

### CHAPTER - III

#### **THE UKD - THE POLITICAL AND IDEOLOGICAL BASIS**

The UKD movements of various colour and objects are well known in North Bengal. The Kshyatra movement of older vintage than the UKD played tremendous role in the area to sanskritize the Rajbanshi into Kshyatra on 1891, when governmental order was served to fill up the column of religion (caste) of the census of India by entitled as 'Koch'.<sup>1</sup> This insidious trend of the government of India was bound the Rajbanshi to take the way of insurgency under the platform of "Rangpur Brhathya Kshatriya Jatir Unnyati Bidhayani Sabha" which was led by Harmohan Roy (Khachanchi), Zamminder of Shamapukur Rangpur (Presently in Bangladesh) challenged with deputation to the Magistrate, the district of Rangpur on the 10th February, 1891. Realising the situation, the then Magistrate of the Rangpur district made up decision conveying with tribune, Maha Mahopadhaya pandit Raj Jadhaveswar Tarka Ratna, president of Rangpur Religious Association that the Rajbanshi was Aryan descendent Kshatriya who were with out religious practices and ritualistic manner because "Brhathya Kshatriya" since long.<sup>2</sup> The two successive censuses processed distinct identification in the column of caste respectively the Census Report of 1891 and 1901 of the Rajbanshi. In time, a mediative, impressible benevolent personality arose who was called as Roy Saheb Thakur Panchanan, whose nature was that of an individual who on one side was always emphasising and developing his individual being to the extent of his power, but who was also driven by the idea and truth within him to unify himself with others if his species, to join himself to them or agglutine them to him, to create human groups aggregates and collectives. His tributary role of Kshatriya agitation influenced

the situation and gave identification as "Kshatriya". He started the Kshatriya agitation at the grass-root level of the Rajbanshi to sanskritise by offering Uppahita (sacred thread) and re-introducing ritualistic norms on the one hand and to change their Surnames by entitling as Singha, Roy, Barman as well, repatriated them at the third Annual conference of the Kshatriya Samiti which was held on the western bank of the Korotoya river, village-Poralbari, police-station-Diviganj and district Jalpaiguri (Present Bangladesh) on the 27th March, 1319 B.S participated by about one lakh people.<sup>3</sup> After solemnization, the day of 27th MAGH regards as the 'Kshatriya Dehash'. In 1911 census, O. Mally, Superintendent of Census of India says, "the former request was granted without hesitation, as there is no doubt that at the present day irrespective of any question of origin the Rajbanshi and the Koch are separate caste."<sup>4</sup>

### HISTORICAL GLANCE OF KOCH

The 'Koch', the name of an ethnic group of peoples; new under the Hindu fold of Indian Society, is actually a race, though superficially new, wrongly taken it to be a 'caste'.<sup>5</sup> In Bhagawata Purana, the following descriptions in respect of the 'Pani' are available and translated it runs, "in the Rasotola (lower region of the South bank of the river Indus), a branch of Daityas and Danavas were known as the Panis, otherwise, called Nivata-Kavachas and Kalakeyas live in Hiranyapura. They were hostile to the Gods. So, the valiant and ever resplendent Hari-the adored one vanquished them by his power and forced them to live like snakes (dwellers of the caves).<sup>6</sup> It was ordered to the Panis not to close or mixed up with the vedic Aryans or would not even acknowledge their suzerainty. But, it was maintained independence by retiring on the other side of the Karotoya ever of ancient Kamrupa, where they, even today, the fag

end of 20th century use their title as 'Pani-Koch'. The using title of 'Pani-Koch' also found in various parts of greater Assam, Bengal, Bangladesh, South-India also, where the descendents of earliest Panis are known, today, as Paniar or, Panikors, Ambikachoran choudhury, general secretary of the All Assam Koch-Rajbanshi Kshatriya Sanmiloni, says, referred with the Bhagawata that the Nivata-Kuvaches are a branch of Panis known as Pani-Kovacha.

Ultimately Pani koches had also been abbreviated as simply 'Koch', in eastern India. A branch of Pani-Koches immigrated to Kamrupa i.e. east of the Karotoya river, also entered and settled in the hilly areas of lower hill region, comprised, by now of modern Bhutan and Tibet i.e. northern region of Kamrupa. Subsequently, those koches of the Northern regions came down to plains portion of kamrupa. Then they were identified as 'Utkoches; or 'Uttar Koches' (Koches from the north), administered under reigns of Ghataka. Ghataks were staunch followers of Mahadeva alias Siva- a popular God of the non-Aryans and non-sacrificers (individuals who do not perform yanga) were known as 'Kiratas-Kirantees assembled under the family clan name "Ghataka' by Aryan writers. So, the Aryan writers, subsequently, termed those mighty and adventurous Koches as Canavas, Asuras, Kuvachas, Mlechaches, Kiratas respectively worshipped and established matriachal system of society also under the name of 'Kamakhya; who's temple situated on the hill top of Nilachal near modern Gowhati. Besides, Lord Siva, was the family God of the Koches. They erected Siva-Lingams in every Siva Temple worshipped as family deity to some extent that they had to procure, manufacture, import, keep store houses for supply of Siva-Lingans in many places especially nearest river ports and navigating points. The Koch traders also established a store house in Jalpesh temple of modern Jalpaiguri district of West Bengal.<sup>7</sup> As a matter of fact all Koches

under different class names like Kirate, Ghataka, Asuras, Denavas, Narakes, Lord Siva was their father and Goddess Kamakhya was mother respectively, Maharaj Naranarayan, the vikramaditya of Kamrupa of the 16th century was known as 'Saiva' and was last the greatest Koch emperor.

In every village of North-east India and Deccan where the descendents of the old Koches were and are still largely found 'Pithas' (spot of worship) of 'Bura-Buri', 'Thakur-Thakurani', 'Siva-Parvati', Mahadeva, Gossani, Lingam and Yoni etc under various names are even prevalent in these days of scientific advancements. As the phoenicians were the migrated Koches from ancient India, they kept the tradition of worshipping 'Baal' as a symbol of Lingam (Siva-Linga) and Ashtarte (perverted from Adyasakti) the symbol of Yoni. "The worship of the female along with the male principle was a strongly marked feature of the phoenician religion."<sup>8</sup>

The Koches, once upon a time, settled and established colonies in and around the Saurashtra-Kombey, Kutch-Karachi, Sindh provinces of Pakistan, Koyeta, Kabul, Kandahar, Kirghis, Hindu-Kush mountain range and it expressed upto Kospian, Babylone, Egypt and Greece. These ancient Koches alias Pani-Koches also moved upto Salem (Jeruzalem). The Koch religious priests used to control the religious field of the locality, who were called as Melche-dezaks, associated with the life of Jesus Christ.<sup>9</sup> Jesus was the Essani and the Essance like as Indian Yogi sought to obtain divine union and the gift of the spirit by solitary reverie in retired spot. Mr. Choudhury says in his famous book, "The Koches around the world", the Panies of ancient India who predominated from pre-vedic age, were the fore-fathers of the Koches of present day, who are now in some places of Eastern India known politically as 'Rajbanshi' (being

descendent of ruling and Royal dynasties for centuries) and in matters of observing rites and ritual as 'Kshatriya' especially after the social reformations launched by Roy Saheb thakur Panchanan of Mathabhanga sub-division of Koch Behar district of West Bengal, which was the main area of Kamtapur.<sup>10</sup> But, he asserts, only degrading the Koches Aryan writers described them in their scriptures as Denavas, Daityas, Rakshasas, Mlechehas, Asuras, Kavachaks etc and used bad intended to minimise the Koches. As a matter of fact, he says, " how high waves of oppression and repression have rolled over the head of the Koches ! What a terrible downfall had overtaken this race, when even several thousand years back, attracted the admiration of the whole western world by holding before it as a brilliant force of culture and civilization ! What a pity today that the descendents of such a race should now be found steeped in ignorance, superstitions, illiteracy and most of them especially in Eastern India, are now eking out their livelihood as drawers of waters hewers of wood, as hotel and restaurant boys, tea garden labourers, helpers to the machinery contractors, domestic servants at the doors of the so-called upper castes people under the Hindu fold of the society !"<sup>11</sup>

The national, popular and welfare government mercilessly cut the Koches into pieces at least in eastern India, as for instance the government sub-divided the Koches as Scheduled Caste in West Bengal, as Scheduled Tribes in Meghalayas and Tripura, as other Backward classes in Assam and most backward amongst O.B.C. in Goalpara district of Assam. It is very interesting to note that Maharaj Nornarayan is a Secheduled Caste while his own younger brother Yubaraj Chilarai is Scheduled Tribe in same region. Due to utter ignorance of the Koches and vile approaches of the so called upper caste people of India, it is further very much interesting to note that though Maharaj

Naranarayan was the emperor of all most entire east India, i.e. from the Malda-purnea to Sodia and from Bhutan border to Chittagong including North Bengal, Assam, Meghalaya, part of Bangladesh, Tripura, Monipur etc, under the commander-in-chief of his younger brother chilarai, his descendents are now treated unfortunately as the 'foreignes' by a section of people of the present truncated Assam. The Koch-Rajbanshis of Goalpara, district of Assam have been treated as 'foreigners' during the Assam movement.<sup>12</sup>

A few additional remarks on the origin, evolution and development of the Koch race are given below for constructing general idea of the Koches :

According to Sir George Abraham Grierson, "Koches and Kocharies are of the same ethnic group and the true Koches are at any rate represented by the Kocharies who inhabit Nowgong, Goal para, Koch Behar and the neighbouring countries." He also says when we across the river Brahmaputra coming Dacca we meet a well marked in form of speeches in Rangpur and the districts of its North and East. It is called 'Rajbanshi' who are belonging to eastern branch has still points of difference which lead us to classify it as a separate dialect. The dialect of the Western and the south western Goalpara in Assam is purely Rajbanshi.<sup>13</sup> As far census report of 1891 A.D. the total population in this region using Rajbanshi language was 35,90,312. Willium Hunter started physiognomy studies of the race and expressed that they were not Mongolian but Dravidian. As philological evidence falls, we are compelled to be taken ourselves to physical characteristics, he says, it is therefore, much to be regretted that on this point there is an irreconcilable conflict of evidence between authorities of equal weight. Another interesting fact to assert that tribe is the Rajbanshi or Koch of North Bengal, the localisation of whose racial posi-

tion has long been a subject of dispute. They are however only the third wave of mongals who have advanced through the eastern passes, the first being the Chandal, the second the Koch and the last the Aham. The Koch, Koch-Mandi, Rajbanshi, Palliya and Desi belong to a large Dravidian tribe of North Eastern and Eastern Bengal amongst whom there are ground for suspecting some admixture of Mongolian blood. The transformation of Koch, Risley says, into Rajbanshi, the name by which they are now known in Ranpur. Jalpaiguri and Koch Behar, is a singular illustration of the influence exercised by fiction in the making of caste. Now the great majority of Koch inhabitants of North Bengal invariably describe themselves as Rajbanshis or Bhanga Kshatriyas. They keep Brahmans, initiate Brahminical rituals in their marriage ceremony and have begun to adopt Brahminical system of gotra.<sup>14</sup>

### **CONVERTED AS A TRIBUTARY STATE**

The demand for separate, "Uttar Khand", is not a new articulation of the UKD but it arose from the dis-satisfaction for forming issues of Koch Behar state merged with West Bengal as a district under the political platform of Hita Sadhani Dall participating with local indigenous Hindu, Muslim and immigrant people. Now, questions arises why does the demand for a separate state originate? What are the causes of dissatisfaction of the native people? What does the actual historical background remain? What is the trend of movement? What is the nature of political supports behind them? What has been the popular reaction against the marger of Cooch Behar as a district of West Bengal? What had been the political situation of Koch Behar behind such an arrangement?

The Koch Behar state was demissioned from the status-quo of stateship

in successive last two times: one was in the year of 1773 and other was in the year of 1947.<sup>15</sup>

'Dharendranarayan, Raja of Cooch Behar, having represented to the Honourable the President and council of Calcutta the present distressed state of the country, owing to its being harassed by the neighbouring independent Rajas, who are in league to depose him, the Honourable the President and council, from a love of justice and desire of assisting the distressed, have agreed to send a force, consisting of four companies of Sepoys, and a field-piece for the protection of the said Raja and his country against his enemies, and the following conditions are mutually agreed on :-

'1st, - That the said Raja will immediately pay into the hands of the Collector of Rungpore Rs. 50,000 to defray the expenses of the force sent to assist him.

'2nd. - That if more than Rs. 50,000 are expended, the Raja make it good to the Honourable the English East India Company, but in case any part of it remains unexpended that it be delivered back.

'3rd.- That the Raja will acknowledge subjection to the English East India Company upon his country being cleared of his enemies, and will allow the Cooch Behar country to be annexed to the Province of Bengal.

'4th.- That the Raja further agrees to make over to the English East India Company one-half of the annual revenues of Cooch Behar for ever.

'5th.- That the other moiety shall remain to the Raja and his heirs for ever, provided he is firm in his allegiance to the Honourable United East India Company.

'6th.- That in order to ascertain the value of the Cooch Behar country, the Raja will deliver a fair hastabud of his district into the hands of such person as the Honourable the President and Council of Calcutta shall think proper to

depute for that purpose, upon which valuation the annual Malguzari, which the Raja is to pay, shall be established.

'7th.- That the amount of Malguzari settled by such person of the Honourable the East India Company shall depute, shall be perpetual.

'8th.- That the Honourable English East India Company shall always assist the said Raja with a force when he has occasion for it for the defence of the country, the Raja bearing the expense.

'9th.- That this treaty shall remain in force for the space of two years, or till such time as advices may be received from the Court of Directors, empowering the President and Council to ratify the same for ever.

'This treaty signed, sealed, and concluded, by the Honourable the President and Council at Fort William, the fifth of April, 1773, on the one part, and by Dharendranarayan, Raja of Cooch Behar, at Behyar Fort, the 6th Magh, 1179, Bengal style, on the other part.'<sup>16</sup>

Cooch Behar remained a tributary state (Karath Rajya) under the English East India Company. A tributary (Karath Rajya) stateship was continued since 173 years last.<sup>17</sup> But, ..... " it will be admitted, that under a liberal construction of the apparent object and spirit of the treaty no advantage can justly be taken of the loose and undefined expressions of 'subjection' and 'annexation' above mentioned to the prejudice of the less powerful contracting party that no diminution of the independent rights of the Rajah within his own government was intended, is obvious from his having been left in possession of the two great characteristics of sovereignty, the right of coining money impressed with his own name, and the administration of Justice, and from these considerations collectively, our construction of the Treaty, is, that Cooch Behar, was hence forward to be regarded in the light of a tributary District, deriving protec-

tion from the state to which for that purpose it made a partial and voluntary surrender of its rights; but maintaining in its domestic administration its independence un-impaired ...."<sup>18</sup> 'From the above abstract of the principal articles of the Treaty, the Board can not but be of opinion with the commissioner, that no diminution of the independent rights of the Rajah within his own Government was intended by it, but that Cooch Behar was then forward to be regarded in the light of a tributary district deriving protection from the state to which for that purpose it made a partial and voluntary surrender of its rights; but maintaining in its domestic administration its independence unimpaired."<sup>19</sup>

Similarly, Jalpaiguri and Darjeeling had been captured by British East India. Jalpaiguri is a new district formed only 130 years ago on the 1st January, 1869 AD by Baikunthapur pargana, five zamindary chaklas of Cooch Behar and the Western Dooars. After partition of Bengal in 1947 the five chaklas comprising five revenue thanas and police station have gone over to Pakistan and the present district in West Bengal consists of Baikunthapur paragana and the Western Duars, covering 2374.4 sq. miles.

Baikunthapur was previously a part of Goud and during the first part of the 16th century was conquered by the Koch King, Biswa Singha of Cooch Behar, probably in the year of 1545 AD Biswa Singha did not annex the conquered territory to his kingdom but put up his own brother, Siswa Singha or Sive Singha as its independent ruler, Siswa Singha and his descendents down to Daspodev or Darrup-Deo continued as independent kings of Baikunthapur till the year 1773 AD. Thereafter, the state came under the East India company when it was no longer free but a mere zamindary under British Government. With in Rangpur district upto the year 1869 and subsequently, English writers

as Durrup-Deo said that the great Sannyasi rebellion broke out in this district and continued from 1772 to 1789 AD. This rebellion had been immortalized by Bengali writer Bankim Chandra in his *Devi-Chowdhurani*, which was based on the trial of the arrested Sannyasi in the court of Rungpur, where he happened to be one of the Magistrate of that time. After the British lift, the reign of control over India in 1947 AD. The free people of West Bengal passed on Act in 1954 AD viz. the West Bengal Estate Acquisition Act, for the abolition of zamindari estates and infact of all rent receiving interests. Under the Act, the zamindari of Baikunthapur is coming to its inevitable end.

On the other hand, Western Duars is existing from the river Tista upto the river Sankash separating Assam from this district is said to have been once under the kings of Cooch Behar for about two centuries. Towards the end of the 16th century, when Bhutan proper was part of Tibet, a Tibetan Chief conquered this area and then, as the bears even today. The whole of Western Duars including the lower hills of the Himalayas and plain below upto 25 miles South from the Hill remained under Bhutan Government till 1865 AD. When this portion was conquered by the British. In 1869 AD this tract called the Western Duars formed a part of the district of Jalpaiguri.<sup>20</sup>

The constitutional history of India starting from 1920 tell us about the development of the Indian states. The political upheavals during the twenties and the British response led to Government of India Act of 1935 which ensured a degree of self governance for India and which was the prelude of the constitution of India. The Government of India Act 1935 regulated the relationship between British India and the Crown. The Indian states were outside the government of India Act. The dialogue for federation of India between the Crown

and the Indian states through their kings became an un-ending process starting from late twenties and remaining in conclusive till the outbreak of the second world war.<sup>21</sup> After the war, political changes in Britain led to the decision to grant freedom to India.

But what was India then? India consisted of British India under direct rule of the crown and the Indian states under the kings. This is where what appeared to be an irreconcilable problem arose. The problem was common for both India and Pakistan. The British failed to intergrate British India with the Indian states. They are various inter partitions. They did not want to do it' was once interpretation, 'They could not' was another. History will keep on debating what is the truth. But, the fact remains, when in June 1946, British government decided to make a final announcement that they were leaving India, the Crown said we are leaving India in the state in which it stood. That is, the British part of India would be handed over to the Government to be installed in India and the states which fell outside the British domain would be handed over to the respective kings.<sup>22</sup> In this way the king of Cooch Behar state returned the power of State Sovereignty from the British domain on the day of 14th August, 1947.<sup>23</sup> This was called the lapse of paramountey meaning the evaporation of British sovereignty over the Indian states and the consequent devolution of Sovereignty and paramountcy on the Indian kings over the Indian States. So the Births decided to leave India in a fragmented condition.

Between 1947 and 1950; but for the one individual, Sardar Vallabhai Patel, the indian states and the British India could never have been cemented into one nation. History can be written and rewritten. But, the one fact cannot be ignored - that the wisdom of one man, the purpose and determination that

he showed, along was responsible for the integration of the Indian states into a nation.<sup>24</sup> In this process, not only was the integration of the Indian states with India a political and constitutional problem, there was also the added problem of whether a particular state should merge with India or Pakistan or remain independent. Generally, the Muslim majority states merged with Pakistan and Hindu majority states with India. Many Indian kings showed great patriotic spirit in helping the process of integration. But some resisted; particularly Hyderabad, Junagarh and Jammu & Kashmir. There were two outstanding examples. One was Junagarh which had 80% Hindu population under a Muslim king and the other was Jammu and Kashmir which had 70% Muslim population ruled by a Hindu king.<sup>25</sup> The ruler of Junagarh actually signed accession with Pakistan. And Pakistan accepted this accession and regarded Junagarh, a Hindu majority state, as part of the Islamic nation. This led to virtual state of war between Pakistan and India which was resolved because of the wisdom of the diwan of Junagarh, a statesman who though he was also a Muslim, finally said and it could not go to Pakistan. That is how the Junagarh dispute was settled, in spite of the fact that the king acceded to Pakistan.

Now, close by came the Kashmir issue. Maharaj Hari Singh was a confused individual - Toying with the idea of an independent Kashmir and negotiating with both India and Pakistan. In India's behalf, Lord Mountbatten, who was the first Governor General of India, clearly told Hari Singh on the authority of both Sardar Patel as well as Jawaharlal Nehru that the Maharaj was at liberty to have accession with either India or Pakistan, but, could not remain independent.<sup>26</sup> Between August and October, Hari Singh was negotiating with India as well as Pakistan on the terms of accession and where he will be recognised as the sole representative of the state. However, Pakistan lost pa-

tiences and tried to annex the state by force. The indecisiveness of the Maharaja led to Pakistan becoming a party to the dispute. However, although the Maharaja was the constitutional head, the political initiative was in the hands of Sheikh Abdullah. The political development in the state starting from 1932, had put Sheikh in a commanding position. He first started a J&K Muslim Conference which, in 1939, was converted into a national Conference. He broke away from the Muslim League and developed a kind of Kashmir National Movement. So, there was the King, who was not in command of the popular sentiment, as the head of the state and there was Sheikh Abdullah who was virtually the only popular leader of J&K particularly Kashmir, at the time.<sup>27</sup> So, the man who had the power to sign accession with either India or Pakistan was not in command of the popular sentiment.

The Sheikh favoured a situation where he could work out a constitutional relationship with India, in which he would be in a predominant position and would be the ruler. His sole aim was to dethrone the Maharaja. This political rivalry and confusion also encouraged Pakistan to invade J&K. Pakistan actually began invading Kashmir under the pretext of tribal rebellion on 22nd October 1947. Within the next four days the entire arrangement between India and J&K was worked out. Maharaja Hari Singh threw up his hands and sent an urgent message to Mountbatten stating that he was willing to accede to India on the same terms on which all other princely states acceded to India, without any condition whatsoever.<sup>28</sup> When this request was received, the Government of India, at that time politically directed by Nehru and Patel, was not wholly in favour of this accession.

When Maharaja Hari Singh sent the S.O.S. pleading, "please send your

army and protect us, we are being subjected to arson, rape and destruction," the Government of India still wanted to know what the only popular leader in J & Kashmir had in mind.<sup>29</sup> Sheikh Abdullah who was in Delhi at that time also supported Hari Singh on his decision to accede to India. He sent a hand written note to Jawaharlal Nehru agreeing to the Maharaja's proposal. So, it is not merely the legal sovereign, Hari Singh, who was asking for accession, the Sheikh as the popular leader of Kashmir also wanted accession with India. This is on the records of Government of India. So, the request for accession was a joint effort by the political sovereign as well as the legal sovereign. Both of them frantically appealed to the Government of India. Following this frantic appeal there was an emergency meeting on 25th October, presided over not by Jawaharlal Nehru or Vallabhai Patel, but by Mountbatten, in which it was agreed that Pakistan had committed aggression under the guise of tribals and it was indulging in vandalism and it was the duty of the Union of India, to protect the state having received the request for accession from both the political and legal sovereigns of J & K.<sup>30</sup> This is on the records of Government of India. This is on the records of the United Nations also.

## **VIOLENCE OF HITASADHANI DAL**

The problem of accession closes by came the Kooch - Behar issue. In this political situation, a new kind of patriotic spirit ' Dal ' arose including kind participation of local people irrespective caste, colour, creed and religion on the 8th Jashya, 1358 B.S. This Dal was designed " Projya Hita Sadhani Sabha" headed by Satish Chandra Roy Singha, the then education minister of the Kooch - Behar State; vice presidents were Mokhter Ali Ahamed, the then State inspector of Schools and Khan Chowdhury Amanatulla Ahmed, writer of A

History of Cooch - Behar, respectively, General Secretary and Board of Director were Hemanta Kumar Roy Barma (Ahilker) and Kumar Promendra Narayan (Ahilkar) respectively. The post of cashier was in hands of Md. Makbull Hossain and members were namely as Md. Auswer Miah, Jatin Singh, Kamal Krishna Roy Singh (Captain of Hita Sadhani Sabha), Jaladhar Saha, Satish Paul, Harish Chandra Roy Sarkar and others.<sup>31</sup>

The Projya Hita Sadhani Sabha took many resolutions at Tufanganj meeting on the issue of accession of Kooch - Behar, whether a particular Kooch - Behar state should merge with India or Pakistan or remain independent.<sup>32</sup> Regardingly such issue, the problem of accession was not sustainable. For the integration of the Indian states into a nation, the role of both the Government General of India and His Highness the Maharaja of Kooch - Behar is vital to accede in connection with the agreement. It produces many postal correspondence as follows :

In connection with the finalisation of the agreement between the Governor - General of India and His Highness Maharaja of Cooch Behar for the integration of Cooch - Behar State, His Highness raised certain points for clarification; which the Government of India had considered finally and shaped the following arrangements :

"(1) It is intention of the Government of India to administrator for the present the territories of the Cooch - Behar State as a centrally - administered area under a Chief Commissioner,

(2) All contracts and agreements entered into by Your Highness before the date on which the administration is made over to the Government of India

will be honoured except in so far as any of these contracts or agreements is either repugnant to the provisions of any law made applicable to the State or inconsistent with the general policy of the Government,

(3) The allowances at present drawn by Her Highness the Rajmata will be continued for her life time and will be paid out of the revenues of the State. Your Highness' brother and other members of the Realing Family will also be paid allowance from the revenues of the States as per list attached,

(4) The responsibility for the Cooch - Behar State Forces will be taken over by the Government of India from 12th September 1949. If these forces are disbanded or any of the men discharged, they will receive the pension or gratuity or compensation to which they may be entitled under the rules of the States,

(5) Adequate guards will be provided for the protection of Your Highness' person and palace,

(6) No land or building being Your Highness' private property shall be requisitioned or acquired without your consent and without payment of full compensation

(7) Electricity from the State power House for the main residence of Your Highness and family within the State will be provided at the fixed rate in existence immediately before the transfer of administration to Government of India. Water supply will be provided free of charge to the main palace of Your Highness and family within the States,

(8) The management of the temples and Debutter properties in the State may be entrusted to a Trust which shall consist of Your Highness as President, 3 nominees of Your Highness and 2 nominees of Government. This Trust will be in charge of all temples in the State and will also administer the properties of the temples both inside and outside the State. In the event of the abolition of

the zamindaris which are Debutter property Government will ensure that the Trust has adequate resources to fulfil its object.

(9) Your Highness may create a Trust for the marriage of the son and daughter of Isharani of Cooch - Behar with a corpus of Rs1 lakh. The trustees will be besides Your Highness, Their Highness of Jaipur and Dewas Junior,

(10) The civil list of reserve fund of Rs. 10,60,900 shall be Your Highness' Private property and shall be held by Your Highness in Trust for meeting expenditure in connection with Your Highness' marriage or special repairs to the Palace and any unforeseen expenditure,

(11) The administration of the Maharaj Kumar Trust fund with a corpus of Rs.4,86,900 shall be formally vested in a Trust of which Your Highness and their Highness of Jaipur and Dewas Junior shall be trustees,

(12) Your Highness will be entitled to hold customary Durbars and troops present at the capital will take part in the Dasserah and other celebration

(13) Your Highness will retain your present rank in the Indian Army,

(14) Government will endeavour to associate the name "Narayan" with the Cooch - Behar State Forces even after their absorption in the Indian Army.

The Ministry of States has issued a Memorandum on the privileges and dignities which has been finalised in consultation with the Rajpramkhs of Unions and other States. Your Highness will see that the Memorandum deals adequately with the various suggestions made by the Rules from time to time regarding their rights and privileges."<sup>33</sup>

There after, AGREEMENT MADE THIS twenty eight day of August 1949 between the Governor General of India and His Highness the Maharaja of Cooch - Behar.

tended to cover all the expenses of the Ruler and his family, including expenses on account of his personal staff, maintenance of his residences, marriages and other ceremonies etc, and will neither be increased nor reduced for any reason whatsoever.

The Government of India undertakes that the said sum of Rupees eight lacks fifty thousand shall be paid to his Highness the Maharaja in four equal instalments in advance at the beginning of each quarter from the state treasury or at such treasury as may be specified by the Government of India.

#### ARTICLE IV

His Highness the Maharaja shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of this agreement.

His Highness the Maharaja will furnish to the Dominion Government before the 15th September, 1949 an inventory of all the immovable property, securities and cash balances held by him as such private property.

If any dispute arises as to whether any item of property is the private property of His Highness the Maharaja or State property, it shall be referred to a judicial officer qualified to be appointed as a High Court Judge, and the decision of that officer shall be final and binding on both parties.

#### ARTICLE V

All the members of His Highness' family shall be entitled to all the personal privileges, dignities and titles enjoyed by them whether within or outside

the territories of the State immediately before the 15th day of August, 1947.

#### ARTICLE VI

The Dominion government guarantees the succession, according to law and custom, to the gaddi of the state and to His Highness the Maharaja's personal rights, privileges, dignities and titles.

#### ARTICLE VII

No enquiry shall be made by or under the authority of the Government of India, and no proceedings shall lie in any court in Cooch - Behar against His Highness the Maharaja, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him or under his authority during the period of his administration of that State.

#### ARTICLE VIII

(i) The Government of India hereby guarantees either the continuance in service of the permanent members of the Public Services of Cooch - Behar on conditions which will not be less administration than those on which they were serving before that date on which the administration of Cooch - Behar is made over to the Government of India or the payment of reasonable compensation.

(ii) The Government of India further guarantees the continuance of pensions and leave salaries sanctioned by His Highness; the Maharaja to servants of the State who have retired or proceeded on leave preparatory to retirement, before the date on which the administration of Cooch - Behar is made over to the Government of India.

## ARTICLE IX

Except with the previous sanction of the Government of India no proceedings, civil and criminal shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duties as a servant of the State before the day on which the administration is made over to the Government of India.

In confirmation where of Mr. Vapal Pangunni Menon, Adviser to the Government of India in the Ministry of States has appended his signature on behalf and with the authority of the Governor General of India and Lieutenant Colonel His Highness Maharaja Jagaddipendra narayan Bhup Bahadur, Maharaja of Cooch - Behar has appended his signature on behalf of himself, his heirs and successors.<sup>34</sup>

Merge from his Highness the Maharaja Jagaddipendra narayan Bhup Bahadur, Maharaja of Cooch - Behar on the day of the 12th September 1949, the state is integrated to the dominion of India has been addressed to the beloved people of Cooch - Behar on the solemn occasion which is discussed as follows :

" On this solemn occasion which marks the end of a long and happy association, my mother and I send you our very best wishes to my beloved people.

Where ever we may be, we shall never forget you, your loyalty your devotion; we hope you will always maintain the peace, goodwill and harmony which has been our common proud heritage.

We shall always watch with keen interest of your moral and material welfare and always pray for your happiness and prosperity. May God almighty bless you all.<sup>35</sup>

The problem of the Government of India as regards the states after the accession was two fold :

- (a) Shaping the Indian States into sizable or viable administrative units, and
- (b) fitting them into the constitutional structure of India,

Let it discuss topically :

#### **A. SHAPING THE INDIAN STATES INTO SIZEABLE**

This object was sought to be achieved by a three fold process of integration (Known as the 'Patel Scheme' by the name of the then member in charge of Home affairs) -

- i) 216 States were merged into the respective provinces, geographically contiguous to them. These merged states were include in the territories of the states in Part B in the First Schedule of the constitution. The process of merger started with the merger of Orissa and Chattisgarh states with the then province of Orissa on January', 1948 and the last instance was the merger of Cooch - Behar with the Governor General of India to transfer the administration of the state to the Dominion Government on the 12th day of September, 1949.

ii) 61 states were converted into centrally administered areas and included in part C of the first scheduled of the constitution is shown it below at a chart form. This form of integration was resorted to in those cases in which, for administrative, strategic or other special reasons, central control was considered necessary.<sup>36</sup>

**Chart No. 3.1**

**As in the original constitution, 1949**

**Union**

<u>States in Part A</u>	<u>States in Part B</u>	<u>States in Part C</u>	<u>Territories in Part D</u>
1. Assam	1. Hyderabad	1. Ajmer	1. The Andaman and Nicobar Islands
2. Bihar	2. Jammu and Kashmir	2. Bhopal	2. Acquired Territories (if any)
3. Bombay	3. Madhya Bharat	3. Bilespur	
4. Madhya Pradesh	4. Maysore	4. <b>Cooch Behar</b>	
5. Madras	5. Patiala and East Punjab	5. Coorg	
6. Orisa			
7. Punjab			
8. The United Provinces			
9. West Bengal			

**Sources :** *Durga Das Basu : Introduction to the Constitution of India, Eight edition, Prentice Hall of India Private Limited, New Delhi 1980, p. 374; Table No. - III Territories of India; as in the original constitution (1949) Union.*

The third form of integration was the consolidation of groups of states into new viable units, known as Union of States, the first union formed was the Saurashtra Union consolidating the Kathiawar States and many other states (February 15, 1948), and the last one was the Union of Travancore -Cochin, formed on July 1, 1949. As many as 275 states were thus integrated into 5 Unions - Madhya Bharat, Patiala and East Punjab States Union, Rajasthan, Saurashtra and Travancore - Cochin. These were included in the states in part B of the First Schedule. The other 3 states included in part B were Hyderabad, Jammu and Kashmir and Mysore. The cases of Hyderabad and Jammu and Kashmir were peculiar. Jammu and Kashmir acceded to India on October 26, 1947, and so it was included as a state in part B, but the Government of India agreed to take the accession subject to confirmation by the people of the state, and a constituent assembly subsequently confirmed it, in November, 1956 Hyderabad did not formally accede to India, but the Nizam issued a proclamation recognising the necessity of entering into a constitutional relationship with the union of India and accepting the constitution of India subject to ratification by the constituent Assembly of that State, and the constituent assembly of that state ratified this. As a result, Hyderabad was included as a state in part B of the First Schedule of the constitution.

## **B. FITTING THEM INTO THE CONSTITUTION STRUCTURE OF INDIA**

We have so far seen how the states in part B were formed as viable units of administration, being the residue of the bigger Indian States, left after the smaller states had been merged in the provinces or converted into centrally Administered Areas. So far as the latter two groups are concerned, there was no problem in fitting them into the body of the constitution framed for the rest of

India. There was an agreement between the Government of India and the ruler of each of the states so merged, by which the rulers voluntarily agreed to the merger and ceded all powers for the governance of the states to the Dominion Government, reserving certain personal rights and privileges for themselves.<sup>37</sup>

### **COOCH - BEHAR (ADMINISTRATION ) ORDER, 1949**

Whereas the Central Government has full and exclusive authority, jurisdiction and powers for, and in relation to, the governance of the State of Cooch - Behar.

Now, therefore, in exercise of the power conferred by section 3 and 4 of the Extra provincial jurisdiction Act, 1947 (XLVII of 1947) and of all other powers enabling it in this behalf, the Central Government is pleased to make the following order :

**1. SHORT TITLE EXTENT AND COMMENCEMENT : -**

- i) This order may be called the Cooch - Behar (Administration ) order, 1949.
- ii) It extends to the whole of Cooch - Behar.
- iii) It shall come into force on the 12th Day of September, 1949.

**2. DEFINITION : -**

In this order, " Cooch Behar " means the whole of the area, which immediately before the commencement of this order, is comprised within the state of Cooch - Behar.

### **3. APPOINTMENT OF CHIEF COMMISSIONER :-**

There shall be a chief commissioner appointed by the Central Government at the head of the administration of Cooch - Behar.

### **4. APPOINTMENT OF FUNCTIONARIES :-**

i) Subject to the control of the Central Government, the Chief commissioner may appoint such Judges, Magistrates and other officers as may be necessary for the administration of Cooch - Behar and may by general or special order, determine their jurisdiction, powers, duties and functions.

ii) Without prejudice to the provisions of subparagraph (i) all judges, Magistrates and other officers who immediately before the commencement of this order, were exercising lawful functions in Cooch - Behar or any part thereof shall, until other provision is made by the Chief Commissioner, continue to exercise their respective functions in the same manner and to the same extent as they were doing before the commencement of this order.

### **5. EXISTING LAWS TO CONTINUE :-**

All laws in force in Cooch - Behar or any part thereof immediately before the commencement of this order : shall continue in force until replaced or amended by a competent legislature or authority;

Provided that all powers exercisable under the said laws by His Highness the Maharaja or the Government of the State shall be exercisable by the Chief Commissioner.

## 6. CONTINUANCE OF EXISTING TAXES : -

All taxes, duties, cesses or fees which immediately before the commencement of the order, were being all fully levied in Cooch - Behar or any part thereof shall continue to be included and applied to the same purpose, until other provisions made by a competent legislature and authority.<sup>38</sup>

## ARTICULATIONS AND VEHEMENCE

The problem of Cooch - Behar state as regards the state after the accession as a 'C' category of state was three folds :

- i) Shapping the Cooch - Behar state into sizable or viable administrative units It is expected to convert into centrally Administered Areas of India;
  - ii) Mergering the Cooch - Behar state into the administrative setup of the West Bengal provinces;
- and
- iii) Fitting the Cooch - Behar state into the administrative setup of the Assam government.

Regarding such issues, it accumulates serious problem for the people of Cooch - Behar state. At the stage, there is the fertility of land to arise to help many political Dals to combat the intermingle problems as 'Projya Mandal', Cooch - Behar Communist Party, 'Congress' and 'Peoples' Party'. There after, the nature of 'Projya Mandal' was transformed into all revolutionary activities under the political platform of the Cooch - Behar Congress' and Peoples' Party. It was being pleaded by Mr. Umesh Chandra Mandal and Chuni Mukherjee respectively.

In practice, the popularity and mass - participation of the 'Projya Hita Sadhani Sabha' were higher in Cooch - Behar state than that of Congress and Peoples' Party. At the situation, all people irrespective of their caste, creed, colour, race, religion and sex imparted with the political ideology of the 'Praja Hita Sadhani Sabh or Dal'. Its main articulations were either to fit the Cooch-Bihar state into the constitutional setup of India, or, to convert it into a centrally administered area, or, to introduce it as Union territory of the Union of states of India.<sup>39</sup> Besides, there were many party Resolutions of the 'Praja Hita Sadhani Sabha' to fight against the anti - movement of the Cooch - Bihar state, in there language :

"1. We, the people of the Cooch - Bihar state hate the process of merger with the Union Government of India. Similarly, we, the people of the Cooch - Bihar state do not support the merger with any state of the Union Dominion.

2. We, the people of the Cooch - Bihar State hate the process of merger with the state of West Bengal and similarly, with the State of Assam. The people of the Cooch - Bihar state prefer to accede to the Dominion of the provincial autonomy. The then, Jalpaiguri, Alipurduar already merged with the state of West Bengal respectively, who were more backward socially, educationally and culturally and similarly with the Goalpara district of Assam was negligible at the same causes of mode of livings.

3. We, the people of the Cooch - Bihar state ascertain to apprehend the process of merger with the states of the Union of India. Thereafter, also they aggrieve to loss their, identity, ethnicity, cultural base of society, originality and distinct thinking of kinship in deversity of a mix - cultural people. Simi-

larly, the people of the Cooch - Behar state apprehend to loss power, state - hood and autonomy with mergering with any state of the Dominion of India.

4. We, the people of the Cooch - Behar state apprehend to have possibility for deprivation of getting proper justice. The people of Cooch-Bihar will be suffering from getting - justice due to transforming the High Court, Judge Court, Civil Court etc. from the heart of Cooch - Bihar to else where. It is quite impossible to the people of the Cooch - Bihar state to obtain proper justice from the High Court which is situated either in Calcutta or Gawahati for the task of protecting the rights of the individuals against the executives, against oppressive legislations and even against the legislature itself, when it would become overzealous in asserting its privileges due to geographical distance.

5. We, the people of the Cooch - Bihar : state apprehend to be deprived of basic needs of life, because of the significant achievements in many fields of economic activities would be centralized at the capital of the State. The problem of mal - distribution of economic growth in Cooch - Bihar will be evident from the fact that the most of the population will remain below the poverty line and they would be unable to procure basic opportunities and to uplift industrial and agricultural developments due to lack of irrigation, electrification, fertilization and researchis there on.

6. We, the people of the Cooch - Bihar state apprehend to loss identity, of its distinct language, ethnic values, morals and culture, which are not inferior to any other culture of any other part of India.

7. We, the people of Cooch - Bihar state apprehend to be deprived of

political participation. Such as important political chairs, posts and ministries will be occupied and captured by the caste Hindus and the well to do classes of the state who have belong to the vested interest for the developmental activities of economic sphere in West Bengal but not in the area of North Bengal, particularly in Cooch - Behar, where the people had been remaining backward economically, socially and culturally.

8. We, the people of the Cooch - Behar state apprehend to suffer from inequality in allocation of natural resources, sectoral developmental activities in the process of infra - structural system and industrial production on agricultural base in where green plantations, Dolomite, tobacco, Timber and other natural resources of Cooch Behar.

9. We, the people of the Cooch - Behar state assert that ignorance and superstition of the backward sections of the Cooch - Behari who have remained apathetic to the developmental activities due to weakness and mergering with mixed cultural people of West Bengal."<sup>40</sup>

On the contrary, the contrivance of the Cooch - Behar congress was the support to the merger of the Cooch-Behar state with the state of West Bengal. But, in practical ussages that mass - political support was too weak to influence the people of the Cooch - Behar Congress, the instance is referred by direct visitor, Shri Dharma Narayan Burman, Writer of 'Rajya Cooch - Behar Zilla Cooch - Behar,' in 1948, a general meeting of the Cooch - Behar Congress held near of Madan Mohan Takur Bari, Tufanganj, There were many speakers namely Mr. Umesh Chandra Mandal, Bhabani, Chuni Mukherjee and distinguished leaders which was being attent by a galaxy of local tewety or

thirty visitors or listeners. Under the general presidentship of Mr. Umesh chandra mandal, was packed with a heavy agenda, including several round table discussions on the local theme : merger with West Bengal, make to unite and campaign against Hita Sadhani Sabha .... listeners ran away one by one. How, was it possible to deliver speech with out audiance? However, speakers of the 'Prajya Mandal' moved away; thereafter, stopping their speeches.<sup>41</sup>

Yet, Cooch - Behar Congress had not mass active support, but Calcutta press, newspaper and all other mass - media remained in favour of Cooch - Behar congress to make propaganda and to formulate people attention to accept the 'merger' with the West Bengal. But, articulations of the Prajya Hita Sadhani Dal was not communicated to the middle class people due to lack of general publications instantaneously due to without authenticity of information, selection of issues of local interest and suecinet reporting in interesting and convincing language. All the them all magazines, reporting and publications were in favour of the Government of West Bengal, in which the role of propa-ganda played partially to draw attention of the central Government and the Prime Minister, Mr. Jawaharlal Nehru led by the then Prime Minister of the West Bengal, Dr. Bidhan Chandra Roy, fraudulently for the interest of mergering the Cooch - Behar State with the West Bengal.<sup>42</sup> An old saying goes " pen is mightier than sword," is proved in the case of Hita Sadhani's agitation.

Being the most important media, print media pertained to broad activity of publication of news papers, magazines and books and all connected with these activities had their contribution to successful running of this medium, when, the demands and anticutations had been going of the Hita SAdhani Dal, the then 'Janamat Patrika', was edited by Dr. Charu Sannyal at jalpaiguri played the

vital role.

Hita Sadhani issues were not published in column of Calcutta Daily and it suffered from mode of originality of actual news due to lack of party's (Hita Sandhani Sabhas') publications. Besides, the general publications of any local issue of Cooch - Behar was not possible due to supervisory policy of Cooch - Behar Monarchy. For these reasons, informations were not published in Daily news, on the other hand the news of the Hitasadhani Sabha were published in perverted forms. At that time, two weekly magazines namely Janamat and Trisorta were playing a vital role. The main aim was to pursue and draw the attention to the Cooch - Behari issues to the people of Jalpaiguri, Calcutta and other propensity was to motivate the central government in the 'Janamat' weekly news as follows :

In the first place, on the 12th January, 1948, a news was published in the Janamat Magazine entitled as 'Cooch - Behar Sambad'..... On the 4th Jaisthya 1358 B.S. Cooch - Behar Prajya Hita Sadhani Sabha is formed with participating Hindus and Muslims and local indigenous peoples .... a general meeting on 28th November 1947 held at Mekhliganj and was lectured by the then Education Minister, Shri Satish Chandra Roy Singha .... the main theme of his speeches are to drive BHATIYAS (refugees)..... referring Bhatiyas, he meant only Hindu educated and Businessmen, who resided for seven or eight generations in the Cooch - Behar state."

Dr. Sanyal published a statistical classification of the Cooch - Behar State population in Janamat Patrika as follows :

i.	Total populations	-	6,39,818
ii.	Muslim populations	-	2,55,959 (40 percent out of the total population of the Cooch - Behar state)
iii.	Non - Muslim population	-	3,83,939
iv.	Bhatiya (foriegners / immigrants Hindu) population	-	83, 939
v.	Rajbanshi Kshatriya Population	-	2,97,000 ( <u>46 percent out of the total population of the Cooch - Behar State</u> ). <sup>43</sup>

In the second place, on 21st BHADRA, 1355 B.S. in editorial column, Dr. Charu Sanyal wrote entitling with 'Cooch - Behar Dhumayeta Bannyee', the State Minister of Revenue, Amanadtullya Khan Chowdhury and State Education Minister, Satish Chandra Singha Roy delivered speeches at Mekhliganj's meeting on the 27th August, where in they said, Cooch - Behar State remained separate from the dominion of India and Projya Hita Sadhani tried with best to detach the Cooch - Behar state from the campaigning of the State congress Bengali regime. The Highest endeavours were in the Cooch - Behar State, where in covert janamat propoganda was able to tap of rich vein of anti - Hita Sadhani and to pursue to propagate about the local problem of Cooch -Behar state through the mass - media. Dr. Sanyal, himself made his reputation as a resident of North Bengal largely by the success of his ' active measures' operations in Janamat magazine fighting with the demand of Uttarkhand.<sup>44</sup>

In the third place, on the Jaisthya 1356 B.S. in editorial column, Dr. Sanyal wrote heading as 'Desh Bedesh', the election of the 'Ligislative Council' of the Cooch - Behar state would be held on the 26th May, 1949. There was a local Dal named ' Hita Sadhani Sabha' in the State of Cooch-Bihar, which pleaded the role anti Bhatiya (refugees) regime and tried to destroy the state congress. He also asserted that Hita Sadhani Sabha was pledged by a few muslim league leaders from the East Pakistan and played as antipolicy of Dominion of India. He also played the role of compaigning of State congress of Cooch - Bihar state dated the 4th Poush in Janamat Patrika ..... when proposed to mergering the Cooch - Bihar state with the state of West Bengal, members of Hita Sadhani Sabha, Jolders of the Muslim League and members of Gram Panchayets played the covert propaganda in the Cooch - Bihar State Congress. The leaders from Cooch - Bihar and Haldibari of the Hita Sadhani Sabha went to Delhi with heavy amounts..... many agitations against the Government ...." The secretary of Cooch - Bihar zilla congress, shri Harendra Kumer Dutta ' s speeches on 11 th December 1949 were direct penetrations of the janamat Patrika dated the 11th POUISH 1356 B.S. against Hita Sadhani for mergering the Cooch - Bihar state with state of West Bengal.<sup>45</sup>

Besides, the role of propaganda, there were many endeavours to fight against Hita Sadhani's agitation in form of meeting, slogans, campaigns, publishing brochures, applications and other means of communications. one of the 'Applications', dated the 9th JAISTHYA 1356 B.S. of general meeting was circulated to the audiance is illusrated as under :

Most Humble,

It is known to you that the Cooch Bihar state is going merge with the

state of West Bengal. The state of CoochBehar is related with West Bengal geographically, politically and economically, so, West Bengal's demand is justified. The inhabitants of Cooch Behar are Bengali speaking people, which was once upon a time annexed to the Province of Bengal. To implement such demands of the state of West Bengal, mass agitation is very necessary in the province. To mobilise such issue, a general meeting will be held on the 24th May, Tuesday, 1949 at 6 P.M. at the primises of local Aryan Samaj Jalpaiguri. So, your kindful participation and presence are expectable to us.

Convenors,

Shri Convenwors Aruna

Dasgupta, Shri Sasadhkar, Shri Bepullendra Bandhapadhya and many others.<sup>46</sup>

The source said that all publishing propaganda of Janamat Patrika of Dr. Charu Sanyal was sent to Sardar Vallabh bhai Patel, Deputy Prime Minister of India through Prime Minister of West Bengal, Dr. Bidhan Chandra Roy to motivate the issue of mergering. Besides, Dr. Roy personally wrote many motivated letters to Patel, disclosed what West Bengal claimed was successful operations to introduce the merger of the CoochBehar as follows :

To

The Honourable Sardar Vallabhbhai Patel  
Deputy Prime Minister of India

My dear Vallabhbhai,

I have spoken to you already about Cooch

Behar and In have shown you certain papers regarding the subject .... I would like you to take up these cases and their accession to the West Bengal Government.

I am very much anxious about CoochBehar because of certain developments which have taken place there affecting the security not merely of West Bengal but also of the Indian Union . I cannot say more at this stage but when I see you next time I will tell you.

Yours Sincerely

B.C. Roy. <sup>47</sup>

Calcutta

11th May, 1949

To

Honourable Sardar Vallabh bhai Patel,  
Dy. Prime Minister of India, New Delhi.

My dear Vallabhbhai Patel,

You remember I spoke to you on several occasion about allowing CoochBehar to be merged to West Bengal. I am perfectly sure you are inclined in the same direction. It may be that it will take a little time before the perliminaries can be settled before the merger is decided. You know that Sri Sarat Chandra Bose has filed his nomination for the assembly from South Calcutta. The last date of nomination being 24th May. Polling is taking place on 12th June. I

certainly expect help, advice and co-operation from you and ponditjee. In this connection may I suggest to you that the announcement from the centre that CoochBehar could be merged to West Bengal would be a great help to us in the election campaign. When you have finally decided about this merging, kindly let us know, so that we can keep the field ready and make our propa-ganda that this merging has not been affected by Sri Sarat Chandra Bose but by West Bengal Government. The provincial congress committee has decided to put a candidate a strong one against Sri Sarat Chandra Bose but of course polling both is always a tricky customer.

I hope you are keeping well. An early reply will be well - come.

Yours Sincerely,

Dr. B.C.Roy. <sup>48</sup>

Considering letters, the then Governor of the West Bengal, Kailash Nath Katju wrote to the Central Government. On answering, Sardar Vallabhbai Patel wrote to Katju as follows. <sup>49</sup>

Dehradun

26 June, 1949

My dear Katju,

Thank you for your letter of 23 June 1949. I am glad to know your views on question of CoochBehar. From all evidence, independence as well as otherwise, it seems that merger with West Bengal is locally unpopular. It is

a difficult problem and we will have to think hard about it. Least we should provoke unpleasant local situation.

Sardar Vallabhbhai Patel.

Investigating CoochBehar situation, the then Governor of Assam, A.K.Hydar wrote to Sardar Vallabhbhai Patel as under. <sup>50</sup>

Guest House, Sillong.

29 June, 1948

My dear Sardarjee,

The only further comment which I wish to make is on the subject of the anti Bengali feeling in the state.

I was informed that our of the State's population of between six and seven lakhs of Bengalee number a mere 30,000. Yet Bengali propaganda would make it appear as if Bengalees constitute the greater portion of the population. the bulk of the population consists of Rajbanshi including Muslim between whom and the Rajbanshis there is far amity and free social inter course. The danger of the situation lies in the fact the Bengali Congress leaders are leading themselves to propaganda that Cooch Behar should be merged with West Bengal. This is resulting in the Congress as a whole tending to become unpopular in Cooch Behar. Bengal provincial Congress would be violently resisted. In the present state of feeling the Congress would find few Cooch Behari adherents. The best solution in the present circumstances would be to

let Cooch Behar come under wing of the Central Congress but if that is not possible the second best would be to let it be affiliated to the Assam Provincial Congress .....

During my visit I was cordially received by all classes of people which was not a personal tribute to me but relief at seeing in me visible evidence that Cooch Behar was not tied to the apron strings of West Bengal. By their aggressional attitude the Congress leaders of West Bengal and the Calcutta press are increasing the animosity roused against West Bengal in this part of India .....

A. K. Hydar

But, in the political situation, Pandit Jawaharlal Nehru declared, 'Plebicide will determine the fate of Cooch Behar', was impacted to the Calcutta leaders. The endeavour of Calcutta leaders was influenced in favour of merger with West Bengal to Sardar Patel especially by Dr. Bidhan Chandra Roy. After being influenced about issues of Cooch Behar, Patel tried with best to draw the attention of the Prime Minister, Jawaharlal Nehru by corresponding distinct letter as below.<sup>51</sup>

New Delhi

28th December, 1949.

My dear Jawaharlal,

Thank you for your letter of 27th December regarding Cooch Behar and Vindhya Pradesh. I have examined the position in detail in the cabinet and hope it was not necessary for me now to go into details again. As Menon has

also told you the question of Cooch Behar was mentioned to you sometime ago. It's possible it has slipped from your mind. In view of that I did not think it was necessary to refer to you again though it was my intention to mention it in the cabinet before a public announcement is made. As regard consulting the people of Cooch Behar, I have already said that local Congress has approved the merger. There is a local Hitasadhani Sabbha, which is partly muslim with its sympathies definitely with neighbouring area of East Pakistan and partly consisting of some members of hill tribes who are looking to Sikkim, Nepal and Bhutan for the formation of an "Uttar Khand Pradesh". I feel certain that we should do nothing to encourage this kind of organisation in its mischievous tendencies.

Assam's intention towards Cooch Behar directed only because on account of its geographical isolation from the main area of West Bengal, I had to entrust the supervision over its administration to the Governor of Assam. Otherwise they have never bothered about it.

Yours faithfully,

Vallabhbhai Patel

Dr. Roy had reports about the unsavoury reception of his letter in Delhi and wrote the following two letters to the Prime Minister and Deputy Prime Minister which make interesting reading.<sup>52</sup>

December 8, 1949

Calcutta.

My dear Jawahar ,

I am informed by some persons that my action in writing the letter the other day was unusual. If I have said anything wrong there, I offer my sincere regrets but I felt that I should emphasise two points, namely, firstly, to point out that there was not much cohesion between the different departments of the Government, whether Central or Provincial, and secondly, there is not much of co-operation and co-ordination in matters of common interest between the provinces and the Centre. I find that in the fortnightly letter which you have written on the 1st of December, you have referred to this aspect of the question in paragraph 25 and I cannot improve upon the language which I have used to express the ideas that I had when I wrote that letter. I will fight for my province so long as I feel it is my responsibility to do so but I do not want to fight in a manner which would show that I am wanting in courtesy or good feeling towards those with whom I am fighting. I know that you will not misunderstand me in whatever I write. I am not a politician and I do not write from a diplomatic point of view. I write what I feel.

I have to thank you and the members of the Cabinet who have at last agreed to merge Cooch Behar with West Bengal from 1st of January, 1950. It is not merely a physical accretion to this Province for which I express my thanks but it is also a matter of psychology.

I feel there is a great deal of sympathetic approach to the people of this Province. The people of Bengal have been growing rather restless on this

matter.

I am therefore very thankful to the Government at the Centre for making this realistic approach and I am sure the Province of Bengal and its people will welcome this decision.

Yours affectionately,

B. C. Roy.

Calcutta

December 8, 1949

My dear Vallabhabhai,

I bird whispered in my ear that you felt that I should not have written the letter that I wrote to Pandit Jawaharlal with regard to relief and rehabilitation matters. Perhaps I had used rather strong expressions but they were equally sincere. I am glad to find that in the fortnightly letter which he has circulated Pandit Jawaharlal also admits want of co-operation between the different Departments of the Government and want of scheming and planning for the Government as a whole. In fact, these are the two matters which I stressed in my letter. In my case, I am enclosing a copy of a letter which I have written to him today, from which you will note my reaction to the report I had from Delhi about the reception of my letter.

I write to you today to thank you for taking steps for the merger of Cooch Behar. I placed the matter before the meeting of the Cabinet and I obtained

their permission to inform you that they agreed to all the conditions that were written in the letter to Mr. Menon. I am writing to him also. I can not sufficiently thank you for this step because apart from every other question it has got a psychological bearing which I cannot ignore. I hope and trust that the people of Bengal will realise what you have done for the Province. More than that I cannot say.

Yours sincerely,

B. C. Roy.<sup>53</sup>

The accession of princely CoochBehar state to West Bengal marked the opening of the new year bringing hope and enthusiasm to the people of the truncated province with the highest density of population in the country. On the 1st of January, 1950, Dr. Roy with his Chief Secretary and Divisional Commissioner flew to Cooch Behar to receive the Instrument of Accession from Sardar Patel's emissary Nanjappa and to preside over the public function of the merger ceremony. These be announced that the princely State of CoochBehar would be maintained as a separate district with headquarters at Coochbehar for historical as well as for sentimental reasons, that representation would be given to the people in the provincial Aaaembly on the basis of population, and that all states servents would be absorbed in West Bengal Government Senices. The voluntary accession of CoochBehar meant an addition of 1918 square miles of territory with a population of eight lacs into West Bengal. <sup>54</sup>

### **ASSIMILATION OF STATE LAWS**

An Act to assimilate certain laws in force in CoochBehar to the laws in force in the rest of West Bengal.

Be it enacted by Parliament as follows :

I, Short title and commencement : (i) This Act may be called the CoochBehar (Assimilation of laws) Act, 1950

(ii) It shall come into force on such date as the central Government may, by notification in the official Gazette, appoint.

2. Interpretation, In this Act, -

(a) " appointed day " means the date appointed under sub - section (2) of the section 1 for the coming into force of this Act;

(b) " CoochBehar " means the merged territory of CoochBehar in the state of West Bengal;

(c) " Law " means so much of any Act, Ordinance, Regulation, rule order or by c - law as relates to any of the matters enumerated in Lists III. in the Seventh Schedule to the Constitution.

3. Assimilation of laws :

(i) Save as provide in sub - section (2) all laws which immediately before the appointed day extend to, or are in force in, the State of West Bengal, but do not extend to, or are not in force in, CoochBehar Shall, as from that day, extend to, or as the case may be, came into force in, CoochBehar, and all laws, which , immediately before the appointed day, are in force in CoochBehar, but not in the rest of West Bengal, shall on that day cease to be in force in CoochBehar, except as reports things done or omitted to be done.

(ii) Notwithstanding anything contained in sub - section (i), the muslim personal law(Sharjat) application Act, 1937 (XXVI of 1937), shall come into force in CoochBehar only as such date as the state Government may, by - notification in the official gazette, appoint, and CoochBehar Act II of 1897, known as the Muhammadan Inheritage Act, 1897, shall continue in force in CoochBehar until that date, and shall on that date cease to be in force except as respects things done or omitted to be done before that date.

4. Provision for removal of difficulties - if any difficulty arises in relation to the transction under section (3) from one law or group of laws to another law or group of laws, the central Government may, by order notified official Gazette, make such porovision as it considers necessary for the removal of such difficulty.<sup>55</sup>

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