

Punjab River Waters

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In the aftermath of the infamous Operation Blue Star in 1984, a settlement was reached in the Rajiv-Longowal accord in July 1985 which addressed the main issues between Punjab and Haryana as well as demands of Punjabis and Sikhs in particular.

Under clause 9 of the award, Justice Eradi had given his verdict in 1987 regarding Satlej-Yamuna Link canal. Since it was not implemented, Haryana filed a suit before the Supreme Court and the Supreme Court has announced its decision on 15 January 2002 directing Punjab Government to "expeditiously construct their portion of SYL canal so as to give effect to the Eradi Commission's award on sharing of the river waters between the States." It has also decreed that if Punjab fails to complete it, then the Centre should take necessary steps for its urgent completion.

Incidentally, under clause 7 of the same Rajiv-Longowal Accord, Chandigarh was awarded to Punjab; and indeed its transfer to Punjab was to take effect on 26 January 1986. The Centre has failed to comply till date. It is not understood as to why Punjab Government has not filed a suit before the Supreme Court for getting this part of the Accord also implemented by the Centre. Sardar Parkash Singh Badal was Chief Minister of Punjab for over 5 years and he has kept his eyes shut on this issue. This is in spite of the fact that his Akali Party and BJP were partners both at the State level and at the Centre. Even Haryana Government under O.P. Chautala is part of NDA Government in the Centre.

Interestingly, under the same Rajiv-Longowal Accord it is mentioned that as Mrs. Indira Gandhi had desired that when Chandigarh goes to Punjab, some Hindi speaking areas of Punjab should go to Haryana. Hence a Commission was to be appointed to locate such areas which are contiguous to Haryana, and with village as a unit. The Commission was to give its verdict by 31 December 1985, well before 26 January 1986, the date earmarked for the transfer of Chandigarh to Punjab.

According to the Commission set up under Justice K. K. Mathew, no Hindi speaking areas could be demarcated by him which were contiguous to Haryana. So, logically, Chandigarh should have been transferred to Punjab on 26 January 1986, but it was not done by the Centre.

It instead appointed another Commission under Justice E. S. Venkataramiah on 2 April 1986 to again see and examine if any Hindi speaking villages contiguous to Haryana could be located. He determined that 70,000 acres of land should be given to Haryana although he could not identify them as contiguous to Haryana except for 45,000 acres of 30 Hindi speaking villages in Punjab, and so he said in his report that another 25,000 acres of Punjabi speaking villages should also be awarded to Haryana to make up 70,000 acres, although he too could not identify any contiguous to Haryana Hindi speaking villages.

So another Commission under Justice D. A. Desai was appointed on 20 June 1986 to determine the specific areas for transfer within 24 hours! He threw up his hands in despair.

The Akalis offered to concede 45,000 acres of contiguous areas to Haryana, but refused to give another 25,000 acres of Punjabi speaking villages of Punjab. In spite of this, Chandigarh was not transferred to Punjab by the Centre on the plea that Punjab is not giving 25,000 acres of Punjabi speaking villages to Haryana. Hence the matter is pending unsolved since then. Surprisingly, Punjab and Haryana are the only two States of India having a common capital.

If Haryana can go to Supreme Court for the implementation of the award by Justice Eradi regarding SYL canal, why has Punjab not gone to the Supreme Court regarding the transfer of Chandigarh under the same award?

Even now Punjab Government should seek Supreme Court's assistance in resolving this long-standing and genuine demand of Punjab. As a matter of fact the differences between Punjab and Haryana are the creation of the successive Congress Governments with the policy of 'divide and rule' and now, since NDA Government is in office at the Centre it is high time that they should resolve this important issue at the earliest.

