

PART - I

UNION TERRITORIES IN INDIA

PART ONE

CHAPTER - I

"UNION TERRITORIES IN INDIA"

Every nation will have its own political divisions within its territorial limits to suit the administrative requirements based on cultural, social political and economic considerations and also in accordance with the popular will.

India is a subcontinent by itself inhabited by diverse linguistic, religious and cultural groups with a hoary past of its own. Its political divisions have undergone a change according to the demands of time and situation. An imaginary demarcation is made between the north and south India based on the Aryan and Dravidian cultures since times immemorial. Further, smaller and separate kingdoms within India fostered cultural diversity. Never in the history of India, since the days of Ashoka, she was brought under one political hegemony before the emergence of the British Rule. A land of diversity was knit together into a political entity according to the

ancient vision of Indian culture. By administrative tact a semblance of Indian Unity was created under British Administration. This was responsible for the regeneration of Indian patriotism, the demand for self-government earlier, and for full freedom later which eventually resulted in the emergence of a free and independent India on August 15, 1947.

#### EVOLUTION OF INDIAN PROVINCES

The British control over the Indian soil was acquired and extended piece-meal. The three principal settlements of the East India Company were Bombay, Madras and Bengal. Charles II received Bombay as a part of the dowry of Katherine of Braganza of Portugal and he gave Bombay on lease basis to the East India Company in 1661. Madras was secured by the company on payment of tribute in 1640 and Bengal was acquired by the company in 1757 at the Battle of Plassey. Any fresh territory that was acquired by the company was added on to one of these three Presidencies. "The term 'Presidency' was applied to the whole tract over which their authority extended. The presidencies were

administered by a President and a Council composed of servants of the Company."<sup>1</sup>

Emperor Shaha Alam granted Diwani Rights to the company in August 1765 and as a result of Battles of Plassey and Buxar, the East India Company gained territorial sovereignty over Bengal, Bihar and Orrisa. The East India Company acquired control over Indian soil through a policy of conquest, annexation or purchase. Conquest and additions to the British Empire were made from time to time -- Mysore in 1799, Agra in 1805, Maratha Empire in 1818, Assam in 1825, Sind in 1843, Punjab in 1849, the Central Provinces in 1853 and Oudh in 1856. It took nearly 150 years for the East India Company to completely gain control over the Indian subcontinent.

So by the time the Mantagu-Chelmsford Reforms were to be implemented, there were 9 major provinces of which

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1. Stratchey, Sir John - India, its Administration and Progress, 1903, P.43.

Governors used to administer over Bombay, Madras and Bengal, Lieutenant-Governors were in charge of United Provinces, the Punjab, Burma, Bihar and Orissa and the Chief Commissioners looked after the administration of Central Provinces and Assam; and Six Centrally administered areas, namely, the North-West Frontier Province, British Baluchistan, Coorg, Ajmer, the Andamans and Delhi.

The Government of India Act, 1935 classified the Provinces into only two categories:

i) The Governors' Provinces - (1) Madras, (2) Bombay, (3) Bengal, (4) the United Provinces, (5) the Punjab, (6) Bihar, (7) the Central Provinces and Berar, (8) Assam (9) the North-West Frontier Province, (10) Orissa (11) Sind.<sup>2</sup>

ii) The Chief Commissioners' Provinces - (1) British Baluchistan, (2) Delhi, (3) Ajmer-Merwara, (4) Coorg, (5) Andaman and Nicobar Islands.<sup>3</sup>

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2. The Government of India Act, 1935, Sec. 46.

3. Ibid., Sec. 94.

The formation of centrally administered areas is the genesis of the Union Territories in India. Then a question arises why did the British Government create centrally administered areas?

There were possibly three reasons -

- 1) Strategic Importance of certain areas demanded direct administration under the control of Governor-General of India.
- 2) Backwardness of the areas made the British Government to devise a new administrative setup for them.
- 3) Economic instability of these areas made the British Government to take over the administrative responsibility to maintain peace.

Just before Independence there were 4 (four) centrally administered areas, namely - 1) Ajmer, (2) Coorg, (3) Delhi and (4) Andman and Nicobar Islands.<sup>4</sup>

Broadly speaking, Ajmer, Coorg and Delhi were made Centrally administered areas because of their

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4. I.I.P.A., 1971, Organisation of Government of India, Somaiah Pub. Bombay and Delhi, P.131.

strategic importance and Andman and Nicobar Islands was made a centrally administered area because of its strategic importance as well as economic and social backwardness.

It seems Ajmer and Coorg were centrally administered areas for one more special reason. These places were known for Rajput and Coorg warriors respectively. The British Government took the administrative responsibility directly on itself because it wanted to strengthen its army by recruiting Rajput and Coorg warriors and to maintain a firm grip over these Indian Territories.

The British Government implemented reforms from time to time to satisfy the demands of the people of India. The Morley-Minto Reforms of 1909 and Montagu-Chelmsford Reforms of 1919 were the initial steps to democratise the Indian Administration. Earlier to that social reformers like Pandit Madan Mohan Malaviya, Surendranath Banerjee, Dadabhai Naoroji, Dr. Annie Besant had urged the people of India to awaken and modernise themselves to keep pace with the progress



elsewhere in the world. The educational system introduced by the British made Indians to study what had happened in other countries of the world during the preceding centuries and to think of the present conditions of Indian Society. India witnessed her Renaissance by the end of the 19th Century and the people of India started clamouring for Dominion Status in the beginning and for full freedom later. Shri Lala Lajpat Rai, Bal Gangadhar Tilak, Bipin Chandra Pal, the three revolutionaries coming from Panjab, Maharastra, and Bengal, respectively revolutionised the Indian scene and laid the foundation for freedom movement of India. G.K.Gokhale also contributed much to strengthen the nationalistic spirit in India. Aurobindo, and Tagore, did their best to awaken the people of India. It was Gandhiji who fought for Indian freedom in a novel method, with the two weapons of Non-violence and Truth. He had been the unquestioned leader of the nation since the 1920's and he had a new remedy to offer for all social, political and economic problems of India. In the history of mankind, no nation has secured her freedom with the weapon of non-violence. India has the unique distinction of winning liberty through non-violence and a peaceful movement. The British Government

realised the urge of the Indian people for national independence and transferred political power to the Indian people with a smile. But unfortunately an artificial division was made to satisfy the communal sentiments of Muslim leaders in India by creating India and Pakistan as two separate Dominions in the sub-continent.

After independence, between the period 1947 to 1950, India had to face uphill tasks. (1) India had to rehabilitate lakhs of refugees thrown out of Pakistan mercilessly.

2) She had to bring the 563 princely states into the "Orbit of Indian Union" to foster national unity and strengthen India, politically and economically.

3) She was engaged in framing a new constitution for a free India almost immediately after independence.

4) She had the onerous duty of subduing communal riots that took place all over India as a reaction to Pakistan's inhuman treatment of the Hindus there.

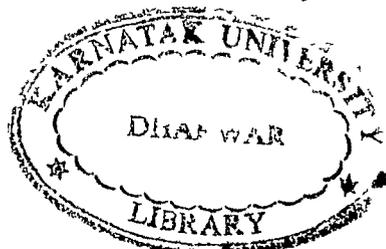


5) India had to repel Pakistani aggression on Jammu and Kashmir in 1948.

6) She had to face draughts and famines in many parts of India and take up necessary relief measures.

The Government of India solved all these problems with courage and tact. It succeeded in rehabilitating the refugees, in merging the princely states in the Indian Union, in subduing communal riots, in getting vacated partially Pak-occupied Kashmir areas, in effecting speedy relief measures wherever necessary and lastly in framing a constitution best suited to the Indian genius and culture by November 1949.

The new constitution of India was put into effect from January 26, 1950. The framers of the Indian Constitution recognised four categories of States, namely, Part A, Part B, Part C and Part D states. The former British Indian Provinces were classified as Part A states and the former princely



states were treated as Part B states and the centrally administered areas were classified as Part C and Part D states. Details are as follows:

PART A STATES - (1) Assam, (2) Bihar, (3) Bombay, (4) Madhya Pradesh, (5) Madras, (6) Orissa, (7) Uttar Pradesh, (8) West Bengal, (9) Punjab, and later (10) Andhra Pradesh was created and added to the list of Part A States.

PART B STATES - (1) Hyderabad, (2) Jammu and Kashmir, (3) Madhya Bharat, (4) Mysore, (5) Patiala and East Punjab States Union (PEPSU), (6) Rajasthan, (7) Saurashtra, (8) Travancore-Cochin.

PART C STATES - (1) Ajmer, (2) Bhopal, (3) Bilaspur, (4) Cooch Bihar, (5) Coorg, (6) Delhi, (7) Himachal Pradesh, (8) Kutch, (9) Manipur, (10) Tripura and (11) Vindhya Pradesh.

PART D STATES - (1) Andaman & Nicobar Islands.

At the time of adoption of the constitution of



India in 1950, there were 11 Union Territories listed in Part 'C' States of the First Schedule to the Constitution and one Union Territory was listed in Part D States of the First Schedule. Of these, Coosh Bihar was merged into West Bengal in 1950 and Bilaspur with Himachal Pradesh in 1954.

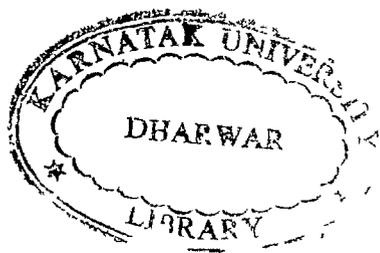
The Part 'C' states Act, 1951 enabled the people to participate in the administration of these centrally administrated areas. This Act provided for the establishment of a Legislative Assembly in Ajmer, Bhopal, Coorg, Delhi and Vindhya Pradesh. A Chief Commissioner, or a Lt.Governor in the case of Himachal Pradesh and Vindhya Pradesh, representing the Union Government was to be the head of a Union Territory. There was to be a Council of Ministers responsible to the Legislative Assembly, to aid and advise the Chief Commissioner or the Lt.Governor as the case may be, in the discharge of his administrative responsibilities. The Act of 1951 provided for the constitution of Legislatures and Council of Ministers in Kutch, Manipur and Tripura; but these bodies were not to be set-up immediately. Instead, a Council of Advisors was to



be appointed to share with the Chief Commissioner the Administrative responsibilities of these areas.

This was the first time that the Government of India had tried to democratise the administration of Union Territories. The merger of Princely states into the Indian Union naturally increased the number of Union Territories from 4 just before independence to 12 by the year 1950. The reasons for the increase in the number of Union Territories are quite obvious. The Princely states, though merged with the Indian Union, were kept separately for administrative purposes by the Union Government and not to give rise to any uprising as a result of merger with the adjoining states. Further, the Government of India wanted to feel the pulse of the people living in the former princely states before taking any decision affecting the boundaries of these areas.

Immediately after independence the Government of India gave top priority to the question of integration of the princely states with the Indian Union for the following reasons :



1) As early as 1938, the Indian National Congress at its Hariपुरa Session had set the objective of integrating the states in the Indian Union and considered the Princely states as integral parts of India and which could not be treated as separate. Then only, the Indian National Congress thought that India would secure 'Purna Swaraj' or complete independence.<sup>5</sup>

2) The Montagu-Chelmsford Report of 1918 pointed out the close relationship between British Provinces and Princely States in the following manner:

"India is in fact, as well as by legal definition, one geographical whole. The integral connection of the Princely states with the British empire not only consists in their relations to the British crown, but also in their growing interests in many matters common to the land to which they and the British Provinces alike belong."<sup>6</sup>

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5. Indian National Congress, February 1938 to January 1939, A.I.C.C., Report.
6. Report on Indian Constitutional Reforms- 1918, Government Central Pub. Branch, Para 196, Reprinted in 1928.



3) The integration of Princely states with the Indian Union was also necessary to achieve harmony in administration. The existence of a number of small states created multiplicity of governing agencies and unnecessary artificial barriers. Economic Planning was not possible. It was imperative for the Government of India to bring these Princely states within the fold of the Indian Union for the uniform application of Economic policies aimed at the regeneration and economic development of the nation.

4) Apart from the need for good administration and economic development, the multiplicity of Princely states would have proved dangerous for the political unity and security of the nation.

5) Moreover, the British provinces were more democratised; whereas the Princely states were still autocratic in nature. Sardar Vallabhbhai Patel thought that the political disparity in the country could encourage disrptionist forces.<sup>7</sup> V.P.Manon

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7. The Constituent Assembly Debates, Vol.X, 1949, P.167.

pointing out the danger of this glaring disparity said:  
 "Normal development of political progress had been  
 arrested in most of the states."<sup>8</sup>

6) The Instrument of Accession was accepted by  
 all princely states though Junagarh and Hyderabad  
 refused to comply with it until force was used against  
 them, until the people of these areas rose against  
 their own rulers.

The integration of Princely states took place  
 in one of the three ways :

- 1) Merger with neighbouring states.
- 2) Grouping of certain states into separate  
 units.
- 3) Transformation of Certain states into  
 centrally administered areas.

The policy of integration served a great purpose.  
 It helped in the achievement of an ideal which had  
 remained a dream for centuries, the ideal being the  
 geographical, political and economic unification of  
 India.<sup>9</sup>

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8. Menon, V.P. The Story of Integration of the Indian  
 States, Orient Longmans, 1956, P.490.

9. The Constituent Assembly Debates, Vol, X, 1949,  
 pp.166-67.

