The endevour of this exhibition in the Golden Jubilee year of the High Court is to have a look into the past.

It provides us an opportunity of introspection and to know the historical development of this Court so that we may enlighten ourselves and appreciate the journey undertaken by it to reach where it is today.

The History of this Court have been a fascinating growth of social and political affairs over which it has exercised jurisdiction.

The Mughal Empire in the later years of its reign crumbled and in the 1790s the area of Punjab was in the disorganized state of affairs. It was under the heads of various Sikh ‘Misls’ (Confederacies). The invasion of Ahmad Shah Abdali further compounded the otherwise already unstable administrative and judicial affairs.

In this state of affairs, primitive customs and myriad rules were followed for the settlement of disputes through ‘Panches’. There were no judicial courts, written laws or an authority to enforce and maintain them.

The Judicial reforms started with the consolidation of Punjab under the Maharaja Ranjit Singh, who amongst others steps reorganized the Administration of Justice in the area under his domain. The persons professing the Muslim faith were governed by the ‘Shariat’ law and for them separate courts were set up. Nazamdin was appointed Chief Qazi (Judge) with Mohammad Shah Puri and Saidullah Chishti as two Muftis.
The Hindus and the Sikhs were governed by customary Law of their caste or the district, for which the Maharaja setup separate Courts under Judicial Officers appointed by the Durbar. A distinct court was set up at the capital known as Adalat-I-Ala. Not much is known as to how this court was constituted and who the Judges were, but its name suggests that it was probably an Appellate court akin to the High Court. With the death of the great Sikh Ruler, disorder and chaos prevailed once again.

On 16th December, 1847 an Assembly of the Sikh misldars (Chieftans) was held in the durbar of the British Resident and a convention was signed appointing a Council of Regency under the British Resident who became the repository of authority in the territory of Maharaja Ranjit Singh. Soon there was a revolt against the British Residency. However, with the fall of Multan and the Battle of Gujrat, the position changed. The Sikh nobles assembled for the last time on 29th March, 1849, when Lord Dalhousie’s proclamation was read out, on which Maharaja Duleep Singh was made to affix his initials. The territory of Punjab thus stood transferred to the East India Company.

With the annexation of Punjab, the British set up a Board of Administration of three members having responsibility though separate charge of Political, Revenue and Judicial Administration. In the field of criminal law a Penal Code known as a Punjab Crimes Act was amongst the first written code to be applied in the province. The Board was however, abolished in 1853 and John Lawerence (Later Lord) was appointed as Chief Commissioner with two Principal Commissioners for judicial and administrative work. The Judicial Commissioner was the Chief Judge and his Court was the final Appellate Court.
Lord Maculay’s Indian Penal Code was enforced in 1860 and Criminal Procedure Code followed. In civil matters the Punjab Civil Code was applied to the province in 1853-54, which was a complete set of Rules and Orders that had been issued in the past. The Punjab courts Act (Act No. 19 of 1865) was enacted which inter-alia provided for seven classes of Courts to exercise Civil jurisdiction starting from the Tehsildar up to the Court of Judicial commissioner. The Chief Court Act (Act 23 if 1855) remained in force for a short span. In the following year in 1866 the Chief Court (Act IV of 1866) received the assent of the Governor General on 16th February, 1866. The said Act constituted Chief Court of Punjab as the ultimate court of Appeal of Civil and Criminal courts in the province.

During this period Justice Ram Narain Dar (1849 to 1886) was elevated as the first Indian Judge of the Chief Court. It was in 1877 by the Punjab Court Act (XVII of 1877) that the Punjab Courts Act, 1865 and the Chief Court, Act, 1866 were repealed. The new Act brought about some changes in the Civil Courts. The setting up of the Chief Court in 1866, culminated in the constitution of the High Court of Judicature at Lahore for the province of Punjab and Delhi on 21st March, 1919 by Letter Patent.

Thereby the status of Chief Court was elevated to that of the High Court. Another event of that year is the enactment of the Government of India Act, 1919 on 23rd December, 1919.
one cannot miss making a reference to the noted legal luminary of this period Sir Shadi Lal, who was the first to qualify the Indian Civil Services (ICS) from this region in 1902 but resigned to start practice at Lahore. He belonged to Rewari and became a Barrister. He became a judge and Chief Justice of Chief Court.

He was one of the first six judges appointed as judge of the Lahore High Court after its constitution. He was conferred Knighthood on 1st January, 1921 and was amongst the first of the Indian judges who was elevated to Privy Court.

The Government of India Act 1935 substituted the 1919 Act which brought about changes in the composition of the Court. The limitation that the Chief Justice had always to be a Barrister Judge was withdrawn. The Chief Justice could thereafter be appointed from amongst the civilian Judges as well. Besides, the age of retirement of a judge was fixed at 60. the Government of India (High Court Judges) Order 1937 fixed the number of Judges for the Lahore High Court at 15. it is during this period, out of the strength of permanent and additional Judges, three temporary Judges were specially deputed in 1930 to serve the Special Tribunal for the trial of Lahore Conspiracy Case, to which exhibits have been made available for display in the exhibition as also a write up from its judgment. Of the still earlier period, Kartar Singh Sarabha’s case has been displayed by making a brief reference of its history.

The year 1947 marked the end of the British era in the Indian history. The British Parliament passed the Indian Independence Act, 1947 which provided a free independent India, however, at the same time led to the partition of the country, the independent dominions of India and Pakistan were created. The High Courts (Punjab) Order 1947 led to the formation of the
The East Punjab High Court for the territory of East Punjab from the independence day of 15th August 1947.

The East Punjab High Court had territorial jurisdiction in the East Punjab area and the province of Delhi; it exercised jurisdiction which was hitherto exercised by the Lahore High Court. At the time of partition, the Lahore High Court had 11 Judges, out of whom 6 permanent Judges, Messers Justice Ram Lal, Mehar Chand Mahajan, Teja Singh, A.N. Bhandari, Achhru Ram and G.D. Khosla and one additional Judge D. Falshaw opted for service in the East Punjab High Court. About 3250 pending cases were transferred to the East Punjab High Court. The East Punjab High Court functioned for about six months at Amritsar and then for a brief period at Simla, in a building called “Peter Hoff” which has since been destroyed in fire.

The site for the new Capital of Punjab was selected at Chandigarh and the construction of the Capitol complex including the High Court building started with Le Corbusier, a French architect as the master planner of Chandigarh. The High Court building is ‘L’ shaped in plan with the long facade facing the Capitol Plaza.

The building has a rectilinear frame with nine Court Rooms including the Chief Justices Court. A double roof is provided on top. The upper roof is placed over the lower one in the manner of a parasol shading of the lower roof. The space between the two roofs is left open to enable the air currents to move.
The exhibition depicts the construction of the building in its initial stages, the architectural design and the building in its form as it has been developed. Nine large size tapestries designed by Le Corbusier adorn the walls of High Court rooms. An indigenous technique as used for making “Durries” was used rather than the tapestries as weaved in traditional European style.

The High Court started functioning in 1954. A murder reference that was decided in December 1954 at Chandigarh has been traced which can be seen in the exhibition. The building, however, was formally inaugurated by Pt. Jawahar Lal Nehru on 19th March 1955.

The merger of Pepsu High Court with the Punjab High Court with the enactment of the State Re-organization Act 1956 is another chapter in the history of this Court. The jurisdiction of the Punjab High Court was extended to the erstwhile territory of the Patiala and East Punjab states Union (PEPSU). A brief mention may be made about the Pepsu State the area of which has merged and is a part of the territorial jurisdiction of this Court today.

The Cis-Sutlej territory during Maharaja Ranjit Singh’s reign was under the Phulkian Misl. It was an 18th Century Sikh Clan and rose in the region south of river Sutlej and it traces its origin to Baba Phul, a Sidhu Jat of village Mehraj now part of Bathinda District, who met Guru Har Rai, the 7th sikh Guru during his travels in the Malwa area. From amongst his 7 sons, Tilok Sing @ Tiloka was the eldest and ancestor to the Princely State of Nabha and Jind. Ram Singh @ Rama was the next to him.

Baba Ala Singh, the third son of Ram Singh, carved out the Principality of Patial i.e. ‘Patti’ meaning a Ward or an Area and ‘Ala’ from the name Ala
Singh. It became his Capital in 1763. The Patiala principality became one of the most powerful States between the Yamuna and Cis-Sutlej area.

Amongst its foremost rulers is Maharaja Bhupinder Singh born in 1891. The other States of the Phulkian Mils were Nabha and Jind. Hamir Singh, a descendent of Baba Phul through his eldest son Tilok Singh, laid the foundation of the Nabha State.

Gajpat Singh (1738-39) son of Sukhchain Singh was the founder of the third Phulkian State of Jind which comprises of the present sizeable territory of Haryana.

The other Principalities of importance and which managed to retain their independence were Faridkot, Malerkotla, Raikot, Mamdot, Rewari, Kaithal, Kalsia, Ladwa, Thanesar, Panipat, Jhajjar, Loharu and Pataudi. They maintained different degrees of independence for varying periods, some lost their independence by conquest or treaties and some retained their nominal status till 1947.

The merger of these Principalities to the Union of India was the foremost task undertaken by Sardar Vallabh Bhai Patel, the then Home Minister in the interim Government.

The rulers of Faridkot, Jind, Kapurthala, Malerkotla, Nabha, Patiala, Kalsia and Nalagarh entered into a covenant for the formation of the Patiala and East Punjab States Union (PEPSU) on 9th April 1949, which was endorsed by the Government of India, the new State of Pepsu was formed with the Maharaja Patiala as its Raj Pramukh and the judicial administration of the former States culminated in the setting up of Pepsu High Court at Patiala vide the Patiala and East Punjab States Union High Court Ordinance, 2005 (No. II of 2005) later substituted by Ordinance No.X of 2005 B.K...
The Indian Constitution was adopted on 26th January 1950. It established three kinds of States in the first schedule as parts 'A', 'B' and 'C' States. The territory of Punjab was a part ‘A’ State. In the pre-independence era, the rulers of the Princely States had unfettered discretion to make laws and enforce them.

Almost all princely States supported and ran their own state forces, police forces and judicial services. The post-independence era, however, changed that with their merger to the Indian Union. The States Re-organisation Act, 1956.

In terms of Section 11 thereof, a new State to be known as State of Punjab was formed comprising of territories of the existing State of Punjab and territories of the State of Pepsu.

With the passing of the said Act, the High Court of Pepsu at Patiala merged with the Punjab High Court at Chandigarh. During this period the Punjab High Court exercised jurisdiction over the province of Delhi through a circuit bench and also included major part of the present State of Himachal Pradesh.

Another landmark in the history of this Court is the enactment of the Punjab Re-organisation Act 1966 which came into effect from 1st November, 1966. A new State of Haryana was formed out of the State of Punjab. The High Court, however, continued to be joint for the States of Punjab and Haryana and came to be named as the Punjab & Haryana High Court at Chandigarh in its present form. A circuit bench of the Punjab High Court for the Union Territory of Delhi ceased to function with the setting up of the Delhi High Court, which also exercised jurisdiction over the territory comprised of
the present State of Himachal Pradesh, which got its separate High Court with effect from 25th January, 1971.

The exhibition has been a modest attempt to recount and recapitulate the historical background of the High Court in the year of its Golden Jubilee Celebrations, the endeavour is to make it a permanent museum by making improvements. The inauguration of the present building on 19th March, 1955 by the first Prime Minister of India Pt. Jawahar Lal Nehru was a momentous occasion in the history of this Court.

Chief Justice A.N. Bhandari was the first Chief Justice of the Punjab High Court at Chandigarh. The photographs of the function have been displayed to mark the grandeur of the occasion. It is a matter of great privilege that Mrs Padma Bhandari the wife of then Chief Justice A.N. Bhandari is inaugurating this exhibition today on 18th March, 2006 on the finale of the Golden Jubilee Celebrations.
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