



E-ISSN: 2664-603X

P-ISSN: 2664-6021

Impact Factor (RJIF): 5.92

IJPSG 2025; 7(9): 314-317

www.journalofpoliticalscience.com

Received: 18-07-2025

Accepted: 16-08-2025

Prasanta Sahoo

1) Lecturer & Head, UG and
PG Department of Political
Science, Kendrapara
Autonomous College,
Kendrapara, Odisha, India
2) Ph.D. Research Scholar,
Department of Social Science,
Fakir Mohan University,
Balasore, Odisha, India

Anil Kumar Mohapatra

Professor, Political Science,
Department of Social Science,
Fakir Mohan University,
Balasore, Odisha, India

Understanding the contours of administration of Union Territories in India's Federal Fabric

Prasanta Sahoo and Anil Kumar Mohapatra

DOI: <https://www.doi.org/10.33545/26646021.2025.v7.i9d.696>

Abstract

Union Territories in India refer to the centrally administered territories or enclaves. Part VIII of the Constitution of India under Articles 239 to 241 lays down the overall constitutional frameworks for the administration and governance of such territories. Most of these territories are created because of their unique cultures, administrative requirements, political considerations, strategic significance and small size in terms of geography and demography. These territories indeed constitute a unique type of administrative units in Indian federation, occupying a very distinctive place between the direct control of the Union Government and autonomous governance frameworks of the States. In such a background, the present research paper seeks to study and analyze the Union Territories in India, their background highlighting on the past and present contexts and their constitutional frameworks with diverse governance models.

Keywords: Scheduled Districts, Chief Commissioner Provinces, Part C and Part D States, Union Territories, States, Central Administration, Federal Fabric

1. Introduction

1.1 Background

The architects of the Constitution of India have designed the political fabric of the country as a "Federal Union" which consists of the "States" and the "Territories". The territories are called "Union Territories" as per the Seventh Constitutional Amendment Act, 1956 (Kumar, 1991) ^[2]. Though the nomenclature 'Union Territory' was used for the first time to refer to such centrally administered areas/territories in 1956, but the history of Central administration in such areas/territories dates back to British India-era "Scheduled Districts" (Report of the Study Team on Administration of Union Territories and NEFA, ARC, 1968). During the British rule in India, certain backward and tribal areas which existed in Assam, Punjab, British Baluchistan, Andaman and Nicobar Islands and Laccadive and Minicoy Islands were identified as the "Scheduled Districts" under the Scheduled Districts Act of 1874. The Act's main objectives were nothing but to provide simple and good administration to the people (mostly Adivasis) of these areas. The provisions of the 1874 Act were also extended and applied, among other territories, to Andaman and Nicobar Islands, Laccadive Islands encompassing Minicoy and the territory later known as the North East Frontier Agency (NEFA), (Kumar, 1991) ^[2].

Later, the above said colonial-era "Scheduled Districts" were reclassified as the "Chief Commissioner Provinces". Under the Government of India Act, 1935, there were six Chief Commissioner Provinces namely British Baluchistan, Delhi, Ajmer-Merwara, Coorg, Andaman and Nicobar Islands and Panth Piploda, each administered by a Chief Commissioner appointed by the President of India. After the independence of India from the yoke of British imperialism in August, 1947 too, these special administrative arrangements continued without any significant change until the Constitution of India was enacted in November, 1949 (Report of the Study Team on Administration of Union Territories and NEFA, ARC, 1968).

The Indian Constitution which came into force on 26th January 1950 recognized a four-fold classification of states and territories namely: Part A, B, C, and D States. The Chief Commissioners' Provinces and some princely states were categorized under the "Part C and Part D States".

Corresponding Author:

Prasanta Sahoo

1) Lecturer & Head, UG and
PG Department of Political
Science, Kendrapara
Autonomous College,
Kendrapara, Odisha, India
2) Ph.D. Research Scholar,
Department of Social Science,
Fakir Mohan University,
Balasore, Odisha, India

The Part C States included ten territories like Ajmer, Bhopal, Bilaspur, and Vindhya Pradesh. Coorg, Delhi, Himachal Pradesh, Kutch, Manipur and Tripura, each ruled by the President of India either through a Chief Commissioner or a Lieutenant Governor acting as his consent under Art. 239, while the Part D States included only one territory i.e. Andaman and Nicobar Islands governed by the Lieutenant Governor appointed by the Union Government, (Sharma, 1968, Mishra, 1982) [8, 4]. The Part C States other than Manipur, Tripura and Kutch had legislative assemblies and council of ministers under the Government of Part C States Act, 1951 passed by the Union Parliament under Art. 240 of the Constitution of India. There were Advisory Councils for the administration and governance of Manipur, Tripura and Kutch (Mishra, 1982, Kumar, 1991) [4, 2].

Subsequently, during the reorganization of states, the above-mentioned Part C and D states were combined into a single group of “Union Territory” under the States Reorganization Act, 1956, alongside the Seventh Constitutional Amendment Act of 1956, reorganizing the administrative boundaries in order to balance the linguistic and regional requirements. There were fourteen States and six Union Territories in India based on the factors such as financial viability, national welfare and development, language and culture, etc. under the States Reorganization Act of 1956 (Lok Sabha Secretariat, 2014, Roychowdhury, Adrija., & Siri, Srijana, 2023) [9, 6]. The fourteen States included Kerala, Andhra Pradesh, Bombay, Madras, Madhya Pradesh, Rajasthan, Punjab, Uttar Pradesh, Bihar, West Bengal, Assam, Mysore, Orissa and Jammu and Kashmir, while six Union Territories included the territories of Andaman and Nicobar Islands, Delhi (later redesignated as the National Territory of Delhi by the 69th Constitutional Amendment Act, 1991), Manipur, Tripura, Himachal Pradesh and Laccadive, Minicoy and Amindivi Islands (later renamed Lakshadweep in 1973) (Lok Sabha Secretariat, 2014) [9]. Moreover, the Union Parliament passed a landmark Act in 1963 for the administration of the Union Territories. This Act is called the Government of Union Territories Act, 1963. The Act has conferred on certain UTs the similar status as was previously enjoyed by the Part C States (Kumar, 1991) [12].

Evidently, there are so many special circumstances responsible for the creation and continuation of existing Union Territories in India. As long as the special circumstances of these centrally administered territories exist, they would continue to exist. The special circumstances of these territories are like: (i). Cultural and historical uniqueness of Puducherry (Earlier ruled by the French), Dadra and Nagara Haveli and Daman and Diu (Earlier ruled by the Portuguese); (ii). Political and administrative consideration of Delhi and Chandigarh (former being the national capital of India and later being the joint capital of two states Punjab and Haryana); (iii). Strategic importance of Andaman and Nicobar Islands and Lakshadweep situated far to the East in the Bay of Bengal and to the West in the Arabian Sea of the country respectively; (iv). Security circumstances of Jammu and Kashmir and Ladakh situated on the borders of two nations Pakistan and China; and (v). Small land area and demography of the Union Territories, except the National Capital Territory of Delhi. One of most striking and interesting features of these territories in India is that in

course of time they can be elevated to the status of full-fledged states. Till today, six of such territories like Himachal Pradesh (since 1971), Manipur (since 1972), Tripura (since 1972), Mizoram (since 1987), Arunachal Pradesh (since 1987) and Goa (since 1987) have been converted into the full-fledged States (Lok Sabha Secretariat, 2014, Raikar, 2024) [9]. Moreover, it is also possible in the Indian federation that when circumstances (for effective governance) required even full-fledged states can be made members of the family of the Union Territories (e.g. UTs of Jammu and Kashmir and Ladakh in 2019 after the abrogation of Art. 370), (Mahajan *et al.*, 2020) [5] and two such territories can also be merged into a single territory (e.g. Dadra and Nagara Haveli and Daman and Diu in 2020), (Lodrick & Wanmali, 2024) [3].

It would not be out place to mention here that as regards the existing Union Territories, there have been long-standing demands and movements for their removal from the dominant control by the Central Government either for the grant of their Statehood or their merger in the neighboring States. The major factors responsible for such demands by these territories include: (i). The greater administrative autonomy, (ii). Cultural identity, (iii). Economic development and (iv). Democratic representation while reflecting broader questions regarding federalism and the balance between the central control and the local autonomy in the constitutional framework of India.

A part from this, there are certain other reasons like linguistic identity, perceived neglect, political identity and so on that have previously compelled some territories in India to propose for their statehood status or Union Territory status. The important territories among others are like: Gorkhaland (proposed by the Gorkha Jan Mukti Morcha in West Bengal), Vidarbha (Eastern region of Maharashtra), Coorg/Kodagu (Erstwhile Part C State, now in Karnataka since 1956), Tulu Nadu (Regions of coastal Karnataka and northern Kerala), Greater Cooch Behar (Northern West Bengal) and Karbi Anglong (Hill district in Assam).

2. Constitutional Frameworks and Diverse Governance Models

Article 1 (3) of the Constitution of India states that India includes three categories of territories like: (i) the territories of the States, (ii) the Union Territories and (iii) other territories that may be acquired. As regards the Union Territories the Constitution under Article 366 (30) also defines the term “Union Territory” as 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’. The Union Territories in India are referred to as centrally administered territories or enclaves. The Constitution under Articles 239, 239 A, 239 AA, 239 AB, 239 B, 240 and 241 (Part VIII) lays down the overall constitutional frameworks for the administration and governance of the Union Territories. These territories embody a unique type of governance models in Indian federation, occupying a very distinct position between the direct control of the Union Government and autonomous governance frameworks of the States.

In fact, looking at the political map of India, today one can say that there are two categories of territories in India as under:-

- The States, and
- The Union Territories

Classified thus, the States are governed by the Governors appointed by the President of India and have been given autonomous status by the constitution and they also share a division of powers with the Union Government. Whereas in case of Union Territories, the autonomous status lacks and there is a direct central control over these entities. In fact, the Union Government retains much significant control over the legislative as well as the executive functions of these territories. They are administered by the President of India acting to such extent as he thinks fit, through an administrator to be appointed by him with such designation as he may specify Under Art 239 (1), (Mishra, 1982) ^[4].

In the Union of India, there is a similar pattern of governance both at the Centre and in the States. Both the Union Government and the State Governments are created by the Constitution (Mishra, 1982) ^[4]. They derive their powers and authorities from the Constitution itself and share federal relations as per the Seventh Schedule of the Constitution of India. But in respect of the Union Territories, they derive their respective powers and authorities from the Central Government. Because of this there is no federal kind of relations between the Central and Territorial Administrations. It can be rightly said here that there exists a unitary type of relationship between these two-level of governments. In fact, there has always been a discriminatory treatment by the Centre as compared to the full-fledged States. The discriminatory treatment against these territories may be of rights, privileges, constitutional status, financial aid and so on.

In fact, such a kind of step motherly treatment has been meted out to these territories owing to their direct control by the Government of India under Art. 239 of the Constitution (Mishra, 1982) ^[4]. Even due to the existence of several structural defects in these territories, particularly in the administrative set-up, there has been frequent conflicts between the appointed administrators and the elected governments (e.g.; between the Government of NCT of Delhi and the Lieutenant Governor).

Presently, the Republic of India is composed of twenty-eight States and eight Union Territories (UTs). The twenty-eight States include Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Goa, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand and West Bengal while the eight territories include Delhi (1956), (in 1991 Delhi was redesignated as the National Capital Territory (NCT) of Delhi), Puducherry (1962), (earlier called Pondicherry till 2006), Jammu & Kashmir (2019), Ladakh (2019), Andaman & Nicobar Islands (1956), Lakshadweep (1956), Chandigarh (1966) and Dadra & Nagar Haveli (1961) and Daman & Diu (1962), (both merged in 2020).

All above mentioned six Union Territories can be broadly classified into two categories such as the "Union Territories with legislative assemblies and elected governments" but with limited law-making powers as compared to the full-fledged States and "those without such institutions". The former group currently includes three Union Territories like the NCT of Delhi (1992), Jammu and Kashmir (since 2019) and Puducherry (since 1963) and they have the status of partial statehood and the later one encompasses remaining five territories. The National Capital Territory of Delhi, Jammu and Kashmir, Puducherry, Ladakh and Andaman

and Nicobar Islands have Lieutenant Governors as the Administrators. The Union Territories of Chandigarh, Dadra & Nagar Haveli and Daman & Diu and Lakshadweep have their Administrators. As regards their representation in the Union Parliament most of UTs have representation only in the Lok Sabha the lower house / chamber of the Parliament. But in the Rajya Sabha the upper house/ chamber of the Parliament, except the UTs of Delhi, Puducherry and Jammu and Kashmir, others do not have representation.

As regards the judicial administration in the Union Territories the Union Parliament is empowered to establish High Courts under Art.241 of the Indian Constitution (Kumar, 1991) ^[2]. The Union Legislature can even put a Union Territory under the jurisdiction of an adjacent State's High Court. Out of eight UTs, the NCT of Delhi has its own High Court. Currently Andaman and Nicobar Islands, Lakshadweep, Chandigarh, Dadra and Nagar Haveli and Daman and Diu and Puducherry fall under the jurisdictions of the Kolkata High Court, Kerala High Court, Punjab & Haryana High Court, Bombay High Court and Madras High Court respectively. The two newly formed UTs Jammu and Kashmir and Ladakh are under a common High Court i.e. Jammu and Kashmir and Ladakh High Court.

3. Conclusion

In view of above discussion, it can be concluded that any study of the Union Territories is, indeed, a study of territorial administration by the Union Government. Although, both the States and the Union Territories seem to be fully federal constituents in the Union of India, but in reality, it is not like that. Because the Constitution of India under Art. 239 has made the latter group to be directly administrated by the Centre Government. There has always been a discriminatory treatment to these territories by the Union Government as compared to the full-fledged States. This stepmotherly treatment has led to long-standing demands for their removal from the dominant control by the Central Government either for the grant of their Statehood or their merger in the neighboring States. Thus, in the future, for more efficient administration control and better governance, the existing Union Territories could be changed to full-fledged States or they could be merged in their neighboring States. Furthermore, some previously proposed Union Territories could also be granted the status of full statehood or Union Territory.

4. Declaration of Conflicting Interests

The authors declare that there are no conflicts of interests.

References

1. Bhatt SC, Bhargava GK. Land and people of Indian states and union territories. Delhi: Kalpaz Publications; 2006.
2. Kumar S. Political and administrative setup of union territories in India. New Delhi: Mital Publication; 1991.
3. Lodrick DO, Wanmali SV. Dadra and Nagar Haveli and Daman and Diu. Encyclopaedia Britannica; 2024. Available from: <https://www.britannica.com>
4. Mishra YN. Constitutional growth of the union territories in India. Lucknow: University of Lucknow; 1982. Available from: <https://shodhganga.inflibnet.ac.in>
5. Mahajan N, Dorje. Vision Let's Know Ladakh Union Territory (Without Legislature). New Delhi: Vision (India) Publications; 2020.

6. Roychowdhury A, Siri S. How the idea of Indian union territories was conceived and executed. Indian Express; 2023. Available from: <https://indianexpress.com>
7. Raikar SP. Union Territory. Encyclopaedia Britannica; 2024. Available from: <https://www.britannica.com>
8. Sharma SK. Union territory administration in India. Chandigarh: Chandi Publishers; 1968.
9. Lok Sabha Secretariat, Research and Information Division. New Delhi: Lok Sabha Secretariat; 2014.
10. The Jammu and Kashmir Reorganization Act. 2019. Available from: <https://en.wikipedia.org>
11. The Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Act; 2019. Available from: <https://en.wikipedia.org>
12. Report of the Study Team on the 'Administration' of Union Territories and NEFA; 1968.
13. Report of the Administrative Reforms Commission; 1969.
14. Report of the States Re-organization Commission; 1955.
15. Government of Union Territories Act; 1963. Available from: https://www.mha.gov.in/sites/default/files/2022-08/GovernmentUnionterritoriesAct1963_2%5B1%5D.pdf
16. Scheduled Districts Act; 1874.
17. Government of India. The Constitution of India. New Delhi: Ministry of Law and Justice; 2024. Available from: <https://legislative.gov.in>
18. Union Territory. Available from: <https://www.ebsco.com>
19. Proposed Union Territories. Available from: <https://en.wikipedia.org>
20. Part VIII (The Union Territories). Ministry of External Affairs. Available from: <https://www.mea.gov.in>