The categorisation among the constituent units of the Indian Union, based to a large extent on the old British pattern, was not scientific. The necessity to rationalise the administrative units was realised right from the British period. Attention to this effect was initially drawn by the authors of the Report on Indian Constitutional Reforms, 1918.\(^1\) For rationalising the units on a more scientific basis, they felt the desirability of distributing the provinces.\(^2\) Subsequently, in 1930, the Indian Statutory Commission also pointed to the haphazard character of the administrative areas.\(^3\) It laid stress on the readjustment of the territories of India.\(^4\) To get this question examined, it recommended the appointment of a Boundary Commission under a neutral Chairman.\(^5\)

\(^1\) Who observed: "We are impressed with the artificial, and often inconvenient character of existing administrative units", para 246, p. 159; Report on Indian Constitutional Reforms (1948)

\(^2\) Ibid.

\(^3\) Ibid., para 25, p.15; Report of the Indian Statutory Commission (1930), Vol. II.

\(^4\) Ibid., p. 16

\(^5\) Ibid., para 38, p. 26
After Independence, the Linguistic Provinces Commission of the Constituent Assembly also examined the matter of forming provinces on linguistic basis. But the Commission warned that no new province should be formed for the time being and the matter could be taken up when India had been physically and emotionally integrated, the problem of Indian States had been solved, the national sentiment had been strengthened and other conditions had become favourable.6

As such, the classification that was adopted at the time of framing the Constitution was a temporary expedient. After the brief span of the working of the Constitution there were pressing demands from different quarters that States should be constituted on linguistic basis. In 1953, owing to the creation of the State of Andhra Pradesh on the principle of language, it became formidable to defer this issue indefinitely. Consequently, to get the entire question of reorganisation of the States examined, the Government of India appointed the States Reorganisation Commission.7


7 The Commission consisted of three members, namely, Shri Saiyid Faiz Ali, Shri R. N. Kunaru and Shri K. M. Panikar. Shri Faiz Ali was the Chairman of the Commission. See Resolution No. 53/69/53-Public (Ministry of Home Affairs), Gazette of India(Extra-ordinary), Part I, Sec. I, dated 29 December 1953.
Proposals of the Commission

(A) General

The Commission submitted its report to the Central Government on 30 September 1955. At the outset, it found the existing classification anomalous and far from satisfactory. During the course of inquiry, it was convinced with the argument of Part B, and Part C States that the existing arrangements offended against the principle of equal rights and opportunities for the people of India. To rationalise the whole set-up, the Commission, recommended the abolition of Part C States, besides that of the B States. It observed that instead of three categories, there should be one category of States and no distinction should be made in respect of them. For constituting a State, the status of the Part A State was accepted as the standard, and it was laid down that a unit aspiring to acquire this status must be administratively viable.

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9 Ibid.
10 Ibid.
11 Ibid.
12 In respect of the viability of a State, the Commission prescribed: "It should have the resources, financial, administrative and technical, to maintain itself as a modern state. It should normally be able to establish and maintain institutions to educate, train and equip its people for its administrative, technical and professional requirements. And finally, it should be able not only to meet the day-to-day needs of the administration but also to expand its social services and other development activities." Ibid., para 238, pp. 67-68
(B) With regard to Part C States

While considering the case of Part C States, the S.R. Commission felt that they could not retain their separate identity owing to the following reasons:

(i) None of them, except Coorg, had the resources to carry out administration without Central subventions. 13

(ii) The democratic experiment that was made under the Government of Part C States Act, 1951, had proved to be very costly without producing any increased efficiency. 14

(iii) Owing to their geographical location and being rather small, they had little scope for attracting or retaining talent. 15

(iv) In view of their tiny character, the choice of leadership was limited. It was felt that their separate existence would lead to personal ambitions and jealousies. 16

(i) Kerker of Part C States

These areas separated from one another by long distances had nothing in common. On the contrary, they had greater economic, cultural and linguistic affiliations with the surrounding areas than with each other. Taking all these

13 Ibid., para 252, p. 71
14 Ibid., para 259, p. 73
15 Ibid., para 261
16 Ibid., para 267, p. 75
factors into consideration and public opinion in respect of them which favoured the merger of these areas with the neighbouring states; the S. R. Commission came to the conclusion that among the Part C States, Bhopal and Vindhya Pradesh should be merged with the proposed State of Madhya Pradesh, while Coorg should be merged with Karnataka; Ajmer

17 Ibid., para 251, p. 71. In this connection, the Commission drew attention to an additional note appended to the Report of the Subcommittee appointed by the Constituent Assembly to recommend suitable constitutional changes in the administrative reforms of the Chief Commissioners' Provinces in which the representatives of Ajmer and Coorg expressed the view that, "The special problems arising out of smallness of area, geographical position, scantiness of resources attended with, what may be called administrative difficulties of many a complex nature may, at no distant future, necessitate the joining of each of these areas with a contiguous unit." For additional note, see also Reports of Committees of the Constituent Assembly of India, Third Series, p. 120

18 While recommending the merger of Bhopal with the State of Madhya Pradesh, the Commission observed: "One advantage of this merger will be that the economic development of the region will be facilitated. The Narmada serves as the boundary between this State and Madhya Pradesh but a number of projects to be sited on or near this border, but within the existing Madhya Pradesh State have recently been investigated. There are proposals, we understand, to build a high dam on the Narmada river in the Jabalpur district of Madhya Pradesh; and it is likely that one of the two principal canals leading off from this project will serve an appreciable portion of Bhopal territory." Ibid., para 462, p. 127

Similarly, the S.R.C. pointed out in brief the advantages which were to accrue by merging the Part C State of Vindhya Pradesh. It was observed "Vindhya Pradesh, likewise, is in a position to benefit from the projects for the utilization of Narmada waters...." Ibid., para 463

19 While justifying the merger of Coorg with Karnataka, attention to this effect was drawn to the views of the Linguistic Provinces Commission who at the time of the examination of the question of formation of provinces on linguistic basis expressed the opinion that if a Karnataka Province was created, "it would have also solved the problem of the small province of Coorg which has been carrying on difficult and isolated existence." Ibid., para 345, p. 97
with Rajasthan, Kutch with Bombay, Himachal Pradesh with Punjab, and Tripura with Assam.

(2) Constitutional safeguards for economically backward Part C States

During the course of contemplation of integration of Part C States with the contiguous larger states, the people and the governments of Part C States expressed their apprehensions that their merger with the economically more advanced neighbouring states would retard their economic development. Besides, it was contended that the laws of the bigger units would be unsuitable to their problems. The S. R. C. looked into these fears carefully. To ensure the development of economically backward states of Himachal Pradesh, Kutch and Tripura, the Commission suggested that the Central Government should exercise supervisory power over the State Governments.

20 In respect of the merger of the Part C State of Ajmer, the C. R. C. stated: "Ajmer is no longer geographically isolated. Nor does it any longer play the role of a sentinel. We, therefore, agree with the Rajasthan Government that the linguistic, cultural and geographical links of Ajmer with Rajasthan must be respected, and that, for several reasons, for example, the likelihood that the law and order situation may improve as a result of the elimination of dual control, the proposal to merge Ajmer will be justified." Ibid., paras 501, p. 135

21 Ibid., para 431, p. 119

22 Ibid., paras 555-566, pp. 151-152. However, the Chairman of the States Reorganization Commission disagreed with the majority opinion. According to him, the separate identity of Himachal Pradesh should not be disturbed and it should continue to be Centrally administered. Ibid., pp. 238-243

23 Ibid., para 711, p. 192. For reasons given for the merger of Tripura see Chapter IV entitled "An analysis of the Union Territories constituted under the Constitution on the basis of criterion adopted for their creation."

24 Ibid., para 270, pp. 75-76
However, it was hoped that the Central supervision would not be extended to administrative affairs, but it would be confined to matters which were solely related to their development. In the matter of application of laws, it was observed by the S. R. C. that the whole approach should be flexible and that while extending laws to the merged units, the larger States should give due regard to the special needs of the people of these areas.

(C) In respect of the creation of territories

In the case of areas, which for security and other considerations, could not be integrated with the contiguous States, were recommended for Central administration. They were to be designated as "territories". In this category, the

25 Ibid., para 271

26 In this context the Commission stated: "We suggest therefore, that one of the urgent tasks of the Governments of those States into which the smaller units are to be merged should be a comprehensive examination of the existing laws in the merged units. The objective should be that the wholesale application of new laws in all the territories of the merged States does not follow as a matter of course, and old laws may be continued, to the extent that a disparity in the application of laws is desirable in the interests of the merged units, or is based on good grounds which justify such differentiation in law." Ibid., para 275, pp. 76-77

27 For considerations, see Chapter IV entitled, "An Analysis of the Union Territories constituted under the Constitution on the basis of criteria adopted for their creation".

28 See para 285, p. 79; Report of the States Reorganization Commission (1955)
Commission enlisted part C states of Delhi, Manipur and part D territory of the Andaman and Nicobar Islands. However, the Central administration over Manipur was a temporary measure. Ultimately, it was to be merged with the State of Assam.

(1) Rationale for the use of the term 'territories'

At this stage, it is to be mentioned why the States Reorganisation Commission instead of 'States' preferred to call the centrally administered areas as 'territories'. The States in a federation stand for autonomous constituent parts. The Centre normally cannot encroach upon their autonomy. They have a uniform relationship with the Centre. Constitutionally, no distinction is to be made in respect of their administration, except in so far such a distinction is permissible and specified in the Constitution itself. As against this position, although part C States, were called States, they had no uniform system of administration. Besides, the Central Government was the repository of all powers in respect of them. In view of this low ranking status of part C States, the Commission felt it anomalous to call them States. To view the centrally administered areas in the

29 Ibid., paras 584, 731 and 752. See also Fig. 2 at the end of this Chapter.
30 Ibid., para 732, p. 197.
31 For detailed discussions, see Administration of Part C States, Chapter I.
32 Vide para 279, pp. 77-78; Report of the States Reorganisation Commission (1955)
correct perspective, the term "territories" was proposed.

(2) The administration of territories

while recommending for the creation of territories, the S. R. Commission also made proposals in regard to the administration of territories. To recapitulate, the legislative assemblies and the councils of ministers were functioning in six part C States. In view of the economic, geographical and administrative problems of the territories, the Commission expressed the opinion that these arrangements should be terminated. The territories in future should be represented in the Union Parliament, but there should be no division of responsibility in respect of them. They should be associated with the administration in an advisory rather than directive capacity. In the case of the Territory of Delhi, in view of its urban problems, a suggestion was made for the creation of a municipal corporation. Besides, it was envisaged that

33 Ibid., para 286, p. 79

34 In this respect, the Commission observed: "In devising a system of Government for Delhi, therefore, we must take into account primarily the requirements and aspirations of a cosmopolitan urban population. Urban problems, such as slum clearance, reconstruction, city planning, recreation, transportation, and primary and secondary education, all fall within the domain of municipal finance and enterprise. If we are to be guided by these clear considerations as well as by the experience of other advanced countries, municipal autonomy for Delhi in the form of a Corporation would appear to be the most appropriate method of meeting and reconciling the broader requirements of the National Government as well as the local needs and the wishes of the people." Ibid., para 591, pp. 160-161
provision should be made to empower the President to make regulations with respect to some territories.\textsuperscript{35}

\textbf{Reaction of Parliament to the Report of the Commission}

When the Report of the \textit{S. R. C.} was placed before Parliament for consideration, there was, by and large, no controversy over the merger of Part C States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh.\textsuperscript{36} However, divergent opinions were expressed over the merger of Himachal Pradesh, Manipur and Tripura. The mergerists commended the recommendations of the States Reorganization Commission and urged that they should be given effect to.\textsuperscript{37} The opponents to amalgamation felt that there was no consistency in the proposals of the Commission in respect of the creation of territories. It was recalled that for security considerations, Manipur had been recommended for Central administration; whereas Himachal Pradesh and Tripura, which were also border areas, had been envisaged for merger with the adjoining States. All the

\textsuperscript{35} \textit{Ibid.}, para 286, p. 79. The word 'some' actually was meant for the Andaman and Nicobar Islands and the territory of Pondicherry which was yet to become de jure part of India. \textit{Ibid.}, para 753, p. 203

\textsuperscript{36} See particularly the speeches of Shri Bhavanji, Shri C. N. Malviya and Shri M. B. Khergava. \textit{Cols.} 3315 to 3338, \textit{L. L. D.}, Vol. X, dated 20 December 1955

\textsuperscript{37} See particularly the speeches of Shri Tek Chand, \textit{ibid.}, \textit{Cols.} 2824 to 2834, dated 15 December 1955; Shri Anand Chand, \textit{ibid.}, \textit{Cols.} 3804 to 3807, dated 22 December 1955; Shri Brohmo Choudhary, \textit{ibid.}, \textit{Cols.} 4171 to 4177, dated 23 December 1955; and Shri Laskar, \textit{ibid.}, \textit{Cols.} 4440 to 4444
three areas were strategically located. There were no links between them and the adjoining States. It was, therefore, questioned why the areas of identical problems and situations were not treated uniformly. They also opposed the ultimate merger of Manipur. To bring about homogeneity in the creation of territories and to keep the backward people of the border areas contented the Central Government was requested to keep them separate. At the same time, it was insisted that they should not be divested of democratic institutions.  

Besides, the attention of the Central Government was drawn to the contrariety pertaining to the islands. To recall, the States Reorganisation Commission recommended that the Andaman and Nicobar Islands should be treated as a territory. There were also Laccadive, Minicoy and Amindive Islands. They formed part of Malabar and South Kanara districts of the State of Madras. It was proposed that these Islands should be transferred to the State of Kerala. Since both the groups of the Islands had similar problems and historical antecedents, it was considered illogical on the part of the S. R. C. to have

38 See particularly the speeches of Shri Bishang Kaishing, ibid., Cols. 3115 to 3127, dated 17 December 1955; Shri Basseath Deb, ibid., Cols. 3127 to 3154; and Shri L. Jogeshwar Singh, ibid., Cols. 3530 to 3536, dated 21 December 1955

recommended a group of Islands for Central administration and the other for integration. The anti-mergerists opposed the amalgamation of the Laccadive, Minicoy and Amindive Islands with Kerala. It was emphasized that they should also be treated as a territory. 40

Bills on the creation of Union Territories

With a view to implementing the scheme of reorganisation that emerged from the discussions, the Home Minister Shri G. B. Pant, introduced 41 in the Lok Sabha the States Reorganisation Bill and Constitution Ninth Amendment Bill.

Under the respective Bills, Part C States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh were to be included in the neighbouring States. 42 Instead of territories the Centrally administered areas were named "Union Territories". It was provided that Bombay, Himachal Pradesh, Delhi, Manipur, Tripura, the Andaman and Nicobar Islands and Laccadive, Minicoy and Amindive Islands would be Union Territories. 43


42 The Part C State of Ajmer was to be included in Rajasthan, see the States Reorganisation Bill (30 of 1956), 1956, Sec. 12; Bhopal and Vindhya Pradesh with Madhya Pradesh, ibid., Sec. 11; Coorg with Mysore, ibid., Sec. 7; and Kutch with Gujarat, ibid., Sec. 10.

43 See the Constitution Ninth Amendment Bill (29 of 1956), 1956, Sec. 2. Also Fig. 2 at the end of this Chapter.
They were to be represented in the Union Parliament. In respect of judicial set-up in the Union territories provisions were included to enable Parliament to extend the jurisdiction of a High Court of a State over Union territory and to provide for a common High Court for two or more States and a Union territory. To empower Parliament to constitute High Court for a Union territory or to declare existing court in such territory suitable changes were prescribed in Article 241. To provide for the administration of Union territories, Articles 239 and 240 were also to be altered.

44 In Council of States, the seats allotted to Union territories were as follows: Bombay 3, Delhi 2 and one each to Himachal Pradesh, Manipur and Tripura, ibid., Sec. 3.

In the House of the People, twenty seats were allotted to Union Territories, ibid., Sec. 4.

45 ibid., Sec. 15. In lieu of Articles 230, 231 and 232, Articles 230 and 231 were to be inserted. For Articles 230 and 231, see Appendix I(I).

46 ibid., The Schedule. Changes are reproduced in Appendix I(III).

47 For the original Articles 239 and 240, the following were to be substituted:

"239. Every Union territory shall be administered by the President acting, to such extent as he thinks fit, through a Chief Commissioner or other authority to be appointed by him.

Provided that the President may by regulation made under Article 240 constitute for any such territory a council of advisers to the Chief Commissioner or other authority with such functions as may be specified in the regulation.

"240. The President may make regulations for the peace and good government of any Union territory and any regulation so made may repeal or amend any law made by Parliament or any existing law which is for the time being applicable to any such territory and, when promulgated by the President shall have the same force and effect as an Act of Parliament which applies to such territory." Constitution (Ninth Amendment) Bill, Sec. 16.
Reference of Bills to the Joint Committee

When the State Reorganisation and Constitution Ninth Amendment Bills were taken up for consideration in Parliament, Shri C. R. Pant moved the motions to the effect that the respective Bills should be referred to the Joint Committees of Parliament. The motions were carried on 2 May 1956. Consequently, both the Bills were referred to the Joint Committees.

Proposals of the Joint Committees

The Joint Committees submitted their reports to Parliament on 16 July 1956. The States Reorganisation Bill and the Constitution Ninth Amendment Bill, as reported by the Committees, sustained the Central administration over the areas contemplated in the original Bills. The provisions repealing the Government of Part C States Act, 1951 and relating to High Courts remained intact. However, in view

48 The motion for referring the S. R. Bill was moved in the Lok Sabha on 23 April 1956. It was discussed on 23-26 April and was adopted on 26 April 1956. See Col. 6471, L. S. D., Vol. IV. The Rajya Sabha considered the motion on 30 April, 1 and 2 May 1956. The Sabha gave its concurrence to the motion on 2 May 1956, see Col. 1031, R. S. D., Vol. XIII, dated 2 May 1956.

49 The motion relating to the Constitution Ninth Amendment Bill was moved and discussed in the Lok Sabha on 26 and 27 April 1956, and was adopted on the 27 April 1956, see Col. 6595, L. S. D., Vol. IV. The Rajya Sabha discussed the motion and gave its concurrence to it on 2 May 1956, see Col. 1120, R. S. D., Vol. XIII.

49 See the States Reorganisation Bill (30B of 1956) 1956, Sec. 14; and the Constitution (Ninth Amendment) Bill (29B of 1956) 1956, Sec. 2. For text of the Bills, see Gazette of India (Extra-ordinary), Part II, Sec. 2, pp. 499-616.

50 Ibid., Sec. 131 and Sec. 16 respectively.
of the change in the structure of the Constitution, and because Parliament would be the legislature for Union territories, larger representation was given to these areas in Parliament.\textsuperscript{51} To enable the President to appoint the Governor of a neighbouring state and to substitute the designation "Administrator" for "Chief Commissioner", Article 239 was revised.\textsuperscript{52} For restricting the scope of the President's regulation-making power to the Andaman and Nicobar Islands, and Laccadive, Minicoy and Amindive Islands, Article 240 was also changed.\textsuperscript{53} To provide for the administration of N.E.F.A. on the pattern of the Union territories, suitable changes were proposed in Clause 2 of Article 51.

\textsuperscript{51} In the House of the People, Bombay was allotted 7 seats, Delhi 5, Himachal Pradesh 4 and Manipur and Tripura 2 each, ibid.; The Third Schedule. The maximum number was increased from 20 to 25, ibid., Sec. 4. In the Council of States, Bombay was given 5 seats, Delhi 3, Himachal Pradesh 2 and Manipur and Tripura 1 each, ibid., Sec. 3

\textsuperscript{52} Article 239, as amended by the Joint Committee, provided: "(1) Save as otherwise provided by Parliament by law, every Union Territory shall be administered by the President acting, to such extent as he thinks fit, through an Administrator or other authority to be appointed by him.

(2) Notwithstanding anything contained in Part VI, the President may appoint the Governor of a State as the Administrator of an adjoining Union territory, and where a Governor is so appointed, he shall exercise his functions as such Administrator independently of his Council of Ministers." ibid., Sec. 17

\textsuperscript{53} The amended Article 240 provided: "(1) The President may make regulations for the peace and good government of the Union territories of (a) The Andaman and Nicobar Islands; (b) The Laccadive, Minicoy and Amindive Islands.

(2) Any regulation, so made, may repeal or amend any Act made by Parliament or any existing law which is for the time being applicable to the Union territory and, when promulgated by the President, shall have the same force and effect as an Act of Parliament which applied to that territory." ibid.
Paragraph 18 of the Sixth Schedule of the Constitution. 54

Follow-up action by Parliament on the Reports of Joint Committees

The S. R. Bill and Constitution Ninth Amendment Bill, which emerged from the Joint Committees, were taken up for consideration in the Lok Sabha on 26 July and 4 September 1996 respectively. During the course of discussions, Shri C. B. Pant conveyed the decision of the Central Government for integrating the territories of Gujarat, Kutch, Saurashtra and Maharashtra with Bombay and making it a State. 55 Giving effect to this decision, Shri Pant moved amendments in the respective Bills. Consequent upon the adoption of these amendments, Maharashtra and Gujarat came to an end as States and Bombay ceased to be a Union territory. As a result of the formation of the State of Bombay, Shri Anand Chand's amendment for reducing the representation to the Union territories in the House of the People from "twenty-five" to "twenty" was also accepted. 56

54 In Clause 2 of Paragraph 18 of the Sixth Schedule for the words "Part IX", "Part VIII" and in place of "territory specified in Part D of the First Schedule", the words "Union territory" were substituted. Ibid., The Schedule.


56 SeeCols. 2432 to 2433, ibid.; and Col. 5684, L.S.D., Vol. VIII, dated 5 September 1956


58 Ibid., Col. 5700
To empower the President for determining the designation of the Administrators of Union territories, Shri C. B. Pant's amendment that in Clause 1 of Article 239 for the words "or other authority to be appointed by him", the words "to be appointed by him with such designation as he may specify" be substituted was also adopted. To ensure the proper development of Union territories, in respect of which the President was empowered to make regulations, the Lok Sabha accepted the amendment of Shri H. V. Kamath that to Clause 1 of Article 240 after the words "peace" the word "progress" be added. To provide for the administration of M.E.F.A. on the lines of the Union territories of the Andaman and Nicobar Islands, and Laccadive, Minicoy and Amindive Islands, the Government's amendment amending Clause 2 of Paragraph 18 of the Sixth Schedule was also adopted and added to the Bill. Besides, an amendment moved by Shri B.N.Datar, the Minister of State in the Ministry of Home Affairs, to the effect that in the Constitution (Amendment) Act, the number "ninth" should be replaced by number "Seventh" was also accepted. Consequently, thereafter it was known as the Constitution (Seventh Amendment) Act. Lastly, to enforce

59 Ibid., Col. 5860, dated 6 September 1956
60 Ibid.
61 To this effect for "Part VIII" "Article 240" and for the words "Union territory" the words "Union territory specified in that article" were substituted. Ibid., Col. 6046
62 Ibid., Col. 6062
the scheme of reorganization of States from 1 November 1996
instead of from 1 October 1996, Shri M. S. Gurupadawamy’s
amendment to Clause 2 of the States Reorganization Bill and
Shri C. B. Pant’s Amendment to Clause 1 of Constitution Ninth
Amendment Bill were also adopted.63

Consequential and incidental changes

As a result of the Reorganization of States and the emergence
of Union territories the following incidental and consequen-
tial changes were made in the original constitution:

(1) Consequent on the repealing of Government of Part C
States Act, Article 240 which was related to the creation of
Legislative Assemblies and Council of Advisers for Part C
States was omitted.64

(2) Since Part C State of Coorg was merged with the
State of Mysore, Article 242 relating to the Legislative
Assembly and financial arrangements of Coorg became redundant
and, therefore, was repealed.65

(3) Part D territory of the Andaman and Nicobar
Islands was constituted into a “Union territory” and its
administration was provided for in Article 240. In

64 See The Constitution (Seventh Amendment) Act, 1956;
The Schedule.
65 Ibid.
consequence, Part IX which was exclusively connected with the administration of the Islands became superfluous and, therefore, it was omitted. 66

(4) To define the expression "Union territory" a new Clause was substituted for the original Clause 30 of Article 366. 67

Rationale for the term "Union Territory"

In making a probe into the genesis of Union territories, it should be pointed out as to what was the rationale behind prefixing the word Union to the proposed term "territories". It was imprecise to call the Centrally administered areas merely as "territories", because the latter by themselves did not signify whom they belonged to. Moreover, the word "Union" itself is inclusive. In Article 1 of the Constitution, it denotes the federation and embraces the territories of States, the directly administered areas and such other territories as may be acquired. In the Seventh Schedule, it purport to the Central Government. To make it clear that the territories, which were not included in any State, would be exclusively under the control of the Central Government the word "Union" was added to the proposed term "territory". Thus the word "Union" stands for the Government of the Union.

66 Ibid.

67 Ibid. The Clause that was substituted provided : "Union territory" means any Union territory specified in the First Schedule and includes any other territory comprised within the territory of India but not specified in that schedule." Ibid.; The Schedule.
Changes made after the reorganization of States

(a) Creation of Territorial Councils

Besides, it is necessary to mention what arrangements were made after the reorganization of States at the territorial level to associating the people with the administration of Union territories. During the period when the S. R. and Constitution Ninth Amendment Bills were being debated in Parliament, the Union Government was urged not to deprive the people of Union territories of democratic institutions and stature. Attention of the Central Government was also drawn to the minutes of dissent which were appended to the respective reports of the Joint Committees.68 Taking the public sentiment in view, Shri G. E. Sant assured in the Lok Sabha that the territorial councils would be created for Himachal Pradesh, Manipur and Tripura.69 The creation of the Municipal Corporation for Delhi was also indicated.70 Consequently, to implement this assurance, Parliament passed the Territorial Councils Act, 1956. It provided for a Territorial Council of 41 members in the case of Himachal

68 The dissenting minutes were recorded by Shri Anand Chand, Shri Surendra Mahanty, Shri N. C. Chatterjee, Shri K. K. Basu and Shri J. V. K. Vallabha Rao (Joint) and Shri Lanka Sundaram. See Reports of the Joint Committees, in Gazette of India (Extra-ordinary), Part II, Sec. 2, dated 16 July 1956, pp. 489-490, 497-498, 590, 594 and 598 respectively.

69 Source:Cols. 5491 and 5854-5855, L. S. D., Vol. VIII, dated 4 and 6 September 1956

70 Ibid.
Pradesh and that of 30 members for each of the Union territories of Manipur and Tripura.\textsuperscript{71} The powers and functions of the councils were confined to matters of local concern, including education, public health and sanitation, roads, panchayats, revenue works, animal husbandry, etc.\textsuperscript{72} Powers were also given to levy taxes, subject to Central approval, on professions, trades, callings and employment, tolls on bridges, and to fix school fees.\textsuperscript{73} In fact, these councils were nothing more than glorified district boards, as substantial powers were vested in the Administrator.\textsuperscript{74} Subsequently, the territorial councils were abolished.\textsuperscript{75}

(b) Creation of the Municipal Corporation for Delhi

Similarly, to give effect to the recommendations of the States Reorganization Commission and the assurance given by Shri G. B. Pant, Parliament passed the Municipal Corporation Act, 1957. It provided for the creation of the Municipal

\textsuperscript{71} See Territorial Council Act (103 of 1956) 1956, Sec. 3.

In the Territorial Councils Bill (91 of 1956) 1956, Himachal Pradesh was allotted 40 seats, see Sec. 3. But in view of the decision of the Central Government not to disturb the existing constituencies, the Lok Sabha adopted the amendment of Shri G. B. Pant that for "40" substitute "1", see Cols. 3971 to 3976, L. E., E. L., Vol. X, dated 20 December 1956

\textsuperscript{72} Vide The Territorial Councils Act, 1956, Sec. 28

\textsuperscript{73} Ibid., Sections 33-35

\textsuperscript{74} Ibid., Sections 52-53

\textsuperscript{75} Vide The Government of Union Territories Act (20 of 1963) 1963, Sec. 58
The years that followed the reorganisation of States while some of the Union territories were elevated to the status of States, the New Union territories were also constituted. 76 In the early sixties, when the foreign possessions of Dadra and Nagar Haveli, Goa, Daman and Diu and Pondicherry were liberated, they were integrated into the Union as Union territories. 77 At the time of reorganisation of the Punjab State, Chandigarh was detached from Punjab and was made a Union territory. 80 Subsequently, on being elevated to Statehood, Himachal Pradesh ceased to be a Union territory. 81

76 See Delhi Municipal Corporation Act (66 of 1957) 1957, Sec. 2
77 Ibid., Secs. 41-43
78 See Fig. 2 at the end of this Chapter.
79 See respectively Constitution (Tenth Amendment) Act, 1961, Sec. 2; Constitution (Twelfth Amendment) Act, 1962, Sec. 2; and Constitution (Fourteenth Amendment) Act, 1962, Sec. 3. Owing to the creation of new Union territories, the representation to Union territories in the House of the People was increased from “Twenty” to “Twenty-five”. Ibid., Sec. 2. However, in 1973, while readjusting the composition of the House of the People, the maximum limit in regard to Union territories was reduced from “twenty-five” to “twenty”. See Constitution (Thirty-first Amendment) Act, 1973, Sec. 2
80 See The Punjab Reorganisation Act (31 of 1966) 1966, Sec. 7
81 See The Himachal Pradesh Statehood Act (53 of 1970) 1970, Sec. 4
Similarly, when the north-eastern areas were reconstituted, the Union territories of Manipur and Tripura were admitted to the Union as States. However, the area of N.S.F.A. and the Mizo District were taken out of Assam. They were named Arunachal Pradesh and Mizoram respectively and were made Union territories.

82 Vide The North-Eastern Areas (Reorganisation) Act (81 of 1971) 1971, Secs. 3 & 4

83 In the beginning it was called "The Lushai Hills District". In 1954, its name was altered from "Lushai Hills District" to "The Mizo District" vide The Lushai Hills District (Change of Name) Act (18 of 1954) 1954, Sec. 3

84 See The North-Eastern Areas (Reorganisation) Act (81 of 1971) 1971, Secs. 6 & 7. For the existing Union territories and for facts in respect of them, see Table-V and Fig. 2 after this Chapter.
### Table V

**Facts about the existing Union territories of India**

<table>
<thead>
<tr>
<th>Union Territory</th>
<th>Date on which constituted as Union Territory</th>
<th>Area (in sq. km.)</th>
<th>Population (1971 census)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Andaman and Nicobar Islands</td>
<td>1 November 1956*</td>
<td>8,293</td>
<td>30,971</td>
</tr>
<tr>
<td>Arunachal Pradesh</td>
<td>22 January 1972**</td>
<td>63,587</td>
<td>6,67,511</td>
</tr>
<tr>
<td>Chandigarh</td>
<td>1 November 1966***</td>
<td>114,48</td>
<td>2,56,979</td>
</tr>
<tr>
<td>Dadra and Nagar Haveli</td>
<td>11 August 1961*</td>
<td>4,91</td>
<td>7,170</td>
</tr>
<tr>
<td>Delhi</td>
<td>1 November 1956*</td>
<td>1483.05</td>
<td>40,44,338</td>
</tr>
<tr>
<td>Goa, Daman and Diu</td>
<td>20 December 1961**</td>
<td>3,733</td>
<td>8,57,180</td>
</tr>
<tr>
<td>Lakshadweep</td>
<td>1 November 1956*</td>
<td>28</td>
<td>31,810</td>
</tr>
<tr>
<td>Minisram</td>
<td>22 January 1972**</td>
<td>21,087</td>
<td>3,32,390</td>
</tr>
<tr>
<td>Pondicherry</td>
<td>16 August 1962***</td>
<td>474</td>
<td>4,71,347</td>
</tr>
</tbody>
</table>

- **Source**: The Constitution (Seventh Amendment) Act, 1956, Sec. 1
- **Source**: The North Eastern Areas (Reorganization) Act (81 of 1971) 1971
- **Source**: The Constitution (Twelfth Amendment) Act, 1962, Sec. 1
- **Source**: The Constitution (Fourteenth Amendment) Act, 1962, Sec. 1
FIG. 2
THE FLUCTUATING FORTUNES OF UNION TERRITORIES

Existing Union Territories:
1. The Andaman and Nicobar Islands
2. Arunachal Pradesh
3. Chandigarh
4. Dadra and Nagar Haveli
5. Delhi
6. Goa, Daman and Diu
7. Lakshadweep
8. Mizoram
9. Pondicherry