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GENERAL KNOWLEDGE

UNION AND ITS TERRITORY

Explore the constitutional framework of India's sovereign territory, including Articles 1 to 4, state reorganization, and the evolution of the Indian Union.

ONE DAY EXAM SERIES
SESSION 2027-2028

EXAM PREP EDITION

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Union and its Territory

Introduction

In Part-1 of the Indian Constitution, the entire territory of India has been divided into three categories-

1. State
2. Union Territory
3. Acquired Territory

The Jammu and Kashmir Reorganization Act, 2019 came into force on 31 October, 2019 and the earlier state of Jammu and Kashmir was reorganized into two new union territories–Jammu and Kashmir and Ladakh, while the Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories), Act 2019 also came into force from 26 January, 2020. Thus, the total number of states and union territories in present India has become 28 and 8 respectively.

Constitutional Provisions

Part I of the Constitution of India deals with the Union and its territory under Articles 1 to 4.

- **Article 1:** Name and Territory of the Union
  - Article 1 declares that India, that is Bharat, shall be a union of states and the states and their territories shall be as specified in the First Schedule.
  - The expression 'Union' indicates that the Indian Union is not the result of an agreement between the states and the states have no right to secede from the union so formed.
- **Article 2:** Admission or establishment of new states
  - Article 2 gives Parliament the power to admit new states into the Union (refers to the admission of duly organised political communities) and to establish new states (refers to the formation of a state which did not previously exist).
- **Article 3:** Creation of new states and alteration of areas, boundaries or names of existing states
  - This article empowers Parliament to create new states by law. It can do so by:
    - Separation of territory from any state.
    - By uniting two or more states.
    - By adding parts of States.
    - By adding any area to a part of any State.
    - By increasing the area of any State.
    - By reducing the area of any State.
    - By altering the boundaries of any State.
    - By changing the name of any State.

    Article 3 provides for the formation or alteration of existing States, including Union Territories.
- **Article 4:** Laws made under Articles 2 and 3 to provide for amendment of the First and Fourth Schedules and supplementary, incidental and consequential matters
  - Any law specified in Articles 2 or 3 shall contain such provisions for the amendment of the First Schedule and the Fourth Schedule as Parliament may consider necessary to give effect to those provisions of the law. This article also states that changes made under Articles 2 and 3 shall not be deemed to be amendments of the Constitution under Article 368.
  - Thus, laws made under Article 3 can be passed by a simple majority and by the normal legislative procedure.

Note: No state is free to separate from India. That is, India is an 'indestructible union of decomposable states'. In the Berubari Union case, the Supreme Court expressed the view that only by constitutional amendment can a territory be handed over to another nation. For example, the Berubari territory was handed over to Pakistan by the 9th Constitutional Amendment and some Indian territories were handed over to Bangladesh by the 100th Constitutional Amendment.

- The President has the power to assign any designation to the administrator of the Union Territories as per his wish.

- At present, there is no uniformity in the designation of administrators of various Union Territories, for example, in Delhi, Jammu and Kashmir, Ladakh, Andaman and Nicobar Islands and Puducherry, the administrator is called Lieutenant Governor (LG) and in all the rest, the administrator is called Administrator (Chief Commissioner) and the administrator of Chandigarh is called Chief Commissioner.
- Article–239(2),A empowers the President to appoint the Governor of a State as the Administrator of an adjoining Union Territory, e.g., the Governor of Punjab is also the Administrator of Chandigarh, and the Administrator of Dadra and Nagar Haveli is given the administration of Daman and Diu.
- The Administrators of Delhi, Pondicherry, Lakshadweep, Jammu and Kashmir, Ladakh and the Andaman and Nicobar Islands are usually independent.

Legislature in Union Territories

- The 14th Constitutional Amendment Act, 1962 inserted Article–239A in the Constitution, giving the power to the Union Parliament to create a Legislature or a Council of Ministers or both for Union Territories.
- Apart from Puducherry, Delhi also has its own Legislature and Government, but it is related to Articles–239AA and 239AB added separately by the 69th Constitutional Amendment Act, 1991.
- Recently, Assembly elections were held in Jammu and Kashmir in September-October, 2024 and a new government was formed in October, 2024.

Special Provisions for Delhi

- For the first time, the Delhi Legislative Assembly was established in 1952. In 1956, with the reorganization of states, the Delhi Legislative Assembly was abolished.
- On the basis of the recommendations of the Balakrishnan Committee, the Parliament made new provisions related to Delhi by including Articles–239AA and 239AB in the Constitution through the '69th Constitutional Amendment Act, 1991'.
- Following the provisions of Article–239AA, the Parliament passed the 'Delhi National Capital Territory Act, 1991' .
- At present, the administration of Delhi is run according to the provisions of this Act and Articles–239AA and 239AB.

Jammu and Kashmir and Ladakh New Union Territories

From October 31, 2019, the state of Jammu and Kashmir was officially divided into the Union Territories of Jammu and Kashmir and Ladakh. The Union Cabinet chaired by the Prime Minister approved the proposal of the Jammu and Kashmir government to amend the Constitution Order, 1954 (Application to Jammu and Kashmir) through the Constitution Order (Application to Jammu and Kashmir) Amendment Order, 2019.

A period of one year has been provided in the Jammu and Kashmir State Reorganization Act, 2019 for complete division. However, after this division, two districts of Jammu and Kashmir state, Kargil and Leh, have been included in the Ladakh Union Territory, while the rest of the districts in the Jammu and Kashmir Union Territory remain as before. After the Jammu and Kashmir State Reorganization Act, 2019, Jammu and Kashmir has been constituted as a Union Territory with a Legislative Assembly (existing Legislative Council abolished) while Ladakh has been constituted as a Union Territory without a Legislative Assembly. Also, Lieutenant Governors have been appointed in both the regions.

Five new districts have been created in Leh in 2024. Now the total number of districts in Ladakh has become seven.

Reorganisation of States after Independence

Commission/ Committee	Details
Dhar Commission (1948)	Recommended reorganization of states based on administrative convenience, not on linguistic basis.
JVP Committee (1948)	Committee of Jawaharlal Nehru, Vallabhbhai Patel and Pattabhi Sitaramayya submitted its report in April, 1949. It rejected the need for reorganization on linguistic basis. However, it suggested to re-examine the problem in view of public demand.
First Linguistic State (1953)	State of Andhra Pradesh was carved out of Madras Presidency for Telugu speaking people. The movement succeeded after the death of Potti Sriramulu. In 1956, Hyderabad became the capital of Andhra Pradesh. In 2014, Telangana was formed and Andhra Pradesh declared Amaravati as the new capital.

Fazal Commission (1953)	The Prime Minister constituted a commission headed by Fazal Ali on December 22, 1953. Other members were K.M. Panikkar and H.N. Kunzru. It recommended dividing the country into 16 states and 3 union territories. However, the government divided it into 14 states and 6 union territories in 1956.

State Reorganisation Act, 1956

1. State Reorganisation Committee constituted (December, 1953):

- Justice Fazal Ali, K.M. Panikkar and Hridaynath Kunzru were included in the committee.
- This committee was given the responsibility to consider and recommend principles for the overall reorganisation of India.

2. State Reorganisation Act (November, 1956)

This Act made the following major changes:

- The distinction between Part I, II, III and IV states was abolished.
- Two categories of states and union territories were established.
- The post of Rajpramukh was abolished.

3. Reorganisation of States and Union Territories:

- **States (14):** Andhra Pradesh, Assam, Bihar, Bombay, Jammu and Kashmir, Kerala, Madhya Pradesh, Madras, Mysore, Odisha, Punjab, Rajasthan, Uttar Pradesh, and West Bengal.
- **Union Territories:** Andaman and Nicobar Islands, Delhi, Himachal Pradesh, Laccadive, Minicoy and Amindivi Islands, Manipur and Tripura.

This Act was an important step towards simplifying and streamlining the administrative structure of the states.

Formation of States in Independent India (Post–Independence)

State	Year of State Formation	Comments
Uttar Pradesh	1950	United Province was formed in 1937 by British rule. After independence, it was named Uttar Pradesh on 24 January, 1950.
Bengal (West Bengal)	1956	In 1905, Bengal was divided into East and West Bengal. It was reunified in 1911. At the time of partition, East Bengal, East Pakistan and West Bengal became part of India.
Assam	1950	Assam, which was under Ahom rule for 600 years, became a British protectorate in 1826. It was separated from Bengal in 1874. It became a state of India in 1950.
Odisha	1950	It was made a separate province in 1936 during British rule. It became a state in 1950 and was renamed Odisha in 2011.
Bihar	1950	In 1912, Bihar and Odisha were separated from Bengal Presidency. Both became separate provinces in 1936. Bihar became a state in 1950.
Tamil Nadu	1950	Madras Presidency was reorganized as a state in 1950 and was renamed Tamil Nadu in 1969.
Madhya Pradesh	1956	Madhya Pradesh was formed in 1956 by merging Central Province and Berar with Madhya Bharat, Vindhya Pradesh and Bhopal.
Kerala	1956	The states of Travancore and Cochin were merged with Malabar to form the state of Kerala in 1956.
Karnataka	1956	In 1956, Kannada speaking areas were merged to form Mysore State, which was renamed Karnataka in 1973.
Andhra Pradesh	1956	In 1953, Telugu speaking areas were separated from Madras Presidency. In 1956, Hyderabad state was merged into it.
Rajasthan	1956	The area known as Rajputana during British rule became United Rajasthan in 1948. In 1956, the state of Rajasthan was formed.

Maharashtra	1960	At the time of independence, Bombay province was a large part of West India. In 1960, Maharashtra and Gujarat became separate states.
Gujarat	1960	Gujarat, which was a part of Bombay Presidency, became an independent state in 1960.
Nagaland	1963	In 1957, Naga Hills Tuen sang area was placed under Assam. In 1963, it was separated from Assam and the state of Nagaland was formed.
Punjab	1966	Patiala and other princely states were merged to form Patiala and East Punjab States Union (PPU). Haryana was separated from Punjab in 1966 to form Punjab State.
Haryana	1966	Haryana was separated from Punjab in 1966 to form Punjab State.
Himachal Pradesh	1971	Himachal Pradesh was formed in 1950 by merging 30 princely states. It was made a Union Territory in 1956. It became a state in 1971.
Manipur	1972	Manipur became independent with the independence of India in 1947. It became a Part-I state in 1950 and a Union Territory in 1956. It became a state in 1972.
Meghalaya	1972	It became an autonomous state within Assam in 1970. In 1972, it got the status of an independent state.
Tripura	1972	Tripura, which is surrounded by Bangladesh on three sides, was a union territory till 1972. Then it became an independent state.
Sikkim	1975	This peaceful region was an Indian protectorate. By the 35th Amendment Act, 1975, Sikkim was merged with India and given the status of an 'associated state', while by the 36th Constitutional Amendment, 1975, it was given the status of a full-fledged state.
Mizoram	1987	Earlier it was a part of Assam. In 1972 it was made a Union Territory. After a peace agreement with the Mizo National Front in 1986, it was given the status of a state in 1987.
Goa	1987	In 1961, the Indian Army liberated it from Portuguese colonialism. In 1987, Goa was given the status of a state, while Daman and Diu remained a Union Territory.
Arunachal Pradesh	1987	Northeastern Frontier Region (NFR) became a Union Territory in 1972. In 1987 it got the status of a state.
Chhattisgarh	2000	On 1 November, 2000, Chhattisgarh was separated from Madhya Pradesh and became the state.
Jharkhand	2000	On 15 November, 2000, Jharkhand state was separated from Bihar and became a state.
Uttarakhand	2000	On 9 November, 2000, Uttar Pradesh was separated from Uttar Pradesh and became Uttaranchal. In 2007, it was renamed as Uttarakhand.
Telangana	2014	On 2 June, 2014, Telangana state was separated from Andhra Pradesh and became a state.

Formation of Union Territories of India

Union Territory (UT)	Year of Formation	Details
Delhi	1956	Under the States Reorganisation Act of 1956, Delhi was made a Union Territory. By the 69th Constitutional Amendment Act of 1991, it was given the status of National Capital Territory (NCT) and the Administrator was designated as Lieutenant Governor.
Andaman and Nicobar Islands	1956	Andaman and Nicobar Islands became part of India in 1950 and were declared Union Territories in 1956.

Lakshadweep	1956	It was made a Union Territory in 1956 and was renamed as Lakshadweep in 1973.
Puducherry	1963	Puducherry became an integral part of India in 1963 following the 14th Constitutional Amendment Act of 1962.
Jammu and Kashmir	2019	In October 1947, Maharaja Hari Singh signed the Instrument of Accession with India. Under the Jammu and Kashmir Reorganisation Act of 2019, it was divided into Jammu and Kashmir (with assembly) and Ladakh (without assembly).
Chandigarh	1966	The city was laid down in 1952. In 1966, it became the capital of Punjab and Haryana and was itself declared a Union Territory. It is directly under the control of the Central Government.
Ladakh	2019	Ladakh became a Union Territory on 31 October 2019. It includes Kargil and Leh districts. It was separated from the state of Jammu and Kashmir.
Daman and Diu and Dadra and Nagar Haveli	1987 and 1961	Under the Act 2019, Daman and Diu and Dadra and Nagar Haveli were integrated into a Union Territory.

Table Regarding comparison of Administrative systems of Union Territories

Union Territory	Legislature	Executive	Judiciary
Andaman & Nicobar Islands Group	–	Lieutenant Governor	Under the Calcutta High Court
Chandigarh	–	Administrator/Chief Commissioner	Under the Punjab & Haryana High Court
Dadra & Nagar Haveli & Daman & Diu	–	Administrator	Under the Bombay High Court
Delhi	Legislative Assembly	(a) Lieutenant Governor (b) Chief Minister (c) Council of Ministers	Delhi High Court
Lakshadweep	–	Administrator	Under the Kerala High Court
Puducherry	Legislative Assembly	(a) Lieutenant Governor (b) Chief Minister (c) Council of Ministers	Under the Madras High Court
Jammu & Kashmir	Legislative Assembly	(a) Lieutenant Governor (b) Chief Minister (c) Council of Ministers	Jammu & Kashmir
Ladakh	–	Lieutenant Governor	Jammu & Kashmir

Memorable Facts

- Andhra Pradesh was first formed on linguistic basis on 1st October, 1953.
- India was divided into 14 states and 6 union territories by the State Reorganization Act, 1956.
- On formation of a new state, Schedule 1 of the Constitution is amended.
- At the time of independence, 552 princely states were within the geographical boundary of India.
- The princely states of Junagadh, Hyderabad and Jammu and Kashmir joined India as a result of the actions of the Government of India.
- Junagadh was merged into India through referendum and Hyderabad through armed action (Operation Polo).

Practice Questions

1. Why does the Constitution of India define India as a union of states?
   (1) Because it is a voluntary union of different states.
   (2) Because states do not have the right to secede from the Union.
   (3) Because states have been given equal powers in the Constitution.
   (4) Because India follows a federal system of government.
2. According to the Indian Constitution, whose consent is required for the Parliament to alter the boundaries of states?
   (1) Consent of the Legislative Assembly of the concerned state
   (2) Consent of the President only
   (3) Consent of the Supreme Court
   (4) Consent of all the states
3. Which power is given to the Parliament in Article–3?
   (1) Creation of new states
   (2) Altering the boundaries of existing states
   (3) Changing the names of states
   (4) All of the above
4. How many states and union territories were there in India after the reorganisation of states in 1956? \
   (1) 14 states and 6 union territories
   (2) 15 states and 5 union territories
   (3) 16 states and 4 union territories
   (4) 17 states and 3 union territories
5. When was the first committee formed for the reorganization of states?
   (1) 1947
   (2) 1950
   (3) 1953
   (4) 1956
6. Who has the power to grant full statehood to union territories?
   (1) President
   (2) Parliament
   (3) Prime Minister
   (4) Chief Justice of India **SSC MTS, 2023**
7. In which year Dadra and Nagar Haveli, Daman and Diu were merged to form a union territory?
   (1) 2018 (2) 2019
   (3) 2020 (4) 2021
8. Which amendment was most important for the formation of new states in India?
   (1) 42nd Amendment (2) 7th Amendment
   (3) 101st Amendment (4) 73rd Amendment
9. By which constitutional amendment the name of the Union Territory of Delhi was changed to 'National Capital Territory of Delhi'?
   (1) 69th Amendment, 1991
   (2) 7th Amendment, 1956
   (3) 42nd Amendment, 1976
   (4) 44th Amendment, 1978
10. Which state of India is the newest to be converted from a Union Territory to a State?
    (1) Goa (2) Sikkim
    (3) Mizoram (4) Ladakh
11. What is a voluntary association of sovereign and independent states called?
    (1) Union (2) Unitary State
    (3) Confederation (4) None of these
12. Manipur, Meghalaya and Tripura became states under ———-.
    (1) Northeastern Areas (Reorganisation) Act, 1971
    (2) Northeastern Indian Republic Act, 197
    (3) Northeastern Areas New State Act, 1972
    (4) Northeastern Retention (Reconstruction) Act, 1971
13. Which commission was appointed by the Central Government to examine the issues related to Centre-State relations?
    (1) Mandal Commission (2) Sarkaria Commission
    (3) Nanavati Commission (4) Kothari Commission
14. How many state systems are there in the institutional mechanism of federalism?
    (1) two (2) one
    (3) four (4) three
15. Jammu and Kashmir Reorganization Act (J&K Reorganization Act) In which year was passed?
    (1) 2019 (2) 2009
    (3) 2015 (4) 2017

Answer Key

1. (2)	2. (1)	3. (4)	4. (1)	5. (3)
6. (2)	7. (3)	8. (2)	9. (1)	10. (1)
11. (3)	12. (4)	13. (2)	14. (1)	15. (1)