

Unions And its Territory

Introduction to Indian Constitution

The framing of the Constitution was completed on November 26, 1949 when the Constituent Assembly formally adopted the new Constitution. The Constitution came into force with effect from January 26, 1950.

The Constitution contains the fundamental law of the land. It is the source of all powers of, and limitations on, the three organs of State, viz. the executive, legislature and judiciary. No action of the state would be valid unless it is permissible under the Constitution. Therefore, it is imperative to have a clear understanding of the nature and working of the Constitution.

Article 393 of Constitution of India "Short title"

This Constitution may be called the Constitution of India

Article 394 of Constitution of India "Commencement"

This article and Articles 5, 6, 7, 8, 9, 60, 324, 366, 367, 379, 380, 388, 391, 392 and 393 shall come into force at once, and the remaining provisions of this Constitution shall come into force on the twenty-sixth day of January, 1950, which day is referred to in this Constitution as the commencement of this Constitution.

Article 395 of Constitution of India "Repeals"

The Indian Independence Act, 1947, and the Government of India Act, 1935, together with all enactment's amending or supplementing the latter Act, but not including the Abolition of Privy Council Jurisdiction Act, 1949, are hereby repealed.



- Articles 1 to 4 under Part I of the Constitution describe the Union and its Territory.
- **Article 1** (1) states that India, that is Bharat, shall be a Union of States.
- **Article 1** (2) states that the States and the territories thereof shall be as specified in the First Schedule.
- **Article 1** (3) states that the territory of India shall comprise –
 - The territories of the States;
 - The Union territories specified in the First Schedule; and
 - Such other territories as may be acquired.
- There are a total of 29 States, 6 Union Territories, and 1 National Capital Territory (as shown in the map given above).
- **Article 2** states that the Parliament may by law admit into the Union, or establish new States on such terms and conditions as it thinks fit.
- **Article 3** states that the Parliament may by law form a new State by separation of a 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.
- **Article 4** states that any law referred to in Article 2 or Article 3 shall contain such provisions for the amendment of the First Schedule and the Fourth Schedule as may be necessary to give effect to the provisions of the law and may also contain such supplemental, incidental, and consequential provisions (including provisions as to representation in Parliament and in the Legislature or Legislatures of the State or States affected by such law) as the Parliament may deem necessary.

1948 Dhar Commission

There was a demand from different regions, mainly South India, for reorganization of States on linguistic basis. Consequently, in June 1948, the Government of India appointed the Linguistic Provinces Commission under the chairmanship of S.K.Dhar to study the feasibility of organizing states on Linguistic basis.

The Commission, later on, rejected the linguistic basis of reorganization of States and recommended the reorganization of States on the basis of following criterias :

1. Geographical contiguity
2. Financial self-reliance
3. Administrative viability

1953 Evolution of State Commission or Fazal Ali Commission

After the formation of Andhra Pradesh on the basis of linguistic factor, all hell break loose. The other regions also started demanding for creation of separate states on the basis of linguistic factor. The intense pressure forced the Indian Government to form a new commission to visit the whole question of whether the linguistic basis of separation of states can be considered or not. It led to the formation of Fazl Ali Commission in December 1953.