

**High Court of Punjab and Haryana  
Chandigarh**

**INDEX**

Sub-Head No. \_\_\_\_\_

File No. CWP-13913-2008

S. No.	Brief abstract of content	Page
1	INDEX	1
2	PAPER BOOK	2-177
3	INTERIM ORDER	178-185
4	FINAL ORDER	186-186
5	MEMO OF PARTIES	
6	OTHERS (DOCKET)	187-187
	<hr/> TOTAL	<hr/> 187

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

(M 16726-28/08  
AMENDED CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Petitioner

Versus

State of Punjab and others

..... Respondents

I N D E X

Orders & DFA = A to J

S. No.	Particulars	Date	Page Nos.
1.	Application u/s 151 CPC for seeking exemption from filing certified copies of Annexures	12.8.2008	1-2
2	Application under section 151 CPC for seeking permission to place on record the application.	12.8.2008	3-4
3.	Application under Order 6, Rule 17 read with section 151 CPC for seeking amendment in the Civil Writ Petition No. 13913 of 2008.	12.8.2008	5-12
4	Affidavit	12.8.2008	13-20
5	List of Dates and Events	12.08.2008	21-22
6	Amended Civil Writ Petition	12.08.2008	23-35
7	Affidavit	12.08.2008	36-37

RECEIVED COPY FOR THE  
ADVOCATE GENERAL PD

27/8/08

8	Annexure P-1 (List of Advisory Board)		38 - 41
9	Annexure P-2 (List of Screening Committee)	23.07.2008	42 - 48
10	Annexure P-3 (List of selected 78 writers)	21.07.2008	49 - 54
11	Annexure P-4 (News item)	27.07.2008	55 - 58
12	Annexure P-5 (News item)	01.08.2008	59 - 60
13	Annexure P-6 (News item)	07.08.2008	61
14	Annexure P-7 (News item)	07.08.2008	62
15	Annexure P-8 (News item)	08.08.2008	63
16	Annexure P-9 (News item)	07.08.2008	64
17	Annexure P-10 (List of 28 Awardees)		65
18	<del>Power of Attorney</del> already on record.		66 - 67

NOTES: 19. W/S 1 & 2 — 68 - 104  
20. W/S 10 — 105 - 115

1. Any other similar cases :- CWP No. 13913 of 2008 which is  
21. W/S 3, 4, 5, 6, 7 & 8 — 116 - 130  
adjoined for 16.9.2008.

2. Whether any caveat has been filed/received: Nil

3. 22. W/S 1 & 2 — 131 - 132  
The main law points are involved in para No. 10 of the Civil Writ  
w/s  
Petition at page 34.

132 - 133

4. Relevant Rules and Statutes :

Constitution of India

Place : CHANDIGARH

Date: 12.08.2008

(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner  
P/346 /1978

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

C.M. NO. 16786 of 2008

IN

AMENDED CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Applicant / Petitioner

Versus

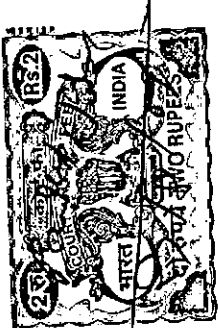
State of Punjab and others

..... Respondents

Application under Section 151 of Code of Civil  
Procedure for grant of exemption from filing the  
original / certified copies of Annexure P-1 to P-10. and  
typed copy of Annex P-1 to P-9

*[Signature]*

Respectfully Showeth :



1. That the applicant / petitioner is filing the accompanying Amended Civil Writ Petition before this Hon'ble Court which is likely to succeed on the facts and circumstances of the case.
2. That the applicant / petitioner is not having the original / certified copies of the Annexures and for its procurement will take a lot of time, however, its true typed copies are annexed herewith for the kind perusal of this Hon'ble Court.

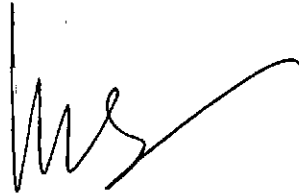


It is, therefore, most respectfully prayed to this Hon'ble Court that applicant / petitioner may kindly be exempted from filing original / certified copies of the Annexures P-1 to P-10 in the interest of justice and equity.

Note : No affidavit is required in support of this application.

Place : CHANDIGARH

Date: 12.08.2008



(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

C.M. NO. 16727 of 2008  
IN

CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Applicant / Petitioner

Versus

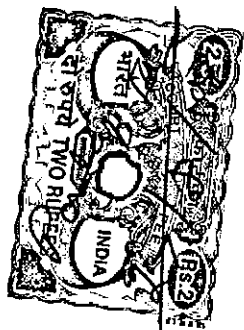
State of Punjab and others

..... Respondents

Application under section 151 of the Code of Civil  
Procedure for seeking permission to place on record  
the accompanying application for amendment in the  
Amended Writ Petition along with affidavit and  
complete amended writ petition.

Respectfully Showeth :

1. That the applicant / petitioner is filing the accompanying application for amendment in the amended writ petition alongwith affidavit and complete amended writ petition which are very necessary for proper disposal of the above mentioned case. The case is now fixed for 17.9.2008
2. That the present case is prima facie in favour of the applicant / petitioner and against the respondents.



It is therefore, most respectfully prayed to this Hon'ble Court that permission may kindly be granted to the applicant / petitioner to place on record the accompanying application for amendment in the amended writ petition along with affidavit and complete writ petition for proper disposal of the above mentioned writ petition.

Note : No affidavit in support of this application is required.

Place : CHANDIGARH

Date: 12.08.2008



(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

C.M. NO. 16728 of 2008  
IN

CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Applicant / Petitioner

Versus

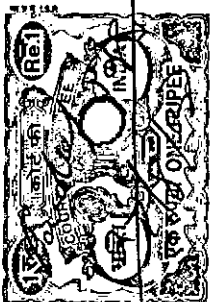
State of Punjab and others

..... Respondents

Application under Order 6, Rule 17 read with section  
151 CPC for seeking amendment in the above  
mentioned Civil Writ petition No. 13913 of 2008 in  
view of the subsequent events that have taken place.

Respectfully Showeth :

1. That the above mentioned writ petition was filed by the applicant / petitioner in public interest before this Hon'ble court on 6<sup>th</sup> August, 2008, praying therein that a writ of mandamus directing the official respondents i.e. respondent No.1 and 2 be issued not to distribute the awards to the non official respondents i.e. respondents No. 3 to 10, as they were the members of the Advisory Board, constituted by the State of Punjab for the purpose of final distribution of awards on the basis of a short list prepared by the Screening committee, so constituted by the State. All these non official respondents were the members of the Advisory Board, the final authority to determine



the name of the awardees in various categories and respondent No. 4, was as well a member of the Screening Committee. Therefore, in view of such an impropriety illegality and abhorrence to the common sense of justice, a prayer was made to direct the official respondents not to distribute the awards in the function which was going to be held on 8<sup>th</sup> August, 2008.

2. That the above said writ petition came for hearing before the Division Bench consisting of Hon'ble Mr. Justice J.S. Khehar, the then Acting Chief Justice, and Hon'ble Mr. Justice A.K. Mittal on 7<sup>th</sup> August, 2008. The Hon'ble Division Bench issued notice of motion for 16.9.2008 and regarding the stay, it was observed by the Hon'ble Bench that the good sense would prevail and the awardee respondents would not go to receive the award if the facts mentioned in the writ petition are correct. And if they receive the award inspite of this notice, then they would be directed to return the same.
3. That the news item regarding the notice of motion and observations of the Hon'ble Division Bench were widely published in regional as well as National daily papers on 8<sup>th</sup> August, 2008, those are annexed herewith as **Annexure P-6, P-7 and P-8**.
4. That unfortunately, inspite of all this, the function was held on 8<sup>th</sup> August, 2008 and except respondent No.8, all the non official respondents went there to receive the award and they received it. The respondent No. 2 and 3 told lies to the Press as well as to the television, reporters in order to justify their illegal, unconstitutional and morally improper conduct. This fact has necessitated the amendment of the present writ petition.

5. That petitioner pray the kind indulgence of this Hon'ble Court for making the following amendments by way of adding the following paras after para No. 8 of the writ petition :

8-A. That inspite of the unsavory controversy as published in the newspapers, the function was held on 8<sup>th</sup> August, 2008 in the Law Auditorium of Panjab University, Chandigarh at about 4.00 PM. All the non official respondents except one i.e. Respondent No. 8 i.e. Sh. J.S. Sidhu Damdini, editor, Punjabi Tribune, declined to receive the award after hearing the voice of his conscience. The news item regarding the function was published in the Hindustan Times on 9<sup>th</sup> August, 2008, the copy of which is attached herewith as **Annexure P-9**. The reading of the news items and what respondent No. 2 and Respondent No. 3 said on the PTC Channel justifying the awards to the non official respondents was really very unfortunate and blatant attempt to suppress the truth. The conduct of the respondents in this case is almost borders on the 'moral turpitude' as laid down by the Allahabad High Court in a judgment reported in AIR 1959 Allahabad, 173 and later on approved by the Hon'ble Supreme Court in a case reported in 1997 (4) SCC, page 1, which reads as under :

"The expression 'moral turpitude' is not defined anywhere. But it means anything done contrary to justice, honesty, modesty or good morals. It implies depravity and wickedness of character or disposition of the person charged with the particular conduct. Every false statement made by a person may not be moral turpitude, but it would be so if it discloses vileness or depravity in the doing of any private and social duty which a person owes to his fellowmen or to the society in general. If therefore the individual charged

with a certain conduct owes a duty, either to another individual or to the society in general, to act in a specific manner or not to so act and he still acts contrary to it and does so knowingly, his conduct must be held to be due to vileness and depravity. It will be contrary to accepted customary rule and duty between man and man."

Good literature is the channel between spiritual vision and human being and the men of literature try to show such type of vision to the normal human beings. Solzhenitsyn, a great Russian Novelist, who died a few days ago, wrote that while an ordinary man was obliged "not to participate in lies" artists had greater responsibilities. 'It is within the powers of artist to do much more to defeat the lie'. Unfortunately, the unofficial respondents who are all men of literature, journalism and art have told lies and supported on the television which has dismayed many of their admirers, generating a long term effect on the moral of the people and cynicism among them.

**8-B.** That the conduct of the respondents is illegal, improper, unfair, dishonest, and unconstitutional, and also against morality as set out in Article 19 Clause 2 and 4 of the Constitution of India, which reads as under :

(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

(4) Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of the sovereignty and integrity of India or public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

By morality here in this Article is meant the ideas about right and wrong which are accepted by the right thinking members of the society as a whole of the country. Morality is a fluid concept and its content will depend upon the time, place and stage of civilization. Looking at the facts of the present writ petition and the conduct of the respondents, it certainly comes out that their conduct is opposed to the provisions of the Constitution. Therefore, the purpose of giving award to these men of literature, journalism and art would get defeated because the most powerful effect of literature on the people is a moral effect. And it is this effect if rightly appreciated gives literature its unique value. The refusal of respondent No. 8 not to receive the award on the question of his conscience is a pointer to the fact how the other genuine awardees would be feeling distressed because of the illegal and inappropriate conduct of respondents. The questionable conduct of the non official respondents has ultimately tainted the whole process of award giving, which defeated the purpose of the awards itself.

**8-C.** That it is a well established principle and there is a long line of cases showing that it is not merely of some importance what is the fundamental importance that justice should not only be done, what should manifestly and undoubtedly be seem to be done. Nothing is to be done which creates even a suspicion that there has been an



improper interference with the course of justice. However, the present case, when the 7 non official respondents received the award even when they were members of the Advisory Board and had an important role when the final list of the awardees was being prepared. The contention of the respondent No. 3 on the PTC Channel that they had gone out when their names were being considered for award, is immaterial in view of the law laid down in Kripak's case as mentioned above. The whole process of these award giving was tainted and vitiated and liable to be set aside on this ground alone.

- 8-D** That at the time of the function on 8<sup>th</sup> August, 2008 held in the Auditorium of Law Department, a souvenir was distributed and as per that souvenir, apart from these eight non official respondents, the award was given to other 20 persons. The petitioner has no grouse against those writers and artists, therefore, they are not being impleaded as a party in this amended writ petition and the petitioner is confining his relief to the 10 respondents and they should be directed to return the award because these eight non official respondents have done great injustice in selecting themselves as awardees and it is well known that injustice anywhere threatens justice everywhere.
- 8-E.** That the list of the 28 writers was issued in the Souvenir issued by the Director, Language Department, Punjab on 8<sup>th</sup> August, 2008 and there were 14 writers for each of the year i.e.2007 and 2008 and out of these 28, eight non official respondents were from the members of the Advisory Board constituted by the Department and some of them were members of the Screening Committee also. That apart from these eight non official respondents, awards were

given to 28 persons as is evident from **Annexure P-10**. However, apart from the eight non official respondents, the petitioner has nothing to say about other awardees. The petitioner is confining the relief in this writ petition to the non official respondents alone.

In para 9(1), the last part of the para 9(1) (a) is to be read as :

"The writ of mandamus deserve to be issued on the ground that the awards given to the non-official respondents are illegal, unconstitutional, bordering on the definition of moral turpitude as approved by the Hon'ble Supreme Court in the case of Allahabad Bank and Another vs. Deepak Kumar Bhola reported in 1997 (4) SCC page 1. Therefore, in view of these facts, the non official respondents be directed to return the award return the award at the earliest in the interest of justice and fair-play.

Para No. 9(1) (b) is to be read as under :

That the conduct of the official respondents is also illegal, and against the service conduct rules, unconstitutional, against the public policy and also against the basic principles of natural justice as the unofficial respondents were made member of the Advisory Board though their names were short listed by the Screening Committee for the purpose of giving the awards. Respondent No. 4 was a member of the Screening Committee, Advisory Board and finally received the award of Five Lakhs Rupees. Therefore, in view of such facts and circumstances of the present case, the official respondents should also be directed to proceed according to law to get back the award money which has been illegally given to the non official respondents, damaging the very purpose of giving such awards.

Para No. 10 (III) is to be read as under :

Whether the conduct of the respondent is unconstitutional, against public policy and morality, as mentioned in Article 19 (2) and (4) or not ?

That these prayer be substituted in place of the earlier one as mentioned in the writ petition.

Writ of mandamus be issued to non official respondents to return the award as they have got the same being a judge which is abhorrent to the common sense of justice.


Any other writ, order, direction be issued as this Hon'ble Court may deem fit in the peculiar facts and circumstances of the present case.

It is therefore, most respectfully prayed to this Hon'ble Court that permission may kindly be granted to the applicant / petitioner to amend the afore mentioned civil writ petition to the limited extent by incorporating above mentioned facts in view of the changed circumstances of the writ petition.

Note : An affidavit in support of this application is annexed for the kind perusal of this Hon'ble Court.

Place : CHANDIGARH

Date: 12.08.2008

  
(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

13

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

C.M. NO. \_\_\_\_\_ of 2008  
IN

CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Applicant / Petitioner

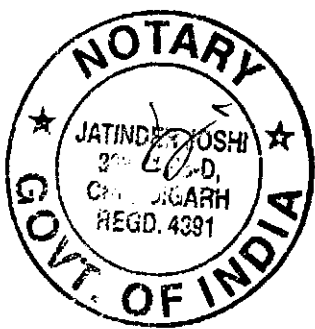
Versus

State of Punjab and others

..... Respondents

Affidavit of Pradeep Joshi, S/o Sh. C.L. Joshi, Aged 54  
years, R/o House No. 464, Sector 7, Panchkula.

I, the above named deponent do hereby solemnly affirm the declare  
as under :

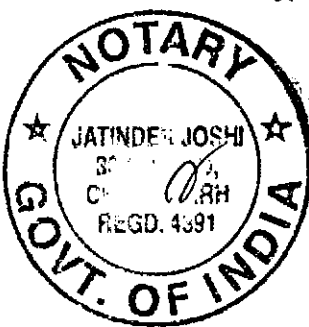


1. That the above mentioned writ petition was filed by the applicant / petitioner in public interest before this Hon'ble court on 6<sup>th</sup> August, 2008, praying therein that a writ of mandamus directing the official respondents i.e. respondent No.1 and 2 be issued not to distribute the awards to the non official respondents i.e. respondents No. 3 to 10, as they were the members of the Advisory Board, constituted by the State of Punjab for the purpose of final distribution of awards on the basis of a short list prepared by the Screening committee, so constituted by the State. All these non official respondents were the members of

A handwritten signature in black ink, appearing to be "Pradeep Joshi", located at the bottom left of the page.

the Advisory Board, the final authority to determine the name of the awardees in various categories and respondent No. 4, was as well a member of the Screening Committee. Therefore, in view of such an impropriety illegality and abhorrence to the common sense of justice, a prayer was made to direct the official respondents not to distribute the awards in the function which was going to be held on 8<sup>th</sup> August, 2008.

2. That the above said writ petition came for hearing before the Division Bench consisting of Hon'ble Mr. Justice J.S. Khehar, the then Acting Chief Justice, and Hon'ble Mr. Justice A.K. Mittal on 7<sup>th</sup> August, 2008. The Hon'ble Division Bench issued notice of motion for 16.9.2008 and regarding the stay, it was observed by the Hon'ble Bench that the good sense would prevail and the awardee respondents would not go to receive the award if the facts mentioned in the writ petition are correct. And if they receive the award inspite of this notice, then they would be directed to return the same.



3. That the news item regarding the notice of motion and observations of the Hon'ble Division Bench were widely published in regional as well as National daily papers on 8<sup>th</sup> August, 2008, those are annexed herewith as **Annexure P-6, P-7 and P-8.**

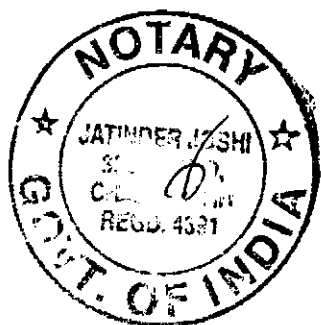
4. That unfortunately, inspite of all this, the function was held on 8<sup>th</sup> August, 2008 and except respondent No.8, all the non official respondents went there to receive the award and they received it. The respondent No. 2 and 3 told lies to the Press as well as to the television, reporters in order to justify their illegal,

A handwritten signature in black ink, located at the bottom left of the page.

unconstitutional and morally improper conduct. This fact has necessitated the amendment of the present writ petition.

5. That petitioner pray the kind indulgence of this Hon'ble Court for making the following amendments by way of adding the following paras after para No. 8 of the writ petition :

8-A. That inspite of the unsavory controversy as published in the newspapers, the function was held on 8<sup>th</sup> August, 2008 in the Law Auditorium of Panjab University, Chandigarh at about 4.00 PM. All the non official respondents except one i.e. Respondent No. 8 i.e. Sh. J.S. Sidhu Damdini, Auditor, Punjabi Tribune, declined to receive the award after hearing the voice of his conscience. The news item regarding the function was published in the Hindustan Times on 9<sup>th</sup> August, 2008, the copy of which is attached herewith as **Annexure P-9**. The reading of the news items and what respondent No. 2 and Respondent No. 3 said on the PTC Channel justifying the awards to the non official respondents was really very unfortunate and blatant attempt to suppress the truth. The conduct of the respondents in this case is almost borders on the 'moral turpitude' as laid down by the Allahabad High Court in a judgment reported in AIR 1959 Allahabad, 173 and later on approved by the Hon'ble Supreme Court in a case reported in 1997 (4) SCC, page 1, which reads as under :



"The expression 'moral turpitude' is not defined anywhere. But it means anything done contrary to justice, honesty, modesty or good morals. It implies depravity and wickedness of character or disposition of the person charged with the particular conduct. Every false statement made by a person may not be moral turpitude, but it would be so if it

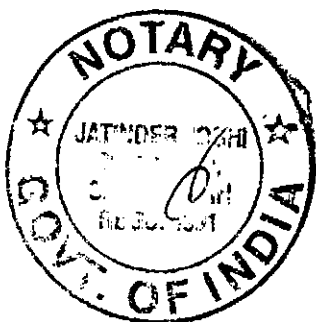
A handwritten signature in black ink, appearing to be "Jatinder Jishi".

discloses vileness or depravity in the doing of any private and social duty which a person owes to his fellowmen or to the society in general. If therefore the individual charged with a certain conduct owes a duty, either to another individual or to the society in general, to act in a specific manner or not to so act and he still acts contrary to it and does so knowingly, his conduct must be held to be due to vileness and depravity. It will be contrary to accepted customary rule and duty between man and man."

Good literature is the channel between spiritual vision and human being and the men of literature try to show such type of vision to the normal human beings. Solzhenitsyn, a great Russian Novelist, who died a few days ago, wrote that while an ordinary man was obliged "not to participate in lies" artists had greater responsibilities. 'It is within the powers of artist to do much more to defeat the lie'. Unfortunately, the unofficial respondents who are all men of literature, journalism and art have told lies and supported on the television which has dismayed many of their admirers, generating a long term effect on the moral of the people and cynicism among them.

8-B. That the conduct of the respondents is illegal, improper, unfair, dishonest, and unconstitutional, and also against morality as set out in Article 19 Clause 2 and 4 of the Constitution of India, which reads as under :

(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the State, friendly

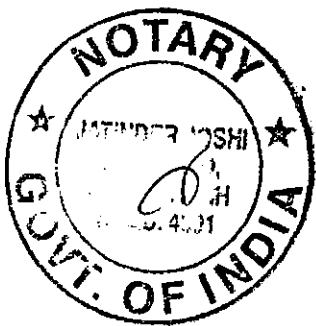


A handwritten signature in black ink, appearing to be 'Jatinder Singh'.

relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

(4) Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of the sovereignty and integrity of India or public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

By morality here in this Article is meant the ideas about right and wrong which are accepted by the right thinking members of the society as a whole of the country. Morality is a fluid concept and its content will depend upon the time, place and stage of civilization. Looking at the facts of the present writ petition and the conduct of the respondents, it certainly comes out that their conduct is opposed to the provisions of the Constitution. Therefore, the purpose of giving award to these men of literature, journalism and art would get defeated because the most powerful effect of literature on the people is a moral effect. And it is this effect if rightly appreciated gives literature its unique value. The refusal of respondent No. 8 not to receive the award on the question of his conscience is a pointer to the fact how the other genuine awardees would be feeling distressed because of the illegal and inappropriate conduct of respondents. The questionable conduct of the non official respondents has ultimately tainted the whole process of award giving, which defeated the purpose of the awards itself.

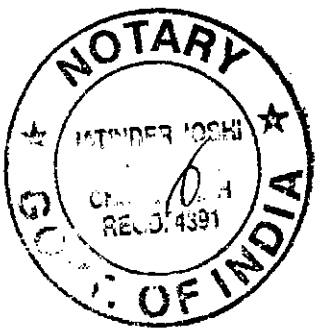


A handwritten signature in black ink, appearing to be "J. M. J." or similar, located at the bottom left of the page.



8-C. That it is a well established principle and there is a long line of cases showing that it is not merely of some importance what is the fundamental importance that justice should not only be done, what should manifestly and undoubtedly be seem to be done. Nothing is to be done which creates even a suspicion that there has been an improper interference with the course of justice. However, the present case, when the 7 non official respondents received the award even when they were members of the Advisory Board and had an important role when the final list of the awardees was being prepared. The contention of the respondent No. 3 on the PTC Channel that they had gone out when their names were being considered for award, is immaterial in view of the law laid down in Kripak's case as mentioned above. The whole process of these award giving was tainted and vitiated and liable to be set aside on this ground alone.

8-D That at the time of the function on 8<sup>th</sup> August, 2008 held in the Auditorium of Law Department, a souvenir was distributed and as per that souvenir, apart from these eight non official respondents, the award was given to other 20 persons. The petitioner has no grouse against those writers and artists, therefore, they are not being impleaded as a party in this amended writ petition and the petitioner is confining his relief to the 10 respondents and they should be directed to return the award because these eight non official respondents have done great injustice in selecting themselves as awardees and it is well known that injustice anywhere threatens justice everywhere.

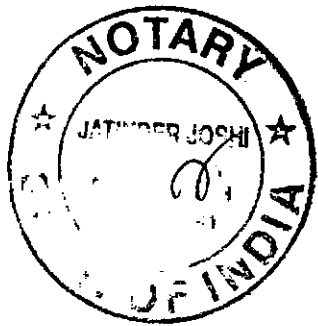


A handwritten signature in black ink, consisting of a stylized 'S' followed by a horizontal line and a small flourish.

8-E. That the list of the 28 writers was issued in the Souvenir issued by the Director, Language Department, Punjab on 8<sup>th</sup> August, 2008 and there were 14 writers for each of the year i.e. 2007 and 2008 and out of these 28, eight non official respondents were from the members of the Advisory Board constituted by the Department and some of them were members of the Screening Committee also. That apart from these eight non official respondents, awards were given to 28 persons as is evident from **Annexure P-10**. However, apart from the eight non official respondents, the petitioner has nothing to say about other awardees. The petitioner is confining the relief in this writ petition to the non official respondents alone.

In para 9(1), the last part of the para 9(1) (a) is to be read as :

"The writ of mandamus deserve to be issued on the ground that the awards given to the non-official respondents are illegal, unconstitutional, bordering on the definition of moral turpitude as approved by the Hon'ble Supreme Court in the case of Allahabad Bank and Another vs. Deepak Kumar Bhola reported in 1997 (4) SCC page 1. Therefore, in view of these facts, the non official respondents be directed to return the award return the award at the earliest in the interest of justice and fair-play.



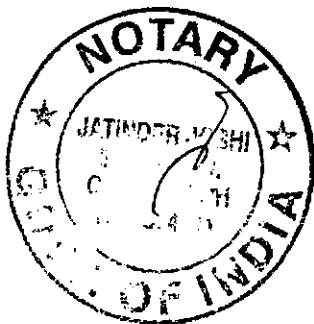
Para No. 9(1) (b) is to be read as under :

That the conduct of the official respondents is also illegal, and against the service conduct rules, unconstitutional, against the

public policy and also against the basic principles of natural justice as the unofficial respondents were made member of the Advisory Board though their names were short listed by the Screening Committee for the purpose of giving the awards. Respondent No. 4 was a member of the Screening Committee, Advisory Board and finally received the award of Five Lakhs Rupees. Therefore, in view of such facts and circumstances of the present case, the official respondents should also be directed to proceed according to law to get back the award money which has been illegally given to the non official respondents, damaging the very purpose of giving such awards.

Para No. 10 (III) is to be read as under :

Whether the conduct of the respondent is unconstitutional, against public policy and morality, as mentioned in Article 19 (2) and (4) or not ?



Place : Chandigarh

Dated : 12.8.2008

**27 AUG 2008**

*[Signature]*  
Deponent -

Verification :

Verified that the contents of para No. 1 to 5 above are true and correct to my knowledge. No part of it is false and nothing has been kept concealed therein from this Hon'ble Court.

*[Signature]*  
I Identify the deponent who has signed above and marked in my presence  
Signature

Place : Chandigarh

Dated : 12.8.2008

**27 AUG 2008**

**ATTESTED**

*[Signature]*  
NOTARY PUBLIC  
CHANDIGARH

**27 AUG 2008**

*[Signature]*  
Deponent

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

AMENDED CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Applicant / Petitioner

Versus

State of Punjab and others

..... Respondents

**LIST OF DATES AND EVENTS**

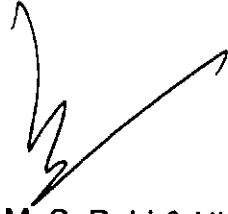
- |               |  |
|---------------|--|
| February 2008 | That like the earlier years, the Language Department of the State of Punjab constituted a Advisory Board of 32 persons to select distinguished writers in various fields, journalists and artists for the purpose of the award for the year 2007-2008. |
| 21 July, 2008 | The Language Department constituted a Screening Committee of six persons for the purpose of short-listing the name of those artists, writers and journalists who were to be considered for the award by the Advisory Board.                            |

26<sup>th</sup> July, 2008 That the Advisory Board, of which the unofficial respondents were also the members, selected themselves for the award against all the non principles of natural justice.

Hence this writ petition.

Place : CHANDIGARH

Date: 12.08.2008



(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

AMENDED C.W.P. NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi, S/o Sh. C.L. Joshi, Aged 54 years, R/o House No. 464,  
Sector 7, Panchkula.

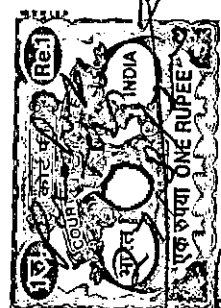
.... Petitioner

Versus

1. State of Punjab through Secretary Higher Education and Languages, Punjab, Chandigarh.
2. Dr. Upinderjit Kaur, Minister Education and Languages, Punjab, Chandigarh.
3. Sardar Jaswant Singh Kanwal, Village and Post Office Dhudika, Distt. Moga, Punjab ✓
4. Dr. Dalip Kaur Tiwana, D-13, University Campus, Punjabi University, Patiala ✓
5. Dr. Karnail Singh Thind, House No. 2445, Phase XI, Mohali
6. Sh. Jhotu Ram Maudgill, Director, Haryana Academy, Panchkula
7. Dr. Ravinder Kaur, Head of Sanskrit and Pali Department, Punjabi University, Patiala. ✓
8. Sh. G.S. Sidhu Damdini, Editor, Punjabi Tribune, 409 / 30-A, Chandigarh.
9. Dr. Jaswinder Singh, 245, Charan Bagh, Patiala. ✓
10. Dr. Chander Trikha, House No. 473, Sector 32-A, Chandigarh. ✓

.... Respondents

Civil Writ Petition under section 226 / 227 of the  
Constitution of India for the issuance of writ of



*949 Ans. 8 9/10  
has been dismissed  
with costs of  
9-7-08*

mandamus to the official respondents to initiate legal proceedings against the nonofficial respondents to return the award.

With the further prayer that direction be issued to the non official respondents to return the award at the earliest, as the same is illegal, unconstitutional against the principles of natural justice and also against the public policy regarding decency and morality as enshrined in Article 19 (2) and (4) of the Constitution of India in the interest of justice and fair play.

Respectfully Showeth :

1. That the petitioner is a citizen of India and the cause of action has also arisen within the jurisdiction of this Hon'ble Court, therefore, the petitioner is competent to invoke extraordinary jurisdiction under Articles 226 / 227 of the Constitution of India in public interest, as the petitioner is deeply connected with the field of Art and Literature.
2. That the petitioner is a writer in English, Hindi and Punjabi, associated with the Literary World for the last about three decades. And presently, the petitioner is Director, Update Video Publications and consultant Media Video Limited. The petitioner has published his books of English Poetry namely "Visions" in 1986 and thereafter "Nature's Nodes" in 1989. The articles of the petitioner have been published in various newspapers and journals. Therefore, as a man of literature, the petitioner is deeply interested in the development of literature and art and especially the value system which the

writers must uphold to be a role model in the society. So what has published in the newspapers regarding the award distribution and the greed of the writers by selecting themselves for the award has really distressed the petitioner. And finding no other option, the petitioner is filing this petition so that a larger public interest be served.

3. That like earlier years, the Language Department of the Punjab Government also planned to distribute awards to the distinguished writers in Punjabi, Hindi, journalists and various other persons involved in the field Art and Literature. For this purpose, the Punjab Government constituted that Advisory Board, Language Department Punjab, 2008 consisting of 32 persons, the list of which is annexed here as **Annexure P-1**. And thereafter the Punjab Government constituted the Screening Committee of six persons, the names of those persons are mentioned in **Annexure P-2**.
- 4 That after constituting the Advisory Board and the Screening Committee, the meeting was held on 21<sup>st</sup> July, 2008, for the purpose of short-listing the names of the Writers, Artists to whom the award was given for the year 2007-2008. Out of the total list of 234 writers of various languages, journalists and others, the Screening Committee selected 78 writers, the name of which are mentioned in **Annexure P-3**. In each of the 13 category which are mentioned in this Annexure, the Screening Committee selected six persons out of which the selection was to be made by the Advisory Board.
5. That the controversy as involved in the present writ petition has arisen because so many improprieties have been committed while finalizing the list of the awardees by the Advisory Board.



Unfortunately, all the awardees i.e. non official respondents were the members of the Advisory Board. And some of them were the members of the Screening Committee as well. For instance, Dr. Dalip Kaur Tiwana i.e. Respondent No. 4, was a member of the Advisory Board, then member of the Screening Committee and lastly one of the awardees for rupees five lakh for Punjabi Sahit Shiromani Puraskar for the year 2007. Incidentally, all the non official respondents who have been given awards were the members of the Advisory Board. This action of non-official respondents is basically against the basic principle of justice and fairness that nobody can be judge in his own case. However, this is what has happened in the present case and these respondents have unfortunately 'glorified' themselves with the award. Earlier, to the present award giving process, if any member's name was to be considered for the award, then that member used to resign from the Advisory Board. However, this time, all these well tested traditions were thrown to the winds and the non official respondents in a very indignified manner became part of the selection process of these awards and ultimately got themselves selected for the awards

6. That respondent No. 3 and 4 have been selected for the award of Punjabi Sahit Shiromani Puraskar for the year 2008 and 2007 respectively, the prize money for which was increased from 2.5 lakhs to 5.0 lakhs. Similarly, Dr. Dhanwant Kaur was a member of the Advisory Board, whose husband Dr. Jaswinder Singh i.e. respondent No. 9 has been selected for the award of *Shiromani Punjabi Lekhak / Punjab Aalochak*. The other serious impropriety, which has been committed is : that Sh. Chhotu Ram Maudgil, who retired as a Assistant Director from the Language Department, Punjab and presently is Director of Haryana Punjabi Sahityak

Academy, Panchkula has also been wrongly and illegally selected for the award of *Shiromani Punjabi Sahityakar* as a candidate from outside Punjab. In fact, he belongs to Punjab and throughout served in the Language Department of Punjab, therefore, he was not eligible to be considered under the category of this *Shiromani Punjabi Sahityakar* as from outside Punjab. Similarly, the other non official respondents were members of the Advisory Board, 2008 and were selected for different awards by the same Advisory Board of which they were the members. The Hon'ble Supreme Court in the case of A.K. Kripak vs. Union of India AIR 1970 SC Page 150, clearly laid down that if a member of the Selection Board was himself a candidate and ultimately was selected for the post, was clearly against the principles of natural justice. The Hon'ble Supreme Court in that celebrated case, set aside the selection simply on the ground that the selected candidate was a member of the Selection Board, even though he did not attend the meeting of the selection board when his own name was being considered. However, in the present case, right from the membership of the Advisory Board, the Screening Committee and ultimately the selection of awards, these non official respondents to whom the awards has been given, attended all the proceedings which were necessary for the selection of the awardees.

7. That the present case is serious and would have grave repercussions because it relates to the men of Literature and Art, who are supposed to uphold higher values of probity and morality in the society in which they live. And if such people start stooping low, because of their personal greed, then the serious moral crisis are bound to arise in that society. And if the newsitems, which have been published regarding the whole affair of these award giving to

the writers are read, which are annexed herewith as **Annexure P-4 and P-5**, then the effect of such impropriety of the respondents becomes clear. A writer or an Artist is supposed to defend humanity, dignity, integrity, morality, goodness and the superior mental spiritual nature of man and not to degrade the same by his own low conduct. In the present case all the awardees of the prize, given by the State of Punjab, have not behaved in the manner, in which a writer or an artist is supposed to behave. Their conduct is both against the moral values and the principles of natural justice, which is abhorrent to our concept of justice.

8. That earlier these awards used to be given in the month of November in the Language Bhawan, Patiala and the occasion was to be celebrated for more than a week and the distinguished writers and artists used to attend the same, but this year for the reasons best known to the authorities, the award giving ceremony is being held on 8<sup>th</sup> August, 2008 at Chandigarh. This is very surprising for all the writers and the intellectuals because the Government is acting in a great hurry.

- 8-A. That inspite of the unsavory controversy as published in the newspapers, the function was held on 8<sup>th</sup> August, 2008 in the Law Auditorium of Panjab University, Chandigarh at about 4.00 PM. All the non official respondents except one i.e. Respondent No. 8 i.e. Sh. J.S. Sidhu Damdini, Editor, Punjabi Tribune, declined to receive the award after hearing the voice of his conscience. The news item regarding the function was published in the Hindustan Times on 9<sup>th</sup> August, 2008, the copy of which is attached herewith as **Annexure P-9**. The reading of the news items and what respondent No. 2 and Respondent No. 3 said on the PTC Channel

justifying the awards to the non official respondents was really very unfortunate and blatant attempt to suppress the truth. The conduct of the respondents in this case is almost borders on the 'moral turpitude' as laid down by the Allahabad High Court in a judgment reported in AIR 1959 Allahabad, 173 and later on approved by the Hon'ble Supreme Court in a case reported in 1997 (4) SCC, page 1, which reads as under :

"The expression 'moral turpitude' is not defined anywhere. But it means anything done contrary to justice, honesty, modesty or good morals. It implies depravity and wickedness of character or disposition of the person charged with the particular conduct. Every false statement made by a person may not be moral turpitude, but it would be so if it discloses vileness or depravity in the doing of any private and social duty which a person owes to his fellowmen or to the society in general. If therefore the individual charged with a certain conduct owes a duty, either to another individual or to the society in general, to act in a specific manner or not to so act and he still acts contrary to it and does so knowingly, his conduct must be held to be due to vileness and depravity. It will be contrary to accepted customary rule and duty between man and man."

Good literature is the channel between spiritual vision and human being and the men of literature try to show such type of vision to the normal human beings. Solzhenitsyn, a great Russian Novelist, who died a few days ago, wrote that while an ordinary man was obliged "not to participate in lies" artists had greater responsibilities. 'It is within the powers of artist to do much more to defeat the lie'. Unfortunately, the unofficial respondents who are all men of

literature, journalism and art have told lies and supported on the television which has dismayed many of their admirers, generating a long term effect on the moral of the people and cynicism among them.

**8-B.** That the conduct of the respondents is illegal, improper, unfair, dishonest, and unconstitutional, and also against morality as set out in Article 19 Clause 2 and 4 of the Constitution of India, which reads as under :

(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence.

(4) Nothing in sub-clause (c) of the said clause shall affect the operation of any existing law in so far as it imposes, or prevent the State from making any law imposing, in the interests of the sovereignty and integrity of India or public order or morality, reasonable restrictions on the exercise of the right conferred by the said sub-clause.

By morality here in this Article is meant the ideas about right and wrong which are accepted by the right thinking members of the society as a whole of the country. Morality is a fluid concept and its content will depend upon the time, place and stage of civilization. Looking at the facts of the present writ petition and the conduct of the respondents, it certainly comes out that their conduct is

opposed to the provisions of the Constitution. Therefore, the purpose of giving award to these men of literature, journalism and art would get defeated because the most powerful effect of literature on the people is a moral effect. And it is this effect if rightly appreciated gives literature its unique value. The refusal of respondent No. 8 not to receive the award on the question of his conscience is a pointer to the fact how the other genuine awardees would be feeling distressed because of the illegal and inappropriate conduct of respondents. The questionable conduct of the non official respondents has ultimately tainted the whole process of award giving, which defeated the purpose of the awards itself.

8-C. That it is a well established principle and there is a long line of cases showing that it is not merely of some importance what is the fundamental importance that justice should not only be done, what should manifestly and undoubtedly be seem to be done. Nothing is to be done which creates even a suspicion that there has been an improper interference with the course of justice. However, the present case, when the 7 non official respondents received the award even when they were members of the Advisory Board and had an important role when the final list of the awardees was being prepared. The contention of the respondent No. 3 on the PTC Channel that they had gone out when their names were being considered for award, is immaterial in view of the law laid down in Kripak's case as mentioned above. The whole process of these award giving was tainted and vitiated and liable to be set aside on this ground alone.

8-D That at the time of the function on 8<sup>th</sup> August, 2008 held in the Auditorium of Law Department, a souvenir was distributed and as

per that souvenir, apart from these eight non official respondents, the award was given to other 20 persons. The petitioner has no grouse against those writers and artists, therefore, they are not being impleaded as a party in this amended writ petition and the petitioner is confining his relief to the 10 respondents and they should be directed to return the award because these eight non-official respondents have done great injustice in selecting themselves as awardees and it is well known that injustice anywhere threatens justice everywhere.

- 8-E. That the list of the 28 writers was issued in the Souvenir issued by the Director, Language Department, Punjab on 8<sup>th</sup> August, 2008 and there were 14 writers for each of the year i.e. 2007 and 2008 and out of these 28, eight non official respondents were from the members of the Advisory Board constituted by the Department and some of them were members of the Screening Committee also. That apart from these eight non official respondents, awards were given to 28 persons as is evident from **Annexure P-10**. However, apart from the eight non-official respondents, the petitioner has nothing to say about other awardees. The petitioner is confining the relief in this writ petition to the non-official respondents alone.

9. That the writ of mandamus deserve to be issued on the following grounds :

- I. The writ of mandamus deserve to be issued on the ground that the awards given to the non-official respondents are illegal, unconstitutional, bordering on the definition of moral turpitude as approved by the Hon'ble Supreme Court in the case of Allahabad Bank and Another vs. Deepak Kumar Bhola reported in 1997 (4) SCC page 1. Therefore, in view of these facts, the non official respondents be directed to return the award return the award at the earliest in the interest of justice and fair-play.
- II. That the conduct of the official respondents is also illegal, and against the service conduct rules, unconstitutional, against the public policy and also against the basic principles of natural justice as the unofficial respondents were made member of the Advisory Board though their names were short listed by the Screening Committee for the purpose of giving the awards. Respondent No. 4 was a member of the Screening Committee, Advisory Board and finally received the award of Five Lakhs Rupees. Therefore, in view of such facts and circumstances of the present case, the official respondents should also be directed to proceed according to law to get back the award money which has been illegally given to the non official respondents, damaging the very purpose of giving such awards.



III That the conduct of the official respondents is also illegal and against the basic principles of natural justice, allowing the unofficial respondents to be part of the Advisory Board, which was to select the name of the awardees. The writ of mandamus stopping them to proceed with the illegal activity of giving the award deserve to be issued.

10. That the main law points which arises in this writ petition are as under :-

- i) Whether the conduct of the unofficial respondents being a judge in their own case is against the established principle of law of the Hon'ble Supreme Court or not?
- ii) Whether the conduct of the official respondents is illegal and against the principles of natural or not ?
- iii) Whether the conduct of the respondent is unconstitutional, against public policy and morality, as mentioned in Article 19 (2) and (4) or not ?

11. That the petitioner have no other remedy except approaching this Hon'ble Court through the present writ petition, as all other remedies are to be ineffective.

12. That the petitioner had filed no other petition or revision in this Hon'ble Court or in the Hon'ble Supreme Court of India for seeking

35

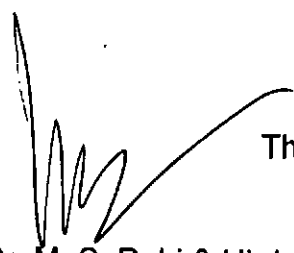
the same relief, except CWP No. 13913 of 2008, which is being amended through this writ petition. No Caveat has been filed.

It is therefore respectfully prayed that after summoning and perusing the record of the petitioner's case –

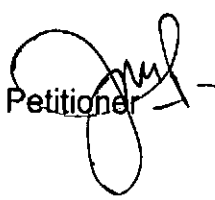
- i. Writ of mandamus be issued to non official respondents to return the award as they have got the same being a judge which is abhorrent to the common sense of justice.
- ii. Any other writ, order, direction be issued as this Hon'ble Court may deem fit in the peculiar facts and circumstances of the present case.
- iii) issuance of advance notices to the respondents may kindly be dispensed with;
- iv) filing of certified copies of Annexures may kindly be dispensed with;
- v) cost of petition may kindly be awarded in favour of the petitioner and against the respondents.

Place : CHANDIGARH

Date: 12.08.2008

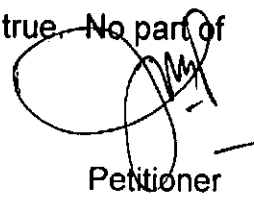
  
(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

Through

  
Petitioner

**VERIFICATION**

Verified that the contents of paras 1 to 9 and paras No. 11 and 12 are true and correct to my knowledge and those of para no. 10 are legal submissions received from the counsel and believed to be true. No part of it is false and nothing has been concealed therein.

  
Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

CM 16728/08  
AMENDED CWP NO. 13913 of 2008

PUBLIC INTEREST LITIGATION

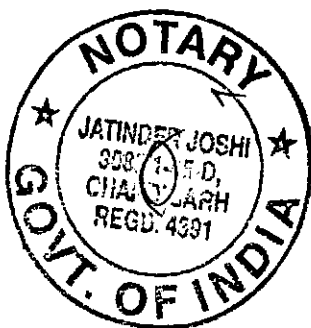
Pradeep Joshi

.... Petitioner

Versus

State of Punjab and others

..... Respondents



Affidavit of Pradeep Joshi, S/o Sh. C.L. Joshi, Aged 54 years, R/o  
House No. 464, Sector 7, Panchkula.

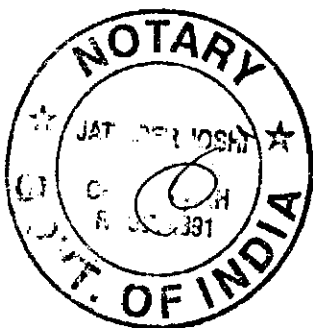
I, the above named deponent do hereby solemnly affirm and  
declare as under :

1. That I am the petitioner of the accompanying writ petition.

A handwritten signature in black ink, appearing to be "Pradeep Joshi", located at the bottom left of the page.

2. That the writ petition has been drafted by my counsel on my instructions and I am well conversant with the facts and circumstances of the case. I have gone through the writ petition and find it as per my instructions.

3. That the facts narrated in the writ petition in paras 1 to 9 and 11 and 12 of the above writ petition are true and correct to my knowledge. Legal submission made in para No. 10 are believed to be correct as per advice of the counsel. No part of it is false and nothing has been kept concealed therein.



4. That the annexures attached with the writ petition are true and correct typed copies of the original documents. .

Place: Chandigarh

Dated : 12.08.2008  
27 AUG 2008

DEPONENT

I identify the deponent who has signed above marked in my presence  
Signature

VERIFICATION :

Verified that the contents of above affidavit of mine from para 1 to 4 are true and correct to my knowledge. No part of it is false and nothing has material has been kept concealed therein.

Place: Chandigarh

Dated : 12.08.2008  
27 AUG 2008

ATTACHED  
NOTARY PUBLIC  
CHANDIGARH

DEPONENT

27 AUG 2008

## Annexure P-1

LANGUAGE DEPARTMENT, STATE ADVISORY BOARD  
CONSTITUTED FOR PUNJAB

SNo.	Member's name and City
1.	Dr. Upinderjeet Kaur, Education and Language Minister, Punjab, Chandigarh.
2.	Secretary, Higher Education and Language, Punjab and Chandigarh.
3.	Sh. D.S. Kalan, Principal Secretary, Department of Finance, Punjab, Chandigarh.
4.	Sh. Jindal, Principal Secretary, Cultural Department, Punjab, Chandigarh.
5.	Dr. Jaspal Singh, Vice Chancellor, Punjabi University, Patiala.
6.	Dr. Jai Roop Singh, Vice Chancellor, Guru Nanak Dev University, Amritsar.
7.	Sh. Shiv Singh, President, Punjab Kala Parishad, Chandigarh.
8.	Dr. Surjit Pattar, Ludhiana
9.	Sh. Chottu Ram Modgil, Director, Haryana and Literature Academy, Panchkula

10.	Dr. Ravail Singh, Secretary, Punjabi Academy, New Delhi.
11.	Dr. Karanjit Singh, New Delhi
12.	Sh. Anoop Virk, Patiala.
13.	S. Jaswant Singh Kawal, Dhundike (Moga)
14.	Dr. Gopi Chand Narang, New Delhi
15.	Sh. Ram Niwas Mirdha, New Delhi
16.	Smt. Balbir Kaur, Director, Language department, Punjab, Patiala.

#### NON-GOVERNMENT MEMBER

1.	Prof. Gurdial Singh, Jaiton Faridkot
2.	S. Tarlochan Singh, New Delhi
3.	Dr. Dalip Kaur Tiwana, Patiala, B-13, University Campus, Punjabi University, Patiala.
4.	Bhai Baldeep Singh, New Delhi
5.	S. Gulzar Singh Sandhu, Chandigarh.
6.	Dr. Kamlesh Uppal, Patiala
7.	S. Gurdas Mann, Mumbai
8.	Dr. Dhanwant Kaur, Patiala
9.	Dr. Karnail Singh Thind, House No.2447, Phase 10, Mohali

6

10.	S. Jasbir Singh Bhullar, Mohali
11.	Dr. Deepak Manmohan Singh, Chandigarh.
12.	Dr. Satinder Singh Noor, New Delhi
13.	Dr. Harmohinder Singh Bedi, Amritsar
14.	Principal M.L. Anand, Ludhiana.
15.	Dr. Chander Trikha, Chandigarh.
16.	Dr. Ganesh Dutt Bhardwaj, Hoshiarpur
17.	Prof. Damodar Jha, Hoshiarpur
18.	Dr. Ravinder Kaur, Patiala, Head of Sanskrit Department, Punjabi University, Patiala.
19.	Sardar Panchi, Ludhiana
20.	Barkat Ali, Amritsar
21.	Gazi Mohd Umer, Malerkotla
22.	Sh. Satnam Manak, Jalandhar
23.	S. J.S. Sidh, Damdami, Chandigarh.
24.	Sh. Amarjit Komal, Kapurthala
25.	S. Iqbal Singh Dhillon, Mumbai
26.	S. NS Parwana, Chandigarh.
27.	Dr. Satinder Singh, Amritsar
28.	Sh. Brij Lal Rinwa, Abohar
29.	Bhai Nirmal Singh Khalsa, Amritsar
30.	Dr. H.K. Manmohan Singh, Patiala

31.	Dr. Manmohan Singh Patiala
32.	Biba Kiranjot Kaur, Amritsar

**MEMBER OF SCREENING COMMITTEE**

1.	Prof. Gurdial Singh, Jaiton
2.	Dr. Deepak Manmohan Singh, Chandigarh.
3.	Principal M.L. Anand, Ludhiana
4.	Dr. Ganesh Dutt Bhardwaj, Hoshiarpur
5.	Dr. Satinder Singh, Amritsar
6.	Dr. Dalip Kaur Tiwana, Ludhiana
7.	Director, Language Department, Punjab, Patiala.

True translation

Advocate



Annexure P-2

LANGUAGE DEPARTMENT, PUNJAB

MEEETNG OF STATE ADVISORY BOARD

DATE : 23<sup>RD</sup> JULY 2008 DAY : WEDNESDAY

TIME : 11.00 AM

PLACE: COMMITTEE ROOM, PUNJAB BHAWAN, SECTOR  
3, CHANDIGARH.

**CHAIRPERSON**

DR. UPINDERJET KAUR, MINISTER OF EDUCATION AND  
LANGUAGES

ADDITIONAL AGENDA

1. About agenda
2. Regarding proceedings of the meeting of  
the Screening committee
3. Regarding receipts of new names for  
various awards.
4. Regarding change of names of Shromani  
Awards
5. Regarding receipt of suggestions from  
Prof. Gurdial Singh Jaiton.
6. For giving monetary help towards  
publication of Sri Guru Granthi Sahib's  
manuscript.

**LETTER OF EXPLANATION**

After sending the agenda of the meeting to all the State Advisory Board members, the suggestions for the above mentioned item No.1 to 6 were presented to the Screening committee, which on their part supported the proposal of the Department and submitted the same for approval of the State Advisory Board.

In the light of the above mentioned, the same is presented to the members of the Selection committee.

**ITEM NO.1 : ABOUT AGENDA**

It is brought to the notice of the State Advisory Board that Shromani Punjab Writer/Punjabi Critic mentioned under Item No.9 be considered under Item No.7. Rest of the items will be followed as per next items.

The department has tried its best to include the name of a scholar/writer/artist in one penal only. But by mistake, the name of

Amar Singh Bhullar has been included in two panels i.e. Shromani Punjabi Journalist and Shromani Punjabi Writer (Foreign). It is relevant to mention here for the knowledge of the members that Sh. Amar Singh Bhullar being a Journalist, his name be considered for "Shromani Patarkar Award."

It is brought to the notice of State Advisory Board that Late S. Kesar Singh Canada has already honoured with Shromani Punjabi Writer (Foreign) and "Punjabi Literature Shromani" but to the mistake on the part of the office, his name has been included again in the consideration list for the award of Shromani Punjabi Writer (Foreign) so his name is to be deleted from the penal.

ITEM NO.2:

SUB:                   REGARDING   MEETING   OF   SCREENNG  
                          COMMTTEE

A meeting of the Screening Committee was held on 21<sup>st</sup> July 2008 i.e. Monday at 10.30

AM in Language Bhawan, Sherawala Gate, Patiala constituted on the basis of the following members to send the shortlist names received for the 13+13=26 Awards for the year 2007 and 2008 to the State Advisory Board by the Language Department, Punjab vide Punjab Government notification NO.6/199-92-1 C.Cell/4298 dated 18.02.2008. The following members were present :

1. Dr. Deepak Manmohan Singh, Chandigarh.
2. Principal ML Anand Ludhiana
3. Dr. Ganesh Dutt Bhardwaj, Hoshiarpur
4. Dr. Satinder Sinigh, Amrtsar
5. Dr. Dalip Kaur Tiwana, Patiala
6. Director, Languages department, Punjab, Patiala.

Firstly, in the meeting, the Director Languages welcomed the members and requested them to screen the names appropriately and hope with regard to short list the penal in today's meeting that the members will prepare the penal by keeping in mind the intelligency/work of the

scholar/writer so this award may create example for all. They brought to the notice of all the members that Prof. Gurdial Singh, members of the Screening Committee has informed the department that he is unable to attend the meeting due to his busy schedule but he had sent a sealed envelop containing his recommendation for various Award, to be opened in the meeting. A penal of Shromani Award for the years 2007 and 2008 was prepared unanimously after considering the work done by the writer/scholar/artist in their field recommended for the proposed Shromani Award penal in the meeting, which will be given secretly to all the members of the committee after the commencement of the meeting.

The Director Languages brought to the notice of all the members that Hon'ble Education and Languages Minister is making efforts personally that new award may be initiated for Shromani singer. He further stated that if new award is initiated in these days then a separate award will be presented to

the Shromani Singer from the year 2007. If not possible then the award will be given to Shromani Ragi/Dhadi/Poet for the year 2007-2008 as per previous precedence. They have requested the members to prepare separate penal for these award. Thereafter, further proceedings of the meeting is initiated.

Firstly, it was brought to the notice of the members of the Screening committee that various names recommended for Shromani Award are members of both the committees namely Screening Committee as well as of the State Advisory Board and asked for the clarification of their standing as to such names be considered for the award or not. It was suggested by all the members after long discussions that if such a situation arises, then the members whose name appear for the award will leave the meeting room. In this regard, the members suggested that final verdict on the issue be decided in the State Advisory Board meeting to be held on 23.07.2008.

The members of the Screening Committee also suggested that any other State Academy awardee be it scholars/writers/artists be not considered for Shromani Awards. In this regard, they have recommend for approval from the State Advisory Board for appropriate decision.

The meeting ends with vote of thanks.

\*\*

The minutes of the meeting of the Screening Committee held on 2nd July, 2008 (Monday) is submitted for approval and consideration of the State Advisory Board.

True translation

Advocate

## Annexure P-3

Sub : Regarding meeting of Screening committee.

The penal which was constituted for different prizes in the meeting of Screening Committee held on 21<sup>st</sup> July, 2008 :

SNo.	Name of Prizes		Penal prepared for the year 2007 and 2008
1.	Punjabi Culture Sharmoni Prize	1.	S. Jaswant Singh Kanwal
		2.	S. Gursharan Singh
		3.	Dr. Dalip Kaur Tiwana
		4.	S.Santokh Singh Dhir
		5.	Prof. Niranjana Tasneem
		6.	Fakhar Jaman
2.	Shiromani Punjabi Writer	1.	S. Kartar Singh Suri
		2.	S. Baldev Singh Sadakanama
		3.	S. Pargat Singh Sidhu
		4.	S. Inder Singh Khamosh
		5.	Smt. Sharan Makkar



		6.	Sh. K.L. Garg
		7.	S. Surjit Singh Hans
3.	Shiromani Hindi Writer	1.	Prof. Udhey Bhanoo Hans
		2.	Dr. Chander Trikha
		3.	Sh. Varinder Sandhu
		4.	Dr. Krishan Bhawak
		5.	Prof. Shankuntla Srivastava
		6.	Sh. Vinod Shahi
		7.	Sh. Shashi Kant Uppal.
4.	Shiromani Urdu Writer	1.	Sh. Prem Kumar Nayyar
		2.	Sh. BD Kalia Hamdam
		3.	Sardar Anjoom
		4.	Dr. Nashir Nakvi
		5.	Dr. Rubina Shabnam
		6.	S. Mahinder Singh Azad (Gurdaspuri)
5.	Shiromani Sankrit Writer	1.	Dr. Brij Bihari Chobe
		2.	Dr. Ravinder Kaur
		3.	Dr. Shashidhar Sharma
		4.	Dr. Om Parkash

		5.	Sharma Subandhu Dr. Aruna Goyal
6.	Shiromani Punjabi Poet	1. 2. 3. 4. 5. 6.	S. Harinder Singh Mahbuba Dr. Pritam Singh Rahi Smt. Sukhwinder Amrit Smt. Manjit Indira Sh. Savrajbir Sh. Jaswant Deed
7.	Shiromani Punjab Writer/Punjabi Critic	<b>Shiromani Punjabi Writer</b> 1. 2. 3.  <b>Punjabi Critic</b> 1. 2. 3. 4.	S. Tarlochan Singh S. Agyajeet Singh Dr. SS Kishanpuri  Dr. Karnail Singh Bind Dr. Dharampal Singal Dr. Jaswinder Singh Dr. Gurmukh Singh
8.	Shiromani Punjabi Writer	1. 2. 3. 4.	Sh. Darshan Gill S. Puran Singh (U.K.) S. Parminder Sodhi Sh. Harjit Attwal

		5.	Sh. Ajit Rahi
		6.	Sh. Nadeem Parmar
9.	Shiromani Punjabi Writer (Outside Punjab)	1.	Sh. Chottu Ram Modgil
		2.	Sh. S. Sakki
		3.	Dr. Amarjit Singh Kang
		4.	Smt. Chandan Negi
		5.	S. Sukhchain Singh Bhandari
		6.	Sh. Balbir Madhopur
		7.	Dr. Jagbir Singh
10.	Shiromani Punjab Bal Literature Writer	1.	S. Jasbir Singh Jass
		2.	Dr. Sukhwant Kaur Mann
		3.	Dr. Harshinder Kaur
		4.	Dr. D.P. Singh
		5.	Ashraf Suhel
		6.	S. Sulakhan Singh Meet
11.	Shiromani Punjabi Journalist	1.	S. Harbir Singh Bhanwar
		2.	S. GS Sidhu Damdami
		3.	S. Tirath Singh Dhillon
		4.	S. Gurbax Singh Virk
		5.	S. Piara Singh Bhogal

		6.	Sh. Prem Gorkhi
		7.	S. Roop Singh

12.	Shiromani Ragi/Dhadi, Poet, Punjabi Singer		<b>Shiromani Raghi</b>		<b>Shiromani Punjabi Singer</b>
		1.	Bhai Randhir Singh	1.	Sh. Hans Raj Hans
		2.	Bhai Nirmal Singh Khalsa	2.	Sh. Gurdas Mann
		3.	Bhai Ravinder Singh	3.	S. Paramjit Singh Sidhu (Pammi Bai)
			<b>Shirmani Dhadi</b>	4.	Smt. Gurmeet Bawa
		1.	Bhai Surinder Singh Johar	5.	Mohd. Sadeek
		2.	Bhai Mahinder Singh Sibia	6.	Sh. Kuldip Manak
		3.	Bhai Gurmukh Singh		

13.	Shiromani Punjabi Television/Radio/ theatre/Play/Actor/ Director/Writer Award	1.	Sh. Amrik Gill (Director/Writer/Pro ducer etc.
		2.	Sh. Jatinder Brar (Threater/Writer)
		3.	Sh. Charan Dass Sidhu (Play)
		4.	Sh. Ravi Deep (Television)

		5.	Sh. Pran Sabharwar (Play write)
		6.	Sh. Janak Raj Mehrok (Radio)

True translation

Advocate

Annexure P- 4

## ISSUE OF SHAROMANI AWARD

## WHAT IS WRITER, JOURNALIST,

Chandigarh, 26<sup>th</sup> July (Madandeep Singh) - Due to announcement of giving Sharomani awards to the Writers, Journalists and Actors, in the selection committee for giving award to the renowned persons, government of Punjab fell in into dispute. The government constituted a committee for selection of writers, journalists and Artists on the basis of more than three dozens of people from different area. In this committee, seven writers and Jouranalists has been selected for giving award in this committee. In this committee, it is also criticizing for selection of the husband of the writer for award.

It is also condemnable on the part of the committee that it has selected those persons who have no fame in their field by side lining the renowned persons. But it is emphasized on the issue that Dr. Dalip Kaur

Tiwana, Jaswant Singh Kanwal, Dr. Chander Trikha, Dr. Ravinder Kaur, Karnail Singh Thind, Chottu Ram Modgil and Sidhu Damdami, members of the selection committee, have also selected for the award by the committee members. The sources present the selection committee tells that when persons included in the selection committee were selection for giving award then these persons were sitting silent waiting for "yes". It is also condemnable for selection of Dr. Jaswinder Singh husband of Bibi Dhanwant Kaur, committee member for the award from the Literary regions. Even one Ex-officer from Language Department has been selected for the Writer award who have only editing the books. It is also telling that earlier no award was earlier given to the Ex-officers or employee of Language department. With these awards, it the common opinion that the Government is going to give double award of Rs.2.50 lacs to 5.00 lacs for "Literature Rattan" and Sharomani Award from Rs.1.00 lacs to Rs.2.50 lacs, which creates greedy intention in the people and they will not able to hear their internal

vibrations. It is also condemning to the concerned Ministry that some persons have been included in the selection committee some times earlier before the meeting.

It is relevant to mention here that these award are given by the Language department of the State. As per the knowledge with regard to the status of the award, if the person selected in the selection committee for the Award then he has to sit out side the selection committee but this time, disobeyed all the rules. It is also telling that as per routine, these awards were given in the month of November at Language Bhawan, Patiala. A huge samagam was organized for this day in which, Writers and Artists came from outside to participate in the same. The Language Bhawan was decorated like new Dulhan and seems to be charming atmosphere all around. This time, as per the decision of the Punjab government, this award is to be given at Chandigarh on 8<sup>th</sup> August. The writers and the intellectual are not understand that why these awards are



giving in a hurried manner and why the Samagam is changed from Patiala to- Chandigarh. It is also presumed in the Literary and Media area that there is political influence to change the tradition. Some political sources said that Patiala the area of Former Chief Minister Amrinder Singh has intentionally left and decided to organize this samagam at Chandgiarh.

True translation

Advocate

Annexure P-5

DAILY ASHIANA PATIALA

1ST AUGUST, 2008

ISSUE OF AWARDS OF LANGUAGE DEPARTMENT

SELF PRAISE NEEDS NO RECOMMENDATIONS

Patiala/31 July/PP

Dr. Kulwant Kaur President of "Mai Bhago Brigage" and eminent religious writer rebukes the recently announced Language Department Awards. After going through the awardees list, she feels that there is no place for the dedicated, deserving, preserving and truthful writers - only the 'yes men' of the modern rigmarolling political scenario prevail.

Give and take character of the modern political scenario has let down the noble language institutions and established writers and has engulfed them in its own fire. The distinguished thronged by the malice ridden manipulative characters.

She criticized Dalip Kaur Tiwana and  
Surjeet Patar for their deplorable sole and  
self praising coterie of budding writers.

True translation (Extract)

Advocate

16  
Annex p-6  
61

# 'Self-selection' in literary awards

## Notice to govt, board members

HT Correspondent  
Chandigarh, August 7

THE CONTROVERSY over eight members of the Screening Committee and the Advisory Board, set up by Punjab to shortlist people for annual literary awards, selecting themselves for prestigious awards has reached the Punjab and Haryana High Court, which today issued notice to the state government.

The awards, including the Punjabi Sahit Shiromani Puruskar, are scheduled to be presented at a ceremony on the Panjab University campus in Chandigarh on Friday.

Petitioner Pradeep Joshi has argued through his counsel that it was a "classic case of moral sickness" that all respondents, who were members of the Advisory Board and Screening Committee set up to select the most deserving for various awards for 2007 and 2008 — and had been selected themselves — had committed improprieties while finalising the list.

Among those listed as respondents in the PIL are the Punjab government; Education Minister Dr Upinderjit Kaur; and non-official respondents ("who selected themselves") Jaswant Singh Kanwal; Dr Dalip Kaur Tiwana; Dr Karnail Singh Thind; Jhotu Ram Maudgil, Director, Haryana Academy, Panchkula; Dr Ravinder Kaur, Head of the Sanskrit Department of Panjab University; G.S. Sidhu, editor of Chandigarh-based Punjabi daily; Dr Jaswinder Singh; and Dr Chander Thrikha.

Some of these eight awardees were

members of both the Screening Committee as well as the Advisory Board. "Therefore, the process of selection of the names of the awardees is vitiated. All these awardees of various prizes were judges in their own cases, and their action is against the basic principles of natural justice and fairness."

He added that earlier, if any member were to be considered for an award, the member concerned would resign from the panel.

However, this time all such norms had been thrown to the winds, he added.

On July 21, the Punjab Language Department had constituted a screening committee of six persons for shortlisting the names, to be subsequently considered for the awards by the 32-member Advisory Board set up in February. The selections were made on July 26.

The petitioner pointed out that noted writer Jaswant Singh Kanwal and Dr Dalip Kaur Tiwana, who were on the board, had been selected for the Punjabi Sahit Shiromani Puraskar for 2008 and 2007, respectively, the prize money for which had been increased from Rs 2.5 lakh to 5 lakh.

Similarly, Dr Dhanwant Kaur was also a member of the Advisory Board, which had selected her husband Dr Jaswinder Singh (among the respondents) for an award.

The Division Bench of acting Chief Justice J.S. Khehar and Justice Ajay Kumar Mittal issued notices for September 17 to the Punjab government, Education Minister Dr Upinderjit Kaur and all the private respondents.

### PLEA IN COURT

■ Screening Committee, Advisory Board members on list of awardees

■ "Classic case of moral sickness," claims petitioner. Says selection goes against the principles of natural justice, fairness



*Pen with*  
*[Signature]*  
*[Signature]*

# HC issues notice of motion to awardees

TRIBUNE NEWS SERVICE

CHANDIGARH, AUGUST 7

Just over 24 hours before the presentation of awards for excellence in literature and journalism by the Punjab Government, the Punjab and Haryana High Court today issued notice of motion for September 17 to the state and other respondents.

The awards are to be presented during a function scheduled to be held at the Panjab University Law Auditorium. Challenging the awards, Panchkula-based petitioner Pradeep Joshi alleged the selectors had chosen themselves for the awards.

The petitioner contended height of moral sickness was reflected from the fact that all awardees were members of the screening committee, the advisory board and the panels constituted to pick up the deserving for the awards for 2007 and 2008. Seeking a stay on the presentation of awards, he asserted that the action of the awardees was against the basic principles of justice and fairness as nobody could be

The petitioner contended height of moral sickness was reflected from the fact that all awardees were members of the screening committee, the advisory board and panels constituted to pick up the candidates for the awards

judge in his own case.

Citing instances from the past, he contended, earlier a member would resign from the advisory board, if his name was to be considered for the award.

However, the time-tested traditions were this time thrown to the winds, and the non-official respondents, in an undignified manner, became part of the selection process and ultimately got themselves selected for the awards, the petitioner argued in the petition filed in public interest.

Quoting examples, the petitioner asserted noted writer Jaswant Singh

Kanwal and Dr Dalip Kaur Tiwana were selected for "Punjabi Sahit Shiromani Puraskar", the prize money for which had been doubled from Rs.2.5 lakh.

The petitioner's counsel referred to Supreme Court ruling in A.K. Kripak versus Union of India, 1970, matter where the court had laid down that the selection of a candidate, who was a member of the selection board, was clearly against the principles of natural justice.

The apex court, in the case, had set aside the selection as the selected candidate happened to be a member of the selection board.

Taking up the matter, the Bench of acting Chief Justice Jagdish Singh Khehar and Justice Ajay Kumar Mittal also issued notices to state education minister Upinderjit Kaur and others, including Jaswant Singh Kanwal, Dr Dalip Kaur Tiwana, Dr Karnail Singh Thind, Chhotu Ram Maudgil, Dr Ravinder Kaur, G.S. Sidhu Dami, Dr Jaswinder Singh and Dr. Chander Trikha.

Ten 6th

*[Handwritten signature]*



63

Anx P-8

LITERARY AWARDS CONTROVERSIES TEND TO INSULT THOSE WHO ARE BEING HONOURED FOR THEIR CONTRIBUTION TO LITERATURE SAYS UPINDERJIT KAUR

# Minister denies bias

Shailee Dogra  
Chandigarh, August 8

EDUCATION MINISTER Dr Upinderjit Kaur has claimed that merit was the only criterion followed while selecting winners of the annual literary awards, which were presented at a function on the Panjab University campus here today.

Denying the allegations of favouritism or "self-selection", she said the entries were shortlisted by the screening panel and the winners were finalised by the advisory board. "All names were selected unanimously and there was no foul play," she added.

Dr Upinderjit said, "As a matter of principle, all eight members of the screening committee and the advisory board who are being honoured today were not present during the discussions when the nominations were being considered by the committee. We have selected all winners with honesty, integrity and transparency."

"Such allegations and controversies tend to insult those who are being honoured for their contribution to literature," the minister said. The awards came under a cloud when a PIL was filed before the Punjab and Haryana High Court levelling allegations that members of the screening committee and the advisory board had selected themselves.

Terming it as a "classic case of moral sickness", petitioner Pradeep Joshi had said that all respondents who were members of the advisory board and the screening committee set up to select the winners of awards for 2007 and 2008 had committed improprieties while finalising the list. The petitioner pointed out that noted writers Jaswant Singh Kanwal and Dr Dalip Kaur Tiwana, who were on the advisory board, had been selected for the Punjabi Sahit Shromani Puraskar for 2008 and 2007, respectively.

G.S. Sidhu Damdami, Editor, Punjabi Tribune, said he had denied to accept the Shiromani Punjabi Patrakar award.



Recipients of Shiromani Sahitya Awards 2007-08 during the award distribution function in Chandigarh on Friday.

## CM seeks writers' help to promote Punjabi at

Chandigarh, August 8

CHIEF MINISTER Parkash Singh Badal today called upon Punjabi writers, intellectuals and artists to extend support to the state government in eradicating social evils as well as promoting the cause of Punjabi, Punjabi and Punjabi across the globe. A total of 28 literary personalities from different fields received awards for 2007 and 2008 at the Shiromani Sahitkar Puraskar function organised by the Punjab Languages Department in the Law Auditorium of Panjab University today.

Addressing the gathering, Badal, who was the guest of the honour, said the government would introduce a bill for legislation of the amended Punjab State Languages Act in the forthcoming monsoon Assembly session to make it more effective. He said steps would be taken to ensure use of Punjabi in all government offices, adding that officials violating the guidelines would face punitive action.

Presiding over the function, Education and Language Minister Dr Upinderjit Kaur highlighted the role of Punjabi in Indian literature.

HTC



*Handwritten signature or scribble.*

18

# HC issues notices to ten Sahitya Shiromani awardees

Petition says they are members of the committee that selected the winners

EXPRESS NEWS SERVICE  
CHANDIGARH, AUGUST 7

ON A petition filed by a resident of Panchkula, the Punjab and Haryana High Court has issued notices to ten poets, journalists and artists from Punjab and Chandigarh.

All these people are to be conferred the Punjabi Sahitya Shiromani Award on Friday.

Petitioner Pradeep Joshi has challenged the awards, saying most of the awardees are members of the selec-

tion committee.

Those who have been issued notices are Secretary, Higher Education and Languages, Punjab; Upinderjit Kaur, Minister of Education and Languages department; Jaswant Singh Kanwal of Moga; Dalip Kaur Tiwana of Patiala; Dr Karnail Singh Thind of Mohali; Jhotu Ram Moudgill, Director, Haryana Academy; Dr Ravinder Kaur of Patiala; G S Sidhu Damdini, editor, Punjabi Tribune; Jaswinder Singh of Patiala and Chander Thrikha of

Chandigarh.

In February, the Languages department constituted an advisory board comprising 32 members to select distinguished writers in various fields, journalists and artists for the award.

On July 21, the department constituted a screening committee of six members for shortlisting the names forwarded by the board.

On July 26, some members of the board selected themselves for the award. The petitioner alleged that

many improprieties had been committed while drawing the final list of the awardees.

Dhanwant Kaur, whose husband Dr Jaswinder Singh has been selected for the award, was a member of the advisory board.

Hearing the petition, the court observed that if the recipients realised that they didn't deserve the award, they would not receive it, but if the allegations levelled against them were authentic, the court would take back the award.



## Annexure P-10

## Souvenir

Shiromani Sahityakar Puraskar

Year 2007 and 2008

Language Department

Punjab

List of the awardees as issued by the Director, Language Department, Punjab in their Souvenir and distributed in the function held on 8.8.2008.

Year 2007	2008
Mr. Jaswant Singh Kanwal	Dr. Dalip Kaur Tiwana
Dr. Kartar Singh Suri	Sh. Pargat Singh Sidhu
Dr. Chander Trikha	Smt. Virender Sandhu
Mr. Prem Kumar Nazara	Dr. Naashir Nakvi
Prof. Braj Bihari Chobe	Dr. Ravinder Kaur
Prof. Harinder Singh Mahboob	Smt. Sukhwinder Amrit
Dr. Karanil singh Thind	Dr. Jaswinder Singh
Sh. Parminder Sodhi	Janab Fakhar Jaman
Sh. S. Saki	Sh. Chhotu Ram Maudgill
Dr. Sukhwant Kaur Mann	Sh. Jasbir Singh Jass
Sh. Sidhu Damdami	Sh. Paramjit Singh Saasan
Bhai Banta Singh	Bhai Gurcharan Singh
Smt. Gurmeet Bawa	Sh. G.S. Sachdev
Sh. Amrik Gill	Sh. Jatinder Brar

Annual Sanman Samagam

8<sup>th</sup> August, 2008

Sd/- Balbir Kaur

Director Language Deptt.,  
Punjab

True copy of the extract from the Souvenir issued by the  
Language Department Punjab on 8<sup>th</sup> August, 2008.

Advocate






IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P No. 13913/08

Pardeep Joshi

---Petitioner

Versus

State of Punjab & Others

---Respondent

Written statement by way of short affidavit on behalf of  
respondent No.8 ~~88~~. G.S. Sidhu Damdami, Editor, Punjabi  
Tribune, 409/30-A, Chandigarh.

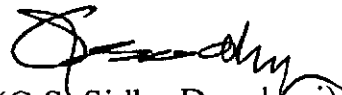
Respectfully Showeth,

1. That the answering respondent though was a member of the Panel of State  
Advisory Board, Language Department. But when he came to know that his name  
has been short listed by the Screening Committee for the award in Shiromani  
Punjabi Journalist Category. So he resigned from the Board. But his resignation  
was rejected by the Board and attended the meeting of the Advisory Board for  
other 12 categories and had not attended the meeting of the board when the  
category of Shiromani Punjabi Journalist was discussed and the Board decided  
that the award was also to be given to him. The answering respondent had not  
attended the award distribution function nor received the award. The petitioner  
has added the name of the answering respondent only in order to harass him  
unnecessarily.

It is therefore respectfully prayed that the writ petition qua the answering  
respondent may kindly be dismissed with costs.

Chandigarh

13.11.2009

  
(G.S. Sidhu Damdami)

67

Dated : 13.1.2009

Respondent No.8

Verification:-

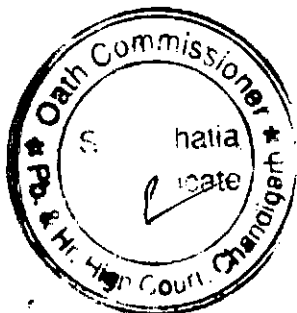
Verified that the contents of my above said reply is true and correct to my knowledge and as per information derived from the official records. No part of it is false and nothing material has been concealed therein.

Chandigarh

Dated : 13.1.2009

*(Signature)*  
(G.S. Sidhu Damdami)

Respondent No.8



Secretary and Commissioner  
The High Court in New Chandigarh

*Secretary*

12074  
I have been declared on Oath/S.A. before  
on this 13-1-2009 day of Jan. at  
Chandigarh by G.S. Sidhu  
son/daughter of Sh. Damdami  
Resident of ...  
Tehsil ... Punjalli ...  
who is identified by an ...  
or who is known to me personally. ...  
Chandigarh. ...  
13/1/2009

68 1

**IN THE HIGH COURT FOR THE STATES OF PUNJAB AND  
HARYANA AT CHANDIGARH**

AMENDED CIVIL WRIT PETITION NO. 13913 OF 2008

PUBLIC INTEREST LITIGATION

Pardeep Joshi, Slo Sh. C. L. Joshi, Aged 54 years, R/o House No. 464, Sector 7,  
Panchkula.

.....Petitioner

Versus

1. State of Punjab through Secretary Higher Education and Language, Punjab,  
Chandigarh.
2. Dr. Upinderjit Kaur, Minister Education and Languages, Punjab,  
Chandigarh.
3. Sardar Jaswant Singh Kanwal, Village and Post Office Dhudike, Distt.  
Moga, Punjab

4. Dr. Dalip Kaur Tiwana, 0-13, University Campus, Punjabi University,  
Patiala.

5. Dr. Karnail Singh Thind, House No. 2445, Phase XI, Mohali.

6. Sh. Chhotu Ram Maudgil, Director, Haryana Academy, Panchkula.

7. Dr. Ravinder Kaur, Head of Sanskrit and Pali Department, Punjabi  
University, Patiala.

8. Sh. G.S. Sidhu Damdami, Editor, Punjabi Tribune, 409/30-A,  
Chandiagrh.



*[Handwritten signature]*

9. Dr. Jaswinder Singh, 245, Charan Bagh, Patiala.

10. Dr. Chander Trikha, House No. 473, Sector 32-A, Chandigarh.

..... Respondents.

Reply by way of counter affidavit of Anjali Bhawra, Secretary Higher Education & Languages Department Punjab, Chandigarh on behalf of the Respondent No. 1&2.

I, the above name deponent do hereby solemnly affirms and declare as under

**Preliminary submission :-**

1. That the Punjab Government has notified Government instruction No. 6/199/92-1 Edu. cell/26245 dated 5.11.2002 for constituting 'State Advisory Board' for giving advice in the different fields of the Language Department.

The objectives and functions of the Advisory Board are :-

- (a) to provide recommendations for providing govt. grants to writers/artists/institutions etc;

- (b) to evaluate the literary books of Punjabi, Urdu, Hindi and Sanskrit etc. on the basis of publication;

- (c) to recommend the names of capable persons for Punjabi Sahit Shiromani Award and 12 other Shiromani Awards to be given by the Language Department;

- (d) to give its suggestions regarding the development of languages;

- (e) to give suggestions regarding the implementation of the State Language Punjabi ; and

- 
- (f) to provide its suggestions and solid proposals for the overall working of Language Department. (copy annexed as R-1) As per these instructions the Government of Punjab had constituted State Advisory Board and had nominated Official and non-official members vide their Notification No. 6/199/92- 1 Edu.cell/4294 dated 18.2.2008 and No. 6/199/92- 1 Edu.cell/4290 dated 18.2.2008 respectively (copy annexed as R-2 & R-3). These members are from different fields e.g. Punjabi literature and language, Hindi literature, Sanskrit literature, Urdu literature, Media and Journalism.
2. That the Government of Punjab further constituted the 'Screening Committee' to summarize the panels of writers for awards mentioned in Agenda items vide notification no. 6/199/92- 1 Edu.cell/4298 dated 18.2.2008 (annexed as R-4).
3. That after constituting State Advisory Board and Screening Committee of the Language Department prepared Agenda for the members of the State Advisory Board for consideration of different categories of Awards for the Year 2007 and 2008. State Advisory Board meeting was fixed on 23.7.2008 and the agenda was circulated. The 'Screening Committee' constituted by the Government considered the panel of writers in agenda items for State Advisory Board and submitted its recommendations in sealed cover for the consideration of State Advisory Board. Out of total 280 names of writers/artists, 'Screening Committee' short listed the panel of 89 writers/artists. On 23.7.2008 the meeting of State Advisory Board was held under the Chairmanship of Dr. Upinderjit Kaur, Hon'ble Education & Languages Minister, Punjab. At the outset of the meeting it was clarified that the State Advisory Board is empowered to take decision regarding the finalization of the 14 categories of awards. It was indicated to all the



members of the Board that the suggestions of the 'Screening Committee' are not *final* -

final. However Board can decide the names of any writer mentioned in the panel of agenda and can also recommend the names of other deserving writers not mentioned in the Panel of Agenda. It was discussed that in the past many eminent writers/artists could not be considered for awards as the State Advisory Board at that time had decided that if the member is to be considered for award, he/she had to resign. This had resulted in either not considering the eminent people for awards despite their commendable work or to keep State Advisory Board devoid of the advice of eminent writers. It is also stated that as per para 7 of R-1 the State Advisory Board is authorized to decide its own procedure. The State Advisory Board accordingly considered the issue at length. After consideration and threadbare discussion it was decided that it will not be appropriate to deny awards to eminent writers/artists only because of the factum that they happen to be members of the Board. It was also noticed that in many other organizations also the practice is that if a person's name is considered by a Board and such person happens to be member of he Board, he abstains from participating in the proceedings by withdrawing from the meeting while his case is being considered. The Board therefore, decided that a similar procedure may be adopted and the members who have sent their resignation because of the fact that there names were under consideration for awards, their resignations be rejected and they be requested to join in the meeting. The members whose names were included in different panels of the agenda therefore abstained from the meeting when his/her name was considered during



*BB*

discussions. The extract from the proceedings is annexed as R-5: The similar procedure was adopted in the 'Screening Committee' where Dr. Dalip Kaur Tiwana had abstained from Screening Committee meeting when her name was considered on 21.7.2008.

4. That in the meeting of State Advisory Board, 8 members of the State Advisory Board were selected for awards for their contribution in different categories. It is submitted that all the selected awardees are prominent literary figures in their respective fields. Some of them are of International fame. Their Biodatas are annexed at Annexure R-6, who were members of the State Advisory Board. It is further submitted that there were some other writers/artists whose names were included in the agenda, for example Dr. Satinder Singh and Bhai Nirmal Singh Khalsa, but were finally not selected for awards by the Board.
5. That it is pertinent to mention here that as per the advice of State Advisory Board some other artists were selected for the awards, whose names were neither mentioned in the panel of Agenda nor were they members of the Board. Bhai Banta Singh Ragi, Bhai Gurcharan Singh were given awards for the Shiromani Ragi category for the 2007 and 2008. Likewise S. Gurbachan Singh Sachdev was given award for Shiromani Sangeetkar category. These awardees were prominent in their particular field. S. Jaswant Singh Kanwal & Dr. Dalip Kaur Tiwana are not famous at National level only but they are the personalities of International fame for their contribution to the Punjabi literature.
6. That accordingly the awardees were selected with collective decision of the State Advisory Board on 23.7.2008. These awards were bestowed on the awardees at a State level function held at Law Auditorium, Panjab University, Chandigarh on 8.08.2008.



**On Merits :-**

1. That in reply to para 1 of the petition, it is submitted that the instant writ petition is not maintainable in its present form as no cause of action has arisen for the petitioner to file the writ petition.
2. That the claim of the petitioner that he is writer in English, Hindi and Punjabi is denied for want of knowledge. However it is wrong to suggest that the writers have selected themselves for the awards.
3. That the contents of the para are admitted to the extent that the Punjab Government constituted State Advisory Board to recommend the names of suitable persons for various Awards. However, it is denied that any member has recommended himself for the Award. The position has been explained in the Preliminary Submissions above.
4. That the contents of para 4 of the petition are admitted to the extent that the meeting was held on 21.7.2008. Annexure P- 3 is a matter of record.
5. That para No.5 is denied. The factual position has been explained in preliminary submissions from para 1 to 6.

That para No.6 is admitted to the extent that the amount of award was increased from Rs. 2.5 lac to 5.00 lac and from 1.00 lac to 2.50 lac. Rest of the Para denied as the awardees were selected by the State Advisory Board.

It is submitted that S. Jaswant Singh Kanwal and Dr. Dalip Kaur Tiwana are the international personalities. They have got National/ International awards from many reputed institutions. Even Dr. Dalip Kaur Tiwana has got Sahit Academy Award, Sarswati Award and Padamsri Award. Moreover the State



Advisory Board while considering the name of the awardees considered their overall contribution to Literature and other fields. It is further clarified that although Shri Chottu Ram Moudgil had served with the Punjab Government. But he is now residing in Haryana from the last ten years and he had fulfilled the required qualifications for award outside from Punjab. As per the decision of State Advisory Board, the members remained absent from meeting while his/her category was decided. So the member was not the part of selection committee (State Advisory Board) when his/her name was considered for award. Thus, it is not a case of being the judge in his own cause. Hence, the contention of the petitioner is denied.

7. That para No.7 is denied in view of the submissions made in para-5 of the written statement.
8. That para No.8 is denied as there is no rule to distribute the awards in the month of November. There are so many occasions when the awards were given on different months as the awards for the year 2001, 2002, 2003 & 2004 were distributed on 3rd December, 2004 and awards for the year, 2005 was distributed on 5.12.2005. The awards distributed on 8.8.2008 included awards for the year 2007 and 2008 and thus were distributed with considerable delay rather than in a hurry as alleged by the petitioner.

- 8 (a) That Para No. 8 (a) of the petitioner is admitted to the extent that the function was held on 8th August, 2008 in the Law Auditorium of Panjab University Chandigarh and Sh. J.S. Damdami had declined to receive the award. Rest of the Para is wrong hence denied. The factual position has already been explained in the foregoing paras.

8 (b) That the Para 8 (b) is denied. The factual position has already been explained in the foregoing paras.

8 (c) That the Para 8 (b) is denied. The factual position has already been explained in the foregoing paras.

8 (d) That Para No. 8 (d) of the petitioner is admitted to the extent that the function was held on 8th August, 2008 in the Law Auditorium of Panjab University Chandigarh and the awards were given to the awardees. The factual position has already been explained in the foregoing paras.

8 (e) That the Para 8 (e) is denied. The factual position has already been explained in the foregoing paras.

9.i. That para No. 9 sub para 1 of the writ petition is wrong hence denied as the factual position has already been explained in foregoing Para's.

9.ii That para No. 9. sub para 2 of the writ petition is wrong hence denied as the factual position has already been explained in foregoing Para's.

9.iii That para No. 9 sub para 3 of the writ petition is wrong hence denied as the factual position has already been explained in foregoing Para's.

10. That para No. 10 of the writ petition wrong hence denied. No. law point is involved in the present writ petition for consideration by the Hon'ble High Court.

11. That para No. 11 is denied as no cause of action accrued to the petitioner to file the present writ petition.

12. That para No. 12 is denied for want of knowledge.

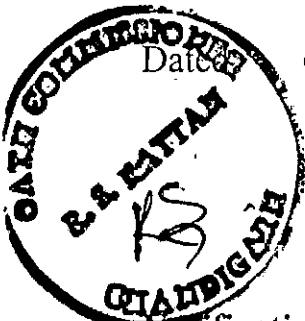
76 9

That the prayer Para is wrong hence denied as the petitioner is not entitled as prayed for.

It is therefore, respectfully prayed that the present writ petition is devoid of merit and may kindly be dismissed with cost.

*[Signature]*  
DEPONENT

Place: Chandigarh



Verification:

Verified that the contents of preliminary submissions from para 1-6 and contents of the written statement from Para 1 to 12 are true and correct to to my knowledge and information as derived from official record and nothing has been concealed therein.

*[Signature]*  
DEPONENT

Place: Chandigarh

Dated: 9.1.09

7685  
I certify that the aforesaid statement  
has been declared on oath/S.A. before  
me this 9.1.09  
at Chandigarh by *[Signature]*  
Son of Shri *[Signature]*  
Resident of *[Signature]*  
Village *[Signature]*  
who is identified to me personally by *[Signature]*  
who is known to me personally by *[Signature]*  
at Chandigarh.  
Date 9.1.09.

I identify the deponent who  
has signed in my presence.

*[Signature]*  
Signature

**Higher Education and Language Department**

**(Education Cell)**

Dated 15th November, 2002

No.6/199/92-1 Edu.Cell/26245- The Governor of Punjab under the Punjab State Language Act, 1967, is pleased to give his approval for the establishment of State Advisory Board to provide its suggestions to language Department in its different spheres of working as under:-

**1. The aims and objectives of the State Advisory Board:**

The followings are the aims and objectives of this Advisory Board:-

- (a) To provide recommendations for providing Govt. grants to writers/ artists/ institutions etc.;
- (b) To evaluate the literary books of Punjabi, Urdu, Hindi and Sanskrit etc. on the basis of publication;
- (c) To recommend the names of capable persons for Punjabi Sahit Shiromani Award and 12 other Shiromani Awards to be given by Language Department;
- (d) To give its suggestions regarding the development of Languages;
- (e) To give suggestions regarding the implementation of the State Language Punjabi; and
- (f) To provide its suggestions and solid proposals for the overall working of Language Department.

**2. The Constitution of the State Advisory Board:**

The board will be constituted as under:-

**(A) Ex-officio members:-**

- (i) The minister of Languages

(President)

- (ii) Principal Secretary, Higher Education and Languages. (Vice President)
- (iii) Principal Secretary/ Secretary Cultural Affairs. (Member)
- (iv) Principal Secretary of Finance Department or its representative not less than the rank of Additional Secretary. (Member)
- (v) Vice Chancellors from the Punjab State Universities having the background of Culture and Language or their representatives not less than the rank of Dean. (Member)
- (vi) The president or the General Secretary of the following institutions:- Punjabi Kala Parishad, Chandigarh, Punjabi Academy, Ludhiana, Punjabi Academy, Delhi, Punjabi Sahit Academy, Haryana, Punjabi Sahit Sabha, New Delhi, Kendri Punjabi Sabha (Regd.), Kendri Punjabi Lekhak Sabha (Sekhon) (Member)
- (vii) Two members of Kendri Sahit Academy and Sangeet Natak Academy, New Delhi. (Member)
- (viii) Director, Language Department, Punjab (Member Secretary)

**(B) Non-Official Members:-**

The non-official members of the board would be nominated by the Chief Minister on the recommendations of the Language Department as under:-

1. 12 members related with the different forms of Punjabi Literature and Culture as Lok Gaiki, Kirtan, Dhadi and Bhet-Gaiki.
2. 9 members related with the different forms of Literature and Language of Hindi, Urdu and Sanskrit. Each Language will contain three members.
3. 3 members from the prominent personalities with the newspapers television and media.

- 78
4. 6 members from the prominent personalities national fame related with the fields of Arts, Science, Social Service, Medicine, Engineering, Environment etc.

It is made clear that:-

- (a) The members to be nominated under section 2(A) 1, at least four members would be related with Punjabi Literature and Language.
- (b) The members to be nominated under section 2(A)(I) and (2) generally should be the awardees of Kendri Academies or State Academies or other organizations of national level/ writers/ Gaik (singers)

**3. The tenure of the members:**

- (A) The Ex-officio nominated members would till their services remain the members of the Board from section 2(A) to (9) under section 2(A) (1) to (4) the tenure of the non-official would be three years from the date of notification.
- (B) But this is also made clear that the name of 1/3 members among the non-official members of the first time constituted Board would be taken through draw and the names drawn in the first draw would be members for one year. The names in the second draw would be members for two years and the remaining members would be members for complete three years. After this, every year from section 2(A) to (4) among the nominated members 1/3 members would not remain the members after 3 years, and new members would be nominated on their place.
- (C) But this is also made clear that according to first and second lottery the members leaving the post before three years and the members who complete their tenure would be eligible for second time nomination.
- BB

- (D) But this is also made clear that any member can be a member for a maximum period of 6 years and after three years of his leaving the post they will be capable for renomination.

**4. Resignation/Removal of the Non-official members:**

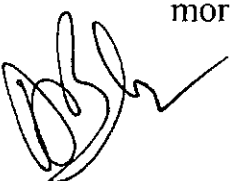
- (a) Any Non-official member during his tenure can submit his written resignation to the President or member Secretary. Such resignation would be taken applicable immediately from the date of the resignation given.
- (b) If any member remains in Police or Judicial custody for 48 hours or more or a case of immorality is registered or he is liable to propagate in favor of or against any particular person or persons then the President of the Board would suspend him immediately and he can start the proceedings of his termination.
- (c) New person would be nominated on the vacant post due to resignation, death or removal. Such nominated member would be the board member till the remaining time of the vacant post.

**5. Head Office:**

The head office of the State Advisory Board will be the Language Department, Punjab, Patiala.

**6. Meeting and Coram:**

- (a) There will be at least two meetings in a year of the State Advisory Board and the interval between these two meetings will not be more than 180 days.
- (b) The Coram for the working of the State Advisory Board would be at least the fifth part of the total members or at least 8 members which so ever is more. Provided amongst the ex-officio members Principal Secretary, Higher



Education and Language and Director, Language Deptt. presence would be compulsory.

7. The procedure regarding working: The board president in its first meeting of the board by preparing the detailed procedure as per the recommendations of the Member Secretary, Principal Secretary, Higher Education and Language, would implement it after seeking Board's approval.

**8. Honorarium & T.A./D.A.**

- (a) Ex-officio members would be entitled to have their T.A./D.A. from their respective Department.
- (b) Non-official nominated members would get 500/- rupees as honorarium per meeting and T.A. equal to group 'A' Officers.

9. This Board is constituted with the approval of A.V. letter No. 1/35/ 200- 3N .K. 2/29J 5, dated 8th November, 2002 of the Finance Department.

N.S. Rattan,

Chandigarh

Principal Secretary,

Dated: 12th November, 2002

Higher Education & Language, Punjab

True Translation of the Punjab Version.

*Attested*

*(H) Kaur*

Joint Director,  
Language Deptt., Pb. Patiala.



**Punjab Government**  
**Higher Education & Language Department**  
**(Education Cell)**

**Notification**

No. 6/199/92-1 Edu. Cell/4290

Dated, Chandigarh: 18.2.2008

The Governor of Punjab is pleased to approve the reconstitution of State Advisory Board, Languages Department, Punjab as follows:

**Punjabi Language and Literature:**

1. Prof. Gurdial Singh, Gian Peath Marg, Jaito Mandi, Distt. Faridkot
2. S. Tarlochan Singh, Member, Rajya Sabha, New Delhi
3. Dr. Dalip Kaur Tiwana, President, Punjabi Sahit Academy, Ludhiana.
4. Bhai Baldeep Singh, C-43, Nizamudin East, New Delhi.
5. S. Gulzar Singh Sandhu, 1538, Sector 36-D, Chandigarh.
6. Dr. Kamlesh Uppal, Phase-I, Urban Estate, Patiala.
7. Sh. Gurdas Maan, Mumbai
8. Dr. Dhanwant Kaur, 245, Charan Bhagh, Patiala.
9. Dr. Karnail Singh Thind, Near Housefed, Phase 10, Mohali
10. S. Jasbir Singh Bhullar, 582, Phase-3 A, Mohali.
11. Dr. Deepak Manmohan Singh, 2229, Sector 38-C, Chandigarh.
12. Dr. Sutinder Singh Noor, 132, Maan Sarovar Garden, New Delhi.



AB

**Hindi Language:**

1. Dr. Harmohinder Singh Bedi, 125, Kabir Park, Amritsar.
2. Prinncipal M. L. Anand, 69-C, Rishi Nagar, Ludhiana
3. Dr. Chander Trikkha, Sector-32, Chandigarh

**Sanskrit Language :**

1. Dr. Ganesh Dutt Bharadwaj, Sadhu Asharam, Hoshiarpur.
2. Prof. Damodar Jha, St. 7, Gotam Nagar, Una Nagar, Hoshiarpur.
3. Dr. Ravinder Kaur, Head, Hindi Deptt. Punjabi University, Patiala.

**Urdu Language:**

1. Sardar Panchhi, Nasheman, Punjab Mata Nagar, Ludhiana.
2. Dr. Barkat Ali, Urdu & Persian Department, GNDU, Amritsar.
3. Janab Gaazi Mohammad Umer, Advocate, Malerkotla.

**Media:**

1. Sh.Satnam Manak, Ajit, Jalandhar.
2. Sh. G.S. Sidhu Damdami, Chief Editor, Punjabi Tribune, Chandigarh.
3. Sh. Amarjit Komal, Senior Journalist, Kapurthala.
4. S. Iqbal Singh Dhillon, TelefilmlFiltm Producer, Mumbai.
5. S. N.S. Parwana, Hind Samachar Group, Chandigarh.

**General :**

1. Dr. Satinder Singh, Prof. Emirates, GNDU, Amritsar.



2. Sh, Brij Lal Rinwa, 374, New Suraj Nagar, Abohar.
3. Bhai Nirmal Singh Khalsa, Ragi, Sri Datbar Sahib, Amritsar
4. Sh H.K. Manmohan Singh, Ex-Vice Chancellor, 398 Urban Estate, Patiala
5. Dr. Manmohan Singh, Cardiologist, Yadwindra Colony, Patiala
6. Biba Kiranjit Kaur, Rose Avenue, Maqbool Road, Amritsar.

**Tenure:** The tenure of the newly constituted board will be for 3 years. The non official members will given an allowance of Rs. 1000/- per meeting instead of previously paid Rs. 500/-. Any member or members can be appointed or remove if the need arises.

Dated: 12.2.2008

Anjali Bhawra,  
Secretary, to Govt. of Punjab,  
Higher Edu. & Language Deptt.

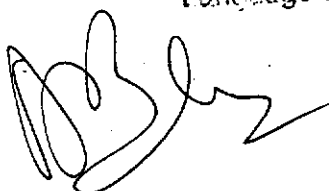
Endtt. No. 6/199/92-1 Edu. Cell/4291 Dated, Chandigarh: 18.2.2008 Director,  
Language Deptt. Punjab, Patiala for information and necessary action.

Sd/-

Special Secretary, to Govt. of Punjab,  
Higher Edu. & Language Deptt.

True Translation of the Punjabi Version.

*Attested*  
*PKaur*  
Joint Director,  
Language Deptt., Pb. Patiala.



Annexure 3

**Punjab Government**

**Higher Education & Language Department**

**(Education Cell)**

**Notification**

No. 6/199/92-1 Edu. Cell/4294

Dated, Chandigarh: 18.2.2008

The Governor of Punjab is pleased to nominate the members of the State Advisory Board, Languages Department, Punjab as follows:

**A) Ex-officio Members:**

1. Dr. Upinderjit Kaur, Chairman, Education & Language Minister, Punjab, Chandigarh
2. Smt. Anjali Bhawra, IAS, Secretary, Higher Education & Language Department
3. Sh. D.S. Kalha, IAS, Principal Secretary, Finance Department, Govt. of Punjab or His Nominee who should not be less than the rank of Additional Secretary.
4. Smt. Gitika Kalha, IAS, Principal Secretary, Cultural Affairs Department, Govt. of Punjab
5. Dr. Jaspal Singh, Vice Chancellor, Punjabi University, Patiala or his nominee related to Language & Culture who should be atleast of the rank of Dean.
6. Dr. Jai Roop Singh, Vice Chancellor, Guru Nanak Dev University, Amritsar or his nominee relates to Language & Culture who should be atleast of the rank of Dean.

7. Sh. Shiv Singh, President, Punjab Kala Parishad, Chandigarh.
8. Dr. Surjit Patar, President, Punjabi Sahit Academy, Ludhiana.
9. Sh. Chhotu Ram Modgill, Director, Harayana Punjabi Sahit Academy, Panchkula.
10. Dr. Ravel Singh, Secretary, Punjabi Academy, New Delhi.
11. Dr. Karanjit Singh, Director, Punjab Sahit Sabha, 10 Rouse Avenue, Institute Area, New Delhi.
12. Sh. Ajmer Aulakh, President, Kendri Punjabi Lekhak Sabha (Regd.) Lok Kala Manch, Mansa.
13. S. Jaswant Singh Kanwal, President, Kendri Punjabi Lekhak Sabha (Sekhon) Dhudike.
14. Dr. Gopi Chand Narang, President, Bhartiya Sahit Academy, Ravindra Bhawan, New Delhi.
15. Sh. Ram Niwas Mirdha, President, Natak Sangeet Academy, Ravindra Bhawan, New Delhi.
16. Smt. Balbir Kaur, Director Languages Department, Punjab, Patiala.

Anjali Bhawra

Dated: 12.2.2008

Secretary, to Govt. of Punjab,

Higher Edu. & Language Deptt.

Endtt. No. 6/199/92-1 Edu. Cell/4295

Dated, Chandigarh: 18.2.2008

Director, Language Deptt. Punjab, Patiala for information and necessary action.

Sd/-

Special Secretary, to Govt. of Punjab,

Higher Edu. & Language Deptt.

Endtt. No. 6/199/92-1 Edu. Cell/4296

Dated, Chandigarh: 18.2.2008

Controller, Printing & Stationary Deptt. Punjab, Chandigarh requested to print the copies of this notification in the ordinary gazette and 40 copies sent to the Govt.

Sd/-

Special Secretary, to Govt. of Punjab,  
Higher Edu. & Language Deptt.

Endtt. No. 6/199/92-1 Edu. Cell/4297 Dated, Chandigarh: 18.2.2008

The members of the State Advisory Board, Language Deptt. Punjab for information and necessary action.

Sd/-

Special Secretary, to Govt. of Punjab,  
Higher Edu. & Language Deptt

Endtt. No. 6/199/92-1 Edu. Cell/4292 Dated, Chandigarh: 18.2.2008

Controller, Printing & Stationary Deptt. Punjab, Chandigarh requested to print the copies of this notification in the ordinary gazette and 40 copies sent to the Govt.

Sd/-

Special Secretary, to Govt. of Punjab,  
Higher Edu. & Language Deptt.

Endtt. No. 6/199/92-1 Edu. Cell/4293 Dated, Chandigarh: 18.2.2008

The members of the State Advisory Board, Language Deptt. Punjab for information and necessary action.

Sd/-

Special Secretary, to Govt. of Punjab,  
Higher Edu. & Language Deptt

True Translation of the Punjabi Version.

*Affected*  
*known*  
Joint Director,



Annexure 4

**Punjab Government  
Higher Education & Language Department  
(Education Cell)**

**Notification**

No. 6/199/92-1 Edu. Cell/4298

Dated, Chandigarh: 18.2.2008

The Governor of Punjab is pleased to approve the reconstitution of Screening Committee for the short listing of the panels of awards as follows:

1. Prof. Gurdial Singh
2. Dr. Deepak Manmohan Singh
3. Principal M. L. Anand
4. Dr. Ganesh Dutt Bhardwaj
5. Dr. Satinder Singh, Prof. Emirates, Guru Nanak Dev Uni. Amritsar
6. Dr. Dalip Kaur Tiwana
7. Director Languages Department, Punjab, Patiala.

Anjali Bhawra

Dated: 12.2.2008

Secretary, to Govt. of Punjab,

Higher Edu. & Language

Endtt. No. 6/199/92-1 Edu. Cell/4299

Dated, Chandigarh: 18.2.2008

Director, Language Deptt. Punjab, Patiala for information and necessary action.

Sd/-

Special Secretary, to Govt. of Punjab,

Higher Edu. & Language Deptt.



Endtt. No. 6/199/92-1 Edu. Cell/4300

Dated, Chandigarh: 18.2.2008

Controllor, Printing & Stationary Deptt. Punjab, Chandigarh requested to print the copies of this notification in the ordinary, gazette and 40 copies sent to the Govt.

Sd/-

Special Secretary, to Govt. of Punjab  
Higher Edu. & Language Deptt.

Endtt, No. 6/199/92-1 Edu. Cell/4301

Dated, Chandigarh: 18.2.2008

The members of the State Advisory Board, Language Deptt. Punjab for  
Information and necessary action.

Sd/-

Special Secretary, to Govt. of Punjab  
Higher Edu. & Language Deptt.

True Translation of the Punjabi Version.

*Attested*

*(Signature)*

Joint Director,  
Language Deptt., Pb. Patiala.

*(Signature)*



**Extract taken from the Meeting of State Advisory Board held on  
23rd July, 2008**

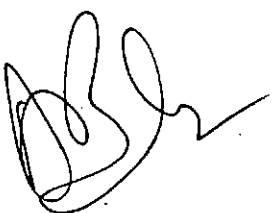
"After the thorough discussion and exchange of views in the end all the members unanimously decided that it is justified that every person serving the literature has the right to get the award, whether he/she is the member of the Board or not. As the newly constituted State Advisory Board is top most body so it has the full right to take final decision regarding this matter. The decisions taken by every newly constituted State Advisory Board remain effective till the tenure of the Board. Keeping these views in consideration all the members of the newly constituted State Advisory Board unanimously decided that "The members of State Advisory Board who are nominated by the Govt. keeping in consideration of their contribution in the different fields of literature and for the development of Mother tongue Punjabi, will be having the right to receive various awards given by Languages Department of Punjab Government." It was also decided that "During the selection process while discussing an item if the name of any member of the Board is included in the panel suggested for the award then at that time the related member will automatically leave the meeting and will remain outside till the decision on that particular item is taken."

True Translation of the Punjabi Version.

*Attested*

*(R) Karu*

Joint Director,  
Language Deptt. Ph. Patiala.



## Annexure 6

Name : **Jaswant Singh Kanwal**

Date of Birth : 27 June, 1919

Place of Birth : Village Dhudike(Moga)

Address : Village Dhudike(Moga)

Creative works : Stories : 1. Sandhur, Kande, Gora Mukh Sajana Da, Phullan da Maali, Zindagi Door Nahin, Roop de Raakhe, Maai da Laal, Rooh da Haan, Gwaachi Pagg, Juhu da Moti, Lamen Walaan di Peerh, Hauka te Muskaan  
 Novel : Sacch Noon Phansi, Paali, Puranmashi, Raat Baaki Hai, Civil Lines, Roop Dhara, Haani, Bhawana, Bhawani, Mittar Pyare Noon, Tareekh Vekhdi Hai, Jera, Baraph dh Agg, Lahu di Lou, Khoon ke Sohile Gavieh Nanak, Toshali di Hanso, Mumal, Mora, Khoopsurat Dushman, Sur Saanj, Einya chon Utho Surma, Manukhta, Jang Ehsas, Roopmati.  
 Poetry : Bhawana  
 Vartak : Jiwan Kanian  
 Letter : Sikh Jaddo-Jehad, Jitnamaa, Jaddo-Jehad Jaari Hai, Kanwal Kehda Reha, Duja Zafarnama, Apanaa Kaumi Ghar  
 Children Literature : Hunar di Jitt, Surme, Jungle de Sher, Kala Hans, Navaan Sanyaas  
 Editing : Swei-Bhrose da Chanan  
 Safarnama : Akkhi Vekh Na Rajjian  
 Biography : Juhu da Moti(about Balraj Sahni)  
 Translation : Devdas, Maran Mittran de Agge

Awards : Shiromani Punjabi Sahitkaar, Languages Deptt. Punjab(1997); Sahit Academy Purskaar; Kartar Singh Dhaliwal Purskaar; Honored by Punjabi Sahit Academy, Ludhiana; Saravshresht Sahitkaar Purskaar; National Award by Govt. of India; Sant Singh Sekhon Memorial Award

Attested


 @kaur

 Joint Director,  
 Language Deptt., P.B. Patela

Name : **Chander Tarikkha**

Date of Birth : 09 July, 1945

Place of Birth : Pak Pattan (Pakistan)

Present Address : H. No. 473, Sec. 32-A, Chandigarh

Literary work : Poetry : Pashan yug, Shabdon ka jungle, Dost ab Parda Girao, Kaali Nadi  
ke Us Paar

Editing : Pratinidh Adhunik Kavi, Adhunik Kav Parvirtian, Chhothey  
Stambh ki Chunaution, Lok Sanskriti

Awards : Various honours from Govt. of India, Haryana and Punjab Govt..

Name : **Karnail Singh Thind**

Date of Birth : 12 April, 1929

Place of Birth : Chak No. 288, J. B. Distt. Layalpur(Pakistan)

Present Address : 2447, Phase 10, Mohali

Literary work : Punjabi Critism : Lokyan te Madhkalin Punjabi Sahit, Lokyan Ate Punjabi  
Sabhiachar

Editing : Punjab Novels : Servekhan Te Mulankan, Sahit Adhian Panalian,  
Lokyan Adhian, Raavion Paar, Pakistani Punjabi Kahanian, Noor da  
Vanzara, Balbir Singh Momi te Usda Rachana Sansaar, Kalam Nazam  
Husain Sayed, Fakhar Zamaan de Novel

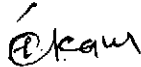
Co-writing : Anmol Punjabi Lekh, Maula Bakhash Kushta

Co-Editing : Sabhiachaar Darpan

Text-Book : Gadd Parkash

Awards : Fellowship from Panjab University, Chandigarh, Senior Fellowship from  
Bhasha te Sabhiachaar

Attested

  
Joint Director,  
Language Deptt. Pb. Patiala.

Name : **Sidhu Damdami (Gurmail Singh)**

Date of Birth : December, 1947

Place of Birth : Village Rachhin, Distt. Ludhiana

Address : 409/30-A, Chandigarh

Literary Creations: Poetry : Guaachi Gall  
 Editing : Bhag Singh, Mere Pind Da Rang  
 Translation : Mahabharat

Achievement : In year 2006 before taking charge as Editor of the Punjabi Tribune  
 in Journalism also took over responsibilities for Punjabi Radio, TV, Print Media, State Bureau Chief, Chief New Editor. Apart from being Punjabi Journalist in Akaashvani, Chief New Editor in Tara TV channel, Chief of Chain Lashkara also edited the exclusive Punjabi Literary Journal "Sankh" for five years.

Apart from this played an important role in the burning issues at National & State levels with his blunt remarks in weekly column. Presently making his unique identity in "Satran te Saintan" the editorial column of Punjabi Tribunes Sunday issue.

Edited Bimonthly magazine "Sankh"; Commentary on current issues on Radio in Punjabi; Organised first ever talk show "Chalant Mamley" in the history of Punjabi TV as the Chief New Editor of Tara TV; Organised first ever "Walk and Talk Show" "Khulian Gallan" on TV; Started "Mera Akhbaar" for the readers of journalism; Started "Naujawan Manch" to provide an interactive platform for young Punjabi readers; Made efforts to tune up the Punjabi journalism with the other developed languages.

Along with this presenting many issues especially related with Punjabi journalism on National & International platforms; among these Punj Darya Media Conference organised by Indian & Pakistani journalists and Kathmandu Saarc Media Conference are significant.



Attested  
 @Kaur  
 Joint Director,  
 Language Deptt., P.B. Patiala

Represented & participated in number of media platforms regarding issues of Punjabi Language, Culture & Politics etc. in which

apart from many Hindi, English & Punjabi TV channels of India, BBC London is also included. Apart from Punjabi has also written in English for many top journals of National and International level.

Attested



Joint Director,  
Language Deptt., Pb. Univ.

**NAME** : **Ravinder Kaur**

**DESIGNATION** : **Professor**

**DATE OF BIRTH** : **22.9.1948**

**ADDRESS** : **Professor & Head, Department of Sanskrit & Pali & Maharsi Vallmiki Chair, Punjabi University, Patiala-147002**

**CONTACT NUMBER** : **0175-3046470(0),9988151909(M)**

#### EDUCATIONAL QUALIFICATIONS:

- Ph.D. (Panjab University, Chandigarh, 1975)
- M.A( Gold Medalist) (Punjabi University, Patiala 1969)
- B.A.( with Hons. in Sanskrit) (Panjab University, Chandigarh 1967)
- Diploma in French (Punjabi University Patiala, 1974)
- Certificate in Pali (Punjabi University, Patiala, 1975)
- Certificate in German (Punjabi University, Patiala, 1977)

#### ADMINISTRATIVE POSITIONS HELD /HOLDING:

- Head, Department of Sanskrit & Pali, Punjabi University, Patiala 1989-1992
- Head, Department of Sanskrit & Pali, Punjabi University, Patiala 1998-2001 Coordinator, Simple Sanskrit Speaking Centre 2001-2002
- Convener, Anti Violence & Sexual Harassment Committee 2001-2003
- Head, Department of Persian Urdu & Arabic, Punjabi University, Patiala, May 2005-September 2005 & November 2006-April, 2007
- Head, Department of Foreign Languages, Punjabi University, Patiala, 2005-2007
- Dean, Faculty of Languages, Punjabi University, Patiala, 2005-2007

- Head, Department of Sanskrit & Pali, Punjabi University, Patiala, September 2007 onwards
- Head, Department of Maharsi Valmiki Chair, Punjabi University, Patiala December 2005 onwards

#### ACADEMIC RECOGNITIONS:

- Honoured as *Vidyottama Sri* by Punjab Pradesh Sanskrit Academy Nabha, 1991.
- Punjab Government nomination as. a member of the advisory committee of Languages Department, Punjab, Patiala, 1990-91.

#### PUBLICATIONS :

##### Books :

- *Valmiki Ramayalla (Aranya Kanda)*, Punjabi translation Vol. I Language Department, Punjab, Patiala, 1981.
- *Valmiki Ramayana (Uttara Kanda)*, Punjabi Translation Department Punjab, Patiala.
- *Indian Philosophical Tradition and Guru Nanak*, Patiala, 1983.
- *Indian Philosophical Tradition: A Quintessence*, Patiala, 1982.
- *Candraloka of Jayadeva*, Punjabi translation, Punjabi University, Patiala, 1985.
- *Mahabharata(Anusasana Parva)* Punjabi translation submitted for publication to Language Department, Punjab, Patiala.
- '*Samskrta Punjabi Kosa*' (6000 entries) Published by Punjabi University, Patiala.2002.
- '*Maharsi Valmiki Ka Sastra Jnana*' (Edited) Published by Punjabi University, Patiala, 2007
- '*Ramayana Padanukramanika*' Vol I Maharishi Valmiki Chair, Punjabi University, Patiala, 2007.
- '*Ramayana Padanukramanika*' Vol II in-press Maharish Valmiki Chair, Punjabi University, Patiala, 2007.
- '*Vakrokti Jivita*'!\_Punjabi translation being published under Literary Studies Department, Punjabi University, Patiala.

##### BookReviews (Published ) :

- *Ramayana* by William Buck, Journal of Religious Studies, Punjabi University, Patiala

- *Mahabharata* by William Buck, Journal of Religious Studies, Punjabi University, Patiala.
- *Punjab ka Sanskrit Kavya ko Yogadana*, written by Dr. Mahesh Gauttam. *Mahabharati Padanukramakosa (Adiparva)* published by Sanskrit &
- Indological Institute, Kurukshetra University, Kurukshetra, 2002.
- *Harivamsa Padanukrama Kosa* published by Sanskrit & Indological Institute, Kurukshetra University, Kurukshetra, 2002.
- *Kuru Jyoti* a Research Journal of Kurukshetra University, Kurukshetra, 2002

#### Forewords of Books (Published) :

- *Bharavi Ke Kavya mein Prakrti Citrana* written by Pushpa Gupta. 1981.
- *Sanskrit Kavya-sastra ko Rajasekhara Ki dena* written by Santosh Sharda,
- 1987.
- *Sa Balika* a collection of Sanskrit Poetry, written by Dr. Om Prakash, 1987. *Mangala Naksatram* written by Shri Shuk Dev Sharma Muni, 1991
- *Muka nimantranam* written by Dr. Mahesh Gauttam, 2007.

Apart from the above over fifty Research Papers / Articles have been Published in various journals.

#### Projects in Hand :

- Sanskrit kava Sastara Mahan kosa (Encyclopaedia Sanskrit in Punjabi) project assigned by Punjabi University, Patiala. (2006 onwards)
- Press copy of the proceedings of the Departmental, Seminar entitled 'Retelling of the Ramayana in Sanskrit & other Languages is ready for publication.

#### PARTICIPATION IN SEMINARS / CONFERENCES ETC :

##### International Level:

- Participated in First World Sanskrit Conference held at Vigyan Bhawan, Delhi, 1972.
- Participated in IXth World Sanskrit Conference held at Bangalore, 1997
- Participated in Xth World Sanskrit Conference held at Turin (Italy), 2000

##### National Level :

- Participated in various National level Seminars / Conferences and presented papers.

#### ORGANISATION OF SEMINARS:

- Organised a National Seminar on 'Women in Sanskrit Literature on the loccasion of Sanskrit year Celebrations in March, 2000.
- Organised an International Seminar on 'Retelling the Ramayana in Sanskrit and other Languages' on 23rd & 24th of January, 2007.

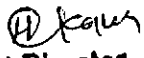
#### RESEARCH GUIDANCE :

Ph.D. : Awards : 13

Under Guidance : 03

Apart from the above delivered a number of Radio talks and directed the enactment of Sanskrit Dramas.

Attested

  
Joint Director,  
BIO DATA Centre, Patiala.

**Dr. Jaswinder Singh**

Professor, Punjabi Department Dean, Alumni Relations

Punjabi University, Patiala.

Father's Name : Sh. Charan Singh

Date of Birth : May 17, 1954

Place of Birth : Village Umarwal Billa, Tehsil Nakodar, Jalandhar.

Academic Qualifications: M.A. Honours in Punjabi (Gold Medal), M.A. English, M.Phil.  
with Distinction, Ph.D.

Teaching Experience: 30 years. P.G.

Research Works and Academic Achievements:

I. Books



1. Sabhyachar ate Kissa Kaav, Sedh Prakhn, Patiala, 1985
2. Punjabi Lok Sahit, Punjabi University, Patiala, 1987
3. Punjabi Sabhyachar: Pashan Chinh, Puneet Prakashan, Patiala 1989  
(Winner of Teja Singh Award for Best Book of Criticism by Language Department, Punjab)
4. Punjabi Geet Kaav (A Text Book) Pbi. Univ.; Patiala, 1990
5. Katha Lok (A Text Book) Pbi. Univ, Patiala, 1994
6. Khooh Khate (Short stories), Aesthetic Publishers, Ludhiana, 1996  
(Winner of Nanak Singh Award for Best Book of Fiction by Language Department, Punjab)
7. Punjabi Sahit da Itihas (A Text Book) Pbi. Univ., Patiala, 1997
8. Gurbakhsh Singh Di Swai-jeevni (Edited) Pbi. Univ. Patiala, 1997
9. Katha Parwah (A Text Book) Pbi. Univ., Patiala, 1999
10. Path Orishti (Part I Edited), Pbi. Univ., Patiala, 2000
11. Naveen Punjabi Kavita: Pashan Chinh, Chetna Prakashan, Ludhiana, 2000 (Winner of Teja Singh Award for Best Book of Criticism by Language Department, Punjab 2000)
12. Naveen Kaav Sitare (Edited for Bhartiya Sahit Academy, 2003)
13. Ghar Da Jee- (Short Stories), Chetna Prakashan, Ludhiana, 2004

## II. Research Papers :

1. Presented 94 Research Papers in different International/National Conferences/ Seminars in India, U.S.A., Pakistan and U.K. and published in prominent magazines, books and newspapers.
2. More than 18 articles on prominent books presented in different literary functions in India, U.S.A., Pakistan, England and Published in different books and journals.
3. Wrote Introduction of 21 books.

## III. Research Guidance

- |            |    |              |    |                  |   |
|------------|----|--------------|----|------------------|---|
| 1. Ph.D. : | 21 | 2. M.Phil. : | 38 | 3. Doing Ph.D. : | 8 |
|------------|----|--------------|----|------------------|---|

## IV. Creative Writing

1. Two books of Short-Stories (1) Khooh-Khate-1996 (2) Ghar Da Jee-2004
2. Khooh Khate (short story) has been serialized by Doordarshan Kendra Jalandhar.

3. Many short stories translated in Hindi and English as well as in Shahmukhi script and published in various magazines such as Katha Desh, Samkaleen Bharti Sahit etc.
4. 'Pailan Paunda Sapp' (Short story) has been dramatized by Sh. Kewal Dhaliwal in his play Gaddi Charhan Di Kahal Barhi Si.

#### V. Awards

1. Teja Singh Award on Punjabi Sabhyachar: Phachan Chinh Best book of criticism by Language Deptt., Punjabi
2. Nanak Singh Award on Khooh Khatte (Short Stories) Best book of fiction by Language Deptt., Punjabi 1996.
3. Teja Singh Award on Naveae Punjabi Poetry: Pachan Chinh Best book of criticism by Language Deptt., Punjabi, 2000
4. Principal Sant Singh Sekhon Purskar-2001 Lok Likhari Sabha, Jagraon.
5. Third Dr. Daljit Singh Memorial Award-2002, Sahit Sabha Nijharan (Rg.), Jalandhar
6. Award of Honour-For outstanding contribution to Punjabi criticism and fiction, Punjabi Sahit Sabha, California, U.S.A.-2002
7. Award for Literary criticism-Rachna Vichar Manch (Rg.), Nabha-2002

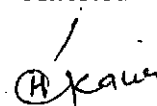
#### VI. Other Distinctions

1. Chairman, Department of Punjabi, Punjabi University Patiala, from 1998 to 2001.
2. Dean, Alumni Relations, Punjabi University, Patiala from 7/10/2004 till date.
3. Junior associateship by All India Advance Institute, Simla.
4. On Expert panel and jury member for the awards of Bhartiya Sahit Academy, Bhartiya Janan Peeth and Language Department, Punjab.
5. Co-ordinator of SAP, Punjabi Department (1998-2001).
6. Organised 3 Seminars and 2 Refresher courses as co-ordinator.
7. Chaired many Conferences/Seminars in India, USA., Pakistan and U.K. and present Research papers in U.S.A., U.K. & Pakistan and delivered dozens of special lectures in prestigious institutions.

## VII. Projects at Hand

1. Editor, Punjabi Folk-Literature section on Children Encyclopaedia, Department of Development of Punjabi Language, Punjabi University, Patiala.
2. Co-Author of Vol. V. entitled Punjabi (Folk- Tradions) Pulljab-A Prestigious Project on Punjab in five volumes, Chief-Editor Dr.J.S.Grewal, Department of Development of Punjabi Language, Punjabi University Patiala.
3. Dictionary of Western Literary concepts, DSA, Punjabi Department, Punjabi UnIversity, Patiala.

Attested

  
Joint Director,  
Language Deptt., Pb. Patiala.

Full Name : **Chottu Ram Moudgil**

Father's Name : **Sh. Shadi Ram**

Date of Birth : **11-01-1939**

Qualification : **M.A., LL.B, DL.UD & M.A., P.G.D.J. & MC**

Experience : **(Retd.) Assistant Director Language Deptt, Punjab. Wrote about 150 Articles for different magazines & published following books.**

## PRINTED BOOKS

1. Jaman Bhom (Short Stories)
2. Vedna (Short Stories)
3. Dishadian De Rahi (Short Stories)
4. Ek Pulang Hor (Short Stories)
5. Sath Katha (Short Stories)
6. DabbiAwaz(ShortStories)
7. Mard Bachi (Short Stories)
8. Vadhe Ghran De Lok (Short Stories)
9. Shagna De Kangan (Short Stories)

10. Ehsas Shidat De (Poetry)
11. Sanjh De Samvedna (Poetry)
12. Sant Sahai Prem Kay (Poetry)
13. Shabadnaad (Poetry)
14. Lekh Kulekh (Prose)
15. Jithon Khadian Rotian (prose)
16. Kujh Terian Kujh Merian-I (Prose)
17. Kujh Terian Kujh Merian- II.(Prose)
18. Dil De Badshah (Prose)
19. Meri Sahitak/Syasi Soch (Prose)

#### TRANSLATION

20. Jatak Kathawan (Short Stories)
21. Prarthana (Prose) (By Acharya Sudhanshu Ji)
22. Bhakti Ras (Prose) (By Acharya Sudhanshu Ji)
23. Dawai Darshan (Prose) (By Swami Ram Dev Ji)
24. Pranayam Rahasay (Prose) (By Swami Ram Dev Ji)
25. Yog Sadhana Ate Yog Chakitsa (Prose) (By Swami Ram Dev Ji)
26. Sant Darshan (By Shayam Prashar)

#### CHILDREN BOOKS (CO-AUTHER)

27. Dev Jyoti Punjabi Path Pustak Ratandeeep
28. Dev Jyoti Punjabi Path Pustak Ratandeeep Part-I
29. Devjyoti Punjabi Path Pustak Rattandeeep-Part-II
30. Devjyoti Punjabi Path Pustak Rattandeeep- Part -III
31. Devjyoti Punjabi Path Pustak Rattandeeep-Part-IV
32. Devjyoti Punjabi Path Pustak Rattandeeep-Part- V
33. Devjyoti Rattandeeep Punjabi Abhyas Pustak-I
34. Devjyoti Rattandeeep Punjabi Abhyas Pustak-II
35. Devjyoti Rattandeeep Punjabi Abhyas Pustak - III
36. Devjyoti Rattandeeep Punjabi Abhyas Pustak-IV

37. Devjyoti Rattandeeep Punjabi Abhyas Pustak -V
38. Devjyoti Rattandeeep Punjabi Viyakran-I
39. Devjyoti Rattandeeep Punjabi Viyakran-II
40. Devjyoti Rattandeeep Punjabi Viyakran-III
41. Devjyoti Rattandeeep Punjabi Viyakran-IV
42. Devjyoti Rattandeeep Punjabi Viyakran- V

### EDITTING


43. HaryanaDaKhoj Sahitya(Part-I)
44. Haryana Da Bal Sahitya
45. Bat Pawan Batoli Pawan
46. Ambran De Rahi
47. RajasthaniKahani 48 Gujmti Bal Kahani
49. HaryanaDaKhoj Sahit (Part-II)
50. Sant Tarn Singh Valuni Jiwan Te Rachna
51. Maha Kavi Bhai Santokh Singh Jiwan Te Rachna
52. Jagdish Parsad Kaushik Jiwan Te Rachna (In Press)
53. Magde Devian De Lo (In Press)
54. Rooh Ton Rooh Tak (In Press)
55. Haryana Dian Inami Kahani yan (In Press)

56 to 79. In addition to the above I am editor of the monthly magazine 'Shabad Boond' since April, 2005. Special issues of this Magazine Guru Arj an Dev Ji (440 pages) Shaheed Bhagat Singh (140 pages )Shaheed Udham Singh (156 pages) Guru Nanak/Bhagat Bani (156 pages) Baisakhi (218 pages) Kahani Ank (184 pages) J anam Ashtami te Geeta Gyan (156 pages) Bharat de Teohar (158 pages) Sutantarta ate Teej (184 pages) BasantAnk (176 pages) Nawan Varha(220pages) brought a very good name in the field of literature.



Bio-Data

Attested

  
Joint Director,  
Language Deptt., Pb. Patiala.

BIO-DATA

103

1. Name Dr. Dalip Kaur Tiwana
2. Academic qualification M.A.Ph.D
3. Employment
  - i Former Professor of Punjabi and Dean Faculty of Languages Punjabi University, Patiala
  - ii Currently Life fellow of the Punjabi University, Patiala
4. Creative Work
  - i 29 Novels
  - ii 7 collection of short stories
  - iii Autobiography
  - iv Literary Autobiography
5. Awards and Honours
 

Academic

Honoured with UGC

National Lectureship.

Literary :

  - i. Govt of Punjab Award for Sadhana as the best of short stories, 1960-61.
  - ii. Sahitya Academy Award for the novel Ehu Hamara Jeevna, 1972.
  - iii. Ministry of Education and Social Welfare Award of Panchaan Vich Parmesar-book of short stories for children, 1975.
  - iv. Nanak Singh Purskar (Languages Department, Govt. of Punjab) for the novel Peele Patian Di Dastan.
  - v. Gurmukh Singh Musafir Award (Languages Department Government of Punjab), for the autobiography Nange Pairan Da Safar, 1982.
  - vi. Canadian International Association of Punjabi authors and Artists Award, 1985.
  - vii. Shiromani Sahitkar Award, Languages Department, Government of Punjab, 1987.
  - viii. Praman Pattar award from Punjab Govt., 1989.
  - ix. Dhaliwal Award, Punjabi Sahib Academy, Ludhiana, 1991.
  - x. Best Novelist of
  - xiii. Honoured with Mata Sahib Kaur Award during Tercentary celebrations for the Birth of Khalsa for outstanding contribution in the field of Language,



Art and Literature at Anandpur Sahib on April 11 1999.

xiv. Kartar Singh Dhaliwal Award (life-time achievement) 2000 from Punjabi Sahit Academy, Ludhiana.

xv. Sarswati Samman (KK Birla Foundation) 2001 for the novel Katha Kaho Urvashi.

xvi. Padam Shri Award Conferred in 2004.

xvii. Panjpan Award from Doordershan Jalandhar, 2005.

6. Works translated into other languages.

i) Novel Ehu Hamara Jeevna (Such is her fate) has been translated into english, Hindi, Marati, Kashmiri, Gujrati and Bengali by national Books trust of India.

ii) Tili Da Nishan (Mark of the Nose ring) has been translated into English, French and Hindi.

iii) With in Without has been translated into Hindi and Urdu.

iv) Lang Gye Darya (Gone are the rivers) has been translated into English, Urdu, Hindi and Tamil.

v) Jimi Puche Asmaan (The earth ask the sky) has been translated into Urdu.

vi) Nange Pairan da Safar (Journey bare feet) has been translated into Urdu.

vii) Katha Kaho Urvashi (We shall meet again) was awarded the Sarswati Award which is considered as an Indian novel Prize has been tranlated into Hindi, Gujrati and Urdu.

7. Following research work has been done of the work of Dr. Dalip Kaur Tiwana.


i) Six Ph. Ds has been done from Punjabi University, Patiala, Jammu and Kashmir University, Jammu, Guru Nanak Dev University, Amritsar, Punjab University Chandigarh, Kurushetra Univerisity, Kurushetra (Haryana) and Delhi University, Delhi.

ii) 29 M.Phil thesis has been done in different Universities.

iii) 7 Book has been written different scholars on the works as Dr. Tiwana.

8. Three novels has been telecast from Doordarshan of India. A film made on Novel Rin Pitran Dan Ancestors Debt.)

Attested

  
Joint Director,  
Language Deptt., Pb. Patiala.

39 105 3

IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 13913 OF 2008

In the matter of:-

Pardeep Joshi

Petitioner

Versus

State of Punjab and Ors.

Respondents

Written Statement on behalf of  
respondent No. 10.

RESPECTFULLY SHOWETH:

PRELIMINARY OBJECTIONS/SUBMISSIONS:

1. That the petitioner has not approached this Hon'ble Court with clean hands and has concealed the material facts. The petitioner has time and again averred in the writ petition and moreso, the gist/basis of the present writ petition is that **"the process of selection of the names of the award is vitiated that all these eight awardees of the various prizes were judges in their own case and their action is against the basic principles of**



38

106

**natural justice and fairness".** The above referred averments are factually incorrect, misconceived and against the record, qua the answering respondent. It is pertinent to mention here that the answering respondent though initially was a member of the advisory board, however, he has submitted his resignation well in advance from the effective date of start of the entire process to finalise the names of the awardees. To substantiate these averment a true translation of the letter dated 17.7.2008 addressed to the Director, Language Department-Punjab and a true translated copy of news item dated 21<sup>st</sup> of July, 2008 is annexed herewith as is annexed herewith as **Annexure R-10/1 and R-10/2.**

2. That it is humbly submitted that it is the well settled preposition of law in various judicial pronouncements by the Hon'ble Supreme Court of India as well as by this Hon'ble Court that-

- **Concealment of facts-such petitioner is not entitled to any discretionary relief and his petition is liable to be dismissed with costs-misleading averments made in the writ petition, this is an attempt to mislead the**

38 5/107

court. Proposition of law laid down by the Hon'ble Supreme Court that fraud vitiates every legal proceedings will apply-petition liable to be thrown out of the court and not entitled to be heard on merits-it is the bounden duty of all the parties to disclose all the material facts to the court upon which the claim for relief is based. Any effort made by either party to mislead the court must be viewed with serious concern by the court.

3. That the answering respondent is associated with the fields of literature and Journalism since the year 1964, till date and held various prestigious assignments in these fields and is having various publications to his credit which were awarded by the Government of Haryana, Government of Uttar Pradesh and Government of Rajasthan, etc. It is pertinent to mention here that answering respondent has also served as Director, Haryana Sahitya Academy and Haryana Sanskrit Academy. A brief bio-data to that effect is annexed herewith as Annexure R-10/3.

40-6/28

4. That on the one hand the petitioner has impleaded the answering respondent in the present writ petition, however, the entire perusal of the writ petition reveals not even a single averment impugning any action on the part of the answering respondent. Solely on this ground this writ petition deserves to be dismissed with exemplary costs.

ON MERITS:

1. That the contents of para No. 1 of the writ petition are wrong and hence denied. The petitioner having no cause of action is not entitled to invoke the extra ordinary writ jurisdiction of this Hon'ble Court under Article 226/227 of the Constitution of India in the public interest. However, the averments made in the preliminary objections/submissions may kindly be read as part of this para also.

2. That the contents of para No. 2 of the writ petition are denied for want of knowledge.

3. That the contents of para No. 3 of the writ petition are matter of record hence need no comment. However, at the cost of repetition it is submitted that the answering respondent has already resigned from


107 4 7

the advisory board and was never a part of the process while finalizing the screening committee etc.

4. That the contents of para No. 4 of the writ petition being matter of record, hence need no comments. However, the averments made in the preceding paras/preliminary submissions/objections may kindly be read as reply to this para also.

5. That the contents of para No. 5 of the writ petition are wrong and hence denied. It is further submitted that the averments made in the preceding paras/preliminary submissions/objections may kindly be read as reply to this para also.

6. That the contents of para No. 6 of the writ petition are wrong and hence denied. It is further submitted that the averments made in the preceding paras/preliminary submissions/objections may kindly be read as reply to this para also. As submitted earlier the contents of this para are totally vague, misconceived, hence, liable to be rejected as the answering respondent has already resigned from

 110  
8

the advisory board well before the initiation of the selection process etc.

7. That in reply to the contents of para No. 7 of the writ petition it is most humbly submitted that the answering respondent is associated with the field of literature and journalism and has published various publication to his credit and held responsible assignments in the past and is quite conscious regarding the moral values and the principles of natural justice etc.. The contents of this para are totally general in nature which every literary person is supposed to be aware of the same. It is further submitted that the answering respondent throughout his performance as a writer and as a journalist has always believed in morality, humanity, dignity, integrity etc. and has followed these higher values in these fields. Hence, the contents of this para further substantiate that the present writ petition qua the answering respondent is not even maintainable on the face of it.

111 43 9

8. That the contents of para No. 8 of the writ petition do not relate to the answering respondent, hence no comments.

9. That in reply to the contents of para No. 9 of the writ petition it is submitted that there being no legal ground to invoke the extra ordinary writ jurisdiction of this Hon'ble Court, moreso as claimed in the public interest, hence, the contents of this para are vehemently denied. Further the averments made in the preceding paras/preliminary objections/submissions may kindly be read as part of reply to this para also.

10. That no law points are involved in the present writ petition for the kind consideration of this Hon'ble Court.

11. That the contents of this para are wrong and denied and the petitioner has no cause of action to invoke the extra-ordinary writ jurisdiction of this Hon'ble Court under Article 226/227 of the Constitution of India.

12. That the contents of this para are denied for want of knowledge.

In view of the submissions made above, it is most humbly prayed that the present writ petition is bereft of any merit, hence, may kindly be dismissed with exemplary costs in the interest of justice.

CHANDIGARH.

*Chander Sekh.*

RESPONDENT NO.10

DATED: 12.9.2008

THROUGH COUNSEL:

*(Naresh K. Joshi)*  
(NARESH K. JOSHI)

ADVOCATE

VERIFICATION

Verified that the contents of above written statement from para No. 1 to 4 of preliminary objections/submissions and para No. 1 to 12 of on merits are true and correct to my knowledge and based on record. No part of it is false and nothing has been concealed therein.

CHANDIGARH.

*Chander Sekh.*

RESPONDENT NO.10

DATED: 12.9.2008

ANNEXURE R-10/1

To

Smt. Balbir Kaur  
Director-Language Department-Punjab  
Sheranwala Gate-Patiala.

Subject: **Resignation.**

Madam,

Received your letter regarding First Meeting of the State Advisory Board. Amongst the names under consideration, the proposal of my name is also included. In these circumstances, it will not be proper to continue as member of the Board. Kindly consider it as my resignation and information in this regard may also kindly be sent to the concerned officers.

With regard

Your sincerely

Sd/-  
Dr. Chander Trikha  
473/Sector 32-A,  
Chandigarh

17.7.2008

Copy to:-

- Education Minister, Punjab
- Secretary, Language Department, Punjab.  
Mini Secretariat.

True Translation  
K. Coe.  
Advocate



7/6 11/4 12

ANNEXURE R-10/2

DAINIK BHASKAR

JALANDHAR, MONDY, 21 JULY 2008

**Resignation of Dr. Trikha from the Advisory Board.**

Jalandhar:- Senior Hindi Journalist and literary person Dr. Chander Trikha has resigned from the advisory board of the Language Department, constituted for awarding Shiromani Awards. In his letter addressed to the Language Department, Dr. Trikha has stated that in the present circumstances regarding the selection process, it is neither logical nor proper. He has requested the language department and the State of Punjab to consider in this regard seriously. In the neighbouring states of Haryana and Himachal not only the awards are conferred with full regard but they are formed the part of the regular activities. The same procedure is followed in Uttar Pradesh and Madhya Pradesh also. In the State of Punjab only the procedure of the Selection is followed.

True Translation



Advocate

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 13913 of 2008

Pardeep Joshi

...Petitioner

Versus


State of Punjab and others

...Respondents

INDEX

Sr. No.	Particulars	Dates	Pages
1.	Reply on behalf of respondent No. 3,4,5,6,7 and 9	19.03.2009	1-13
2.	Annexure R-3/1(Voter Card)	20.12.1994	14
3.	Annexure R-3/2(Ration Card)	20.02.2006	15
4.	Power of attorney	19.03.2009	16

Chandigarh  
Dated: 19.03.2009

  
(GURMINDER SINGH) & (MANPREET SINGH)  
Advocates  
Counsel for the respondent No. 3,4,5,6,7 and 9

Handwritten signature and initials.

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP No. 13913 of 2008

Pardeep Joshi

Petitioner

Versus

State of Punjab and others

Respondents

Written statement on behalf of respondent no.

3,4,5,6,7 and 9.

RESPECTFULLY SHOWETH:

PRELIMINARY SUBMISSIONS:

1. That the present writ petition has been filed by the petitioner in Public Interest whereas the petitioner is trying to redress his personal grievance of not having been nominated or selected for the awards that he has impugned. The writ petition does not stem from any larger public interest as the answering respondents are persons of eminence in their respective fields of Literature, Art and Culture. The awards being the Punjabi Culture Shiromani Prize, Shiromani Panjabi Writer, Shiromani Hindi Writer, Shiromani Urdu Writer, Shiromani Sanskrit Writer, Shiromani Panjabi Poet, Shiromani Panjab Writer/Punjabi Critic, Shiromani Panjabi Writer (outside Punjab), Shiromani Panjabi Bal Literature Writer, Shiromani Panjabi Generalist, Shiromani Ragi, Dhadi, Poet, Panjabi Singer and Shiromani Panjabi Television/Radio/Theater/Play/Actor/Director/Writer Award. The awards are recommended through the Punjab Languages Department and the State Government constitutes a State Advisory Board for

117

2

1/6

Assisting the Selection Process of these awards. The State Advisory Board consists of 32 members from the field of Literature, Art and Culture out of which 16 members are official members being from the Department of Education including the Minister for Education and also include representatives of various academic and literary bodies of State. The State Advisory Board is constituted every 3 years. The State Advisory Board was last constituted in the year 2008. The process of selection emanates from recommendations made by various Literary Bodies, Cultural Organizations, Literary Forums, Prominent Personalities apart from the in person nominations. These names are consolidated by the Director, Department of Languages. They are then forwarded by the Director being the Member Secretary of the Board as an agenda for being considered by the State Advisory Board. The recommendations of the Screening Committee are put up to the State Advisory Board which considers the name and makes a panel for consideration and conferring of these awards. The matter is thereafter finalized by the Minister of Education, State of Punjab. In the present case the awards have been finalized and conferred for the years 2007-2008. One award of Punjabi Sahit Rattan and 13 awards in different categories of Shiromani Panjabi Awards were finalized and conferred by the Hon'ble Chief Minister Punjab held on 08.08.2008.

2. That the petitioner has filed the present writ petition with a malafide intention. The petitioner does not have any literary back ground and is a busy body who has approach this Hon'ble Court nursing a grudge of non consideration for the impugned awards. Though the petitioner claims to be a self styled Director


118  
117

of some video publication. His works have neither been recognized nor entered in the records of any of the literary associations or boards. The name of the petitioner was not recommended by any Literary Body, Cultural Organization or Forum and he even did not make any personal nomination for consideration for the said awards. On the face of the petitioner does not seems to have any interest in the field of the literature and is only seeking publicity through the present writ petition. It is the settled law that such persons should not be allowed to abuse the process of law and waste the precious time of the court by filing such petitions in the garb of public interest. The writ petition is liable to be dismissed on this short ground alone.

3. That the answering respondents are persons who have contributed in the field of Art and Literature. The brief description of the answering respondents in regard to their literary achievements is as under:

S. Jaswant Singh Kanwal (Respondent No.3) is writer of Repute who has written 32 Punjabi Novels, 12 compilation of short stories, many essays of important issues and has also authored a translation of popular literary piece Devdas. He has earlier been conferred the Sahit Academy Award Delhi, Shri Kartar Singh Dhaliwal Award, Sant Singh Sekhon award etc. He is also a member of a large number of literary bodies and organizations. He has been conferred the Shiromani Panjabi Sahitkar award.

Dalip Kaur Tiwana (Respondent no.4) Padma Shri is a M.A., Ph.D and has been employed as Professor in Punjabi, Dean Faculty of Languages, Punjabi University Patiala and is currently a Life Fellow of Punjabi University Patiala. She has 29



4

118

Novels, 7 Collections of Short Stories, Autobiography and Literary Autobiography 2 her credit. She has been honoured with UGC National Lectureship. Some of awards which have been conferred upon her are the Government of Punjab Award for the best book of Short Stories in 1960-1961, Sahit Academy Award in 1972, Ministry of Education and Social Welfare Award 1975, Nanak Singh Puraskar, Gurmukh Singh Musafir Award 1982 Canadian International Association of Punjabi Authors and Artists Award 1985, Shiromani Sahitkar Award 1987, Dhaliwal Award 1991, Best Novelist of the Decade 1980-1990 by Punjabi Academy Delhi, Nanjanagudu Thirumalamba Award Karnatka 1994, Wag Devi Award Calcutta 1998, Mata Sahib Kaur Award 1999, Kartar Singh Dhaliwal Life Time Achievement Award 2000, Sarsawti Sanman 2001 and was further conferred the Padma Shri by the Government of India in 2004.

Karnail Singh Thind (Respondent no.5) has worked in the post Graduate Department of Punjabi for 16 years before taking over as the Head of the Department. He has been the Reader, Professor and Head and Registrar of the Guru Nanak Dev University, Amritsar. He has been the Director of the Punjab State University, Text Book Board, Chandigarh, Senior Fellow of the Punjabi University and the Fellow of the Guru Nanak Dev University, apart from being the Life Fellow of the Punjabi University Patiala. The respondent was conferred the Senior Fellow Ship Award by the Department of Culture, Government of India. He also has credit the UGC Research Award 1971 and has been a Convener, Member, Fellow and Chairman of various Academic Boards, Academies and Committees.

Shri Chotu Ram Moudgill (Respondent no.6) presently employed as the Director, Haryana Punjabi Sahit Academy, under the Government of Haryana at Panchkula. He has 18 books to his credit apart from 14 Translations and has edited over 13 publications. He has been awarded the Shiromani Kalamkar, Saravshresth Award, Balraj Sahni National Award, Vishwa Punjabi Sanman amongst other numerous awards. He has been credited for keeping alive the Punjabi Tradition in the State of Haryana.

Ravinder Kaur (Respondent no.7) is a M.A. Ph.D. and has been Head, Department of Sanskrit and Pali, Punjabi University, Patiala for the period of 1989-1992 and from the period 1998-2001. She further Head, Department of Persian Urdu & Arabic, Punjabi University, Patiala for a period May 2005-September 2005 and November 2006-April, 2007. Thereafter she became Head, Department of Foreign Languages, Punjabi University, Patiala for the period 2005-2007. Further Dean, Faculty of Languages, Punjabi University, Patiala 2005-2007. further Head, Department of Sanskrit and Pali, Punjabi University, Patiala, September 2007 onwards. Further Head, Department of Maharsi Valmiki Chair, Punjabi University, Patiala December 2005 onwards.

Dr. Jaswinder Singh (Respondent no. 9) who is credited with 13 publications and about 100 research papers apart from authoring a 21 books. He is further a recipient of Teja Singh Award, Nanak Singh Award, Teja Singh Award for poetry, Principal Sant Singh Sekhon Purskar, Dr. Daljit Singh Memorial Award, Award of Honour for contribution to Punjabi Criticism by

Punjabi Sahit Sabha California. He has been the Chairman of the Department of Punjabi, Punjabi University, Dean Alumni Relations, Punjabi University, Patiala. Junior Associate of All India Advance Institute Shimla and an Editor of Punjabi Folk Literature Section of the Children Encyclopedia.

It is apparent from the aforementioned facts that the answering respondents are fully deserving of the honour that has been conferred upon them by the State Government. The petitioner has made an effort to criticize the process of finalization of list of awardees. Serious allegations have been made in regard to integrity and morality of the answering respondents which are wholly misconceived. There is no challenge to the distinction achieved by the answering respondents on the basis of which their consideration for the awards has been made.

4. That the criteria for selection of awardees has been done in a totally bonafide and transparent manner. The aims and objectives of the State Advisory Board are centered around rendering advice to the Language Department, State of Punjab in various fields. The objectives of the Board as per the notification dated 05.11.2002 include recommendations in respect of providing grants to writers, artists or institutions, to evaluate literary books in Punjabi, Urdu, Hindi and Sanskrit and gave inputs for development of languages, especially the State Language i.e. Punjabi apart from recommending capable persons for Punjabi Sahit Shiromani Award and other Shiromani Awards. Earlier the persons who were apart of the State Advisory Board were required to resign in case their names were to be considered for the awards in question. However, this



122  
121 7

practice led to the non consideration of many literary eminent people who were brought on the board or their resignation in event of their consideration. The State Advisory Board constituted on 18.02.2008 in its meeting held on 23.07.2008 considered the issue in depth and decided that the persons who are members of the Board but were nominated by the State Government for the award on account of their contribution in different fields of literature, the said member would leave the meeting at the time when his name is considered. It is pertinent to mention here that out of the total of 32 members of the State Advisory Board 10 were recommended for the awards and 8 were finally selected while 2 members who were recommended were not selected. None of these members participated in the proceedings when their name was considered against the category in which they were nominated. There is no malafide in nomination or selection during the process challenged by the petitioner.

5. That the recommendations were made by the Screening Committee wherein 6 names for each award were short listed. It is out of these 6 names that two names were finalized, one for each year for the conferring of the award. The Screening Committee consisted of 6 persons and the names were short listed out of total 280 names. The answering respondents did not participate in the concerned proceedings when their names were considered either at the time of screening or at the time of final decision. The Challenged to the conferring of these awards has caused great mental distress to the answering respondents who have made vast contribution in the field of literature and

art. The writ petition is thus totally misconceived and liable to be rejected.

#### ON MERITS

1. The contents of this para of the petition are wrong and denied and it is submitted that the instant writ petition is not maintainable in its present form as no cause of action has arisen for the petitioner to file the writ petition.
2. The contents of this para of the petition are wrong and denied. Moreover the present writ petition has been filed by the petitioner in Public Interest whereas the petitioner is trying to redress his personal grievance of not having been nominated or selected for the awards that he has impugned. It is further submitted that That the claim of the petitioner that he is writer in English, Hindi and Punjabi is denied for want of knowledge. However it is wrong to suggest that the writers have selected themselves for the awards. The awards are recommended through the Punjab Languages Department and the State Government constitutes a State Advisory Board for Assisting the Selection Process of these awards. The State Advisory Board consists of 32 members from the field of Literature, Art and Culture out of which 16 members are official members being from the Department of Education including the Minister for Education and also include representatives of various academic and literary bodies of State. The State Advisory Board is constituted every 3 years and it was last constituted in year 2008. It is pertinent to mention here that out of the total of 32 members of the State Advisory Board 10 were recommended for

11/11/11 9  
[23]

the awards and 8 were finally selected while 2 members who were recommended were not selected. None of these members participated in the proceedings when their name was considered against the category in which they were nominated. There is no malafide in nomination or selection during the process challenged by the petitioner.

3. That the contents of the para are matter of record.
4. That the contents of para No. 4 of the petition are admitted to the extent that the meeting was held on 21.07.2008 and rest of contents of the para are matter of record.
5. The contents of this para of the petition are wrong and denied however it is again reiterated her that that out of the total of 32 members of the State Advisory Board 10 were recommended for the awards and 8 were finally selected while 2 members who were recommended were not selected. None of these members participated in the proceedings when their name was considered against the category in which they were nominated. The factual position has been explained in preliminary submissions from para No. 1 to 5.
6. That the contents of this para are admitted to the extent that the amount of award was increased from Rs. 2.5 lacs to 5.00 lac and from 1.0 lac to 2.50 lac, for which the advisory board is fully competent. Rest of the contents of the para are wrong and denied as the awardees were selected purely on the basis of merit by the State Advisory Board in which the concerned person was not present. It is submitted that S. Jaswant Singh Kanwal and Dr. Dalip Kaur Tiwana are international

10  
125  
123

personalities. They have got National/International awards. Dr. Dalip Kaur Tiwana is recipient of Sahit Academy Award, Sarswati Award and Padamshri Awards. Advisory Board while considering the name of the awardees, kept in view their contribution in the field of literature and service of the language. It is further clarified that Chotu Ram Moudgil served the language Department till January 1997 as Assistant Director but since 1992 his permanent resident is in Kurukshetra. He is voter of Kurukshetra Constituency. Copy of the voter card issued on 20.12.1994 is annexed herewith as **Annexure R-3/1**. Further he was enrolled as an advocate of Kurukshetra Bar vide Identity card No. 22098 dated 25.04.1999. As also the copy of the ration card showing him a permanent resident of Kurukshetra is annexed herewith as **Annexure R-3/2**. He was appointed Director of Haryana Punjabi Sahitya Academy vide Haryana Government notification dated 27.04.2005 which clearly shows that he is resident of Haryana State for the last 15 years. Further he is Ex-officio member of the advisory board being director of the Haryana Punjabi Sahitya Academy. So far selection of the retiree of the department for Shiromani Sahitkar is concerned there are numerous precedents e.g. Principal Teja Singh, Shamsheer Singh Ashok, Prof. Kirpal Singh Kasel, Prof. Piara Singh Padam & Prem Bhushan Goyal all were given these awards on the basis of their literary contributions.

7. The contents of this para of the petition are wrong and denied. Sufficient reply to the contents of this para has already been given in the foregoing para of the written statement but however it is reiterated here that the petitioner has filed the present writ

Handwritten marks: a signature and the number 11.

petition with a mala fide intention. The petitioner does not have any literary background and is a busy body who has approached this Hon'ble Court nursing a grudge of non consideration for the impugned awards. Though the petitioner claims to be a self styled Director of some video publication, his works have neither been recognized nor entered in the records of any of the literary associations or boards. The name of the petitioner was not recommended by any Literary Body, Cultural Organization or Forum and he even did not make any personal nomination for consideration for the said awards. On the face of the petition does not seem to have any interest in the field of the literature and is only seeking publicity through the present writ petition. It is the settled law that such persons should not be allowed to abuse the process of law and waste the precious time of the court by filing such petitions in the garb of public interest. The writ petition is liable to be dismissed on this short ground alone.

8. The contents of this para of the petition are wrong and denied, however it is submitted there is no rule to distribute the awards in the month of November. There are so many occasions when the awards were given on different months as the awards for the year 2001, 2002, 2003 and 2004 were distributed on 3<sup>rd</sup> December 2004 and awards for the year 2005 was distributed on 5.12.2005. The awards distributed on 08.08.2008 included awards for the year 2007 and 2008 and thus were distributed with considerable delay rather than in a hurry as alleged by the petitioner.

8(a). That contents of this para of the petition is admitted to the extent of legal submission as also to the extent that the

127 12  
126

function was held on 8<sup>th</sup> August, 2008 in the Law Auditorium of Panjab University Chandigarh and Sh. J.S. Damdami had declined to receive the award. Rests of the contents of this para are wrong and declined para is wrong hence denied. Sufficient reply to the contents of this para has been given in the foregoing paras.

8(b). That the contents of this para of the petition is admitted to the extent of legal submission. Rests of the contents of this para are wrong and declined para is wrong hence denied. Sufficient reply to the contents of this para has been given in the foregoing paras.

8(c) to 8(e). The contents of this para of the petition are wrong and denied. Sufficient reply to the contents of this para has been given in the foregoing paras.

9. The contents of this para of the petition are wrong and denied. Sufficient reply to the contents of this para has been given in the foregoing paras.

10. That the contents of para No. 10 of the writ petition are wrong and denied as no question of law has arisen for the kind consideration of this Hon'ble Court.

11. That the contents of para No. 11 of the writ petition are wrong and denied for want of knowledge.

12. That the contents of para No. 12 of the writ petition are wrong and denied for want of knowledge.

128  
13  
127

It is therefore respectfully prayed that present writ petition may kindly be dismissed with cost in favour of the answering respondent.

Chandigarh

Dated: 19.03.2009



Answering respondent

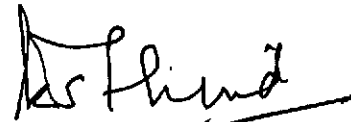
Through  
+ M Singh  
(Guraminder Singh) Mandeep Singh  
Adv -

Verification:

Verified that the contents of para No. 1 to 5 of preliminary submission and from para No. 1 to 12 of the reply on merit are true and correct to the knowledge of answering respondent. No part of it is false and nothing material has kept concealed therein.

Chandigarh

Dated: 19.03.2009



Answering respondent

128

14

128

Annexure R-3/1

ELECTION COMMISSION OF INDIA

HR/02/22/456086

Photo

Name : Chhotu Ram  
Father's name : Shadi Ram  
Sex : Male  
Age as on 01.01.1994 : 53 years  
Address : H.No. 21, Ward 16, Thanesar  
District Kurukshetra.

Sd/-

Facsimile Signature of Electoral  
Registration Officer for 22, Thanesar  
Constituency

This card may be used as an identity card under different government  
scheme.

True Copy

M Singh

Advocate





~~130~~ 15  
128

Annexure R-3/2

GOVERNMENT OF HARYANA

D-III

Ration Card

(Only for Ration Articles)

DBC ITP

1. Distribution Area : Kurukshetra
2. Ration Card No. : 4625495
3. Name of the Head of family : Maninder Kumar Moudgil
4. Father's Name : Chhotu Ram Moudgil
5. Wife/husband's name : \_\_\_\_\_
6. House No. 1483 Ward/Sector No. 26  
Mohalla/Street No. : Didar Nagar Kurukshetra
7. Permanent Postal Address: Above
8. Number of Family Adults Children Issues total  
members  
6 6 --- --- 6 six

Joint family photograph

Signature of Card Holder Sd/-

Sd/-

Dated: 20.02.2006

Seal & Signature of Distribution Officer

Date : 20.02.2006

True Translated Copy

*M Singh*

Advocate

**IN THE COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**AMENDED CIVIL WRIT PETITION NO. 13913 OF 2008  
PUBLIC INTEREST LITIGATION**

Pradeep Joshi, S/o Sh. Joshi, Aged 54 years, R/o House No. 464, Sector 7,  
Panchkula.

.....Petitioner

**Versus**

State of Punjab and others

.....Respondents

**INDEX**

<b>Sr. No.</b>	<b>Particulars</b>	<b>Dated</b>	<b>Pages</b>
1.	Affidavit of Anjali Bhawra, Secretary Higher Education & Languages Department Punjab, Chandigarh	9-7-09	1 & 2

Place : Chandigarh

Date : 9-7-09

Submitted by

  
Anjali Bhawra,

Secretary Higher Education & Languages  
on behalf of the Respondent No. 1 & 2.

130

131

**IN THE COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH**

AMENDED CIVIL WRIT PETITION NO. 13913 OF 2008  
PUBLIC INTEREST LITIGATION

Pradeep Joshi, S/o Sh. Joshi, Aged 54 years, R/o House No. 464, Sector 7,  
Panchkula.

.....Petitioner

**Versus**

1. State of Punjab through Secretary Higher Education and Language,  
Punjab, Chandigarh.
2. Dr. Upinderjit Kaur, Minister Education and Languages, Punjab,  
Chandigarh.
3. Sardar Jaswant Singh Kanwal, Village and Post Office Dhudike, Distt.  
Moga, Punjab.
4. Dr. Darlip Kaur Tiwana, D-13, University Campus, Punjabi  
University, Patiala.
5. Dr. Karnail Singh Thind, House No. 2445, Phase XI, Mohali.
6. Sh. Chotu Ram Maudgil, Director, Haryana Academy, Panchkula.
7. Dr. Ravinder Kaur, Head of Sanskrit and Pali Department, Punjabi  
University, Patiala.
8. Sh. G.S. Sidhu Damdami, Editor, Punjabi Tribune, 409/30-A,  
Chandiagrh.
9. Dr. Jaswinder Singh, 245, Charan Bagh, Patiala.
10. Dr. Chander Trikha, House No. 473, Sector 32-A, Chandigarh.

.....Respondents.

Affidavit of Anjali Bhawra, Secretary Higher Education & Languages  
Department Punjab, Chandigarh on behalf of the Respondent No. 1 & 2 in  
compliance to order dated 2-4-2009 of this Hon'ble Court.



*[Signature]*

132

137

I, the above named deponent do hereby solemnly affirm and declare as under :-

1. That the above noted petition is pending in the Hon'ble Court and now fixed for 9-7-2009.
2. It is stated that in future State Advisory Board and Screening Committee will be composed of such person who have no conflict of interest between their own interest and their duty in selection of awardees. In other words it implies that if a member either of State Advisory Board or Screening Committee is also a nominee for the award he will have to resign from the membership of the committee if his name is to be considered further..



*Ajali Bhawra*  
Deponent

Place : Chandigarh

Date : 9-7-09

I identify the deponent as...  
who signed in my presence

Signature of Verifier

Verification

Verified that the contents of the above affidavits are true and correct to the best of my knowledge as derived from the official record and nothing has been concealed therein.

*Ajali Bhawra*  
Deponent

Place : Chandigarh

Date : 9-7-09

8174  
Verified that the above statement  
as been declared on Oath, A. before  
me this 9-7-09  
at Chandigarh by *Ajali Bhawra*  
Son of *Secretary, K.E. & L.*  
Resident of *...*  
Tel. *...*  
who is identified by *...*  
who is known to me personally.  
*...*  
Date Completed  
9-7-09

IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 13913 OF 2008

**In the matter of:-**

Pardeep Joshi

Petitioner

Versus

State of Punjab and Ors.

Respondents

INDEX

Sr. No.	Particulars	Dated	Pages
1.	Application u/s 151 CPC	12.9.2008	1-2
2.	Written statement	12.9.2008	3-10
3.	Annexure R-10/1(letter)	17.7.2008	11
4.	Annexure R-10/2 (news item)	21.7.2008	12
5.	Annexure R-10/3 (Bio-Data)	----	13
6.	Power of attorney	10.9.2008	14

CHANDIGARH.

DATED: 12.9.2008

(NARESH K. JOSHI)

ADVOCATE

COUNSEL FOR THE RESPONDENT NO. 10

E.NO. P-885/1991

132

IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.

CIVIL MISC. NO. \_\_\_\_\_ OF 2008

IN

CIVIL WRIT PETITION NO. 13913 OF 2008

**In the matter of:-**

Pardeep Joshi

Petitioner

Versus

State of Punjab and Ors.

Respondents

Application under Section 151 CPC for placing on record Written statement alongwith Annexure R-10/1 to R-10/3 and also seeking the exemption from filing the certified copies of Annexure R-10/1 to R-10/3 and also from filing the true typed and translated copy of Annexure R-10/3.

RESPECTFULLY SHOWETH:

1. That above titled writ petition is pending before this Hon'ble Court and fixed for 16.9.2008.

133

2. That the answering respondent is filing the accompanying written statement alongwith Annexure R-10/1 to R-10/2 are attached.

3. That the certified copies of Annexure R-10/1 to R-10/3 are not available with the respondent No. 10/applicant, however, the true typed copies of Annexure R-10/1 and R-10/2 and true photocopies of Annexure R-10/3 are annexed herewith for the kind consideration of this Hon'ble Court.

It is, therefore, respectfully prayed that the respondent No. 10/applicant may kindly be permitted to place on record written statement alongwith Annexure R-10/1 to R-10/3 and also be exempted from filing the certified copies of Annexure R-10/1 to R-10/3 and be exempted from filing the true typed and translated copy of Annexure R-10/3, in the interest of justice.

NOTE: AFFIDAVIT IS NOT NECESSARY.

CHANDIGARH.

  
(NARESH K. JOSHI)

DATED: 12.9.2008

ADVOCATE

COUNSEL FOR THE RESPONDENT NO. 10

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

CIVIL WRIT PETITION NO. 13913 OF 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Petitioner

Versus

State of Punjab and others

..... Respondents

I N D E X

S. No.	Particulars	Date	Page Nos.
1.	List of Dates and Events	05.08.2008	1
2.	Application for Exemption	05.08.2008	2-3
3	Civil Writ Petition U/s 226/227 of the Constitution of India.	05.08.2008	4-11
4.	Affidavit	06.08.2008	12-13
5	Annexure P-1 (List of Advisory Board)	5.2.2008	14-17
6	Annexure P-2 (List of Screening Committee)	23.7.2008	18-24
7	Annexure P-3 (List of selected 78 writers)	21.7.2008	25-30
8.	Annexure P-4 (News item)	27.7.2008	31-34
9	Annexure P-5 (News item)	1.8.2008	35-36
10	Power of Attorney <i>W/O R 10</i>	5.8.2008	<i>37-38</i>




NOTES:

1. Any other similar cases :- Nil
2. Whether any caveat has been filed/received: Nil
3. The main law points are involved in para No. 10 of the Civil Writ Petition at page 10.
4. Relevant Rules and Statutes :  
Constitution of India

Place : CHANDIGARH

Date: 05.08.2008

  
(Dr. M. S. Rahi & Hirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

LIST OF DATES AND EVENTS

February 2008 That like the earlier years, the Language Department of the State of Punjab constituted a Advisory Board of 32 persons to select distinguished writers in various fields, journalists and artists for the purpose of the award for the year 2007-2008.

21 July, 2008 The Language Department constituted a Screening Committee of six persons for the purpose of short-listing the name of those artists, writers and journalists who were to be considered for the award by the Advisory Board.

26<sup>th</sup> July, 2008 That the Advisory Board, of which the unofficial respondents were also the members, selected themselves for the award against all the known principles of natural justice.

Hence this writ petition.

Place : CHANDIGARH

Date: 05.08.2008

  
(Dr. M. S. Rahi & Hirdey Pat Singh Rahi)  
Advocates  
Counsels for the Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

CM - 15042/08

CIVIL WRIT PETITION NO. 13913 OF 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Petitioner

Versus

State of Punjab and others

..... Respondents

Application for exemption from filing the certified copies from  
Annexures P-1 to P-5.

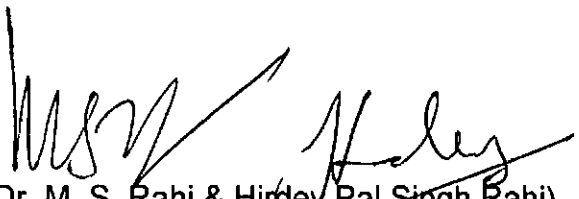
Respectfully Showeth :

1. That the petitioner is filing the accompanying Civil Writ Petition.  
However, the petitioner has not the certified copies of the annexures though the petitioner has uncertified copies of the annexures.
2. That the petitioner would place on record of this Hon'ble Court the certified copies of the annexure as soon as the same are available with the petitioner.

It is therefore, respectfully prayed that the petitioner be exempted from filing the certified copies of the annexure P-1 in the interest of justice.

Place : CHANDIGARH

Date: 05.08.2008

  
(Dr. M. S. Rahi & Hirdy Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

CIVIL WRIT PETITION NO. 13913 OF 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi, S/o Sh. C.L. Joshi, Aged 54 years, R/o House No. 464,  
Sector 7, Panchkula.

..... Petitioner

Versus

1. State of Punjab through Secretary Higher Education and Languages, Punjab, Chandigarh.
2. Dr. Upinderjit Kaur, Minister Education and Languages, Punjab, Chandigarh .
3. Sardar Jaswant Singh Kanwal, Village and Post Office Dhudike, Distt. Moga, Punjab
4. Dr. Dalip Kaur Tiwana, D-13, University Campus, Punjabi University, Patiala
5. Dr. Karnail Singh Thind, House No. 2445, Phase XI, Mohali
6. Sh. Jhotu Ram Maudgill, Director, Haryana Academy, Panchkula
7. Dr. Ravinder Kaur, Head of Sanskrit and Pali Department, Punjabi University, Patiala.
8. Sh. G.S. Sidhu Damdini, Editor, Punjabi Tribune, 409 / 30-A, Chandigarh.
9. Dr. Jaswinder Singh, 245, Charan Bagh, Patiala.
10. Dr. Chander Thrikha, House No. 473, Sector 32-A, Chandigarh.

..... Respondents

Civil Writ Petition under section 226 / 227 of the Constitution of India for the issuance of writ of mandamus to the official respondents not to distribute the awards to the unofficial respondents on 8<sup>th</sup> August, 2008, which is illegal, unconstitutional and against the principle of natural justice and liable to be set aside.

Respectfully Showeth :

1. That the petitioner is a citizen of India and the cause of action has also arisen within the jurisdiction of this Hon'ble Court, therefore, the petitioner is competent to invoke extraordinary jurisdiction under Articles 226 / 227 of the Constitution of India in public interest, as the petitioner is deeply connected with the field of Art and Literature.
2. That the petitioner is a writer in English, Hindi and Punjabi, associated with the Literary World for the last about three decades. And presently, the petitioner is Director, Update Video Publications and consultant Media Video Limited. The petitioner has published his books of English Poetry namely "Visions" in 1986 and thereafter "Nature's Nodes" in 1989. The Articles of the petitioner have been published in various newspapers and journals. Therefore, as a man of literature, the petitioner is deeply interested in the development of literature and art and especially the value system which the writers must uphold to be a role model in the society. So what has published in the newspapers regarding the award distribution and the greed of the writers by selecting themselves for the award has really distressed the petitioner. And finding no other option, the

petitioner is filing this petition so that a larger public interest be served.

3. That like earlier years, the Language Department of the Punjab Government also planned to distribute awards to the distinguished writers in Punjabi, Hindi, journalists and various other persons involved in the field Art and Literature. For this purpose, the Punjab Government constituted that Advisory Board, Language Department Punjab, 2008, consisting of 32 persons, the list of which is annexed here as **Annexure P-1**. And thereafter the Punjab Government constituted the Screening Committee of six persons, the names of those persons are mentioned in **Annexure P-2**.
4. That after constituting the Advisory Board and the Screening Committee, the meeting was held on 21<sup>st</sup> July, 2008, for the purpose of short-listing the names of the Writers, Artists to whom the award was given for the year 2007-2008. Out of the total list of 234 writers of various languages, journalists and others, the Screening Committee selected 78 writers, the name of which are mentioned in **Annexure P-3**. In each of the 13 category, which are mentioned in this Annexure, the Screening Committee selected six persons out of which the selection was to be made by the Advisory Board.
5. That the controversy, as involved in the present writ petition, has arisen because so many improprieties have been committed while finalizing the list of the awardees by the Advisory Board. Unfortunately, all the awardees i.e. non official respondents were the members of the Advisory Board. And some of them were the members of the Screening Committee as well. For instance, Dr. Dalip Kaur Tiwana i.e. Respondent No. 4, was a member of the

Advisory Board, then member of the Screening Committee and lastly one of the awardees for rupees five lakh for Punjabi Sahit Shiromani Puraskar for the year 2007. Incidentally, all the non official respondents who have been given awards were the members of the Advisory Board. This action of non-official respondents is basically against the basic principle of justice and fairness that nobody can be judge in his own case. However, this is what has happened in the present case and these respondents have unfortunately 'glorified' themselves with the award. Earlier, to the present award giving process, if any member's name was to be considered for the award, then that member used to resign from the Advisory Board. However, this time, all these well tested traditions were thrown to the winds and the non official respondents in a very indignified manner became part of the selection process of these awards and ultimately got themselves selected for the awards

6. That respondent No. 3 and 4 have been selected for the award of Punjabi Sahit Shiromani Puraskar for the year 2008 and 2007 respectively, the prize money for which was increased from 2.5 lakhs to 5.0 lakhs. Similarly, Dr. Dhanwant Kaur was a member of the Advisory Board, whose husband Dr. Jaswinder Singh i.e. respondent No. 9 has been selected for the award of *Shiromani Punjabi Lekhak / Punjab Aalochak*. The other serious impropriety, which has been committed is : that Sh. Chhotu Ram Maudgil, who retired as a Assistant Director from the Language Department, Punjab and presently is Director of Haryana Punjabi Sahityak Academy, Panchkula has also been wrongly and illegally selected for the award of *Shiromani Punjabi Sahityakar as a candidate from outside Punjab*. In fact, he belongs to Punjab and throughout served in the Language Department of Punjab, therefore, he was



not eligible to be considered under the category of this *Shiromani Punjabi Sahityakar* as from outside Punjab. Similarly, the other non official respondents were members of the Advisory Board, 2008 and were selected for different awards by the same Advisory Board of which they were the members. The Hon'ble Supreme Court in the case of A.K. Kripak vs. Union of India AIR 1970 SC Page 150, clearly laid down that if a member of the Selection Board was himself a candidate and ultimately was selected for the post, was clearly against the principles of natural justice. The Hon'ble Supreme Court in that celebrated case, set aside the selection simply on the ground that the selected candidate was a member of the Selection Board, even though he did not attend the meeting of the selection board when his own name was being considered. However, in the present case, right from the membership of the Advisory Board, the Screening Committee and ultimately the selection of awards, these non official respondents to whom the awards has been given, attended all the proceedings which were necessary for the selection of the awardees.

7. That the present case is serious and would have grave repercussions because it relates to the men of Literature and Art, who are supposed to uphold higher values of probity and morality in the society in which they live. And if such people start stooping low, because of their personal greed, then the serious moral crisis are bound to arise in that society. And if the newsitems, which have been published regarding the whole affair of these award giving to the writers are read, which are annexed herewith as **Annexure P-4 and P-5**, then the effect of such impropriety of the respondents becomes clear. A writer or an Artist is supposed to defend humanity, dignity, integrity, morality, goodness and the superior

mental spiritual nature of man and not to degrade the same by his own low conduct. In the present case all the awardees of the prize, given by the State of Punjab, have not behaved in the manner, in which a writer or an artist is supposed to behave. Their conduct is both against the moral values and the principles of natural justice, which is abhorrent to our concept of justice.

8. That earlier these awards used to be given in the month of November in the Language Bhawan, Patiala and the occasion was to be celebrated for more than a week and the distinguished writers and artists used to attend the same, but this year for the reasons best known to the authorities, the award giving ceremony is being held on 8<sup>th</sup> August, 2008 at Chandigarh. This is very surprising for all the writers and the intellectuals because the Government is acting in a great hurry.

9. That the writ of mandamus deserve to be issued on the following grounds :

I. That all the eight awardees who have been selected for the award to be given on 8<sup>th</sup> August, 2008, were the members of the Advisory Board which selected them for this award out of the list prepared by the Screening Committee. Incidentally, some of the awardees were both the members of the Screening Committee and the Advisory Board, which were primarily instrumental in selecting the name of such writers and artists to whom the award was to be given. Therefore, the process of selection of the names of the awardees is vitiated that all these eight awardees of the various prizes were judges in their own case and their action is against the basic principles of natural justice and fairness. Therefore,

writ of mandamus deserves to be issued on this ground alone, restraining the official respondents giving them these award on 8<sup>th</sup> August, 2008.

II. That the conduct of the official respondents is also illegal and against the basic principles of natural justice, allowing the unofficial respondents to be part of the Advisory Board, which was to select the name of the awardees. The writ of mandamus stopping them to proceed with the illegal activity of giving the award deserve to be issued.

10. That the main law points which arises in this writ petition are as under :-

- i) Whether the conduct of the unofficial respondents being a judge in their own case is against the established principle of law of the Hon'ble Supreme Court or not?
- ii) Whether the conduct of the official respondents is illegal and against the principles of natural or not ?

11. That the petitioner have no other remedy except approaching this Hon'ble Court through the present writ petition, as all other remedies are to be ineffective.

12. That the petitioner had filed no other petition or revision in this Hon'ble Court or in the Hon'ble Supreme Court of India for seeking the same relief. That no other appeal or revision is pending. No Caveat has been filed.

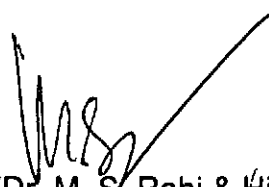
It is therefore respectfully prayed that after summoning and perusing the record of the petitioner's case –

- i) writ of mandamus be issued not to give award to the non official respondents as they were members of the Advisory Board which selected them for the award;
- ii) any other order / direction be passed as this Hon'ble court deem fit in the facts and circumstances of the case;
- iii) that during the pendency of the writ petition, the direction be issued that the award be not distributed on 8<sup>th</sup> August, 2008 in the interest of justice and fairplay;
- iv) issuance of advance notices to the respondents may kindly be dispensed with;
- v) filing of certified copies of Annexures may kindly be dispensed with;
- vi) cost of petition may kindly be awarded in favour of the petitioner and against the respondents:

Petitioner

Place : CHANDIGARH

Date: 05.08.2008

Through  
  
(Dr. M. S. Rahi & Kirdey Pal Singh Rahi)  
Advocates  
Counsels for the Petitioner

**VERIFICATION**

Verified that the contents of paras 1 to 9 and paras No. 11 and 12 are true and correct to my knowledge and those of para no. 10 are legal submissions received from the counsel and believed to be true. No part of it is false and nothing has been concealed therein.

Petitioner

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA  
AT CHANDIGARH.

CIVIL WRIT PETITION NO. 13912 OF 2008

PUBLIC INTEREST LITIGATION

Pradeep Joshi

.... Petitioner

Versus

State of Punjab and others

..... Respondents

Affidavit of Pradeep Joshi, S/o Sh. C.L. Joshi, Aged 54 years, R/o  
House No. 464, Sector 7, Panchkula.

I, the above named deponent do hereby solemnly affirm and  
declare as under :

1. That the deponent is filing the accompanying writ petition in this Hon'ble Court and is well conversant with the facts of the writ petition.

2. That the facts narrated in the writ petition in paras 1 to 9 and 11 and 12 of the above writ petition are true and correct to my knowledge. Legal submission made in para No. 10 are believed to be correct as per advice of the counsel. No part of it is false and nothing has been kept concealed therein.
3. That the deponent has not filed any civil writ petition in this Hon'ble High Court or in the Hon'ble Supreme Court of India involving the same issue.
4. That there is no other alternative remedy except filing the present writ petition.

Place: Chandigarh

Dated : 05.08.2008

DEPONENT

**VERIFICATION :**

Verified that the contents of above affidavit of mine from para 1 to 4 are true and correct to my knowledge. No part of it is false and nothing has material has been kept concealed therein.

Place: Chandigarh

Dated : 05.08.2008

DEPONENT

True Gopy  
Msali  
Ad

Annexure P-1

LANGUAGE DEPARTMENT, STATE ADVISORY BOARD  
CONSTITUTED FOR PUNJAB

SNo.	Member's name and City
1.	Dr. Upinderjeet Kaur, Education and Language Minister, Punjab, Chandigarh.
2.	Secretary, Higher Education and Language, Punjab and Chandigarh.
3.	Sh. D.S. Kalan, Principal Secretary, Department of Finance, Punjab, Chandigarh.
4.	Sh. Jindal, Principal Secretary, Cultural Department, Punjab, Chandigarh.
5.	Dr. Jaspal Singh, Vice Chancellor, Punjabi University, Patiala.
6.	Dr. Jai Roop Singh, Vice Chancellor, Guru Nanak Dev University, Amritsar.
7.	Sh. Shiv Singh, President, Punjab Kala Parishad, Chandigarh.
8.	Dr. Surjit Pattar, Ludhiana
9.	Sh. Chottu Ram Modgil, Director, Haryana and Literature Academy, Panchkula

10.	Dr. Ravail Singh, Secretary, Punjabi Academy, New Delhi.
11.	Dr. Karanjit Singh, New Delhi
12.	Sh. Anoop Virk, Patiala.
13.	S. Jaswant Singh Kawal, Dhundike (Moga)
14.	Dr. Gopi Chand Narang, New Delhi
15.	Sh. Ram Niwas Mirdha, New Delhi
16.	Smt. Balbir Kaur, Director, Language department, Punjab, Patiala.

#### NON-GOVERNMENT MEMBER

1.	Prof. Gurdial Singh, Jaiton Faridkot
2.	S. Tarlochan Singh, New Delhi
3.	Dr. Dalip Kaur Tiwana, Patiala, B-13, University Campus, Punjabi University, Patiala.
4.	Bhai Baldeep Singh, New Delhi
5.	S. Gulzar Singh Sandhu, Chandigarh.
6.	Dr. Kamlesh Uppal, Patiala
7.	S. Gurdas Mann, Mumbai
8.	Dr. Dhanwant Kaur, Patiala
9.	Dr. Karnail Singh Thind, House No.2447, Phase 10, Mohali



10.	S. Jasbir Singh Bhullar, Mohali
11.	Dr. Deepak Manmohan Singh, Chandigarh.
12.	Dr. Satinder Singh Noor, New Delhi
13.	Dr. Harmohinder Singh Bedi, Amritsar
14.	Principal M.L. Anand, Ludhiana.
15.	Dr. Chander Trikha, Chandigarh.
16.	Dr. Ganesh Dutt Bhardwaj, Hoshiarpur
17.	Prof. Damodar Jha, Hoshiarpur
18.	Dr. Ravinder Kaur, Patiala, Head of Sanskrit Department, Punjabi University, Patiala.
19.	Sardar Panchi, Ludhiana
20.	Barkat Ali, Amritsar
21.	Gazi Mohd Umer, Malerkotla
22.	Sh. Satnam Manak, Jalandhar
23.	S. J.S. Sidh, Damdami, Chandigarh.
24.	Sh. Amarjit Komal, Kapurthala
25.	S. Iqbal Singh Dhillon, Mumbai
26.	S. NS Parwana, Chandigarh.
27.	Dr. Satinder Singh, Amritsar
28.	Sh. Brij Lal Rinwa, Abohar
29.	Bhai Nirmal Singh Khalsa, Amritsar
30.	Dr. H.K. Manmohan Singh, Patiala

31.	Dr. Manmohan Singh Patiala
32.	Biba Kiranjot Kaur, Amritsar

**MEMBER OF SCREENING COMMITTEE**

1.	Prof. Gurdial Singh, Jaiton
2.	Dr. Deepak Manmohan Singh, Chandigarh.
3.	Principal M.L. Anand, Ludhiana
4.	Dr. Ganesh Dutt Bhardwaj, Hoshiarpur
5.	Dr. Satinder Singh, Amritsar
6.	Dr. Dalip Kaur Tiwana, Ludhiana
7.	Director, Language Department, Punjab, Patiala.

True translation

  
Advocate

Annexure P- 2

LANGUAGE DEPARTMENT, PUNJAB

MEEETNG OF STATE ADVISORY BOARD

DATE : 23<sup>RD</sup> JULY 2008

DAY : WEDNESDAY

TIME : 11.00 AM

PLACE: COMMITTEE ROOM, PUNJAB BHAWAN, SECTOR  
3, CHANDIGARH.

**CHAIRPERSON**

DR. UPINDERJET KAUR, MINISTER OF EDUCATION AND  
LANGUAGES

ADDITIONAL AGENDA

1. About agenda
2. Regarding proceedings of the meeting of  
the Screening committee
3. Regarding receipts of new names for  
various awards.
4. Regarding change of names of Shromani  
Awards
5. Regarding receipt of suggestions from  
Prof. Gurdial Singh Jaiton.
6. For giving monetary help towards  
publication of Sri Guru Granthi Sahib's  
manuscript.

### LETTER OF EXPLANATION

After sending the agenda of the meeting to all the State Advisory Board members, the suggestions for the above mentioned item No.1 to 6 were presented to the Screening committee, which on their part supported the proposal of the Department and submitted the same for approval of the State Advisory Board.

In the light of the above mentioned, the same is presented to the members of the Selection committee.

#### ITEM NO.1 : ABOUT AGENDA

It is brought to the notice of the State Advisory Board that Shromani Punjab Writer/Punjabi Critic mentioned under Item No.9 be considered under Item No.7. Rest of the items will be followed as per next items.

The department has tried its best to include the name of a scholar/writer/artist in one penal only. But by mistake, the name of

Amar Singh Bhullar has been included in two panels i.e. Shromani Punjabi Journalist and Shromani Punjabi Writer (Foreign). It is relevant to mention here for the knowledge of the members that Sh. Amar Singh Bhullar being a Journalist, his name be considered for "Shromani Patarkar Award."

It is brought to the notice of State Advisory Board that Late S. Kesar Singh Canada has already honoured with Shromani Punjabi Writer (Foreign) and "Punjabi Literature Shromani" but to the mistake on the part of the office, his name has been included again in the consideration list for the award of Shromani Punjabi Writer (Foreign) so his name is to be deleted from the penal.

ITEM NO.2:

SUB:               REGARDING   MEETING   OF   SCREENNG  
                      COMMTTEE

A meeting of the Screening Committee was held on 21<sup>st</sup> July 2008 i.e. Monday at 10.30

21

AM in Language Bhawan, Sherawala Gate, Patiala constituted on the basis of the following members to send the shortlist names received for the 13+13=26 Awards for the year 2007 and 2008 to the State Advisory Board by the Language Department, Punjab vide Punjab Government notification NO.6/199-92-1 C.Cell/4298 dated 18.02.2008. The following members were present :

1. Dr. Deepak Manmohan Singh, Chandigarh.
2. Principal ML Anand Ludhiana
3. Dr. Ganesh Dutt Bhardwaj, Hoshiarpur
4. Dr. Satinder Sinigh, Amrtsar
5. Dr. Dalip Kaur Tiwana, Patiala
6. Director, Languages department, Punjab, Patiala.

Firstly, in the meeting, the Director Languages welcomed the members and requested them to screen the names appropriately and hope with regard to short list the penal in today's meeting that the members will prepare the penal by keeping in mind the intelligency/work of the

scholar/writer so this award may create example for all. They brought to the notice of all the members that Prof. Gurdial Singh, members of the Screening Committee has informed the department that he is unable to attend the meeting due to his busy schedule but he had sent a sealed envelop containing his recommendation for various Award, to be opened in the meeting. A penal of Shromani Award for the years 2007 and 2008 was prepared unanimously after considering the work done by the writer/scholar/artist in their field recommended for the proposed Shromani Award penal in the meeting, which will be given secretly to all the members of the committee after the commencement of the meeting.

The Director Languages brought to the notice of all the members that Hon'ble Education and Languages Minister is making efforts personally that new award may be initiated for Shromani singer. He further stated that if new award is initiated in these days then a separate award will be presented to

the Shromani Singer from the year 2007. If not possible then the award will be given to Shromani Ragi/Dhadi/Poet for the year 2007-2008 as per previous precedence. They have requested the members to prepare separate penal for these award. Thereafter, further proceedings of the meeting is initiated.

Firstly, it was brought to the notice of the members of the Screening committee that various names recommended for Shromani Award are members of both the committees namely Screening Committee as well as of the State Advisory Board and asked for the clarification of their standing as to such names be considered for the award or not. It was suggested by all the members after long discussions that if such a situation arises, then the members whose name appear for the award will leave the meeting room. In this regard, the members suggested that final verdict on the issue be decided in the State Advisory Board meeting to be held on 23.07.2008.



The members of the Screening Committee also suggested that any other State Academy awardee be it scholars/writers/artists be not considered for Shromani Awards. In this regard, they have recommend for approval from the State Advisory Board for appropriate decision.

The meeting ends with vote of thanks.

\*\*

The minutes of the meeting of the Screening Committee held on 2nd July, 2008 (Monday) is submitted for approval and consideration of the State Advisory Board.

True translation



Advocate

Annexure P-3

Sub : Regarding meeting of Screening committee.

The penal which was constituted for different prizes in the meeting of Screening Committee held on 21<sup>st</sup> July, 2008 :

SNo.	Name of Prizes		Penal prepared for the year 2007 and 2008
1.	Punjabi Culture Sharmoni Prize	1.	S. Jaswant Singh Kanwal
		2.	S. Gursharan Singh
		3.	Dr. Dalip Kaur Tiwana
		4.	S.Santokh Singh Dhir
		5.	Prof. Niranjan Tasneem
		6.	Fakhar Jaman
2.	Shiromani Punjabi Writer	1.	S. Kartar Singh Suri
		2.	S. Baldev Singh Sadakanama
		3.	S. Pargat Singh Sidhu
		4.	S. Inder Singh Khamosh
		5.	Smt. Sharan Makkar

		6.	Sh. K.L. Garg
		7.	S. Surjit Singh Hans
3.	Shiromani Hindi Writer	1.	Prof. Udhey Bhanoo Hans
		2.	Dr. Chander Trikha
		3.	Sh. Varinder Sandhu
		4.	Dr. Krishan Bhawak
		5.	Prof. Shankuntla Srivastava
		6.	Sh. Vinod Shahi
		7.	Sh. Shashi Kant Uppal.
4.	Shiromani Urdu Writer	1.	Sh. Prem Kumar Nayyar
		2.	Sh. BD Kalia Hamdam
		3.	Sardar Anjoom
		4.	Dr. Nashir Nakvi
		5.	Dr. Rubina Shabnam
		6.	S. Mahinder Singh Azad (Gurdaspuri)
5.	Shiromani Sankrit Writer	1.	Dr. Brij Bihari Chobe
		2.	Dr. Ravinder Kaur
		3.	Dr. Shashidhar Sharma
		4.	Dr. Om Parkash

		5.	Sharma Subandhu Dr. Aruna Goyal
6.	Shiromani Punjabi Poet	1. 2. 3. 4. 5. 6.	S. Harinder Singh Mahbuba Dr. Pritam Singh Rahi Smt. Sukhwinder Amrit Smt. Manjit Indira Sh. Savrajbir Sh. Jaswant Deed
7.	Shiromani Punjab Writer/Punjabi Critic	1. 2. 3.  1. 2. 3. 4.	<b>Shiromani Punjabi Writer</b> S. Tarlochan Singh S. Agyajeet Singh Dr. SS Kishanpuri  <b>Punjabi Critic</b> Dr. Karnail Singh Bind Dr. Dharampal Singal Dr. Jaswinder Singh Dr. Gurmukh Singh
8.	Shiromani Punjabi Writer	1. 2. 3. 4.	Sh. Darshan Gill S. Puran Singh (U.K.) S. Parminder Sodhi Sh. Harjit Attwal

		5.	Sh. Ajit Rahi
		6.	Sh. Nadeem Parmar
9.	Shiromani Punjabi Writer (Outside Punjab)	1.	Sh. Chottu Ram Modgil
		2.	Sh. S. Sakki
		3.	Dr. Amarjit Singh Kang
		4.	Smt. Chandan Negi
		5.	S. Sukhchain Singh Bhandari
		6.	Sh. Balbir Madhopur
		7.	Dr. Jagbir Singh
10.	Shiromani Punjab Bal Literature Writer	1.	S. Jasbir Singh Jass
		2.	Dr. Sukhwant Kaur Mann
		3.	Dr. Harshinder Kaur
		4.	Dr. D.P. Singh
		5.	Ashraf Suhel
		6.	S. Sulakhan Singh Meet
11.	Shiromani Punjabi Journalist	1.	S. Harbir Singh Bhanwar
		2.	S. GS Sidhu Damdami
		3.	S. Tirath Singh Dhillon
		4.	S. Gurbax Singh Virk
		5.	S. Piara Singh Bhogal

		6.	Sh. Prem Gorkhi
		7.	S. Roop Singh

12.	Shiromani Ragi/Dhadi, Poet, Punjabi Singer		<b>Shiromani Raghi</b>		<b>Shiromani Punjabi Singer</b>
		1.	Bhai Randhir Singh	1.	Sh. Hans Raj Hans
		2.	Bhai Nirmal Singh Khalsa	2.	Sh. Gurdas Mann
		3.	Bhai Ravinder Singh	3.	S. Paramjit Singh Sidhu (Pammi Bai)
			<b>Shirmani Dhadi</b>	4.	Smt. Gurmeet Bawa
		1.	Bhai Surinder Singh Johar	5.	Mohd. Sadeek
		2.	Bhai Mahinder Singh Sibia	6.	Sh. Kuldip Manak
		3.	Bhai Gurmukh Singh		

13.	Shiromani Punjabi Television/Radio/ theatre/Play/Actor/ Director/Writer Award	1.	Sh. Amrik Gill (Director/Writer/Pro ducer etc.
		2.	Sh. Jatinder Brar (Threater/Writer)
		3.	Sh. Charan Dass Sidhu (Play)
		4.	Sh. Ravi Deep (Television)

		5.	Sh. Pran Sabharwar (Play write)
		6.	Sh. Janak Raj Mehrok (Radio)

True translation

  
Advocate

Annexure P-4

ISSUE OF SHAROMANI AWARD  
WHAT IS WRITER, JOURNALIST,

Chandigarh, 26<sup>th</sup> July (Madandeep Singh) - Due to announcement of giving Sharomani awards to the Writers, Journalists and Actors, in the selection committee for giving award to the renowned persons, government of Punjab fell in into dispute. The government constituted a committee for selection of writers, journalists and Artists on the basis of more than three dozens of people from different area. In this committee, seven writers and Journalists has been selected for giving award in this committee. In this committee, it is also criticizing for selection of the husband of the writer for award.

It is also condemnable on the part of the committee that it has selected those persons who have no fame in their field by side lining the renowned persons. But it is emphasized on the issue that Dr. Dalip Kaur



Tiwana, Jaswant Singh Kanwal, Dr. Chander Trikha, Dr. Ravinder Kaur, Karnail Singh Thind, Chottu Ram Modgil and Sidhu Damdami, members of the selection committee, have also selected for the award by the committee members. The sources present the selection committee tells that when persons included in the selection committee were selection for giving award then these persons were sitting silent waiting for "yes". It is also condemnable for selection of Dr. Jaswinder Singh husband of Bibi Dhanwant Kaur, committee member for the award from the Literary regions. Even one Ex-officer from Language Department has been selected for the Writer award who have only editing the books. It is also telling that earlier no award was earlier given to the Ex-officers or employee of Language department. With these awards, it the common opinion that the Government is going to give double award of Rs.2.50 lacs to 5.00 lacs for "Literature Rattan" and Sharomani Award from Rs.1.00 lacs to Rs.2.50 lacs, which creates greedy intention in the people and they will not able to hear their internal

vibrations. It is also condemning to the concerned Ministry that some persons have been included in the selection committee some times earlier before the meeting.

It is relevant to mention here that these award are given by the Language department of the State. As per the knowledge with regard to the status of the award, if the person selected in the selection committee for the Award then he has to sit out side the selection committee but this time, disobeyed all the rules. It is also telling that as per routine, these awards were given in the month of November at Language Bhawan, Patiala. A huge samagam was organized for this day in which, Writers and Artists came from outside to participate in the same. The Language Bhawan was decorated like new Dulhan and seems to be charming atmosphere all around. This time, as per the decision of the Punjab government, this award is to be given at Chandigarh on 8<sup>th</sup> August. The writers and the intellectual are not understand that why these awards are

giving in a hurried manner and why the Samagam is changed from Patiala to Chandigarh. It is also presumed in the Literary and Media area that there is political influence to change the tradition. Some political sources said that Patiala the area of Former Chief Minister Amrinder Singh has intentionally left and decided to organize this samagam at Chandgiarh.

True translation



Advocate

Annexure P-5

DAILY ASHIANA PATIALA

1ST AUGUST, 2008

ISSUE OF AWARDS OF LANGUAGE DEPARTMENT

SELF PRAISE NEEDS NO RECOMMENDATIONS

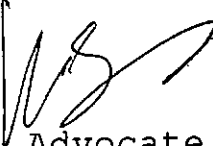
Patiala/31 July/PP

Dr. Kulwant Kaur President of "Mai Bhago Brigage" and eminent religious writer rebukes the recently announced Language Department Awards. After going through the awardees list, she feels that there is no place for the dedicated, deserving, preserving and truthful writers - only the 'yes men' of the modern rigmarolling political scenario prevail.

Give and take character of the modern political scenario has let down the noble language institutions and established writers and has engulfed them in its own fire. The distinguished thronged by the malice ridden manipulative characters.

She criticized Dalip Kaur Tiwana and  
Surjeet Patar for their deplorable sole and  
self praising coterie of budding writers.

True translation (Extract)

  
Advocate