

DAILY TARGET SHEET

**Polity &
Governance**

**UNION AND
TERRITORIES**

UNION AND TERRITORIES

Articles 1-4 | Berubari Case | State Reorganisation | Article 370 | Daily Target Sheet | GS-II | Prelims

Date: _____

Today's Score (DPW): _____ / 40

📅 Today's Revision Checklist

☐	Article 1(1): India = 'Union of States' NOT 'Federation' – Dr. Ambedkar's 2 reasons: (1) Not result of agreement like USA (2) No right to secede
☐	Article 1(3): Territory of India = (i) States (ii) Union Territories (iii) Future acquired territories. Names/extent → First Schedule. Current count: 28 States + 8 UTs
☐	Article 2 vs Article 3: Art. 2 = NEW/external states (not yet in Union). Art. 3 = EXISTING states – form, increase, diminish, alter boundaries, alter name
☐	Article 3 Process: Prior Presidential recommendation → refer to state legislature (not binding) → Parliament not bound even if views received in time → no fresh reference for every amendment → NO reference for Union Territories
☐	Article 4: Laws under Articles 2 & 3 = NOT constitutional amendments under Article 368. EXCEPTION: cession of Indian territory to foreign country requires Article 368
☐	Berubari Union Case (1960): Background (Nehru-Noon Agreement 1958, Radcliffe Commission error) → SC held Preamble NOT part of Constitution → Cession requires Article 368 → 9th & 100th Constitutional Amendment Acts
☐	Maganbhai Patel v Union (1969): Settlement of boundary DISPUTE ≠ cession. Executive can implement UNLESS actual cession of undisputed home territory involved
☐	1950 Four-fold Classification: Part A (9 former British provinces) Part B (9 Princely states with legislatures) Part C (Chief Commissioners' provinces + Princely states) Part D (Andaman & Nicobar)
☐	Pre-SRC Commissions: S.K. Dhar (1948) → academic convenience NOT linguistics JVP Committee (Nehru, Patel, Sitaramayya, 1948) → rejected language Potti Sriramulu death (1953) → Andhra Pradesh (first linguistic state)
☐	Fazl Ali Commission (SRC 1953): 3 members – Fazl Ali, K.M. Panikkar, H.N. Kunzru. Rejected 'one language-one state'. 4 criteria: Unity & security Linguistic homogeneity Financial/economic/admin Welfare. Result: SRA 1956 + 7th Amendment = 14 states + 6 UTs

□	Post-1956 Key Transitions: 1960 (Bombay→Maharashtra+Gujarat) 1961 (Goa acquired) 1963 (Nagaland statehood) 1966 (Punjab→Haryana+Chandigarh+HP UT, Shah Commission) 1971 (HP statehood) 1972 (Manipur, Tripura, Meghalaya statehood; Mizoram+AP as UTs) 1975 (Sikkim after referendum) 1987 (Goa, AP, Mizoram statehood) 2000 (Chhattisgarh, Jharkhand, Uttarakhand) 2014 (Telangana) 2019 (J&K→2 UTs + Dadra-Daman merger)
□	Article 370 Provisions: Part XXI (Temporary). Parliament limited to IoA items: defence, external affairs, communications. President's order + state concurrence needed for additional matters. Article 35A = 'permanent residents' definition power
□	Article 370 Abrogation (5 August 2019): Constitutional Orders 272 & 273 under Art 370(1) → applied entire Constitution to J&K → modified Art 367(4) ('Constituent Assembly' → 'Legislative Assembly'). J&K Reorganisation Act: J&K UT (WITH Assembly, 5-yr term, no public order/police) + Ladakh UT (WITHOUT Assembly). Lok Sabha: 5 seats J&K + 1 Ladakh
□	SC 2023 Judgement on Art 370: Art 370 = TEMPORARY + ASYMMETRIC FEDERALISM (not sovereignty) J&K had NO internal sovereignty Parliament's power during President's Rule extends to executive action President can UNILATERALLY notify Art 370 cessation Elections ordered by Sep 2024 Truth & Reconciliation Commission mooted
□	J&K Delimitation 2022: Headed by Ranjana Prakash Desai. Based on 2011 Census. 83→90 seats. Jammu: 37→43 Kashmir: 46→47. STs: 9 seats SCs: 7 seats (Jammu). 2 Kashmiri Pandits to be nominated

⚡ Must-Known Facts at a Glance

India described as	'Union of States' – NOT 'Federation of States' (Article 1(1))
States have no right to	SECEDE from the Union – key distinction from American federation
Territory of India (Art 1(3))	States + UTs + Future acquired territories Listed in First Schedule
Current count	28 States + 8 Union Territories
Article 2 vs Article 3	Art 2 = EXTERNAL (new states not in Union). Art 3 = INTERNAL (existing states reorganisation)
Parliament bound by state?	NO – Parliament is NOT bound by state legislature's views under Article 3

For Union Territory (Art 3)	NO reference to concerned legislature needed – Parliament acts directly
Article 4 key rule	Laws under Arts 2 & 3 = NOT amendments under Art 368. Exception: cession of territory to foreign country
Radcliffe Commission	Boundary award error → Berubari dispute → Nehru-Noon Agreement 1958
Berubari Case SC holdings	(1) Preamble NOT part of Constitution. (2) Cession ≠ Art 3 law; needs Art 368. (3) 9th Amendment Act passed
Maganbhai Patel (1969)	Boundary dispute settlement ≠ cession. Executive can implement UNLESS undisputed territory is being ceded
S.K. Dhar Commission (1948)	Recommended ACADEMIC CONVENIENCE – NOT linguistic basis for reorganisation
JVP Committee (Dec 1948)	Nehru + Patel + Sitaramayya – REJECTED language as basis of reorganisation
First linguistic state	Andhra Pradesh (1953) – triggered by Potti Sriramulu's death after fast-unto-death
Fazl Ali Commission	SRC 1953 – 3 members. Rejected 'one language-one state'. 4 criteria → SRA 1956 + 7th Amendment → 14 states + 6 UTs
Sikkim joined as full state	1975 – after referendum. Was 'associate state' under 35th Amendment (1974)
Article 370 – Part of	Part XXI – Temporary, Transitional and Special Provisions
Art 370 Parliament's limit	Union/Concurrent list items matching IoA (defence, external affairs, communications, ancillary)
Presidential Orders (2019)	Constitutional Orders 272 & 273 – applied entire Constitution to J&K. Modified Art 367(4): 'Constituent Assembly' → 'Legislative Assembly'
J&K UT Assembly – CANNOT	Legislate on 'public order' and 'police' – reserved for Centre (similar to Delhi/Puducherry model)
SC 2023 – Art 370 nature	TEMPORARY provision + asymmetric federalism. J&K had NO internal sovereignty

Delimitation 2022

Based on 2011 Census. Headed by Ranjana Prakash Desai. Seats: 83→90 (Jammu 43, Kashmir 47). STs: 9, SCs: 7

 End of Day Self-Assessment

Question	 Weak	 OK	 Good	Revise?
Can I explain the difference between Articles 2, 3 and 4 with the correct process under Article 3?	☐	☐	☐	☐

 Today's Notes / Doubts / Case Laws to Revisit

 **MAINS QUESTION TO ATTEMPT TODAY:** *'The linguistic reorganisation of Indian states in the 1950s reflected both the aspirations of linguistic communities and the federal imperatives of national unity. Critically examine how the States Reorganisation Act of 1956 balanced these competing considerations.'* (15 marks / 250 words – answer in DPW)