



Resolution on Chandigarh

For Prelims: Resolution on Chandigarh, Punjab Reorganisation Act, 1966, Anandpur Sahib Resolution of 1973, Rajiv-Longowal Accord, Union Territories, Article 3 of Indian Constitution.

For Mains: Control of Centre Government over Union Territories, Federalism, Centre-State Relations.

Why in News?

Recently, the Punjab chief minister moved a **resolution in the Assembly, seeking the immediate transfer of Chandigarh to Punjab.**

- The longstanding **dispute between Punjab and Haryana over Chandigarh** flared up after the Centre notified **Central Service Rules for employees** in the Union Territory instead of the **Punjab Service Rules.**
- Punjab was reorganised through the **Punjab Reorganisation Act, 1966**, wherein, the state of Punjab was reorganised into the **state of Haryana, Union Territory of Chandigarh (also joint capital of Punjab & Haryana)**, and some parts of **Punjab were given to the then Union Territory of Himachal Pradesh.**

When and how did Chandigarh become the capital of Punjab?

- **After the Partition of India**, the Indian Government wanted a **modern city to replace Lahore as Punjab's capital**, and the **idea of Chandigarh was conceived.**
- In 1966, the state was **divided into Punjab and Haryana** with some parts coming under **Himachal Pradesh.**
 - Until Haryana was born, **Chandigarh remained the capital of Punjab.**
- During the reorganisation of Punjab, the Centre Government announced that **Haryana would get its own capital.**
 - In 1970, the Centre announced that **"the capital project area of Chandigarh should, as a whole, go to Punjab".**
 - Haryana was told to use the office and residential accommodation in Chandigarh **for five years** until it built its own capital.
 - However, Chandigarh remained a Union Territory, as **Haryana didn't build a capital of its own.**
- According to the **Capital of Punjab (Development and Regulation) Act, 1952**, the properties in Chandigarh were to be **divided in a 60:40 ratio in favour of Punjab.**

What claims on Chandigarh were made subsequently?

- **In August 1982**, the Akali Dal (political party), having expressed dissatisfaction over the Punjab Reorganisation Act, **launched the protests** with the object of **realising the goals of the Anandpur Sahib Resolution of 1973.**
 - Anandpur Sahib Resolution adopted in 1973 by Akali Dal demanded that the Centre's jurisdiction should be restricted **only to defence, foreign affairs, communications,**

and currency and the entire residuary powers should be vested in the states.

- Amongst other demands, **it asked for Chandigarh to be given to Punjab.**
- In 1985, the **Rajiv-Longowal Accord** was signed between then Prime Minister Rajiv Gandhi and Akali leader Harchand Singh Longowal.
 - Among other things, the Centre agreed to give Chandigarh to Punjab, and **26th January 1986 was fixed as the date for the actual transfer.**
 - However, less than a month after the signing of the accord, **Longowal was assassinated by militants.**

What are Union Territories and How are they Carved out of states?

- Union Territories (UT) are **governed directly by the Union.**
- **Part VIII of the Constitution** is concerned with the administration of the Union Territories.
- The President of India appoints an **administrator or Lieutenant Governor for each UT.** In practice, this means that the **Union Territories follow the central government's will.**
- The concept of Union Territories was not in the **original version of the Constitution but was added by the Constitution (Seventh Amendment) Act, 1956.**
- There are differences in the governing of UTs depending upon **whether they have a legislative assembly or not.**
 - The smaller ones are governed directly by the center, for example, **Chandigarh, Daman and Diu, and Dadar and Nagar Haveli** are UTs with no elected assemblies.
 - On the other hand, **Puducherry and J&K** are UTs with a legislative assembly and government, along with an LG. New Delhi is altogether different and its status lies between a UT and a state.
- According to **Article 3 of the Indian Constitution**, the constitutional power to create new states and union territories in India is solely reserved to the Parliament of India.
- Parliament can do so by announcing new states/union territories, separating territory from an existing state or **merging two or more states/union territories or parts of them.**

UPSC Civil Services Examination, Previous Year Questions (PYQs)

Q. Consider the following statements: (2009)

1. The Governor of Punjab is concurrently the Administrator of Chandigarh.
2. The Governor of Kerala is concurrently the Administrator of Lakshadweep.

Which of the above statements is/are correct?

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

Ans: (a)

EXP:

- In 1966, Haryana was carved out of a larger Punjab State. Afterwards, Chandigarh was administered by a Chief Commissioner, a serving bureaucrat who reported to the Union government. The Chief Commissioner system was discontinued on June 1, 1984, on the eve of "Operation Bluestar" in the Golden Temple in Amritsar. Thus, began the practice of the Punjab Governor holding additional charge of the Chandigarh Union Territory. **Hence, statement 1 is correct.**
- Lakshadweep has a separate administrator and its administrative headquarters is in Kavaratti. **Hence, statement 2 is not correct.**
- Therefore, option (a) is the correct answer.

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