

UNION AND TERRITORY

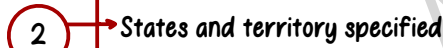
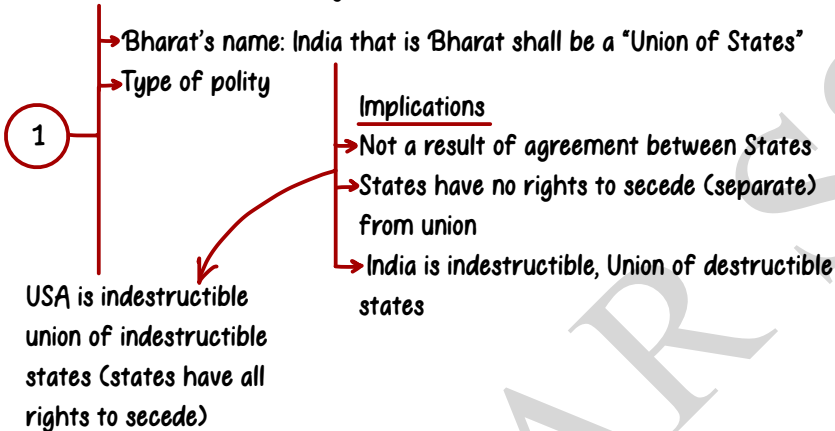


Part I and II of Constitution

Part I: Articles 1 to 4

→ Part I: Union and its Territory

• Art 1: Name and Territory of the Union



• Art 2: Establishment of new States

• If Parliament want to admit new territory → Art 2 admissible

- Power to admit into the Union of India new states
- Power to establish new States

Art 3

- a) Formation of new states
- b) Alteration of areas
- c) Boundaries, or names of existing states

→ Increase in area—State

→ Decrease in area

→ Alteration of boundary

→ Name of state

→ **Provisions:** no bill to be introduced in either house of the Parliament, unless with recommendation of President

→ Not binding on Parliament (advisory in nature)

→ No delay in bills

→ Give to particular State for suggestions (Governor)

→ State recommendation not binding

Art 4: Amendment in article 2 and 3 and Schedule 1 and 4 will not be dealt as amendment under **Article 368**

→ Amendment of 1st and 4th schedules

→ Seats in Rajya Sabha

→ Name of States and UTs

→ Only by Simple Majority: More than 50% of members present and voting

→ Is applicable when a territory is added from outside to inside

• 1959: Berubari Union Case

→ Indian territory if it has to be given to a foreign territory → Art 368 applicable



2014: Indian Bangladesh boundary dispute → 100 CA

→ Indo-Bangladesh agreement

- India's few parts to Bangladesh by Special Majority
- Bangladesh few parts to India by Simple Majority

1947: 565 → 562

552 Princely State, how many princely state were formed

→ 549 joined India

→ 3 did not want to join India

→ Hyderabad:

- Police accession OPERATION POLO (Sep 1948)
- Kotturu Seetayyagupta did not agree

→ Junagarh: referendum

→ Kashmir: instrument of accession by Maharaja Hari Singh

Later these 3 joined

1950: four fold classification of states

→ Part A

→ Part B

→ Part C

→ Part D: Andaman and Nicobar Islands

Linguistic Provision commission (on the basis of language)

→ S K Dhar Commission 1948

- Linguistic basis model rejected
- States to be organised on the basis of "Administrative Convenience", not linguistic basis

→ JVP Committee 1948

- State should not be formed on linguistic basis
- Members: J L Nehru, Vallabhbai Patel, Pattabhisitaramayya



→ 1953: Potti Sriramulu (in Andhra Pradesh)

- Fast unto death for 56 days
- After his death: 1st linguistic state of India formed → Andhra Pradesh in 1953 (Sep/Oct)

↓
Telugu speaking area

State Reorganisation Commission/Fazal Ali Commission (Dec 1953)

3 members:

- Fazal Ali (Chairman)
- K M Panikkar
- H N Kunzru

Recommendations made by the committee

- Rejected the theory of "one language one state"
- Accepted the linguistic basis of formation of state
- State Reorganisation Act, 1956 → Part A, B, C, D~~X~~

↳ 14 states + 6 UTs (created on: 1st Nov 1956)

States Reorganisation Act 1956

Still a UT

1 Nov 1956: 14 States + 6 UTs

Goa: 12th CA (UT) + Daman+Diu (UT)



Operation Vijay 1961: launched by Indian Gov to liberate Goa, Daman & Diu from Portuguese rule

56th CA 1987 → Statehood given

- Dadra & Nagar Haveli: 10th CA (UT) → Now merged with Daman and Diu

Formation of States

TRICK: AAM GUNAH HAI MAIM TUSSI GAO AUR MOJ LO

AAM:

A: Andhra Pradesh → Fully fledged state on 1 Nov 1956

M: Maharashtra → 1960

GUNAH:

G: Gujarat → 1960

NA: Nagaland → 1963



H: Haryana → 1966

HAI:

HAI: Himachal Pradesh → 1971

MAIM:

MAI: Meghalaya → 1972

M: Manipur → 1972

TUSSI:

TU: Tripura → 1972

SSI: Sikkim → 1975

→ Special Case

- Earlier ruled by Chogyal Dynasty
- Associate State: Art 2A → 35th CA, 1974
- Complete Statehood: 36th CA, 1975

GAO:

• **Goa:** 1987 (UT) → 56th CA (statehood)

• **Art 370:** special powers to Jammu & Kashmir now repealed

AUR: Arunachal Pradesh → 1987

NAM AASMA GK

MOJ LO: Mizoram → 1987

↑
TRICK

Article No.	Subject-matter
371	Special provision with respect to the states of Maharashtra and Gujarat.
371 – A.	Special provision with respect to the state of Nagaland.
371 – B.	Special provision with respect to the state of Assam
371 – C.	Special provision with respect to the state of Manipur
371 – D.	Special provisions with respect to the state of Andhra Pradesh or the state of Telangana
371 – E.	Establishment of Central University in Andhra Pradesh
371 – F.	Special provisions with respect to the state of Sikkim
371 – G.	Special provision with respect to the state of Mizoram
371 – H.	Special provision with respect to the state of Arunachal Pradesh
371 – I.	Special provision with respect to the state of Goa
371 – J.	Special provisions with respect to the state of Karnataka

- N:** Nagaland
- A:** Assam
- M:** Manipur
- A:** Andhra Pradesh
- A:** Andhra University
- S:** Sikkim
- M:** Manipur
- A:** Arunachal Pradesh
- G:** Goa
- K:** Karnataka

CITIZENSHIP



Part II: Citizenship (in India → Single citizenship)

- Regulated by Parliament
- Art 5-11
- Single Citizenship taken from: UK

Citizenship

Before the commencement of
Constitution → 26 Jan 1950
Art 5-8

- After 26 Jan 1950
- Citizenship Act 1955

→ **Art 5:** should be a domicile of India

- Born in India
- Either of the parents are born in India
- Ordinary resident for at least 5 years

→ After the commencement of
Constitution

→ **Art 6:** those who migrated to India from Pakistan

→ **Art 7:** India → Pakistan → India (Citizenship of migrants of Pakistan)

→ Moving after partition

→ **Art 8:** citizenship of Indian origins, residing outside India

→ **Art 9:** person voluntarily acquiring citizenship of foreign country loses Indian citizenship

→ Dual citizenship not allowed

→ **Art 10:** continuance of rights of citizenship

→ **Art 11:** power of Parliament to legislate (make laws) with respect to citizenship

Citizenship Act 1955

• **Acquire**

- By birth
- By decency: born outside India, but are Indian citizen
- By registration: origin → India (7 years residing in India)
- By naturalisation: origin → not of India (12 years of residing in India)
- By incorporation of territories

↓
Should also know one Indian language mentioned in Schedule 8

• **Lose**

- By renunciation (by own will)
- By termination (voluntarily acquired citizenship of other country without informing)
- By deprivation (document, malfunction, helping enemy country at war with India)

