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INDIAN POLITY

CHAPTER 3

Union and its Territory

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CHAPTER 3

Union and its Territory

Part I (Articles 1–4), Reorganisation of States, States and UTs

IN THIS CHAPTER

- Part I: Union and its Territory (Articles 1–4)
- Evolution of Indian States
- States Reorganisation Commissions
- States Created after 1956
- India Today: States and Union Territories

Part I: Union and its Territory (Articles 1–4)

Article 1

- Describes India, that is Bharat, as a **'Union of States'** rather than a federation of states.
- The country is an **integral whole**, divided into different states only for the convenience of administration.
- The territory of India is classified into **three categories**:
  1. Territories of the states
  2. Union territories
  3. Territories that may be acquired by the Government of India at any time
- The names of states and union territories and their territorial extent are given in the **First Schedule**.
- There are **28 states** and **8 union territories** in the country.
- Union territories and acquired territories are **directly administered by the Central government**.

Article 2

- Empowers Parliament to **'admit into the Union of India, or establish, new states'** on such terms and conditions as it thinks fit.
- It grants two powers to Parliament:
  - (a) the power to **admit** new states into the Union of India; and
  - (b) the power to **establish** new states.

Article 3

Relates to the **formation of new states or changes in existing states**. Parliament can:

- form a new state by separating territory from any state, or by uniting two or more states or parts of states, or by uniting any territory to a part of any state;
- increase the area of any state;
- diminish the area of any state;
- alter the boundaries of any state; and
- alter the name of any state.

Conditions:

- Such a bill can be introduced in Parliament only with the **prior recommendation of the President**.
- Before recommending the bill, the President must refer it to the **concerned state legislature** for its views within a specified period.
- The President (or Parliament) is **not bound** by the views of the state legislature.

> **REMEMBER**
>
> India is rightly described as **'an indestructible union of destructible states'**. The Central government can destroy (reorganise) the states, whereas the state governments cannot destroy the Union.

Article 4

- Laws made for the admission or establishment of new states (Article 2) and for the formation of new states or alteration of areas, boundaries or names of existing states (Article 3) are **not considered amendments** of the Constitution under **Article 368**.
- Such laws can therefore be passed by a **simple majority** through the ordinary legislative process.
- However, Indian territory can be **ceded to a foreign state** only by amending the Constitution under **Article 368**.

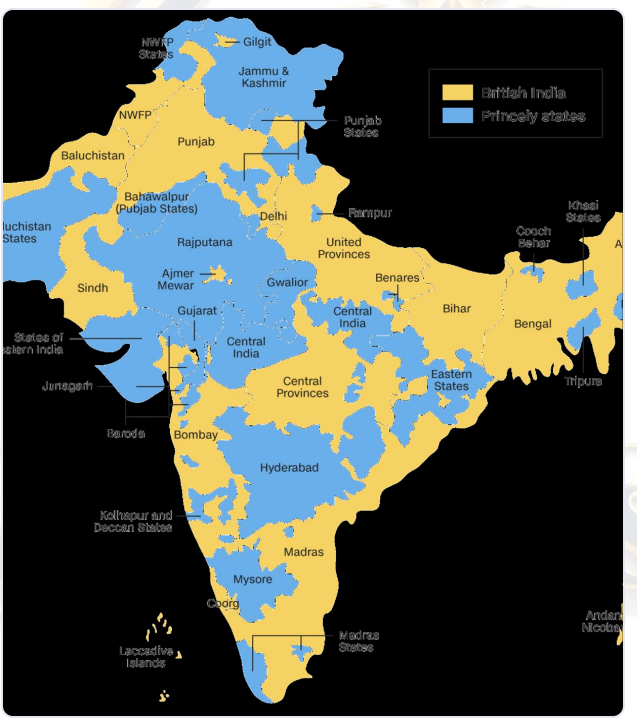
Evolution of Indian States

- At the time of independence, India had two kinds of political units:
  - **British provinces** — under the direct rule of the British government; and

    - **Princely states** — ruled by native princes but subject to the paramountcy (protection) of the British Crown.
- Of the **552 princely states** within India's geographical boundaries, **549** joined India after independence. The remaining **3 — Hyderabad, Junagarh and Kashmir** — refused to join.
- In course of time they were also integrated with India:

State	Mode of integration
Hyderabad	**Police action**
Junagarh	**Referendum**
Kashmir	**Instrument of Accession** (26 October 1947)

- **Sardar Vallabhbhai Patel** and **V.P. Menon** played an important role in the integration of the princely states.



India before independence: British India and the princely states

- In **1950**, the Constitution contained a **four-fold classification** of states — **Part A, Part B, Part C and Part D** states. In all, they numbered **29**.

States Reorganisation Commissions

After independence, people of different regions demanded states on the basis of language. The government appointed commissions to examine this:

1. Dhar Commission (June 1948)

- Also called the **Linguistic Provinces Commission**, chaired by **S.K. Dhar**.
- It recommended reorganisation of states on the basis of **administrative convenience** rather than language.

2. JVP Committee (December 1948)

- Members: **J**awaharlal Nehru, **V**allabhbhai Patel and **P**attabhi Sitaramayya.
- It also **rejected language** as the basis for reorganisation.
- After a prolonged popular agitation and the death of **Potti Sriramulu** after a **56-day hunger strike**, the government created the **first linguistic state — Andhra State** — in **October 1953**, by separating the Telugu-speaking areas from Madras state.

3. Fazl Ali Commission (December 1953)

- Formed in **December 1953**; submitted its report in **September 1955**.
- It **broadly accepted language** as the basis of reorganisation.
- It suggested **abolition of the four-fold classification** of states and creation of **16 states and 3 centrally administered territories**.
- On its recommendation, the **States Reorganisation Act, 1956** was passed along with the **7th Constitutional Amendment Act, 1956**. It divided India into **14 states and 6 union territories**.

States Created after 1956

State no.	New state	Description
15th	**Gujarat** (1960)	In 1960, the bilingual state of Bombay was divided into **Maharashtra** (Marathi-speaking) and **Gujarat** (Gujarati-speaking).
16th	**Nagaland** (1963)	Formed by taking the Naga Hills and Tuensang area out of Assam.
17th	**Haryana** (1966)	On the recommendation of the **Shah Commission (1966)**, Punjab was bifurcated to create Haryana and the UT of **Chandigarh**.

State no.	New state	Description
18th	**Himachal Pradesh** (1971)	The UT of Himachal Pradesh was elevated to statehood.
19th, 20th, 21st	**Manipur, Tripura, Meghalaya** (1972)	The UTs of Manipur and Tripura and the sub-state of Meghalaya (under Assam) got statehood. The UTs of **Mizoram** and **Arunachal Pradesh (NEFA)** came into being.
22nd	**Sikkim** (1975)	Ruled by the **Chogyal** till 1947; then a 'protectorate' of India (India handled its defence, external affairs and communications). The **36th Amendment Act (1975)** made it a full-fledged state.
23rd, 24th, 25th	**Mizoram, Arunachal Pradesh, Goa** (1987)	Mizoram became a state after the **Mizoram Peace Accord (1986)**.
26th, 27th, 28th	**Chhattisgarh, Uttarakhand, Jharkhand** (2000)	Carved out of **Madhya Pradesh, Uttar Pradesh and Bihar** respectively.
29th	**Telangana** (2014)	Carved out of Andhra Pradesh. The **Justice B.N. Srikrishna Committee** was appointed for the reorganisation of Andhra Pradesh. (The same committee also drafted the Personal Data Protection Bill.)

TIMELINE: REORGANISATION OF STATES

- **1948** **Dhar Commission** (June) and **JVP Committee** (December)
- **1953** **Andhra State** — first linguistic state; **Fazl Ali Commission** set up
- **1956** **States Reorganisation Act** and **7th Amendment** — 14 states, 6 UTs
- **1960** Bombay split into **Maharashtra** and **Gujarat**
- **1963** **Nagaland**
- **1966** **Haryana** and UT of Chandigarh
- **1971** **Himachal Pradesh**
- **1972** **Manipur, Tripura, Meghalaya**
- **1975** **Sikkim** (36th Amendment)
- **1987** **Mizoram, Arunachal Pradesh, Goa**
- **2000** **Chhattisgarh, Uttarakhand, Jharkhand**
- **2014** **Telangana**
- **2019** J&K bifurcated into UTs of **Jammu & Kashmir** and **Ladakh**

India Today: States and Union Territories

- India now has **28 states and 8 union territories**.

Jammu and Kashmir Reorganisation Act, 2019

- By this Act of Parliament, the State of Jammu and Kashmir was **bifurcated into two union territories — Jammu & Kashmir and Ladakh**.
- The UT of **Jammu and Kashmir** has a **legislative assembly**.
- The UT of **Ladakh** does **not** have a legislative assembly and is administered by the **Lieutenant Governor** alone.



Political map of India: states and union territories

States and their Capitals

No.	State	Capital
1	Andhra Pradesh	Amaravati
2	Arunachal Pradesh	Itanagar
3	Assam	Dispur
4	Bihar	Patna
5	Chhattisgarh	Raipur

No.	State	Capital
6	Goa	Panaji
7	Gujarat	Gandhinagar
8	Haryana	Chandigarh
9	Himachal Pradesh	Shimla
10	Jharkhand	Ranchi
11	Karnataka	Bengaluru
12	Kerala	Thiruvananthapuram
13	Madhya Pradesh	Bhopal
14	Maharashtra	Mumbai
15	Manipur	Imphal
16	Meghalaya	Shillong
17	Mizoram	Aizawl
18	Nagaland	Kohima
19	Odisha	Bhubaneswar
20	Punjab	Chandigarh
21	Rajasthan	Jaipur
22	Sikkim	Gangtok
23	Tamil Nadu	Chennai
24	Telangana	Hyderabad
25	Tripura	Agartala
26	Uttar Pradesh	Lucknow
27	Uttarakhand	Dehradun
28	West Bengal	Kolkata

Union Territories and their Capitals

No.	Union Territory	Capital
1	Andaman and Nicobar Islands	Port Blair

No.	Union Territory	Capital
2	Chandigarh	Chandigarh
3	Dadra and Nagar Haveli and Daman and Diu	Daman
4	Delhi	Delhi
5	Ladakh	Leh
6	Lakshadweep	Kavaratti
7	Jammu and Kashmir	Srinagar (summer), Jammu (winter)
8	Puducherry	Puducherry

EXAM TIP

Article 3 bills need the **President's prior recommendation**, but the President/Parliament is **not bound** by the state legislature's views. Also remember: Hyderabad — police action; Junagarh — referendum; Kashmir — Instrument of Accession.

QUICK REVISION

1. Article 1: India, that is Bharat, is a **'Union of States'**; states and UTs are listed in the **First Schedule**.
2. Article 2: Parliament can **admit or establish** new states.
3. Article 3: Parliament can form new states and alter area, boundaries or names of states.
4. Article 4: such laws are **not amendments** under Article 368 — passed by **simple majority**.
5. Ceding Indian territory to a foreign state needs an **amendment under Article 368**.
6. 552 princely states; 549 joined; Hyderabad, Junagarh, Kashmir joined later.
7. 1950: four-fold classification (Part A, B, C, D) — **29** states.
8. Dhar Commission and JVP Committee rejected language; **Andhra (1953)** was the first linguistic state.
9. **Fazl Ali Commission** → States Reorganisation Act, 1956 → **14 states, 6 UTs**.
10. Today: **28 states, 8 UTs**; J&K Reorganisation Act, **2019**.