

PART I - UNION AND ITS TERRITORY

- Part I of the Indian Constitution lays the constitutional foundation of India as a political and territorial entity.
- It is titled “The Union and its Territory” and contains Articles 1 to 4, which define the name, structure, and territorial organisation of the country.

India is a federal union comprising 28 states and 8 union territories, making a total of 36 subnational entities.

Current number (2026)

States: 28

- Largest in number and area; each has its own elected government (legislature and council of ministers headed by a Chief Minister), along with a Governor appointed by the President.

Union Territories (UTs): 8

- Smaller in size; most are directly administered by the President through an Administrator (Lieutenant Governor), though some (like Delhi and Puducherry) have partial state-like powers through elected legislatures

List of union territories (8)

As of 2026, the 8 union territories are:

1. Andaman and Nicobar Islands
2. Chandigarh
3. Dadra & Nagar Haveli and Daman & Diu (merged into one UT in 2020)
4. National Capital Territory of Delhi
5. Jammu & Kashmir
6. Ladakh

7. Lakshadweep

8. Puducherry

These UTs, taken together with the 28 states, form the complete territorial map of India recognised under the Constitution.



ARTICLE 1

- Article 1 of the Indian Constitution is the foundational provision that defines India's name, political character, and territorial composition.
- It appears in Part I: "The Union and its Territory" and sets the stage for the entire constitutional structure of the country.

Article 1 consists of three clauses:

- **Clause (1): "India, that is Bharat, shall be a Union of States."**
This declares the official name of the country and establishes it as a Union of States, **not a "federation" in the classic contractual sense.**
- **Clause (2):** The States and their territories are specified in the First Schedule, which is updated whenever new states are formed or boundaries are altered.
- **Clause (3):** The territory of India comprises
 - *(a) territories of the States,*
 - *(b) Union territories listed in the First Schedule, and*
 - *(c) any other territories that may be acquired by the Government of India in future*

Key constitutional significance

- Name of the country: Article 1 recognises "India" and "Bharat" as co-official names, reflecting both legal and cultural identity.
- "Union of States": The use of Union (rather than "federation of states") implies that states do not have the right to secede and that the integrity of India is permanent and indestructible; Parliament can, however, alter boundaries or create new states under Articles 2–4.
- Framework for territorial changes: Since the actual list of states and UTs is in the First Schedule, Article 1 functions as a flexible, enabling clause that allows the map of India to be changed by constitutional amendment while keeping the Union itself intact.

ARTICLE 2

- Article 2 of the Indian Constitution deals with the admission or establishment of new States into the Indian Union.
- It is part of Part I: “The Union and its Territory” and works together with Articles 3 and 4 to regulate the territorial re-organisation of India.

Article 2 states:

“Parliament may by law admit into the Union, or establish, new States on such terms and conditions as it thinks fit.”

This means:

- **Admission of new States:** If a foreign territory (previously outside India) agrees to join, Parliament can pass a law to admit it as a new State into the Union.
- **Establishment of new States:** Parliament can also create a new State within the existing territory of India, for example by carving out an area from a currently existing State.
- **Terms and conditions:** The law can prescribe the conditions under which the new State joins or is formed, such as governance structure, representation, financial arrangements, and special safeguards.

Difference from Article 3

- Article 2 mainly applies to territories that are not yet part of the Union (like former foreign territories) or to the creation of new States; it is free from the requirement of consulting the concerned State legislature.
- Article 3 deals with alteration of existing States (formation, separation, merging, boundary changes, or renaming) and normally requires reference to the State legislature, though Parliament’s will is ultimately decisive.

Constitutional significance

- Flexibility of the Union: Article 2 allows India to expand its territorial map or accommodate new regions while preserving the unity and integrity of the Union.
- Parliamentary supremacy in territorial questions: It vests an exclusive power in Parliament to admit or create new States, but the Supreme Court has clarified that the “terms and conditions” must remain within the basic structure and foundational principles of the Constitution.

ARTICLE 3

- Article 3 of the Indian Constitution is the core provision that empowers Parliament to reorganise the internal political map of India by creating new States or altering existing ones.
- It appears in Part I: “The Union and its Territory” and works closely with Articles 2 and 4.

Article 3 empowers Parliament, by law, to:

- (a) Form a new State by separating territory from any existing State, by uniting two or more States or parts of States, or by attaching any territory to a part of a State.
- **(b) Increase the area of any State.**
- **(c) Diminish the area of any State.**
- **(d) Alter the boundaries of any State.**
- **(e) Alter the name of any State.**

Procedural conditions (proviso)

Article 3 lays down two important conditions:

- A Bill under Article 3 cannot be introduced in either House of Parliament without the President’s prior recommendation.
- If the Bill affects the area, boundaries, or name of a State, the President must refer it to the legislature of that State for expressing

views within a specified time; however, these views are not binding on Parliament or the President.

Constitutional significance

- Flexible federalism: Article 3 allows India's federal structure to be re-adjusted (e.g., linguistic reorganisation in 1956, creation of Telangana in 2014) while keeping the Union intact.
- Parliamentary supremacy in territorial matters: Though the State legislature is consulted, the final decision rests with Parliament, reflecting a centralising tendency in the Indian federal design.
- Tool for administrative and political reorganisation: It has been used repeatedly to create new States, merge areas, rename States (e.g., Orissa → Odisha, United Provinces → Uttar Pradesh), and upgrade Union territories (e.g., Daman & Diu, Goa, etc.).

ARTICLE 4

- Article 4 of the Indian Constitution is a procedural and clarificatory provision that governs laws made under Articles 2 and 3, which deal with admission or formation of new States and alteration of existing States.
- It is the last part of Part I: "The Union and its Territory" and has two key functions: schedule-amendment power and non-amendment status.

Article 4 consists of two clauses:

- Clause (1): Any law made under Article 2 (admission of new States) or Article 3 (formation and alteration of States) can amend the First Schedule (list of States and Union Territories) and the Fourth Schedule (allocation of seats in the Rajya Sabha) as needed to give effect to that law. It can also include supplemental, incidental, and consequential provisions, such as adjustments in parliamentary or state-legislature representation for the affected States.
- Clause (2): Such a law shall not be deemed to be an amendment of the Constitution for the purposes of Article 368 (special majority and

procedure for constitutional amendment). In other words, these laws are ordinary legislation, not constitutional amendments.

Key constitutional significance

- **Simplifies territorial changes:** Because laws under Articles 2 and 3 are not treated as constitutional amendments, they can be passed by simple majority in Parliament, not the special majority and rigid procedure of Article 368. This keeps the map-reorganisation process flexible and administratively manageable.
- **Integral to federal reorganisation:** Article 4 ensures that whenever a new State is created (e.g., Telangana in 2014) or boundaries are changed (e.g., linguistic reorganisation in the 1950s), the First and Fourth Schedules are automatically updated and related representation adjustments are legally valid.
- **Protects federal balance, weakly debated:** In the Constituent Assembly, some members argued that boundary changes should not be allowed by “mere majority”, but the provision was ultimately retained, reflecting the strong centralising tendency in India’s federal design

INDIAN STATES - CREATION STORY

- On the eve of independence (1947), India had two main categories of states: the provinces of British India and the princely states.
- After integration, the early Republic introduced a three-tier system (Part A/B/C), which later became the subject of the States Reorganisation Commission (SRC).

Number of states on the eve of independence

- **British India:** At independence, British-ruled India consisted of about 17 provinces (e.g., Madras, Bombay, Bengal, Punjab, United Provinces, etc.), plus some smaller territories such as Baluchistan, Sind, and the Andaman and Nicobar Islands.

- Princely states: There were about 565–566 princely states, ruled by local rulers but not directly administered by the British; most signed Instruments of Accession to join the Indian Union after 1947.

After integration, the early Republic (1950) reorganised these into:

- **Part A states (former British provinces),**
- **Part B states (former princely states and groups),**
- **Part C states (smaller territories administered by the Centre),**
- **Part D: Andaman and Nicobar Islands under the Centre.**

States Reorganisation Commission (SRC)

The States Reorganisation Commission (1953–1955) was set up by the Government of India to recommend a rational reorganisation of state boundaries, mainly on linguistic lines, while preserving national unity.

- **Chairman: Justice Fazal Ali (often written Fazl Ali).**
- **Members: H. N. Kunzru and K. M. Panikkar.**
- The Commission submitted its report on 30 September 1955, and its main recommendations were later implemented through the States Reorganisation Act, 1956.
- The States Reorganisation Act, 1956 (based on the States Reorganisation Commission's report) created 14 linguistically re-organised states in addition to several Union territories. These 14 states formed the core of the post-1956 map of India.

List of 14 states created after the SRC (by 1956)

The 14 states established under the States Reorganisation Act, 1956 are:

1. Andhra Pradesh – Created by merging the Telugu-speaking areas of Madras and the Andhra region; carved out of Madras State.
2. Bombay – A large bilingual state formed from the former Bombay Province plus parts of Deccan and Hyderabad; later split into Maharashtra and Gujarat in 1960.
3. Kerala – Formed by merging the former princely states of Travancore and Cochin with the Malabar district of Madras.
4. Madhya Pradesh – Created from the former Central Provinces and Berar, parts of the former princely-state areas, and parts of the United Provinces and Bombay.
5. Madras – The reorganised Tamil-majority state (later renamed Tamil Nadu); older Telugu and Kannada areas were removed to Andhra Pradesh and Mysore respectively.
6. Mysore – Later renamed Karnataka; formed by merging the former princely state of Mysore with Kannada-speaking areas of Bombay, Hyderabad, Madras, and Coorg.
7. Punjab – Reorganised post-Partition Punjab; later further divided to create Haryana (1966) and transfer some hill areas to Himachal.
8. Rajasthan – Enlarged by merging former princely states like Ajmer, Jodhpur, Bikaner, etc. to form the bigger Rajasthan State.

The remaining six of the 14 basically came from the remaining consolidated units of the old provinces and princely groups after linguistic reorganisation. These broadly correspond to:

1. Assam – Reorganised but retained as a state; later further split to create Nagaland, Meghalaya, Mizoram, Arunachal Pradesh, etc.
2. Bihar – Continued as a state after some boundary adjustments; later split to create Jharkhand (2000).
3. West Bengal – Enlarged by adding the Purulia district from Bihar.
4. Orissa (now Odisha) – Continued as a state after minor boundary changes.

5. Uttar Pradesh – Largely retained; later split to create Uttarakhand (2000).
6. Himachal Pradesh – Initially made a Union Territory under the 1956 Act, later upgraded to a state in 1971.

STATES CREATION (FROM 15TH - TODAY)

From the 15th state (Gujarat, 1960) to the present, India has created 13 new states, bringing the total from 15 to the current 28 states. Below is a discussion of this evolution, organised chronologically and thematically.

Starting from Gujarat (15th state, 1 May 1960), the new states created are:

1. **Nagaland (16th, 1963)** – Carved out of Assam on 1 December 1963 to address Naga tribal identity and insurgency issues.
2. **Haryana (17th, 1966)** – Formed from the Hindi-speaking areas of Punjab on 1 November 1966 under the Punjab Reorganisation Act, 1966; Chandigarh became a UT and joint capital.
3. **Himachal Pradesh (18th, 1971)** – Earlier a UT, it became a full state on 25 January 1971.
4. **Manipur (19th, 1972)** – Former UT, became a state on 21 January 1972.
5. **Tripura (20th, 1972)** – Also a former UT, became a state on 21 January 1972.
6. **Meghalaya (21st, 1972)** – Carved out of Assam as an autonomous state in 1970, elevated to full statehood on 21 January 1972.
7. **Sikkim (22nd, 1975)** – Former monarchy; integrated into India as a full State on 16 May 1975 through the 36th Constitutional Amendment.
8. **Mizoram (23rd, 1987)** – Earlier a UT, became a state on 20 February 1987 after the Mizoram Peace Accord (1986).
9. **Arunachal Pradesh (24th, 1987)** – Formerly the NEFA (North-East Frontier Agency), became a UT in 1972 and a full state on 20 February 1987.
10. **Goa (25th, 1987)** – Separated from the UT of Goa, Daman and Diu and became a state on 30 May 1987.

11. **Chhattisgarh (26th, 2000)** – Carved out of Madhya Pradesh on 1 November 2000.
12. **Uttarakhand (27th, 2000)** – Carved out of Uttar Pradesh on 9 November 2000.
13. **Jharkhand (28th, 2000)** – Created from southern districts of Bihar on 15 November 2000.
14. **Telangana (29th, 2014)** – Separated from Andhra Pradesh on 2 June 2014 under the Andhra Pradesh Reorganisation Act, 2014.

Key patterns and themes

- Phase-I (1960s–1970s): Focus on North-East reorganisation (Nagaland, Meghalaya, Manipur, Tripura, Arunachal) and linguistic/administrative division (Haryana, Himachal).
- Phase-II (1987): Focus on tribal and insurgency-related consolidation (Mizoram, Arunachal Pradesh, Goa).
- Phase-III (2000): Focus on regional development and governance with three states carved out of larger ones (Chhattisgarh from MP, Uttarakhand from UP, Jharkhand from Bihar).
- Phase-IV (2014): Telangana, based on long-standing socio-economic and cultural grievances within Andhra Pradesh.

Constitutional and political significance

- Article 3 as the legal tool: All these states were created through Acts of Parliament under Article 3, often via constitutional amendment-cum-reorganisation laws.
- Shift from linguistic to governance-based demands: Early demands were mainly linguistic/ethnic; later states (Chhattisgarh, Uttarakhand, Telangana) were justified on administrative efficiency, regional development, and political representation.