostensibly on linguistic ground, it is really for economic expansion by “the inclusion of the rich mineral district of Manbhum to consolidate her economic position,” and “the mica of Santal Parganas to be a valuable asset” to West Bengal.

Another statement made by Shri Sarat Bose on West Bengal's claims on some parts of Bihar was as follows: “If West Bengal is to live it is imperative that her boundaries should be extended, and the Bengali-speaking areas should be amalgamated. This has also to be done for economic reasons. West Bengal, if it has to live, must attain economic self-sufficiency. West Bengal has lost jute industry, which was her only economy. Again, if you want to develop your river system, Manbhum must become a part of West Bengal. If you want to develop the Damodar Valley without much difficulty, you should have that portion of the Bengalee-speaking areas, which are now in Bihar, included in West Bengal. Thus, both on economic and linguistic grounds West Bengal's claim is unanswerable”. Here, again, it will be noticed, that of the two grounds, the economic is the first and the linguistic the last. Taken along with the previous statement (quoted in the earlier paragraph) the motive underlying the demand of Shri Sarat Bose, and of his colleagues, is clear as noon-day.

And yet a third and last statement of Shri Sarat Bose (out of many such declarations) may be quoted:—“The incorporation of these areas in West Bengal will serve a three-fold purpose; it will to some extent increase her area, now shrunk to a third of Bengal's former territory: *it will give her economic self-sufficiency resulting from the proper utilization of the rich mineral resources of Manbhum and Singhbhum*, and it will also insure cultural homogeneity.” Here again one is confronted with the same grounds for the demand in the same serial order: (a) increase in area, with a view to attaining “economic self-sufficiency” (in his own words) “resulting from the rich mineral resources of Manbhum and Singhbhum” districts; and after all these territorial and terrestrial advantages had been secured, then last of all “cultural homogeneity”. It is submitted that it is obvious from these statements that the real motive of the demand is neither linguistic nor cultural, but something wholly different—namely, the expansion of the area of West Bengal

with the view of obtaining "economic self-sufficiency" at the cost of Bihar, by the disruption of the latter's economic integrity.

II

Again, in the course of a "Memorandum on the Amalgamation of Bengali-speaking Tracts in Bihar and Orissa with West Bengal", prepared by Shri S. K. Ganguly (President, New Bengal Association, Calcutta) we read:—"It is needless to say that West Bengal has been disastrously crippled by the Award, and it will not be possible for it to recover from the shock unless it gets the Bengali-speaking tracts from Bihar. Hence it becomes imperative that these tracts must be reunited with West Bengal. The area sought to be brought over from Bihar, is about 8,000 square miles; and with a comparatively sparse population (only about 450 to the square mile) would be a most suitable addition." This frank statement by one of the leaders of the agitation gives, it is submitted, the whole show away, in so far as it purports to be based on so-called linguistic or cultural ground, any reference to which is even remotely conspicuous by its absence in the passages quoted above. When it suited their purpose in 1947—that of getting out of the clutches of Muslim League domination over the whole of Bengal—the West Bengal public strenuously agitated for the partition of Bengal, discarded every vestige of the theory of identity of language, and affinity of culture, with the people of Eastern Bengal, now relegated to Pakistan, and (in the words of the *Statesman*) "accepted partition with their eyes open", and "got Calcutta which they wanted." Having then deliberately discarded the linguistic and cultural theory to suit their purposes, they are now trotting it out again with a view to acquire no less than "8,000 square miles" of Bihar, including its richest mineral areas. Any comment on such a change of front would be an act of supererogation.

Another prominent publicist (Shri Niharendu Dutt Majumdar) in a printed tract on the subject had written as follows:—"Under the Radcliffe Award West Bengal has got an area of approximately 29,770 square miles, losing the best part of jute, much of tea industry, and paddy lands. Its population has come down to 21,180,000. So it has been affected not only territorially but also economically. It is, therefore, imperatively necessary that it should be enlarged by including Bengali-speaking tracts within Bihar." Here

again it is the same old tale—not a word about the identity of language or affinity of culture, but only about alleged economic loss to West Bengal, and the prospective economic gain by the inclusion of the areas from Bihar.

Lastly, in the course of a memorandum circulated on the subject by Dr. P. N. Banerjee (President, Indian Association, Calcutta) we are told by the former leader of the Nationalist Party in the Indian Legislative Assembly:—“ The situation is fast becoming a serious one, especially in view of the fact that the territory allotted to West Bengal by the infamous Radcliffe Award is only one-third of the total territory of Bengal. In these circumstances the transfer of Bengali-speaking areas from Bihar to Bengal will help to ease the situation to a substantial extent ”. Not a word here either on linguistic or cultural ground, but all about easing “ the situation to a substantial extent ”, by Bihar areas being added to West Bengal, and increasing thereby its economic self-sufficiency and stability.

In the first paragraph of this chapter have been quoted the words of an editorial comment from the *Statesman* enunciating the view that the agitation in West Bengal against some areas in Bihar was not for the soil, or the people living over it, but for the things *under the soil*. A leading nationalist daily of Calcutta sternly rebuked the *Statesman* for saying so, and in the course of a long leading article on the subject (headed “ Preposterous ”) expressed itself in the following terms:—“ The movement which is now going on in West Bengal is but the continuation of the inner spiritual urge of the Bengalees for a common political life for the sake of cultural and spiritual values dearly cherished by all, and it is preposterous to insinuate (as the *Statesman* has done) that it has been inspired by the lure of what ‘ lies under the soil ’ in Manbhum or of ‘ industrial accretions which have taken place at Jamshedpur.’ ” Those who are inclined to swallow the theory of “ inner spiritual urge ” on the part of the people of West Bengal, for claiming the areas containing the rich mineral resources of Bihar for “ spiritual values ”—after reading the observations of Bengalee leaders quoted above—are quite welcome to do so. But, it is submitted, that the *Statesman's* contention was absolutely sound that the demand was not the outcome of any “ inner spiritual urge ” or “ spiritual values ”, but of the very *terrestrial urge* for expansion, power, and pelf; in fact, of the earth earthy.

III

One of the planks in the agitation for the amalgamation of Manbhum and some other Bihar areas is, that on account of the partition of Bengal, West Bengal had suffered materially, and should, therefore, be supplemented in its resources by mutilating Bihar. But the fact of the matter is that with the diminution of the area of West Bengal, there has been a corresponding diminution in its population also. While they have got 35.14 per cent of the total population of undivided Bengal, they have got 36.29 per cent of its area. At the same time practically the whole of industrialised Bengal is now within the orbit of the new province of West Bengal, which retains all the sources of coal, iron ores, and other minerals, which were so far found within undivided Bengal, as well as a substantial area under tea. It also includes all the major industries in and around Calcutta and Asansol. Nearly 99 per cent of the total electrical energy in undivided Bengal is generated in West Bengal itself. So far as the jute industry is concerned, West Bengal retains all the jute mills of undivided Bengal. Thus West Bengal retains almost all the former mineral resources and industries of undivided Bengal. Since the population has now decreased from about 60 to about 20 millions, it is obvious that, as a result of it, the position of West Bengal had become considerably better than that of the undivided Bengal, in almost all its economic aspects. In considering the question of pressure of population in West Bengal, it should be borne in mind that about 20 per cent of the total population of that province is concentrated in Greater Calcutta, and the vast bulk of this large population is supported by trade, commerce, and banking of the whole country, as represented in Calcutta, and not by the resources of West Bengal alone. On the other hand, the Government of West Bengal derive large revenues, in the form of sales-tax, and allocations from the proceeds of the income-tax, from transactions which are largely national rather than provincial.

It has been shown above that relatively West Bengal had gained economically by the recent partition. While retaining by far the greater part of the economic resources of the undivided Bengal, it has to deal with the problems of only one-third of the total population of the pre-partition province. The total revenue of undivided Bengal, with a population of about 60 millions, was only over 44 crores in 1945-46; while

the total estimated revenue of West Bengal with a population of about 20 millions is, during the current financial year, over 31 crores. This clearly shows that the financial resources of the West Bengal Government are, in relation to the population, so much greater than those of undivided Bengal. Thus the per capita expenditure in undivided Bengal in 1945-46 was only Rs. 6-8-0, but during the current financial year, the per capita expenditure by the West Bengal Government would be about Rs. 14. This means that the area constituting the new province of West Bengal would be now considerably better off, economically and financially, than it was before the partition.

In strong confirmation of the views expressed above, we may quote the following observations of the Hon'ble Shri Nalini Ranjan Sarker, Finance Minister, West Bengal, which he had made in the course of an article, called "The Year in West Bengal", contributed by him to the Independence number of the *Statesman*. "The outstanding gain to West Bengal to the physical significance of partition was the retention of Calcutta within its boundaries. West Bengal thus gained by far the largest part of the paraphernalia of Government, as well as the various educational and cultural institutions, and, last but not least, the most vital part of the commercial and industrial organizations of the province which have developed in and around the city. West Bengal has also acquired the most important port of Eastern India, and practically all the mineral resources of undivided Bengal." And yet West Bengal claimants alleged that their Province had suffered economically!

IV

A comparison between the budgets of West Bengal and Bihar (for 1948-49) will show that the former is much better off economically. Compared with the total revenue receipts of West Bengal, which are estimated at over 31 crores, that of Bihar, the population of which is much larger, being nearly double of that of West Bengal, is estimated at over 16 crores only. Similarly, while the total expenditure debited to revenue in West Bengal amounts to Rs. 31,96,00,000, that of Bihar is Rs. 15,08,89,000 only, that is, covering practically the whole expected revenue. It will thus appear that if the Government of West Bengal can spend about Rs. 14 per head, the Bihar Government can manage to spend Rs. 6 only. As a matter of fact, financially Bihar is the poorest province in

the country. At page 9 of his last Budget speech (1948-49) the Hon. Finance Minister, Bihar, said: "The point, however, is that we have formulated our needs on a very modest scale, and that both our per capita revenue and the expenditure are the lowest in the country".

The economic position of Bihar can be very well appreciated from the perusal of a few passages from the reply of the Bihar Government to the Famine Enquiry Questionnaire: "Between 1921 and 1941 the population of Bihar increased from 29 millions to 36 (it is now nearly, if not over, 40 millions), while during the same period the total cultivated area fell from 26 to 22 million acres. In Bihar even if all the cultivable waste ($6\frac{1}{2}$ million acres) is brought under cultivation, there will be a little less than an acre per head of the population. Therefore, the question seems to admit of no other answer than to emphasize the urgency of adopting measures to restrict the rate of increase of the population." Comment on this statement is obviously unnecessary.

It should be noted further that due to abnormal circumstances prevailing in the country, so far, it has not been possible to bring under cultivation the cultivable waste of $6\frac{1}{2}$ million acres in Bihar, and hence the share of the land is only about half an acre per head of the population. Apart from it, there is another important economic consideration. When the Damodar Valley project is undertaken, its immediate result will be to worsen the economic position of Bihar. Large numbers of people would be uprooted from their ancestral homes and land, and will have to be rehabilitated and provided with sufficient and suitable lands elsewhere. In the circumstances, Bihar can hardly afford to yield even an inch of its territory to another Province without bringing about the total disintegration and wholesale disruption of its own economic stability. West Bengal may remain unconcerned about it, but certainly not Bihar.

V.

In conclusion, reference may be made to the memorandum signed by sixteen publicmen of West Bengal, and submitted to the Hon'ble the President of the Constituent Assembly, on behalf of their province. We find in this document also the greatest emphasis laid on the necessity for the economic expansion of West Bengal as the result of the administrative consequences of the partition, and it is urged in it that West Bengal

has suffered materially by that process. To quote some relevant extracts from the said memorandum, in this connection, they are as follows: "The financial, administrative, and other consequences of partition have placed West Bengal in a very difficult position, which calls for examination and sympathetic adjustments. To mention only one of West Bengal's many problems, the incidence of population in the area now included in this province is nearly 800 to a square mile." This point is, in fact, the sheet anchor of the memorandum, and the alleged linguistic or cultural affinity is practically thrown over-board in it, as it is, in the other statements and declarations quoted above.

"The influx of refugees from East Bengal already amounting to millions of people has", we are told, "further increased this pressure. Apart from the need of finding food, clothing, and other necessities of life, for this uprooted population, it has become very difficult to rehabilitate them on the present limited space of West Bengal. This urgent problem reinforces the demand for inclusion in West Bengal of the Bengalee-speaking areas of Bihar. In view of the sparsely populated vast areas available in Bihar, and in view of its vast undeveloped resources, we think there is no genuine apprehension as regards the future prosperity of that province, even if the Bengali-speaking areas, with Seraikella, be included in West Bengal."

That is the case sought to be made out in the West Bengal memorandum. Now we may venture to claim that, by means of the irrefutable facts and figures mentioned above, it has been proved that as the result of the partition of Bengal the relative economic position of West Bengal has become appreciably better than that of undivided Bengal. As such only the question of the refugees in West Bengal remains to be examined. Here it should be noted that the relative density of population in Bihar is only next to that of Bengal, while in some North Bihar districts it is much higher than that in West Bengal. In some districts of North Bihar the number of persons per square mile was beyond the figure of one thousand. In order to decrease the pressure of population in these areas, it is absolutely essential that some portions of this huge and dense population should be diverted to the comparatively less populous areas of Chhota Nagpur, Santhal Parganas, and other border tracts of East or South Bihar. Hence, Bihar cannot at all afford to lose any of her territories to suit the economic or other interests of any other province.

Again, the problem of refugees is an all-India problem, and though Bihar is prepared to play her part in its solution, it is inaccurate to state that the influx of refugees from East Bengal has been so great as to have appreciably added to the pressure of population in West Bengal. The number of refugees who have left East Bengal has been estimated at about one million, at the outside, and many of them have gone over to Assam. In confirmation of it, we may quote the following from the editorial comments of the *Patrika* in its issue of 3rd September:—"Eastern Pakistan is sending to Assam not only Muslims but also Hindus in thousands, particularly those of Sylhet". Even assuming that all of them have settled down in West Bengal, it will not mean much strain on the resources of West Bengal because a fairly large number of Muslim refugees also have left West Bengal, which must have decreased the population of that Province. Any way, it is acknowledged on all hands that the refugee problem in West Bengal is, fortunately, not even remotely within approach of the similar one between East Punjab and West Punjab.

And assuming, without admitting, that all that is stated in the West Bengal memorandum on the refugee problem in that Province be correct, is it not a pertinent and relevant question for Bihar to ask why *her* territories should be disrupted, and taken away by West Bengal? Surely, it was not Bihar, but Bengal itself that, in 1947, set up a tremendous agitation for the partition of that Province into Muslim majority East Bengal, and a Hindu majority West Bengal—and all because the people of the latter Province lacked (in the words of Shri C. Rajagopalachari, the then Governor of West Bengal) "courage to accept a Government run by the Muslim majority for the whole of Bengal". That incontrovertible fact is there, writ so large that even he that runs may read. Bihar had thus no lot or part in bringing about the situation in West Bengal resulting from the partition of Bengal, last year. Is it then right and just, or fair and equitable, that West Bengal should now seek to deprive Bihar of *her* border tracts for the purposes of West Bengal's economic expansion and exploitation? The question has but to be asked to be rejected.

CHAPTER VII.

THE NEW PROVINCES COMMISSION AND WEST BENGAL.

As was not unexpected the announcement of the appointment of a Commission for the constitution of some Provinces—without any reference to it of the consideration of the question of any change in the boundaries between West Bengal and Bihar—had evoked a tremendous outburst in the Bengal press. The *Hindustan Standard* (in its issue of the 21st June), while noticing the appointment by the President of the Constituent Assembly of the said Commission, took strong exception to the limiting of its functions to investigating and reporting on the feasibility of the creation of new Provinces only—to the exclusion of the demand of West Bengal, for the transfer to it of some areas within the borders of Bihar. In the opinion of that journal the recommendation of the Drafting Committee of the Constituent Assembly, on which the Commission had been appointed, was wide enough to permit the demand of West Bengal to be examined and reported upon, and holding that view it had even gone the length of suggesting that “not many will be disposed to hold that the decision of the President of the Constituent Assembly has been influenced only by the consideration of the difference in the exact import of demands, and not all by prejudice in favour of Bihar”. We shall make no comment on the patent reflection cast on the Hon. Dr. Rajendra Prasad beyond inviting attention to the state of the Calcutta press, when dealing with this subject.

Even the *Amrita Bazar Patrika*, in the course of a long editorial headed “Disappointing”, in spite of its recognising that technically the problem of creation of new linguistic provinces is different from the demand of West Bengal for the transfer to it of certain parts from Bihar, severely criticised the observations recently made, and opinions expressed more than once, on the subject, by the Prime Minister of India, to the effect that the present was not the time for raising inter-provincial controversies of the kind West Bengal had done, and was persistently doing. The *Patrika* asserted that if the investigation of proposals for the creation of new Provinces involving difficult questions of a complicated character, could be undertaken, at present, certainly the examination of West Bengal's demand, it urged, need not have been postponed. In this view of the matter, it was suggested by the *Patrika* that the terms of reference of the Commission should be extended to

permit the examination of West Bengal's case. The editorial further proposed that if, however, for some reason or other, that was not deemed advisable or proper, then the Government of India should immediately ask His Excellency the Governor-General "to promulgate an order under section 290," transferring to Bengal, the so-called Bengali-speaking tracts from Bihar to West Bengal, "on the basis of a departmental enquiry into West Bengal's claims, as well as into Bihar's possible (?) reply thereto". In emphasising the need of an immediate enquiry and quick decision, it urged that the demarcation of boundaries (between the two provinces of West Bengal and Bihar) should be undertaken "to bring them into conformity with the requirements and aspirations of diverse linguistic and cultural groups". What a tall order that, does not seem to have struck the writer of the *Patrika's* editorial!

From the peremptory demand made above, and the reasons given for it, one, who does not know the state of affairs obtaining on the eastern borders of Bihar, would think that there is *only one linguistic and cultural group* (namely the Bengali group) inhabiting the tract, and that the only thing to do is to transfer this tract immediately to West Bengal. The fact, however, is that there is no tract anywhere in Bihar which is inhabited by "a Bengali group" only. Indeed, the tract demanded to be transferred from Bihar to West Bengal is not only inhabited by Bengalis, but also by large numbers of Adibasis, whose languages and culture are all their own, and bear no resemblance to that of the Bengalis; and also by others, whose language or culture is not Bengali, though some of them might be knowing or speaking Bengali. There has been no expression yet by people of all these three classes, through the mouth of their representatives in the Bihar Legislature, that their tract should be transferred to West Bengal "to bring the existing boundaries into conformity with their requirements and aspirations". On the contrary, there is patently serious opposition to such a demand by at least two out of the three groups referred to above. The remaining group of Bengalee-speaking Beharees (numerically small) is so interspersed with the other two, who differ from them in their ways of life, and language, manners and customs that they cannot reasonably insist on an amalgamation of their tract with West Bengal.

II

The implication of the West Bengal demand is that all people in the border areas of Bihar who speak the Bengali language are by race "Bengalee", and their culture is that of

Bengal. The truth, however, is that the overwhelming majority of the people in these border areas are non-Bengalees by race, even though they may speak Bengali owing to the system of education then, and till not long back, in force for the teaching of Bengali. But it is submitted that they are not racially, ethnologically, or even culturally, Bengalees, but that they are victims of circumstances resulting from long Bengalee domination in the public life and in self-governing institutions in those areas. As a result of this domination, Hindi schools were systematically discouraged, and only Bengali schools encouraged and patronised. It is not surprising, therefore, that many of those people had to learn Bengali as a subsidiary language, and came to be described in Census Reports as Bengalee-speaking by Bengalee enumerators. It was a wrong to the people of this tract that they were not provided with facilities for learning their own languages—a wrong done to them by the Bengalee officials who were mostly managing and administering primary and secondary education, till recently. It would be a greater wrong to such people to transfer them to West Bengal, and a much greater still to do so against their consent, at the bidding of West Bengal.

Grievance is made in the Bengalee press of the fact that the Prime Minister of India had got the issue shelved, when it could have been examined by the same Commission that has been appointed to report on the feasibility of formation of four or five new Provinces. It is conveniently overlooked that the character of a "homogeneous unit" (racially, ethnologically, and culturally) speaking the same language, and following the same customs and manners, and ways of life, is not at all in dispute in regard to the large areas to be constituted as the four or five new provinces. Indeed, they have already been functioning as separate Congress Provinces even when they are not administratively so. On the contrary, in the case of the claim of West Bengal—although no *formal* claim backed by grounds either linguistic, cultural, or any other has yet been made—it is obvious that adjudication of it will involve the examination of numerous other questions other than mere demarcation of boundaries. Quite apart from the fact that the questions involved in the solution of the problem are of difficult and complicated character—as would appear from a careful perusal of this memorandum—it is obvious that any attempt to investigate them is certain to raise a tremendous storm which is bound to lead to much bitterness and strife between the two Provinces of West Bengal and Bihar, which it should be the object of all interested in the welfare of the Union of India to avoid.

III

Such a threatening situation should not be risked even if it were to avoid—as the *Amrita Bazar Patrika* had put it—“suspicion of a wide circle of supporters and adherents of the Congress Working Committee or India’s National Government”, that they are not adhering, much less fulfilling, their past declarations, which (as shown above) had been obviously mis-interpreted. “Suspicion” cannot be helped if it can be indulged in by interested parties on misreading or mis-interpreting the Congress declaration, by ignoring the qualifying words in it—the words “as far as possible”—and thus misunderstanding the text they rely on. All such resolutions, and also the passage in the Congress Election Manifesto of 1945. had as their context the demand for new provinces by homogeneous people of *compact and extensive* areas, and not by one of several “groups” inhabiting a tract on the border of a Province, such as is now sought to be claimed by West Bengal. Indeed, a claim like the one made today by West Bengal was never made until now, nor was a Congress resolution ever recorded supporting any such pretensions. As such, the policy underlying the appointment of the Commission, or of the action of the Prime Minister of India, or of the President of the Constituent Assembly is, it is submitted, absolutely sound, and not open to criticism on any reasonable ground.

After having charged the Hon. Dr. Rajendra Prasad with favouritism towards Bihar—forsooth, as he himself is a Biharee—it is amusing to see the *Hindustan Standard* condescend to cajolery of him, later, in connection with the news that he had sent for Dr. Prafulla Chandra Ghose to discuss with him certain important matters. This is what it wrote editorially:—“We hope that the report that Dr. Rajendra Prasad has urgently summoned Dr. Prafulla Chandra Ghosh to Delhi to discuss, among other subjects the question of redistribution of the territories of Bengal and Bihar, is correct. Dr. Rajendra Prasad is undoubtedly the fittest person to bring about such a desirable state by taking formal cognisance of the case of West Bengal and initiating discussions on a high level. He is held in high esteem in Bengal; and his words, we believe, are law in Bihar. In addition, he is also the President of the Congress. We are sure that by exerting himself a little he can bring about a happy solution of the Bengal-Bihar problem which in free India should not be problem at all.” Yes, because Dr. Rajendra Prasad’s “words are law in Bihar”, therefore, with a view to establish his lost credit for impartiality in the eyes of the people of West Bengal, by proving

(to quote the very words of the *Hindustan Standard*) that he is "not at all prejudiced in favour of Bihar", he should exert his influence so that the Bihar areas claimed by West Bengal be transferred immediately to it, although there be no justification whatsoever for its being done. Verily, this appreciation of the character of the President of the Congress, and of the Constituent Assembly of India, will then have fully redounded to his credit, in West Bengal, for his supreme impartiality!

IV

The contention raised by us in this chapter that in border areas between two large linguistic tracts—more particularly between such as West Bengal and Bihar, where special advantages had accrued in favour of the former by reason of the enforced subordination of the latter for a period of nearly two centuries (1732—1912)—it would be an absolutely wrong presumption that people shown or regarded as Bengalee-speaking belong racially, ethnologically or culturally to the Bengalee race, received ample confirmation from the observations made by His Lordship the Hon'ble Mr. Justice Macpherson (of the Patna High Court) in the course of a judgment reported at page 733 in *All-India Reporter*, 1925, the name of the case being *Krittibash Mahton v. Budhan Mahtani*. In considering Mr. Justice Macpherson's observations (which were concurred in by Chief Justice Sir Dawson Miller) two points should be carefully noted:—(a) that the case came from the Manbhum district itself, and not from any other area or district and (b) that the learned Judge (who was a member of the Indian Civil Service) had worked for several years as District Judge of Manbhum—as mentioned by him in his judgment, before he was elevated to the High Court.

His Lordship Mr. Justice Macpherson's observations are as follows:—"Language is no criterion; many immigrant Hindus from up-country now speak a form of Bengali. Language is not the criterion, least of all in a border tract, where the persons concerned are converted aboriginal tribes. *And, indeed, it is an unsolved problem what the language of Manbhum is* (our italics). No doubt the late census shows Bengali as the language of two-thirds of the inhabitants, but this result was obtained by including many persons who speak Kurmali. Officially the language is Hindi or Bengali in the Dhanbad subdivision, where Hindi has a numerical preponderance over Bengali, and Bengali in the Sadr subdivision. Then Kurmali, the tribal language of the aboriginal Kurmis, is

recognized in the *Linguistic Survey* as a form of the Bihari (Hindi) language, and is classified as Hindi in the Census Reports. It was returned as the language of 211,000 persons in 1911, while the Kurmis (tribe and immigrant caste combined) in the district numbered 291,000. But as it is generally written in the Bengali character and (to quote the *Linguistic Survey*) "it is looked at through Bengali spectacles" in Manbhum, the language was in 1921, probably under a misconception, often entered by enumerators as Bengali, though it was really Hindi. My considered view is that the Dayabhaga system is not a *lex loci* in Manbhum in the matter of inheritance, and that certainly neither that system, nor any other system of Hindu Law, can be applied to the indigenous aboriginal tribes of the Manbhum district, or members of those tribes, except on proof that they have adopted it."

It may be added here that the judicial opinion of the learned judge—that "it is an unsolved problem what the language of Manbhum is"—is confirmed by the testimony of so great a champion of West Bengal's claims as the *Hindustan Standard* of Calcutta, in the course of a leading article in its issue of 26th August. In opposing the Hon. Dr. Rajendra Prasad's suggestion that there might be plebiscite on the question of the transfer of Bihar areas to West Bengal, the *Hindustan Standard* wrote editorially as follows:—"It is obvious that a plebiscite on an issue which has roused so much of passion in an area which is inhabited by a large number of uneducated people, who speak neither Hindi nor Bengali, is bound to release mighty forces of violence, and precipitate tragedies such as were enacted when Seraikella and Kharsawan States were integrated with Orissa". The "neither Hindi nor Bengali" admission gives the show away. It is clear from it that Bengalee is not the language of the Manbhum district. The contention of Bihar is that the language spoken by the vast majority of the people in the district is locally known as "Kurmali", and is akin to Hindi, but not to Bengali. It is this point which is sought to be brought under a cloud by the *Hindustan Standard* in the observation quoted from it above.

The above observations of an experienced Judge (of the Patna High Court) who had personal knowledge of the conditions—racial, ethnological and cultural—of the people of Manbhum are conclusive on the point under discussion, and are entitled to the fullest weight in support of the contention raised

by us in this chapter. We have quoted above the observance of His Lordship Mr. Justice Macpherson that the Dayal system (which is a *lex loci* in Bengal) is not so in Manbhum. In a latter case (All-India Reporter, Patna, 1946) heard by the Hon'ble Chief Justice Fazle Ali and Mr. Justice Ray, which was a case from Dhanbad, Their Lordships laid down that not only Hindus but even Hinduised Santhals, in this area, who may have been proved to have accepted the Hindu Law of inheritance, are to be governed by the Mitakshara system of Hindu Law, and not by the Bengal system called Dayabhaga. It is thus clear that on the highest judicial authority the vast majority of the people of the district—Hindus and Santhals—alike follow the Mitakshara system of Law which obtains throughout Bihar, and not the Dayabhaga of Bengal. As such, they cannot (on any reasonable ground whatsoever) be regarded as racially, legally, linguistically, or culturally, belonging to the Bengalee race, or having any affinity with the people of West Bengal.

CHAPTER VIII.

THE MANBHUM DISTRICT.

Having already dealt with, in the previous chapters, with such aspects of the problem under consideration as are of a general character, applying more or less to almost all the areas of Bihar claimed by West Bengal, we shall now deal in this chapter specifically with the district of Manbhum, in regard to which the observations made by His Lordship Mr. Justice Macpherson (quoted in the concluding portions of the last chapter) should be carefully kept in mind. The Manbhum district is a fairly large area, comprising no less than 4,095 sq. miles. Of this area, the sub-district (or subdivision) of Dhanbad comprises an area of 787 sq. miles. Dhanbad, except in two respects (viz., its revenue and forest administration) is for almost all practical purposes an independent district, in charge of an Additional District Magistrate with a staff of its own. Its local conditions also, in many respects, are different from those that obtain in what is called the Sadr Subdivision of Manbhum. For these reasons, the Dhanbad area is dealt with separately in the concluding section of this chapter.

As regards the Sadr Subdivision of Manbhum, the area of which is 3,308 sq. miles, its historical relations, as an integral part of the province of Bihar, have been already dealt with, at some length, in the chapter dealing with the subject, and also at some other places in previous chapters; and it is not necessary, therefore, to recapitulate here those facts. But the following special events and incidents that have transpired since the formation of the province of Bihar and Orissa in the year 1912, may be set forth at this stage in this memorandum. The Declaration of His Majesty the King George V (at the Delhi Darbar of 1911) creating the new province of Bihar and Orissa was made by him on the 11th of December of that year. Just after one week, a memorial on behalf of the 'District Association of Manbhum', dated the 19th December, was submitted to His Excellency, the then Viceroy, Lord Hardinge, asking for the amalgamation of the district with Bengal. A similar memorial was sent to His Excellency the Viceroy in June 1912, which was followed by another memorial in Bengalee submitted to the same authority. All these memorials were dealt with in a letter (no. 1932-A., dated Ranchi, the 19th March, 1913), by the then Chief Secretary to

the Government of Bihar and Orissa, who wrote to the Commissioner of the Chhota Nagpur Division, as follows:—"I am directed to say that the Government of India desire that the memorialists may be informed that the Government of India are unable to accede to their prayer".

The different aspects of the questions were also discussed in that letter of the Chief Secretary, and the reasons which led the Governor-General in Council to reject the memorials were detailed. Some of those reasons were mentioned in the Chief Secretary's letter as follows:—"It must be recognized that it is impossible exactly to fix administrative boundaries along the line of commercial and racial cleavage, and that provincial limits cannot constantly be altered in deference to changing industrial conditions. The only coalfield now included within the limits of the Bengal Presidency is that of Raniganj, whereas the coal-bearing strata in Bihar extend right across the province, and it would be impossible without the total dismemberment of Chhota Nagpur to bring all the coalfields which find their market in Calcutta under a single administration. From the administrative point of view it would be highly inconvenient if Manbhum with its special revenue and tenancy laws were transferred to Bengal. Any resemblance which the inhabitants of the two districts specified have with Bengal are superficial, while the differences are deep-seated. In custom, race, laws, and land tenure, the aboriginal people of Manbhum, and the Parganas of Dhalbhum, are akin to those of the rest of Chhota Nagpur, and the inclusion of a small non-regulation area in a province where law is developed, and contract unrestricted, would be a grave political error". It is submitted that all these irrefutable objections operate even more strongly now than they did at that time.

It was also pointed out in that letter that only a small portion of the Bengalee-speaking population was Bengali by race. It was further stated in that letter: "No hard and fast linguistic division is possible as the basis of the constitution of Provinces, while the objections to the transfer of these portions of Chhota Nagpur to Bengal are overwhelming, and more than counterbalance any possible advantages to be derived from a readjustment of boundaries". It is further pointed out: "The fact that Dhalbhum and the present district of Manbhum were administered as part of certain Bengal districts up to eighty years ago can scarcely be regarded as supporting the memorialists' case, for the fact that it was found desirable to sever these tracts from the Regulation districts, to which

they originally belonged, as far back as 1833, affords an excellent argument against now making any change. The assertion that Manbhum and Dhalbhum form a continuation of the plain of Bengal proper is not correct. The physical features of both Manbhum and Dhalbhum are those of upland districts, making the descent from the tableland of Chhota Nagpur to the delta of Lower Bengal. Finally, it has not been established that any widespread desire exists among the inhabitants of the areas with which the memorial is concerned for a transfer to Bengal". It is submitted that the present effort, on the part of West Bengal, should be regarded as barred, so to say, by the principle of *Res Judicata*.

Even after the rejection by the Government of India in clear and specific terms, of the above three memorials, a fresh memorial was again presented to His Excellency the Viceroy in November 1917, pressing the demand. In letter no. 332-G.T./M-137, dated the 16th of June 1920, the Under-Secretary to the Government of Bihar and Orissa informed the Commissioner of the Chhota Nagpur Division that the decision communicated by the Chief Secretary to the Provincial Government, in his letter no. 1932-A., dated the 19th March 1913, was the last word of the Government of India on the subject, and the matter was not to be re-opened. In spite of the definite orders of the Government of India, recorded above, some agitation on the subject was carried on, from time to time, mostly by a handful of persons who had migrated from Bengal, and settled down at Purulia, the headquarters of Manbhum district. In the course of correspondence on the subject, Mr. H. Coupland, at one time Deputy Commissioner of Manbhum, recorded several notes, on the subject, from time to time, of which it is necessary to quote but one observation of his, viz., that "not more than ten per cent of the people of Manbhum district spoke Bengalee", as, he said, according to his personal knowledge, "almost the entire population of the district, who do not use any aboriginal language talk dialects hardly distinguishable from the ganwari Hindi of Ranchi or Hazaribagh". He went on to add that even "the Bengali as spoken by other than the immigrant population is very corrupt".

It may also be added that before the province of Bihar and Orissa was created in 1912, almost the entire executive administration of the provinces of Bengal, Bihar and Orissa, was being conducted by Bengalee officials, as they were much advanced in education in English compared with the Biharees

and Oriyas. The result was that these officers were most anxious to spread the use of Bengali in almost all the districts of Chhota Nagpur Division of Bihar, so that there may be ultimately some justification for the claim that they should be amalgamated with Bengal. This is proved conclusively by the notes of many British officers at that time. Mr. S. R. Hignell, Deputy Commissioner of Manbhum, in his note, dated the 26th September 1913, recorded his views as follows:—" In many areas where Hindi is the prevailing language, practically no Hindi schools exist ". Similarly, Mr. T. Luby, who was at that time Subdivisional Officer of Dhanbad, wrote on the 27th September, 1913, that as the language of the majority of the people in that Subdivision was Hindi, " all gurus intended for the schools of the Subdivision should be trained in Hindi, and to ensure this result, a Bihari Hindi-speaking Sub-Inspector of Schools should be posted here in the first instance ".

Mr. Hignell in another letter, dated the 29th April 1915, wrote to the Excise Commissioner that the Excise Superintendent in that area should be a Bihari, " as most of the vendors are Biharis ". On the 16th June, 1915, Mr. T. Luby, Deputy Commissioner, Manbhum, dealing with the subject of the court language for the district wrote to the Deputy Commissioner, Manbhum, as follows:—" I would venture to recommend, therefore, that Hindi should be recognised as an alternative court language in the Sadr portion of this district, as it has already been recognised for the Dhanbad Subdivision. This will confer a boon on the Hindi-speaking classes without involving any hardship to the Bengali-speakers, and will encourage the study of Hindi which is, after all, the chief language of this province and of this subdivision ". Later, Mr. T. Luby, Deputy Commissioner, Manbhum, in a letter, dated the 14th July, 1915, wrote as follows to the Commissioner of the Chhota Nagpur Division:—" I am sending on to you today a third petition, from Hindi-speaking inhabitants of this district, asking permission to use Hindi in courts and allied institutions, as already permitted in the Dhanbad Subdivision ". Some time later Mr. T. Milne, Deputy Commissioner, Manbhum, wrote to the Commissioner, Chhota Nagpur Division, to the following effect:—" You know that in my opinion it would be a crime to put Manbhum into Bengal. The line of racial cleavage is crossed already, and parganas from Burdwan, Birbhum, Bankura and Midnapore (districts of Bengal) should come over to Bihar and Orissa ". It is submitted that the views set forth above as recorded by a number

of British officials, who administered the district of Manbhum, or the Subdivision of Dhanbad, from time to time, should be given due weight, as they had no axe of their own to grind in this matter.

II

It is further submitted that in a controversy of this kind, no reliance can be placed on the Census figures, as they were obvious manipulations by more or less uneducated Bengalee Census enumerators. This is a matter not open to doubt or question, as it has been prominently referred to in the observations on the subject by his lordship Mr. Justice Macpherson in his judgment extracted in the concluding portion of the last chapter. But the following observations on the subject of Mr. T. Luby, Deputy Commissioner, Manbhum, in his letter no. P-67, dated Purulia the 9th December 1915, addressed by him to the Commissioner, Chhota Nagpur Division, may also be quoted:—"The Census figures of 1911 are not above suspicion; seeing that they were prepared from the reports of enumerators".

On the general question of the transfer of Manbhum district to West Bengal, the following observations of Mr. T. Milne, Deputy Commissioner of the district of Manbhum in a letter to the Commissioner of Chhota Nagpur Division, may be appropriately quoted:—"You know that in my opinion it would be a crime to put Manbhum into Bengal. The Santhali race, though not of vocal habit, should no more be split up than the Bengali race, and for that reason far from putting Manbhum in Bengal, Bihar should be augmented by the Santhali Parganas of the districts of Bengal. Census figures, I am perfectly certain, are largely fudged in the direction of putting down aboriginals as Bengali-speaking, when they should be bilingual. They are no more correct than the return of German-speaking Alsace-Lorrainers. Anyhow you have even as it is a proportion of $9\frac{1}{2}$ to $15\frac{1}{2}$, and the aboriginal and Hindi proportion should be much higher. For *there is not a genuine Bengali in the district outside the ministerial and professional classes, and yet they suggest that Manbhum should go into Bengal*" (our italics).

Perhaps a recent incident is well calculated to throw light on the language problem in the Manbhum district. On the 30th May, 1948, at a general meeting of the Manbhum district

Congress Committee the President, Sjt. Atul Chandra Ghose, presented a thesis (rather than a formal resolution) in Bengalee, covering some 18 typed pages of foolscap size. In his own words, "the main contentions of his proposal" are summarized below:—"In it we discussed all the aspects of the redistribution problem in order to make people understand it, and take it in the light of the Congress principle, ideal and attitude behind it; and also we reviewed in it the activities which are being pursued in the district regarding this question in contravention of the Congress ideal, instructions, and justice, with the narrow provincial mentality, and hatred, and undesirable means, creating all sorts of confusion in the minds of the people. Stating the truth and real state of things, we have also defended in it the civic right of the people and the right in their language which are being but to victimisation for an undesirable political motive. We have discouraged in it all kinds of propaganda and canvassing in favour of, or against, any province, so that ill-feeling and bitterness may not arise, and we may keep faith in the High Command and keep the atmosphere helpful for them for their discharging responsibility regarding redistribution. We have stated in it our decision and stand that we and the people of the district should wait, watch and look forward to, and abide by the decisions of the High Command whatever they may be, which they (the High Command) may think good for the people, and the greater good of the country; and we should rely upon the leadership and the justness of the High Command who have been, with the implicit faith, given the responsibility of administering the principles of the country and managing things according to their just decisions."

Though brought forward in the garb of a thesis rather than a formal resolution, the underlying sense was so obvious that even he that runs may read. True, it did not contain a direct statement that Manbhum was a Bengalee-speaking area. But though there was no formal proposal for its amalgamation with West Bengal, yet after reading this voluminous document, as a whole, one is not likely to be left in doubt about the opinion sought to be expressed, as there were statements in it which were bound to leave an impression on one's mind that the substance of the thesis was in favour of the transfer of the Manbhum district to West Bengal. The majority of the members present, who were non-Bengalees, protested that the statement must be circulated to them beforehand, and that it should be rendered into Hindi. An English translation of

the document was, at a later meeting, circulated to the effect that Manbhum was a Bengalee-speaking area, and that on a linguistic basis it should be amalgamated with West Bengal. This resolution, when pressed to a division, was defeated by 55 votes against 43 in its favour—5 not voting, out of a total number of 103 present. As the resolution was moved from the Chair, it naturally meant a vote of no-confidence in the President, and so he and the Secretary, along with 33 other members, tendered their resignation, which was formally accepted by a large majority of the District Congress Committee, on the 20th June, 1948. At that very meeting Shri Maheshwar Mahto, a Hindi-speaking member, and also two other Hindi-speaking members, were duly elected office-bearers as President and Secretaries. This incident, it is submitted, clearly reflects the opinion of the vast majority of the people of the Manbhum district (including the Dhanbad Subdivision) that Manbhum is *not* a Bengalee-speaking area.

III

Having discussed above some of the important matters relating particularly to that portion of the Manbhum district, which is known (in common parlance) as the Sadr Subdivision of the district, we shall now advert to the special local conditions of the other Subdivision of the district of Manbhum which is known as the Dhanbad Subdivision. As mentioned above, owing to its special local conditions—linguistic, social, cultural, economic and others—being more or less different from that of the Sadr Subdivision, the particular area (constituting the Dhanbad Subdivision) was practically separated and formed into a sub-district under its own executive staff working under an Additional District Magistrate, and the only connection it has with the Sadr Subdivision of Manbhum is that the revenue and forest administration is still in common. Turning, therefore, to some of the special features of the Dhanbad Subdivision, the first point to consider is the linguistic one, because it is ostensibly on that ground that the claim of West Bengal to some of the Bihar areas, notably to the district of Manbhum (containing both its Subdivisions of Sadr, and Dhalbhum) is founded. Now, turning to the Census Report of Bihar and Orissa written by Mr. W. G. Lacey, I.C.S., Superintendent of Census Operations, we find him declaring at page 214 of the Report, in summing up his views on the language of the district of Manbhum that “in the Dhanbad Subdivision, Hindustani more than holds its own”, and this

observation of his is amply supported by figures given in the tables attached to the Census Report, which go to show that Hindustani is spoken by at least 50 per cent of the people of the Dhanbad Subdivision of the Manbhum district, the tribal languages by 15 per cent, and Bengali by only 34 per cent as against 65 per cent of the combined Hindustani and the tribal languages; the speakers of the other languages in the Subdivision of Dhanbad being about 1 per cent. In fact, it is submitted that but for the persistent policy of Bengali officials and lawyers in the Manbhum district (both the Sadr and Dhanbad Subdivisions) to discourage and suppress Hindi, in every way open to them to do so, the language of Hindi speakers would have been shown in the Census Report at even a higher percentage than 50 per cent, in the Dhanbad Subdivision. This is made clear by reference to a letter written by Mr. T. Luby, I.C.S., Subdivisional Officer of Dhanbad, to the Deputy Commissioner of the district, in his letter no. 998-R., dated the 3rd December 1914, in which he said that "in spite of Government orders to transact Court business in Hindi in Dhanbad courts, the members of the local bar (who were nearly all Bengalees) placed every possible obstacle in the way to preventing the realization of Government's wishes in the matter", and added further that "Hindi-speaking complainants, even those who can read and write Hindi, but are ignorant of Bengalee, are forced to have their petitions written in Bengalee".

The facts set forth by Mr. Luby in the extracts from his letter, quoted above, are amply confirmed by Mr. E. H. C. Walsh, I.C.S., Commissioner, Chhota Nagpur Division, in his letter no. 38-T.R.XXXVII-2, dated the 13th January, 1915, written to the Government of Bihar and Orissa, in which we find him stating as follows: "As the Bengali and Hindi are both the languages of the court, the Bengali pleaders and mukhtears continue to file the petitions and other applications in Bengali." He, therefore, recommended that "a revised notification should issue declaring both Bengali and Hindi to be the court languages of the Dhanbad Subdivision according to the class of people dealt with, or the part of the country in which the processes are served". But the Local Government had passed no orders on the lines suggested by Mr. Walsh, and thus owing to the continuance of the machinations mentioned by Mr. Luby, and also by the Commissioner, the Hindi-speaking population of the Subdivision stood at 50 per cent. in 1931. There can be no doubt that it is now appreciably higher, as evidenced by the result of the recent elections of the District Congress Committee, mentioned above.

In connection with the question of the prevalence in the Dhanbad Subdivision of the Hindi language as the mother-tongue of the majority of the people, there is the additional fact to be noted that under orders of the Government, the records of rights in the whole of the Dhanbad Subdivision were directed to be recorded in Hindi, but an agitation having been set up by some representatives of the Bengalee community of the Subdivision in the Bihar Legislative Council, Government modified that order to the extent that in two of the Revenue thanas out of the total number of five such Revenue Divisions, it might be written in Bengalee. It is submitted, therefore, that all the data and facts set forth above go to show that so far as the linguistic ground is concerned, for the purpose of amalgamation of any Bihar area with West Bengal, there can be no justification for any such claim being set up in the matter of either the Dhanbad Subdivision of the Manbhum district, or of the Sadr Subdivision, for reasons given in the earlier portion of this chapter dealing with that area.

IV

It is submitted that it is clearly established in the earlier chapter of this memorandum that, though ostensibly founded on linguistic ground, the real reason for the demand for amalgamation of Bihar areas with West Bengal is not linguistic or cultural, but purely economic and exploitative; and this particular aspect of the subject will be brought by the consideration of the following facts into prominent relief and will carry conviction to the mind of all unprejudiced persons. Of the two administrative areas included in the Manbhum district (viz. the Sadr Subdivision, and the Dhanbad Subdivision), it is the Dhanbad Subdivision which is the richest in mineral resources, and not the Sadr Subdivision of Manbhum. As against but a few mines, and those too of comparatively minor importance, in the Manbhum Sadr Subdivision, it is the Dhanbad Subdivision which is the centre of the famous Jharia coalfield, which produces practically two-thirds of coal in the Union of India. As a result of it, all institutions of Government connected with the administration of coal, and labour, are centered at Dhanbad, and not at Purulia, the headquarters of the Sadr Subdivision of the Manbhum district. The Raniganj coalfields (in the Burdwan district of West Bengal) are poor in comparison with the Jharia coalfields of Dhanbad Subdivision, and with their outturn, alike in quantity and quality. Lastly, a reference to the *Gazetteer* of the Manbhum district

(prepared by Mr. H. Coupland, I.C.S., the Deputy Commissioner of the district at the time) shows at pages 174—178 that in the opinion of qualified coal experts, the Jharia coal was “superior to the general average of raising in Raniganj field”, and that “there are many seams in the Upper series (of Jharia coalfields) superior to some in the finest coalfields,” in the Barakar collieries in the Raniganj areas in the Burdwan district of West Bengal.

Also, in practically the same area of Chhota Nagpur, that is, in the Hazaribagh district, are situated two other important coalfields, viz., that at Bokharo and Karanpur, which are fairly important. Dhanbad thus occupies a central position for the administration of important coal areas, both in the Bihar districts to its west, and in West Bengal areas to its east. Accordingly, the Central Government have established at Dhanbad such important institutions as the office of the Chief Inspector of Mines, the office of the Coal Labour Welfare Commissioner, and the office of the Fuel Research Institute. There are also at Dhanbad the offices of the Indian Colliery Owners’ Association, and the Indian Mining Association. And, last but not least, the Indian School of Mines, the only institution in the whole of the Indian Union, admittedly the best-equipped and the most well organized, of its class and kind, had long been maintained at Dhanbad by the Central Government.

It is thus clear that the position of the Dhanbad Subdivision within the jurisdiction of any province would be a most valuable asset from the economic standpoint, by reason of its vast, ‘rich’, and important mineral resources, and it is submitted that it is these economic resources of the Dhanbad Subdivision (which is included in the Manbhum district) which have proved so attractive to the claimants of West Bengal over this area of Bihar, rather than the myth of any linguistic affinity or cultural association. It is submitted, with all due deference, that it is the repetition of the old Biblical story of the avaricious neighbour casting his longing, lingering eyes over Naboth’s vineyards, situated in Bihar. That, it is submitted, is the real reason for the tremendous agitation carried on recently by West Bengal for the amalgamation of the Manbhum district in particular, rather than the fictitious grounds of language, culture, or “spiritual urge”.

CHAPTER IX.

THE DHALBHUM AREA (OF SINGHBHUM DISTRICT).

The Dhalbhum subdivision of the Singhbhum district of Bihar is the most coveted area by both the Provinces of Orissa and West Bengal. The reasons are not far to seek. During the last thirty years it had become the greatest centre in Asia of the iron and steel industries. Two village hamlets had grown in this interval into large and flourishing towns, known as Tatanagar and Jamshedpur—the former a thriving railway colony (on the Bengal-Nagpur line), and the latter an industrial city of over two lakhs of population, justly called the Philadelphia of the East, being the most important centre for the manufacture of iron and steel, and also some other subsidiary industries. Men and women from all parts of India had flocked to Jamshedpur, which is now the headquarters of the seat of the Deputy Commissioner of the district of Singhbhum. An earnest effort was made by the protagonists of Greater Orissa, in 1931, to claim Singhbhum as an integral part of that Province, and they led much evidence—oral and documentary—before the O'Donnell Boundary Committee. But after carefully considering the matter, the Committee unanimously negatived the demand, and had recorded their reasons for their decision, at some length in their Report. Their recommendation on this point (that there should be no transfer from Bihar to Greater Orissa) was accepted by the Government of India; and Singhbhum has remained an integral part of Bihar. The present agitation claiming for West Bengal the Dhalbhum Subdivision of the district of Singhbhum, if examined carefully, will appear, equally with Orissa's claim, to be wholly untenable, and without any substance.

Dhalbhum had been an integral part of the district of Singhbhum of the Chhota Nagpur division of Bihar, not only since 1912, as wrongly alleged, but for more than a century; and any attempt at its amalgamation with West Bengal, is bound to raise major political issues. The partition of Bengal, by Lord Curzon, took place in 1905. On the 12th December, 1911, at the Delhi Coronation Durbar, His Majesty, the then King-Emperor of India, proclaimed as follows:—"We are pleased to announce to our people that on the advice of our Ministers, and after consultation with our Governor-General in Council, we have decided upon the transfer of the seat of

the Government of India from Calcutta to the ancient Capital of Delhi, and simultaneously, as a consequence of that transfer, the creation, at as early a date as possible, of a Governorship for the presidency of Bengal, of a new Lieutenant Governorship in Council, administering the areas of Bihar, Chhota Nagpur, and Orissa, and a Chief Commissionership of Assam, *with such administrative changes and redistribution of boundaries as our Governor-General in Council, with the approval of our Secretary of State for India in Council, may in due course determine* (our italics). It is our earnest desire that these changes may conduce to the better administration of India, and the greater prosperity of our beloved people ”.

As a result of the above declaration the partition of Bengal was revoked. The Bengalee-speaking people residing in the then two Provinces of Bengal were united under a Governor, and a separate Province of Bihar and Orissa was created, with necessary administrative changes and redistribution of boundaries; for which purpose a senior, special, officer (Mr. Percy Lyon) had been placed on deputation. If Singhbhum, Dhalbhum, or for the matter of that any other area of the present Bihar Province, could justly be claimed as a part of the Bengal Presidency, the Bengalees, who had agitated so successfully against the Curzon partition of Bengal, would not have kept silent on this important issue, and would certainly have continued their agitation before Mr. Percy Lyon, for the inclusion of Dhalbhum within the Province of Bengal. But there was no such demand, either from the indigenous inhabitants of Dhalbhum against its continuing in Behar, or even by the handful of immigrant Bengalees. In fact, there was no agitation against the inclusion of Singhbhum district within the Province of Bihar at that time, except by a few British colliery owners.

In this connection a reference is invited to the letter dated 21st January 1912, written by Mr. Cook, the then Deputy Commissioner of Singhbhum, to the Commissioner of the Chhota Nagpur Division. Special reference is invited to the following lines of his forwarding letter; wrote Mr. Cook:—
 “ From the tenor of my note it will be observed that I am of opinion that no case has been made out for cutting off this Purgana (Dhalbhum) from the rest of this district (Singhbhum). In a very long period (since 1846) Dhalbhum has been an integral part of Singhbhum. The majority of the population is aboriginal or semi-aboriginal, and this population is, in my

opinion, indigenous. The land system, as represented by the village headman, is like that of Ranchi, and the rest of Singhbhum, and is entirely different from that in the rest of Bengal Province. It is only the intrusion, in late years, of a Bengalee element, which is more advanced in initiative and education, which had led to a partial obscuring of the original system of land tenure which prevailed. The inclusion of this aboriginal area in Bengal, where there is no legislation framed as was the Chhota Nagpur Tenancy Act to protect the aboriginal and less advanced communities, would lead in a short time to their disappearance as an independent tenantry. They would soon become under-tenants of the more advanced late comers from Bengal districts. I think, therefore, that a case has not been made out for cutting off this Purgana from the rest of Singhbhum, and if this be done, great injury will be done to the larger portion of the population ”.

II

To be able to appreciate the present aspects of the question, a brief reference may as well be made to the past history of this area, both in pre-British and British periods. In pre-British days Dhalbhum was an independent territory governed by the Dhal family, whose descendants are the present Zamindars of the Dhalbhum Estate. This family originally came from the north-west of India, and not from Bengal, and established itself in Dhalbhum. The family is still governed by the Mitakshara school of Hindu law, and not by the Dayabhag school, by which Bengalee Hindus are governed. For an account of the annexation of Dhalbhum by the British, and British operations in this part of the country, reference may be made to the *District Gazetteer* of Singhbhum, pages 27—30. Suffice it to note, that technically all this area passed under British control consequent on the grant of the Firman to the East India Company by the titular Indo-Moghal Emperor, Shah Alam, in August, 1765. Dhalbhum remained under British rule a part of Jungle Mahals till 1833, until which period it did not form part of any district of British India. Thus Dhalbhum was not settled at the same time as were other Jungle Mahals even in 1776. The reasons were that the revenue of Dhalbhum being very small, the tract practically inaccessible, and inhabited by aboriginal tribes, special arrangements were considered necessary at that time for the administration of the area through the hereditary chiefs of Dhalbhum, and even after its temporary inclusion in Jungle Mahals, the

Zamindar of Dhalbhum was left pretty much to his own devices and resources, and administered the tract as best as he could, according to his lights.

The Dhalbhum Zamindar was, however, required to make provision for the safety of life and property, in the area, and to establish a police, paid for by himself, in order to preserve some sort of semblance of authority. The Zamindar exercised police powers through his vassals, who subsequently came to be known as ghatwals, and he maintained a sadr thana at Ghatsila. This ghatwali system obtains even now in Dhalbhum, and there is nothing like this anywhere in Bengal. When the district of Jungle Mahals was formally established by Regulation XVIII of 1805, Dhalbhum (because of its dissimilarity with other parts of the areas called Jungle Mahals) was not formally included in it, as would appear from Reid's Settlement Report. The weakness and incapacity of Chitreswar Dhal, who succeeded to the gadi of Dhalbhum in 1825, created a state of anarchy in Dhalbhum. The immediate result of these troubles, and the kindred insurrections of the Kols (aboriginals) in other parts of Chhota Nagpur, was the establishment, in 1833, of direct British jurisdiction called by the official designation of the South West Frontier Agency. Dhalbhum was transferred to the South-West Agency area. After the annexation of the Kolhan area by the British in 1837, a new district was constituted known as Singhbhum, with Chaibassa as its headquarters. In 1846 Dhalbhum was joined to Singhbhum, and it had so remained since, as a part of Bihar. As was rightly observed by Mr. Cook (in his letter quoted above) the connection of Dhalbhum with Manbhum, and other districts of the Chhota Nagpur division of Bihar, is through the aboriginal element of the population, and not through the Bengali element. The land tenure prevailing in both Manbhum and Dhalbhum is closely connected with the tribal system, which also obtains in the rest of Singhbhum district. All this shows that the language, customs, and land tenure of Dhalbhum are similar to the rest of the Chhota Nagpur division of Bihar and not at all to those of Bengal.

III

According to the Census of 1911 the aboriginals, mostly Santal and Bhumijes formed 36 per cent of the population of Dhalbhum, while semi-aboriginals accounted for another 31 per cent at that time. Thus a vast majority of the total population of Dhalbhum was, in 1911-1912, found to consist of

aboriginals and semi-aboriginals. The position in this respect has not changed much since then. According to the Census report of 1941, the total population of Dhalbhum was 533,402. out of which the aboriginal tribes numbered 226,579, i.e., almost half. These aboriginal tribes have every thing in common with the aboriginal tribes residing in other parts of Chhota Nagpur plateau, and they have nothing in common with the Bengalees residing in West Bengal. Dhalbhum is thus predominantly an aboriginal area, and the tribes may be said to be opposed to a man to any disintegration of their connection with Chhota Nagpur, and to any area of it being cut off and joined to West Bengal. Out of the total population of 533,402. the Hindus number 258,035 and a vast majority of Hindus residing in Dhalbhum are governed by Mitakshara school of Hindu law, and only immigrant Bengalees in Dhalbhum are governed by Dayabhag school of Hindu law. The fact that the vast majority of Hindus residing in Dhalbhum are governed by Mitakshara school and only a small minority by the Dayabhag school conclusively proves that a vast majority of Hindus residing in Dhalbhum are from non-Bengalee stock, and that they migrated from other districts of Bihar into Dhalbhum and settled there quite a long time back. It will thus appear that on ethnological grounds West Bengal has absolutely no claim whatsoever over Dhalbhum; nor on any other reasonable ground.

IV

Let us now examine this question on linguistic grounds. The last Census, of 1941, restricted the tabulation of languages, and so for the purposes of finding out the languages spoken as mother-tongue by the population, of the Dhalbhum area, we have to depend upon the figures provided by the previous Census of 1931. Dhalbhum is on the border of Bengal, Bihar, and Orissa, and as is common in such border areas, the language spoken in Dhalbhum by non-aboriginals is a mixture of Bengali, Hindi and Oriya, and it is commonly known as Dhalbhumiya. It is neither Bengali, nor Hindi, nor Oriya. But, as stated above, 67 per cent of the total population of Dhalbhum was found in 1912, to consist of aboriginal and semi-aboriginal tribes, who have their own aboriginal languages (like Santali, Kheria, etc.) as their mother-tongue. Even according to 1941 Census 50 per cent of the total population consists of aboriginal tribes, and they speak their own aboriginal languages, and Bengali is not their mother-tongue. The remaining 50 per cent

consist of those who speak Dhalbhumiya, Hindi, Punjabi, Urdu, Bengali, etc. It will thus appear that on linguistic ground also West Bengal has no claim whatsoever to the Dhalbhum area.

Land tenure.—The tenancy laws prevalent in Dhalbhum are the same as those prevalent in other parts of Chhota Nagpur. They are not similar to those prevalent in Bengal. The land laws were not forced on this area from outside by any legislation, but the existing land laws coming from generations were codified in the Chhota Nagpur Tenancy Act, which applies to the whole of Chhota Nagpur including Dhalbhum. The Ghatwali tenure, the pradhani tenure, etc., which exist in Dhalbhum are unknown in Bengal. The land tenure prevailing in Dhalbhum is closely connected with the tribal system, the principal feature of which is the position of the village headman. This system obtains in the rest of Chhota Nagpur also. It will thus appear that even tenancy laws obtaining in Dhalbhum are similar to those obtaining in other areas of Chhota Nagpur, and are wholly dissimilar to those obtaining in Bengal. This is yet another ground to establish that Dhalbhum is an integral part of Chhota Nagpur, and cannot be separated from it with any advantage to its people.

Conclusion: From what has been discussed above it is clear that Dhalbhum is an integral part of Chhota Nagpur Division of Bihar, and has been so since 1833; that is, for more than a century. It is predominantly an aboriginal area, and it will be detrimental to the interest of the several aboriginal tribes residing therein, if they are separated from the other aboriginal tribes residing in the contiguous areas of Chhota Nagpur, and living under the benefit of the same agrarian laws. The vast majority of its inhabitants (except a handful of immigrant Bengalees) are opposed to the amalgamation of Dhalbhum with West Bengal. Historically, ethnologically, linguistically and culturally Dhalbhum is an integral part of the Chhota Nagpur Division of Behar. From whatever angle this question is examined, it will appear that West Bengal has no claim whatsoever over Dhalbhum.

CHAPTER X.

THE SANTHAL PARGANAS DISTRICT AREAS.

The district of Santal Parganas—historically, geographically, administratively and ethnologically—represents just the modicum of a compact area of land for a district. It does not admit of any vivisection. As its very name connotes, it is primarily the land of the Santals. The bordering tracts of Bengal contain large masses of Santals. In fact, in ethnological and physical features these areas are so akin to this district, that there is a strong case for their integration with Santal Parganas, rather than for vivisection.

This district, as at present constituted, was formed by Act XXXVII of 1855, after the Santal Rebellion of 1855, known as the *hul*—the Santali form of the Hindi word *hulla*. The area which is now included in the district was before that divided between the Bihar district of Bhagalpur and the Bengal district of Birbhum. The schedule, annexed to this Act of 1855, shows that the new district of Santal Parganas was to comprise the Damin-i-Koh area and some other areas of the Bhagalpur district, and parts of the Birbhum district of Bengal, inhabited mainly by Santals. The Damin-i-Koh itself was demarcated as a separate entity in 1833, and placed under a Superintendent. This area presented special difficulties of administration, and it was after trial of several schemes that the Joint Magistrate of Bhagalpur was deputed to enquire and report on the measures necessary for its administration. As a result of this investigation, the Damin-i-Koh Subdivision came into existence. About twenty-two years after the creation of the Damin-i-Koh Subdivision came the Santal rebellion, largely provoked by the extortion of the Mahajans, the corruption of the ministerial classes, the oppression of the police, and the lack of sympathy by superior officers. This demonstrated the urgency for improvement of the administration, as also for integration of the Damin-i-Koh, and other contiguous areas in which the Santhals, and other aboriginal tribes predominated, into one compact district. The district created by Act XXXVII of 1855 was placed under a Deputy Commissioner with four Assistant Commissioners for four subdivisions, viz., Dumka, Deoghar (including Jamtara), Godda, and Rajmahal (including Pakur),—now increased to

six by the creation of Jamtara and Pakaur as separate subdivisions. The district has been an integral part of Bihar for now one century, short by seven years.

The district, as a whole, is physically and geographically a part of Chhota Nagpur plateau. Its river system, its geology, its flora and fauna, all resemble those of the table-land of Chhota Nagpur. It has no physical affinity with West Bengal, except perhaps the narrow fringe areas bordering equally on Bihar and West Bengal. In fact, West Bengal is so wholly different, physically and geographically, from the Santhal Parganas areas that one feels that Nature never willed that any part of it should be attached to Bengal, and it was on this very ground that these parts—inhabited mainly by Santhals—were detached from the Birbhum district of Bengal so far back as 1855.

Administration.—The aboriginals are in slight majority in the population, of which they form about 51 per cent in the district. Other semi-aboriginal races like Bhuiyas, Bowries and others, are estimated to be 15 per cent. Thus the protection of the interest of the aboriginal tribes, and other races in similar stage of civilisation, has been the pivotal factor in the administration of the district, ever since its constitution as such in 1855, after the Santhal Rebellion of that year.

II

Here it will not be out of place to give a historical retrospect of the administration of this district. The Act XXXVII of 1855 ushered a new era in the administration of the tracts which the Act consolidated into the district of Santhal Parganas. The district was placed under a Deputy Commissioner with the Commissioner of Bhagalpur as the High Court, in all matters of revenue, civil (except for suits valued at more than Rs. 1,000), and criminal administration, which was based on direct communication with the people. No advocates, pleaders, or law agents, and no middleman of any kind, were permitted to appear before any Court. In 1863 this system of administration suffered a set-back. The expression in section 1, clause 1 of Act XXXVI of 1885:—“No law which shall hereafter be passed by the Governor-General of India in Council shall be deemed to extend to any part of the said districts, unless the same shall be specially named therein.” was held by the Advocate-General to be *ultra vires*. On the basis of this the local officers were informed that “the Lieutenant-Governor

finds no sufficient reason for exempting the Santhal Parganas from the operation of any general law passed since 1855, and consequently the Santhal Parganas rules of procedure must be revised in accordance with the law as it stands". So the district was, as far as administrative orders went, brought entirely under the law and procedure of the regulation districts. The old policy was changed, and the district was to gravitate, as fast as possible, into the "regulation system".

Accordingly, a full enquiry into the grievances of the Santhals was made. Eventually, Regulation III of 1872, which has been rightly described as the Magna Charta of Santhal Parganas, was passed. This brought the district more distinctly into the position given to it by the constitution of 1855. The important aspects and the spirit of this system are preserved even to this day. Of course, to meet the exigencies of the changed circumstances there have been occasional amendments in the laws of Santhal Parganas. The most revolutionary of these are the one which brought the Criminal Courts under the jurisdiction of the High Court, and the latest of them which created a sessions division for the district ousting the jurisdiction of the Deputy Commissioner to hear appeals against judgments of 1st class magistrates. Apart from these two procedural changes, the system of administration introduced in 1855 remains intact even today.

This district has its own peculiar land system, the necessity for which cannot be questioned. The villages here (except the very small number which are inhabited exclusively by the non-aboriginal population) are what are called "community villages". The land belongs not so much to individuals as to the village community, which functions through the headman, called Manjhi, or the Pradhan. Landlords have to look to the headman for realisation of rent, who is required to protect and guard the rights of the village. Thus the administration of Santhal Parganas is entirely different from that of the regulation districts of West Bengal. Sufficient justification exists for it which will have to be maintained for a long time to come. Amalgamating, therefore, any part of this district with any of the neighbouring West Bengal districts will result obviously in application of ideas, and a legal procedure, utterly unsuited to the aboriginals, who are in a clear majority in this district.

In fact, any such move will be opposed tooth and nail by the aboriginals themselves. It will appear that to the total

population of 2,234,497, the Santhal tribes alone contribute 1,129,885, i.e., 50.56 per cent. Their population is thus in majority. If to them the semi-aboriginal races, like Bhuiyas, Bowries, etc., be added, this class of people will clearly preponderate. Unfortunately for the protagonists of the move for inclusion of portions of the district into Bengal, it so happens that all the four administrative subdivisions which are close to the West Bengal border have a large majority of tribal population (Dumka 67.75 per cent; Jamtara 53.77; Pakaur 62.64 and Rajmahal 53). This alone is ample refutation of West Bengal's claim over any portion of Santhal Parganas. This vast mass of aboriginals will not and do not own Bengali as their mother-tongue, or even as their official language. They have absolutely nothing in common with the Bengalees. They, with their large numbers and racial characteristics, provide the strongest ground against transfer of any portion of this district to Bengal.

III

Lastly, addressing ourselves to the question of language, which is considered by West Bengal to be the sheet-anchor of their case, we find that, unfortunately, the figures of 1941 Census regarding languages are not available, as they were not recorded in that Census in any province of British India. According to the Census of 1931 Bengali is the language of only 12.3 per cent of the total population of the Santhal Parganas district, 46 per cent speak Bihari (or Hindi) and the rest are claimed by the tribal languages. The position of Bengali in respect of the six subdivisions will be clear from the following table:—

Serial no.	Name of subdivision.	Percentage of Bengali-speaking population as per Census of 1931.
1.	Dumka	10
2.	Deoghar	4
3.	Godda	2
4.	Rajmahal	13
5.	Pakaur	24
6.	Jamtara	30

Assuming these figures as correct, no subdivision of the district—not even those adjacent to the West Bengal border—

contains a majority of Bengali-speaking people. Even if we examine the percentage of Bengali-speaking population thana by thana, we shall find that there is no thana in the district—not even in those bordering on West Bengal—where the Bengali-speaking people are in a majority. In fact, no compact area with a majority of Bengali-speaking people can be found in any of the thanas or subdivisions of this district, to which West Bengal could lay claim on any reasonable ground.

The figures according to the 1931 Census indicate that the Bengali-speaking people form only 12.3 per cent of the whole, and they are maximum in Jamtara Subdivision where they amount to about 30 per cent. It has already been shown that even assuming these figures to be correct, there is no case for detaching any part of Santhal Parganas from it. But the figures do not represent the real state of affairs. If they are tracked down to reality, it will be revealed that in this district nobody except those few real Bengalees who have migrated to it from Bengal, and who reside mostly in the border areas, has Bengali as his or her mother-tongue. The figures had been inflated by Bengalee census enumerators, and that with a purpose. Out of the so-called Bengali-speaking population, a large proportion is of those who among their family speak a form of Bihari or Magadhi. For instance, the Keots and Ghatwals, residing in the vicinity of Dumka town, may be taken at their first contact, to be Bengali-speaking, which they are not. Any body can visit their houses, and see for himself that they do not speak Bengali in their homes. Their folk-lore and marriage customs are strikingly like those of people in Bihar. Such instances can be easily multiplied.

Then Bengali is not the natural mother-tongue of most of the so-called Bengali-speaking people. It has been foisted on them. They have been made to read and speak Bengali against their will. They had no alternative but to yield to the orders of officialdom. Before 1912, the ardent supporters of Bengali language had been able to displace Hindi completely from Jamtara and Pakaur subdivisions, and nearly so from Dumka, Deoghar and Rajmahal subdivisions. They had even succeeded in imposing Bengali as the court language. This pitiable state of affairs attracted the attention of Mr. G. E. Fawcus, the then Inspector of Schools, Bhagalpur Division. The following figures taken from his letter no. 120, dated the 9th

April 1912, to the Deputy Commissioner of Santhal Parganas will be eloquent:—

Name of subdivision.	No. of non-aboriginal schools teaching—		No. of Santhal schools teaching—	
	Bengali.	Hindi.	Bengali.	Hindi.
Pakaur ...	66	0	66	0
Jamtara ...	97	0	48	0
Godda ...	8	131	0	86
Deoghar ...	94	12	14	0
Dumka ...	108	10	68	2
Rajmahal ...	55	8	42	0

Thus there were then no Hindi schools in Pakaur and Jamtara subdivisions. Their number in Deoghar, Dumka and Rajmahal subdivisions was negligible. The High Schools at Deoghar, Dumka and Sahibganj had no arrangements for teaching Hindi. The inevitable consequence was that the vast mass of Hindi-speaking people were forced to educate their children through the Bengali language. It is interesting to note here that the present Public Prosecutor of the district (Pandit Maheshwar Prasad Jha); whose mother-tongue is not Bengali, had to read Bengali as his vernacular, simply because Hindi was not taught then in the Deoghar High School. This was the lot of all those Biharis who wanted to give higher education to their children.

IV

Mr. L. Allenson, i.c.s., who was the Deputy Commissioner of Santhal Parganas in 1912, was much moved by the true picture presented to him by Mr. G. E. Fawcus, in the latter's letter referred to above. He forwarded the proposals of Mr. Fawcus to the Commissioner with his letter no. 492, dated the 6th May 1912. Some observations of Mr. Allenson in his letter can be usefully quoted here:—" I draw your attention in paragraph 1 of the Inspector's letter to the surprising figures for Deoghar, Dumka and Rajmahal, which show that we have been educating the vast majority of the children in these subdivisions in a vernacular other than their own. Now that the orders of Government of Bihar and Orissa making Hindi and Bengali both court languages in the three subdivisions have been enforced, and all Hindi-speaking people and aboriginals have to file petition in Hindi, it is essential that Hindi be gradually restored to its proper place in the primary schools.

A great wrong has in the past been done to the predominantly Hindi-speaking aboriginal population of the district. The Bengali-speaking population of Deoghar is just over 4 per cent, the Hindi-speaking is 8 per cent, and Santals number 12 per cent. Yet only about one-eighth of the Diku schools are Hindi schools, and none of the Santals. In Rajmahal where the Bengali percentage is only $13\frac{1}{2}$, one-eighth Diku schools only are Hindi and not one of the 42 Santal schools. In Dumka, where the Bengali percentage is 14 per cent only, one-eleventh of the Diku schools teach Hindi and only 2 of 68 Santal schools ”.

“ These amazing figures ”—Mr. Allenson went on to say—“ speak for themselves and for the necessity for us to put matters right in the interest of the people themselves. The Education Department have some ground for turning round on the local officers and pointing out that *we have allowed Bengali to oust Hindi entirely in the Courts*. But we have now put this right, and it is for the Education Department to give us all assistance they can to wipe out the reproach which attaches to this district, viz., we are forcing on their own ’. Mr. E. H. Walsh, the Commissioner of the Bhagalpur Division, approved of the proposals of Mr. Allenson in former’s letter no. 168-J., dated the 9th May, 1912. It was largely due to Mr. Allenson that Hindi began to be rehabilitated in the district. Mr. Allenson continued his efforts in this direction, with the result that in 1914 he succeeded in largely restoring Hindi even in Jamtara and Pakaur subdivisions. For obvious reasons the move of Mr. Allenson, and its rightful success, were not liked by that section of the population who were not genuine residents of this district. They kept their counter-efforts up. Ultimately these people had the upper hand when a Bengalee Officer was appointed Inspector of Schools for this district, and continued to fill this post for a long time. He, and others of the group, managed to win the support of Mr. E. S. Hoernle, who was Deputy Commissioner of this district for five years from 1927. After a prolonged controversy the reintroduction of Bengali in Santal schools in Pakaur and Jamtara subdivisions was approved by the Director of Public Instruction, and given effect to from the 1st May, 1931. In 1936 when Rai Bahadur S. C. Mukherjee was the Deputy Commissioner of this district, it was misrepresented to the Director of Public Instruction that in large parts of the Rajmahal and Sadr subdivisions also Bengali was

more commonly understood and used than Hindi by Santals. The Director of Public Instruction's order in favour of teaching Bengali in Santal schools of those subdivisions was obtained in his letter no. 3005—30/26/36, dated the 17th March, 1936. The Director of Public Instruction left the matter to the discretion of the District Inspector of Schools in respect of deciding the question of language for individual Santal schools. We can imagine what has been the result. While the above things were going on some of the Mission schools in the so-called Bengali-speaking areas refused to adopt Bengali in place of Hindi as the additional vernacular for Santals. The Mission schools at Benagaria (near Bengal border) and Kairabani even at present teach Hindi.

The above facts amply substantiate the observations made above. If affairs were allowed to go in their natural course, this district would not have had the number of Bengali-speaking population even as large as it appears to have according to census figures. It is submitted that the foregoing facts and figures successfully meet the claim of West Bengal for cutting up Santal Parganas and transferring some of its portions to West Bengal.

CHAPTER XI.

THE PURNEA DISTRICT AREA.

The protagonists of the claim of West Bengal would also include the eastern border areas of the Purnea district in their ambit of transfer from Bihar to West Bengal. To be able to understand the position clearly, it would be useful to remember that by the partition of Bengal (on the 15th of August, 1947) the province of West Bengal consists of two separate areas, the northern portion of it (including Jalpaigori and Darjeeling districts) being separated from the southern block by the Pakistan areas of East Bengal. This is regarded by the people of West Bengal as a great disadvantage, since they cannot freely go about from one part of their province to another, without passing through the roads or railways situated in the Purnea district, or some other district of Bihar. Assam and Bihar, being contiguous and compact areas, a railway link had been already established, and through trains had been running between these two Provinces, since the 1st July, 1948. But no such rail or road link is possible to establish, at present, between the northern and southern areas of the West Bengal Province. If even a slice of the Purnea district, bordering on the West Bengal boundary, could be included in the latter province, it would be regarded as of some advantages to its people. Hence the demand for the inclusion of the eastern border areas of the Purnea district in the province of West Bengal.

It may be added that while the border between the Purnea district of Bihar and the Dinajpur district of eastern Bengal (in Pakistan) runs to a distance of 110 miles, similar distance between the borders of West Bengal and the Purnea district runs from about 50 to 55 miles. It has been established, we submit conclusively, in the earlier chapters, that the primary object of the demand for the Dhanbad subdivision of the Manbhum district, and of the Dhalbhum subdivision of the Singhbhum district, are mainly economic, as they both are highly industrialised areas—Dhanbad, for its important group of collieries, and Dhalbhum for its iron and steel, and subsidiary, industries located at or in the neighbourhood of Jamshedpur. In the case of Purnea, however, the chief

attraction for the inclusion of its eastern border is that, by obtaining it, West Bengal will become one compact, continuous, area; and its people will not have to traverse another province of the Indian Union for the sake of getting from one part of their Province to another. Thus, it is, that under the same old garb of linguistic unity, the object to be gained by the inclusion of the eastern border of Purnea, is making the province of West Bengal compact and continuous for purposes of transport and travel; though one would fail to understand what disadvantage there can be for a national of the Indian Union in travelling through another Province *en route*.

II

Before proceeding further, it may be recalled that sometime after the 15th August, 1947, when the partition of India had been effected, and Eastern Bengal had been created as one of the provinces of Pakistan, a number of Biharee leaders of the Muslim League party issued a manifesto, headed by their President, claiming that some part of the eastern portion of Purnea should be amalgamated with the Pakistan province of Eastern Bengal, inasmuch as the Purnea people of that particular tract were Muslims by faith. They did not care to raise the question of linguistic affinity between the people of the Dinajpur district of Eastern Bengal (in Pakistan) and the people of Purnea in the eastern border of that district. It was sufficient for their purpose that the demand seemed justified to them on purely communal lines. In the present instance, the demand of West Bengal, as already stated above, purports to be based not upon a common religion, but on the old ground of a common language.

It has been pointed out by us, when dealing with the conditions of the various districts demanded by West Bengal from Bihar, that it is in the nature of things than in border areas, there should be no distinct languages spoken in their standard form, but that there should exist mixed or corrupt forms of speech, just as is the case in the Saḍr subdivision of Manbhūm, and also in the Singhbhūm district, particularly so in the Dhalbhūm subdivision. Exactly similar is the case in the Purnea district—standard Hindi, in its Maithli form, being the language spoken throughout the district to the West of Purnea city, but shading off into a mixed dialect infected with Bengalee, as it approaches more and more the borders of Bengal.

In support of this view, the following passages extracted from the *District Gazetteer* of the Purnea district written by Mr. L. S. S. O'malley, I.C.S., may be cited. Writes he:—"At the Census of 1901 the language of 1,773,000 persons, or 94.6 per cent of the population, was returned as Hindi, and of 92,000 persons, or 4.9 per cent. as Bengali. Dr. Grierson, however, estimates the number of persons speaking Bengali to be 603,000 or nearly a third of the inhabitants. According to him, the dialect in question is, in the main Bengali with an admixture of Hindi, but it is written in the Kaithi character of Bihar, in which Hindi and not Bengali is written. This fact doubtless weighed with the enumerators more than the niceties of grammatical construction; and as a matter of fact, it is extremely difficult in many places to decide with which of the two languages the local dialect should be classed, for Bihari fades imperceptibly into Bengali and *vice versa*."

He continues: "The Hindi vernacular current in the district is the Maithili dialect of Bihari. It is spoken in its greatest purity by the Brahmans in the west of Purnea, who have a literature and traditions which have retarded the corruption of the dialect. In the remainder of Western Purnea, and in the centre of the district, a corrupt form of Maithili is spoken. It is locally known as *ganwari*, or the village dialect, and is called Eastern Maithili by Dr. Grierson. To the east it becomes more and more infected by Bengali, till on the east of the river Mahananda it is superseded by the Siripuria dialect, principally spoken by Muhammadans, but Hindus to the east of the river still speak Maithili. The Siripuria dialect is written in the Kaithi character, which is one of those used for Bihari. It is unnecessary to give an analysis of its forms, as it closely resembles, on the one hand, the dialects of Malda, and on the other hand, in the forms borrowed from Bihari, the dialect existing in Western Purnea." We make no apology for this long quotation, from the standard official work on the district, to show that the language of Eastern Purnea, which is written in the Biharee script (called Kaithi) is in its grammatical forms and vocabulary more akin to the Maithili of western Purnea than to Bengalee.

According to the Census of 1931, taking the district of Purnea, as a whole, and also in the Kishanganj and Sadr subdivisions the Bengalee-speaking population was quite insignificant. Thus while in the whole district the speakers

of Bengalee formed but 6.7 per cent of the total population, in the Sadr and Kishanganj subdivisions their percentage was respectively 7.8 and 19.6. In the third subdivision called Araria the Maithil-speaking population is almost wholly non-Bengalee speaking. Hence it is quite clear that not only the district, as a whole, but the eastern areas of it, which are claimed by West Bengal, are predominantly Maithil-speaking; and there is no reasonable ground for transferring any portion of them from Purnea to West Bengal.

CHAPTER XII

LAST WORDS.

In the previous chapters we have discussed, as well as we could, the problem of the linguistic redistribution of the areas of the Indian Union, with special reference to West Bengal's claims on the eastern border areas of Bihar, whether of districts, as a whole, or of their parts. We trust that the discussion of the subject, we have offered, may carry conviction to the mind of impartial and unprejudiced readers, to the effect that the claims of West Bengal are wholly unfounded, and absolutely unjustifiable. In discussing the subject we have studiously refrained, it will have been noticed, from setting up any counter-claims on behalf of Bihar against any other province of the Indian Union. But it would be a pity if the reader ran away with the impression that that is so because Bihar has no such counter-claims to make. We have been careful not to refer to them till now, and have no desire to do so even at this stage, as the people and the Government of Bihar hold and believe that no time could be more inopportune, and less appropriate, than the present, for the making of any such claims, or counter-claims.

When in the fulness of time, the political and economic freedom that India had attained shall have been placed on absolutely safe and stable foundations, and when the present crucial problems facing the nation, as a whole, shall have been satisfactorily solved, there will be time for carrying on such controversies, and for pressing such demands by one Province against another. But in the present conditions of the country—to which no detailed reference is necessary, or need be made—it is a very serious mistake to have raised, as West Bengal had done in the press, on the platform, and also in other ways, the question of the adjustment of provincial boundaries between any two subsisting provinces of the Indian Union. It is a wholly different thing where large, compact, and undisputed areas have got to be consolidated into provinces, action in regard to which has already been taken by the Hon'ble the President of the Constituent-Assembly by appointing a Committee to examine and report upon the matter.

But there is obviously a very great difference between the settlement of a question of that kind, and that relating to the adjustment of the fringe areas, or border tracts, between two existing provinces of the Indian Union. The difficulties

underlying it are immense, and have vast potentiality for mischief, which had already manifested itself in the disruption of happy relations between West Bengal and Bihar. As such, we have no desire to raise even at this late stage any question of the counter-claims of Bihar against any, either one or more than one, existing provinces of the Indian Union. That is the only thing which required explanation, and we have offered it in this concluding portion of this memorandum, lest our silence upon this point may be misunderstood or misinterpreted, and lest it be said later that by keeping silent now, and not even referring to the matter, Bihar had let judgment go by default against it.

Lastly, it may be noted that replying to a question in the Dominion Parliament, in August, 1948, the Prime Minister explained the implications of the formation of linguistic provinces, at present. He said that many other considerations had to be borne in mind. These considerations had assumed even a greater importance and urgency now, and precluded any immediate diversion of energies of the Government to this particular problem. Nor could the Government take this up immediately in view of the action already taken in this connection by the Constituent Assembly.

Pandit Nehru added: "I told the House in November last that the final determination in case of new provinces approximately rests with the Constituent Assembly, and that the Government themselves proposed that the Constituent Assembly should take some steps in the direction of making some preliminary enquiries in this connection. No formal correspondence with the Government took place about the appointment, but the President of the Constituent Assembly was good enough to consult me, and some other members of the Government, from time to time. The Government have welcomed the appointment of this Commission. Now that the Commission is engaged in its work the Government would prefer to wait for its report and advice before taking further steps in this matter." But in spite of the Prime Minister's distinct declaration, West Bengal is insistent on her unreasonable demand; since (to quote from the *Patrika's* editorial, in its issue of September 11) "the Draft Constitution shows that the consent of Bihar will be necessary", if the Bihar areas are not transferred forthwith at the bidding of West Bengal. And so "these complications" (namely, the obtaining of Bihar's consent through proper constitutional channel) "should be avoided by referring West Bengal's claim to the Linguistic Provinces Commission". Verily, it is a righteous demand for Bengal *zindabad*, Bihar *murdabad*.

APPENDIX.

BENGALI CONSEMBLY MEMBERS' MEMORANDUM TO DR. PRASAD.

Text of Memorandum.

The following is the full text of the memorandum :—

The President,
The Constituent Assembly of India,
New Delhi.

SIR,

You have been pleased to appoint a Commission to examine and report on the formation of the new Provinces of Andhra, Karanataka, Kerala and Maharashtra and on the administrative, financial and other consequences of the creation of such new Provinces. These new Provinces are proposed to be carved out of the existing Provinces of Madras, Bombay and the Central Provinces and Berar.

The appointment of the Commission is said to be in accordance with the recommendations of the Drafting Committee of the Constituent Assembly appearing in the foot-note to Part I of the First Schedule of the Drafting Constitution. It appears from the said foot-note that at first the Drafting Committee was called upon to consider the question of inclusion of only Andhra (as a new State) among the States in the Constitution. There had been a statement by the Government that this could be done. After full consideration of the matter the Drafting Committee, however, came to the conclusion that preparatory steps will have to be taken immediately under the present constitution in order that the new State, with all the machinery of Government, may be in being from the commencement of the New Constitution. The Committee, therefore, recommended that a "commission should be appointed to work out or inquire into all relevant matters not only as regards Andhra but also as regards other linguistic regions, with instructions to submit its report in time to enable any new State whose formation it may recommend to be created under section 290 of the Act of 1935, and to be mentioned in this Schedule before the Constitution is finally adopted." Section 290 of the Government of India Act, contains provisions for (1) creating a new Province, (2) increasing the area of any province, (3) diminishing the area of any Province, and (4) altering the boundaries of any Province.

Question of Reconstitution.

Now that the question of the redistribution and reconstitution of Provinces on a linguistic basis has been taken up, we, the following members of the Constituent Assembly, desire to place before you the request of the Province of West Bengal to extend the terms of reference of the Commission you have appointed and direct them to include in their inquiry the question as to what areas in the present Province of

Bihar should be brought within the Province of West Bengal for the construction of the new State of West Bengal on a linguistic basis. We ask that the Bengali-speaking areas in Bihar such as the district of Manbhum, the State of Seraikella and portions of the district of Singhbhum, Purnea and Santal Pargans, should be included in West Bengal.

In view of the extraordinary circumstances, in which, as a consequence of the partition of Bengal, the Province of West Bengal came into existence, this Province of West Bengal should be considered in one sense as being on par with other new Provinces going to be created. The financial, administrative and other consequences of partition have placed West Bengal in a very different position which calls for examination and sympathetic adjustments. To mention only one of West Bengal's many problems, the incidence of population in the area now included in the Province is nearly 800 to a square mile. The influx of refugees from East Bengal, already mounting to millions of people, has further increased this number. Apart from the need of finding food, clothing and other necessities of life for this uprooted population, it has become very difficult to rehabilitate them on the present limited space of West Bengal. This urgent problem reinforces the demand for inclusion in West Bengal of the Bengali-speaking areas of Bihar. In view of the sparsely populated vast areas available in Bihar and in view of its vast undeveloped resources, we think there is no genuine apprehension as regards the future prosperity of that province even if the Bengali-speaking areas with Seraikella be included in West Bengal. The inclusion of Kharsawan has given Bihar further scope for development.

We intend to raise this question also before the Constituent Assembly when it meets. We only desire that the Commission you have appointed should consider the problems of the new State of West Bengal so that their recommendations may be given effect to under section 200 of the present constitution. We consider this essential especially in view of the provisions of Article 3 of the Draft Constitution which will make any future alterations of boundaries of Provinces most difficult, if not altogether impossible.

We may point out that note P 159 of the Drafting Constitution when it speaks of the creation of new States under section 290 of the Government of India Act, does not and cannot mean only new names of States. The names, e.g., Madras, Bombay or Bihar included in Part I, do not mean mere names but territories at present within the Provinces of those names. If the extent of those territories is changed a new Province or State comes into existence in reality though the same may continue to be used. For instance, if a new State named Maharashtra is formed by taking portions from some of the existing Provinces those provinces do not remain the old Provinces and even their names may have to be changed.

"We hope you will be pleased to give our request your earnest and sympathetic consideration and take early action on it."