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Reimagining India's Political Boundaries: Insights into Reorganization of States

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Abstract

The reorganization of States in India reflects a dynamic process of redrawing the political boundaries influenced by a number of rationales including the linguistic identity, cultural distinctiveness, administrative efficiency, regional development aspirations, tribal empowerment and strategic significance. Beginning with the landmark States Reorganization Act, 1956 and the subsequent reorganization Acts including the recent Jammu and Kashmir Reorganization Act, 2019 and the Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Act, 2019, the present paper aims to study and analyze the major political changes both at the State and the Union Territory level in India's federal fabric / structure, highlighting the regional aspirations with the national unity.

Keywords: Political Boundaries, Reorganization of States, Butler Committee, States Reorganization Commission, Union Parliament

Introduction

1.1. Background:

The Indian subcontinent had so many problems with respect to the organization of States. Before Independence, India was divided into two parts like (i) the British India and (ii) Princely India under the Government of India Act, 1935 (Meharwade, 1976, p. 18) ^[3]. Under the first category there were eleven Governor's Provinces namely Madras, Bombay, Bengal, the United Provinces, the Punjab, Bihar, the Central Provinces and Berar, Assam, the North-West Frontier Province, Orissa and Sindh and six Chief Commissioner' Provinces like British Baluchistan, Delhi, Ajmer-Merwara, Coorg, Andaman and Nicobar Islands and Panth Piploda (Raj, 1979, pp. 27-28, Kumar, 1991, p. 3) ^[4, 1]. The second category consisted of 565 Princely States occupying two-fifth of the territory of India. The boundaries of the Princely States and British Provinces were artificial.

It would not be out of place to have look at the political map of India during the British rule that reveals two distinct categories of territories as under:

1. Pink color territories, and
2. Yellow color territories

Classified thus, the pink color territories represent British India that consisted of provinces and presidencies directly administered by the British administration, while yellow color territories represent the Princely India that consisted of semi-autonomous territories governed by the Indian princes under the direct the "Suzerainty" of the British Crown, but not directly administered as a part of British India. However, the British administration controlled the vital affairs of the Princely States like defense, foreign relations and communications.

In fact, the above-mentioned pink and yellow distinction of Indian territories has been rightly observed by the Butler Committee (formally known as the Harcourt Butler Committee) in the opening paragraph of its report on Indian States (Mishra, 1982, p. 31) ^[2]. After a detail / thorough study of the Indian States, the key observations as well as the recommendations of the Butler Committee on the States of India included the following:

1. The doctrine of British paramountcy must remain supreme and intact in order to preserve the princely states.

2. The relationship between the princely states and the British Empire was not merely contractual but a dynamic, evolving relationship shaped by historical, political and policy factors.
3. The Viceroy, rather than the Governor-General in Council, should represent the Crown in dealings with the princely states.
4. The States should not be transferred to any new government in British India responsible to an Indian legislature without the explicit consent of their rulers, addressing the fears of princes about changes under the self-rule or representative government.
5. The financial relationship between the British Raj and the princely states should be fair.
6. Lastly, the Committee sympathized with the fear of the princes, stressing that no transfer of state authority/sovereignty should be made without the consent of rulers.

The above recommendations reaffirmed the British paramountcy and sought to protect the sovereignty of the princely states within the colonial framework. However, the report was criticized by the nationalist groups advocating for representative government in the states.

Subsequently, after the attainment of Independence from the British Government in August 1947, far-reaching changes occurred in the internal structure as well as the geographical configuration of the India. The Linguistic Provinces Commission of the Constituent Assembly examined the matter of creating provinces on the basis of language. After examining the matter, the Commission said that new provinces should not be created for the time being and the matter could be taken up when nation had been physically and emotionally unified (Raj, 1979, p. 52) ^[4].

As such the four-fold classification of states and territories (Part A, B, C and D States) which the members of the Constituent Assembly of India recognized and adopted while making the Constitution for newly independent India was indeed a temporary expedient. As we saw a number of pressing demands from different corners of the country within three years of the working of the Constitution that states should be created on linguistic basis. On October 1, 1953 the state of Andhra Pradesh was constituted on the basis of language becoming the first linguistic state in India. In fact, it was a result of the fast unto death of Potti Sriramulu and was also the first change in the boundaries of a state made on the basis of the report of submitted by Shri Justice K.N. Wanchoo, the then Chief Justice of the Rajasthan High Court (Meharwade, 1976, p. 25) ^[3].

Following this the India's first Prime Minister Pandit Jawaharlal Nehru, while making a statement in the Lok Sabha on December 22, 1953, declared that a commission would be constituted that would examine the entire questions of the reorganization of the States "so that the welfare of the people of each constituent unit and the nation as a whole is promoted" (Mishra, 1982, p. 90) ^[2]. Accordingly, the Government of India appointed a high-powered three-man States Reorganization Commission (SRC) in December, 1953 consisting of Shri Fazal Ali (the Chairman), Pandit H.N. Kunzru and Sardar K.M. Panikkar (members) with a request to submit its report before July 30, 1955 (Meharwade, 1976, p. 26) ^[3]. However, nearly after two years of detail examination / inquiry of the general questions concerning the reorganization of the State

boundaries, visiting 104 places throughout the nation, interviewing more than 9,000 people and examining over 1,52,250 memoranda from different quarters, the Commission submitted its comprehensive report to the Union Government on September 30, 1955 (Raj, 1979, pp. 52-53, Mishra, 1982, p. 90) ^[4, 2].

Basis of Reorganization

The States Reorganization Commission (SRC) while making its recommendations had to follow certain comprehensive principles as guidance laid down by the Government resolutions as under:

- Preservation and strengthening of unity and security of the nation.
- Linguistic and cultural homogeneity.
- Financial, economic and administrative considerations, and
- Successful working of the national plan.

In fact, the States Reorganization Commission while redrawing the political map of India considered the following factors (Meharwade, 1976, pp.32-36) ^[3]:

1. Cost of Change: It should suit the administrative and financial resources of the nation while making any change in the boundary of the states.
2. Language: The theory of "one language, one state" was discarded by the Commission but it recognized "linguistic homogeneity as a significant factor conducive to administrative convenience and efficiency.
3. Economic And Financial Factors: The constituent units must have necessary resources in order to meet their ordinary expenses and expenses of the projects to be implemented under the national plans. They should be self-supporting to some extent.
4. Historical Tradition: A common history always gives birth to a sense of kinship and oneness and is also a source of inspiration.
5. Geographical Contiguity: The idea that boundaries of states were to be marked as per the natural frontiers such as mountains, rivers etc., was discarded by the Commission. Because it was not applicable in modern context, and
6. Administrative Convenience: There is need of common language, geographic unity and easy means of communication for the cause of efficient administration.

Part C States and States Reorganization Commission

In course of its examination / inquiry of the general question of the reorganization, the States Reorganization Commission thoroughly examined the position of the Part C States. After examination, the Commission felt that these States need radical changes in order to acquire the status of the Part A States (a standard category among the four-fold categorization under the Constitution) (Report of the Study Team on Administration of Union Territories and NEFA, ARC, 1968, p.8), and they could not retain their separate identity because of several reasons (Raj, 1979, p. 54) ^[4] as under:

1. No States, except Coorg, had the resources to run the administration without Union Government's grants.
2. The democratic experiment under the Part C States Act of 1951 proved to be so costly without producing any

increased efficiency.

3. Due to their geographical position and small size, these states had very little scope for attracting or retaining talent, and
4. In view of their small character, leadership choice was so limited. It was also felt that their separate existence may lead to personal ambitions as well as jealousies.

The States Reorganization Commission stated "taking all factors into considerations, we have come to the conclusion that there is no adequate recompense for all the financial, administrative and constitutional difficulties that the present structure of these States presents and that, with the exception of two, to be Centrally ruled, the, merger of the existing Part C States with the contiguous States is the only solution of their problems".

The two-Part C States for which the Commission recommended Central administration were like Delhi and Manipur. The Commission recommended the creation of a high-powered Municipal Corporation for Delhi, while for Manipur it recommended Central administration, but only for a transitional period and ultimate merger into Assam. As regards the Part D State of Andaman and Nicobar Islands, the Commission suggested the continuation of status quo.

The territories / areas that had been or might be brought under the Central administration in the future (e.g., Pondicherry), either before or after becoming de jure part of the Indian territory, the States Reorganization Commission felt that constitutional arrangements must be kept flexible. It did not want the discretion of Government to be fettered in respect of the administration of such territories / areas.

Moreover, as regards the appropriate set-up for such of the Centrally governed territories which had to retain their separate existence, the States Reorganization Commission suggested that there was no need for local legislatures; the Union Parliament should legislate for them in all matters. The Commission recommended the setting up of advisory bodies in these territories too suitable to their requirements / needs (Report of the Study Team on Administration of Union Territories and NEFA, ARC, 1968, p.9).

Union Parliament and States Reorganization Report

After the publication of the report of the States Reorganization Commission in October, 1955, it was placed before the Union Parliament for consideration. There took place marathon debate and discussion in the Parliament. There was, by and large, no contrary over the merger of the Part C States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh. However, there were divergent opinions regarding the merger of Himachal Pradesh, Manipur, and Tripura. On one hand, the supporters of the merger commended the recommendations of the States Reorganization Commission and also urged that these should be given effect to, while on other hand, the opponents to the merger felt that there was no consistency in the proposals made by the Commission in respect to the creation of the territories. It was recalled that for security reason, Manipur was recommended for Central administration, but Tripura and Himachal Pradesh, being border areas, had been envisaged for merger with the adjoining States. In fact, all these territories were strategically positioned. There was no link between them as well as the contiguous States.

Besides, the attention of the Union Government was drawn to the contrariety pertaining to two groups of island

territories like (i) Andaman and Nicobar Islands and (ii) Laccadive, Minicoy and Amindivi Islands (part of Malabar and south kanara districts of Madras State). As both groups of island territories had same types of problems as well as historical origins, it was hence considered illogical on behalf of the States Reorganization Commission to recommend one group for Central administration and another for integration. Further, the opponents to merger opposed the integration of Laccadive, Minicoy and Amindivi Islands with Kerala and put emphasis that these islands should be treated as a territory (Raj, 1979, pp. 61-62) ^[4].

After prolonged discussions in the Union Parliament and after protracted negotiations between the Union Cabinet and the interested parties, the Government of India announced its decision on the on the scheme of reorganization of the Commission on 16th January, 1956. With a view to implementing the scheme of reorganization which arose from the marathon discussions, the then Home Minister Shri. G.B. Pant introduced the States Reorganization Bill and the Constitution (ninth Amendment) Bill in the Lok Sabha (the lower Chamber of the Union Parliament). In both the Bills it was mentioned that the Part C States like Ajmer, Bhopal, Coorg, Kutch, and Vindhya Pradesh were to be merged in the contiguous States.

The decisions of the Centre Government were embodied in a Bill published on 16th March, 1956. The Bill included fifteen States and seven Union Territories. It was at this time that the nomenclature "Union Territory" was devised to refer to the Centrally administered territories / areas / regions. The seven Union Territories under the Bill were namely (i) Bombay, (ii) Himachal Pradesh, (iii) Delhi, (iv) Manipur, (v) Tripura, (vi) the Andaman and Nicobar Islands and (vii) Laccadive, Minicoy and Amindive Islands (now called Lakshadweep). Later, three of these Union Territories such as Manipur, Himachal Pradesh and Tripura were elevated to the status of full-fledged States.

Moreover, Shri. G.B. Pant while considering the States Reorganization Bill and the Constitution (ninth Amendment) Bill in the Union Parliament, moved the motions to the effect that the respective Bills should be referred to the Joint Committees of the Union Parliament. The said motions were carried out May 2, 1956. Subsequently two Bills were referred to the Joint Committees.

The Joint Committees of the Union Parliament while examining the States Reorganization Bill and the Constitution (ninth Amendment) Bill did not recommend any basic departure from the pattern contemplated in the original Bills. The Committees proposed an amendment seeking restrictions on the scope of the regulation-making power of the President of India to the Andaman and Nicobar Islands and Laccadive, Minicoy and Amindive Islands and providing that the Union parliament should be law-making body for other territories (Kumar, 1991, p. 23) ^[1]. For this Article 240 of the Indian Constitution was amended. Additionally, to provide for administration of the North East Frontier Agency (NEFA) on the same pattern of the Union Territories, suitable modifications were proposed in Clause 2 of the Paragraph 18 of the Sixth Schedule of the Constitution (Raj, 1979, pp. 64-66) ^[4].

After the examination of the Joint Committee, the States Reorganization Bill and the Constitution (ninth Amendment) Bill were taken up for consideration in the Lok Sabha on July 26, 1956 and September 4, 1956 respectively.

Shri. G.B. Pant while discussing on the Bills conveyed the decision of the Union Government to integrate the territories of Gujarat, Kutch, Saurashtra and Maharashtra with Bombay and to make it a State. Giving effect to this decision of the Union Government, he moved amendments in the said Bills. Consequently, upon the adoption of the amendments, both Gujarat and Maharashtra came to an end as States and Bombay ceased to be a Union Territory. Thus, the total number of Union Territories reduced from seven to six.

The States Reorganization Bill was passed by the Union Parliament on August 31, 1956, officially becoming the States Reorganization Act of 1956 (Act No. XXXVII of 1956). The Act came into operation from 1st November, 1956, leading to the major reorganization of state boundaries mainly on linguistic lines. Besides, Shri B.N. Datar, the Minister of State in the Ministry of Home Affairs, moved an amendment to the effect that in the Constitution (Amendment) Act, the number "ninth" should be replaced by the "seventh" was also accepted. Consequently, the Amendment Act was known as the Constitution (Seventh Amendment) Act, 1956 (Raj, 1979, pp.67-68) ^[4].

Consequently, the decisions of the Government of India on the report of the States Reorganization Commission were embodied in the States Reorganization Act, 1956 and the Constitution (Seventh Amendment) Act, 1956. In place of four-fold classification of States (A, B, C and D Parts), the Constitution finally recognized only two-fold classification as under:

1. Full-fledged States (the primary units of the Federation), and
2. Union Territories (over which the Union Government would have its control and supervision).

Under the first category there were fourteen the Full-fledged States like: Kerala, Andhra Pradesh, Bombay, Madras, Madhya Pradesh, Rajasthan, Punjab, Uttar Pradesh, Bihar, West Bengal, Assam, Mysore, Orissa and Jammu and Kashmir (Shama, 1968, p.41) ^[8]. As regards the second category there were six Union Territories such as: Delhi, Himachal Pradesh, Laccadive, Minicoy and Amindivi Islands, Manipur, Tripura and Andaman and Nicobar Islands (Meharwade, 1976, p. 38) ^[3].

In fact, the Reorganization of States is one of the most important achievements in the constitutional history of India. The reorganization of States has following important features (Kumar, 1991, pp. 23-24) ^[1].

1. The formation of larger States for the better execution of plans and co-operation at numerous levels.
2. Abolition of Part C States and their merger in the contiguous States.
3. Abolition of distinction of various groups of States like A, B, C and D States.
4. Elimination of institution of Rajpramukh.
5. Organization of Zonal Councils for discouraging fissiparous tendencies and promoting co-ordination between States, and
6. Vanishing distinction between High Courts of States to bring them on uniform level.

Consequential and Incidental Changes

It would be not be place to mention that, as a result of the Reorganization of States a number of consequential and incidental changes took place in the original Constitution of

India. They are (Raj, 1979, pp. 68-69) ^[4] as under:

1. Consequent upon the repealing of the Government of Part C States Act, 1951, Art. 240 of the Constitution of India relating to the creation of the Legislatures and Council of Advisers for Part C States was deleted.
2. As Part C State of Coorg was amalgamated with the State of Mysore, Art.242 of the Constitution concerning the Legislative Assembly and financial arrangements of the State of Coorg became redundant and hence, was omitted.
3. Part D State of the Andaman and Nicobar Islands was constituted into a "Union Territory" and its administration was provided under Art. 240 of the Constitution. Consequently, Part IX that was exclusively related with the administration of the Islands became superfluous and hence, was repealed, and
4. To define the expression "Union Territory", a new Clause was substituted for the original Clause 30 of Art. 366 of the Indian Constitution.

Major Political Changes Post-1956

The process of the reorganization of States and Territories in India did not stop there in 1956. Rather, it has become a continuous process. After 1956 the major political changes that have taken place both at the State and Union Territory levels are as under:

1. The bilingual State of Bombay was divided into two States by the Bombay Reorganization Act of 1960. They were like Maharashtra for Marathi speakers and Gujarat for Gujarati speakers (with effect from May 1, 1960). This followed the Samyukta Maharashtra Movement and Mahagujarat Movement that saw violent protests with 107 deaths. Further, the State of Vidharbha lost its identity because it was amalgamated in Maharashtra.
2. Dadra and Nagar Haveli enclaves which was under the control of the Portuguese till 1954 was integrated with the Indian Union and was made a Union Territory under the Constitution (Tenth Amendment) Act, 1961 (with effect from August 11, 1961).
3. Portuguese settlements consisting of Goa, Daman and Diu were liberated by the Indian Army in 1961 and were ruled by the Military authorities until they were integrated with the Indian Union in 1962. They were then constituted into a Union Territory by the Constitution (Twelfth Amendment) Act, 1962.
4. French settlements consisting of five far-flung units of Pondicherry (now Puducherry), Karaikal, Mahe, Yanam and Chandernagore were formally integrated with the Indian Union by making it a Union Territory under the Constitution (Fourteenth Amendment) Act, 1962 (with effect from August 16, 1962).
5. Nagaland with three major districts like Kohima, Mokokchung and Tuensang was made a State of India (16th State), carving out from Assam under the State of Nagaland Act, 1962 (with effect from December 1, 1963). In fact, the Act was enacted for addressing the demands of the Naga tribes for political as well as self-governance.
6. Chandigarh, the common capital of two States Punjab and Haryana was made a family member of Union Territories under the Punjab Reorganization Act, 1966 (with effect from November 1, 1966). This Act divided

- the State of Punjab into two States Punjab and Haryana along the linguistic lines as the 17th and 18th States respectively.
7. The name of Tamil Nadu was given to the State of, Madras under the Madras State (Alteration of name) Act, 1968.
 8. The Union Territory of Himachal Pradesh existing since 1956 was elevated to the status of full-fledged State by the State of Himachal Pradesh Act, 1970 (with effect from January 25, 1971).
 9. The North Eastern Areas (Reorganization) Act, 1971 granted full statehood status to three territories like Manipur, Tripura and Meghalaya on January 21, 1972. The Union Territories of Manipur and Tripura became the 19th and 20th States of India, while Meghalaya was carved out of Assam and was made the 21st State to address the regional aspirations and ethnic identities. Additionally, the Act created two new Union Territories like Mizoram and Arunachal Pradesh (renaming the NEFA) that subsequently also achieved statehood.
 10. The name of Karnataka was given to the State of Mysore under Mysore State (Alteration of name) Act, 1973 (with effect from November 1, 1973).
 11. The name of Lakshadweep was given to the erstwhile Union Territory of Laccadive, Minicoy and Amindive by the Act passed in 1973 (with effect from November 1, 1973).
 12. After Meghalaya, Sikkim was made the 22nd State of Indian Union by the Constitution (Thirty Sixth Amendment) Act, 1975 by abolishing the institution of the Chogyal (Monarchy) in response to the will of the people of Sikkim (97.5 %) expressed in the State Legislature granting special powers to the Governor of the State of Sikkim.
 13. The Government of India granted a Legislative Assembly and a Council of Ministers to the North-Easternmost Union Territory of Arunachal Pradesh (NEFA) under the Constitution (Thirty Seventh Amendment) Act, 1975 (with effect from August 15, 1975). It took place in response to the demands of the people and leaders of the Union Territory of Arunachal Pradesh that later was made the 24th State of India in 1987.
 14. Mizoram was also made a State of Indian Union (23rd State) on February 20, 1987. Its statehood was followed by 1986 Mizoram Peace Accord.
 15. Goa was made the 25th State of India on May 30, 1987 separating from the Union Territory of Goa, Daman and Diu following the 1967 Opinion Poll in which Goans voted against merger with Maharashtra.
 16. Three new States were formed in the year 2000 based on socio-political and regional rather than purely linguistic considerations. One of them was Chhattisgarh (26th State) carving out of the State of Madhya Pradesh on November 1, 2000, largely because of regional economic and administrative grievances. The second one was Uttarakhand (originally called Uttaranchal) was made the 27th State of India carving out from the hilly regions of northwestern Uttar Pradesh on November 9, 2000. The third one was Jharkhand. It was made the 28th State of Indian Union carving out from the southern Bihar on November 15, 2000.
 17. Coming to the recent major reorganizations from 2014 to 2020, Telangana was made the 29th State of India bifurcating the State of Andhra Pradesh on June 2, 2014. In fact, it was the result of decades-long movement for a separate Telangana State.
 18. In a very historic and unprecedented move, the State of Jammu and Kashmir was reorganized into two Union Territories on October 31, 2019. Following the abrogation of Art. 370 of the Constitution of India on August 5, 2019, the Jammu and Kashmir Reorganization Act, 2019 created the Union Territory of Jammu and Kashmir with a Legislative Assembly and the Union Territory of Ladakh without a Legislative Assembly. In fact, it became a history in India that for the first time a full-fledged State was converted into Union Territories. Thus, the total number of the States reduced from 29 to 28 and that of the Union Territories increased from seven to nine.
 19. The two separate Union Territories like Dadra and Nagar Haveli and Daman and Diu were merged into a single Union Territory on January 26, 2020 under the Dadra and Nagar Haveli and Daman and Diu (Merger of Union Territories) Act, 2019. This merger took place to improve administrative efficiency and reduce duplication of services. Thus, the total number of the Union Territories reduced from nine to eight.

Conclusion

In view of the above facts, it can be concluded that the reorganization of States and Territories in the India has been a pragmatic and continuous process to balance the administrative efficiency, cultural identity, linguistic identity and regional aspirations. It reflects India's commitment to accommodating diversity within a unified federal framework, enabling better governance as well as political stability. While the States Reorganization Act, 1956 has laid the foundation of reorganization by focusing mainly on linguistic lines, the subsequent reorganization Acts have responded to the evolving socio-economic and political demands.

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