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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal providededicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

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STATECRAFT EVOLUTION: A STUDY ON THE BIRTH OF STATES AND UNION TERRITORIES POST-1956

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Abstract

The formation of states and union territories in India post-1956 is a complex and multifaceted process shaped by historical, political, cultural, and administrative factors. This paper presents a comprehensive case study that explores the dynamics behind the creation of states and union territories in India after the reorganization of states in 1956. Drawing upon extensive research and analysis of historical documents, government reports, and scholarly literature, this study examines the socio-political contexts, regional aspirations, linguistic identities, administrative efficiencies, and constitutional provisions that influenced the formation of states and union territories.

The case study delves into key milestones such as the States Reorganization Commission of 1953, which laid the groundwork for the linguistic reorganization of states, and subsequent amendments to the Constitution of India to accommodate the formation of new states. It analyzes the rationale behind the creation of states such as Maharashtra, Gujarat, Punjab, Haryana, and others, considering factors such as language, culture, geography, and economic viability. Furthermore, it investigates the evolution of union territories and their roles in the federal structure of India, highlighting their significance in governance and administration.

Through a comparative analysis of different state formations and union territories, this study aims to identify patterns, trends, and challenges encountered in the process. It also evaluates the impact of state reorganization on regional development, linguistic harmony, political representation, and socio-economic progress. By examining case studies and historical narratives, this research contributes to a deeper understanding of the complexities involved in the formation of states and union territories in post-1956 India and provides insights into the dynamics of federalism, identity politics, and nation-building in a diverse and pluralistic democracy.

Research Questions:

1. What were the primary socio-political, cultural, and administrative factors that influenced the formation of states and union territories in India after 1956?
2. How did linguistic identities, regional aspirations, and constitutional provisions shape the reorganization of states and the creation of new union territories during this period?
3. What were the long-term impacts of state reorganization on regional development, linguistic harmony, political representation, and socio-economic progress in post-1956 India?

Objectives:

1. To analyze the historical context and socio-political dynamics surrounding the formation of states and union territories in India post-1956.
2. To identify and examine the key factors driving the reorganization of states, including linguistic considerations, regional aspirations, and administrative efficiencies.
3. To assess the consequences and implications of state reorganization on various aspects such as regional development, linguistic harmony, political representation, and socio-economic progress, aiming to provide insights for future governance and policy-making.

Introduction

India had 571 disconnected princely entities when it gained independence in 1947, which were combined to form 27 states. The states were grouped based on political and historical factors rather than linguistic or cultural boundaries, although this was just a transitory structure. Because of the multilingual character of the states and the disparities that prevailed between them, the states needed to be reformed on a constant basis.

The government in year 1948 selected SK Dhar, a judge of the Allahabad High Court, to lead a panel to investigate the necessity for linguistic reform of states. Nevertheless, the Commission favoured state reorganisation based on administrative convenience, incorporating historical and to some extent geographical considerations, rather by linguistic lines.

JVP Committee, comprised of Jawaharlal Nehru, Vallabh B Patel, and P Sitaramayya, was constituted

in December 1948 to investigate the matter. In its report, issued in April 1949, the Committee rejected the proposal of reorganising states on a linguistic basis, but stated that the matter may be revisited.

The first linguistic state called Andhra was formed for Telugu-speaking people in 1953. In the face of a lengthy protest and after the passing away of Potti Sriramulu, the administration was obliged to remove Telugu-speaking territories from the state of Madras. As a result, there were numerous calls from other sections of the nation for the formation of linguistic states.

Jawaharlal Nehru established a panel headed by Fazl Ali to investigate these new requests on December 22, 1953. The commission's report was issued in 1955, and it proposed that the nation be split into 16 states and 3 controlled districts. While the government did not agree with all of the proposals, the States Reorganisation Act, approved in November 1956, split the country into 14 states and six union territories.

Following violence and protest, the famous Bombay was divided in 1960 into the states of Gujarat and Maharashtra. While Nagaland was established in 1963 for the benefit of the Nagas, bringing the total number of states to 16.

Punjab Reorganisation Act was approved by Parliament in April 1966, founded on the Shah Commission report. Following this, the Punjabi-speaking districts were given to the state of Haryana, while the highland portions were given to UT of Himachal Pradesh. Chandigarh, that was earlier designated as a UT, which was made the capital of both Punjab and Haryana. The states of Meghalaya and Himachal Pradesh were established in 1969 and 1971, respectively. The conversion of UT of Tripura and Manipur to form states brought the number of states in the country to 21.

Following that, Sikkim gained statehood in year 1975, followed by Mizoram and Arunachal Pradesh in February 1987. Goa became the twenty-fifth state in May of 1987, and three more states, Jharkhand, Chhattisgarh, and Uttaranchal, were founded in November of 2000. Telangana became India's 29th state on June 2, 2014. India now has 29 states and 7 UTs.¹

¹ *Reorganisation of states and why it happened*, THE NEWS MINUTE (Jan 15, 2022, 8 PM), <https://www.thenewsminute.com/article/explainer-reorganization-states-india-and-why-it-happened-52273>.

Remapping Of India

The first wave of reorganisation formed linguistic states in southern, western, and north-western India between 1956 and 1966. Early 1970s, saw a second wave to redrew the map of the country in the north-eastern region, with the formation of Arunachal Pradesh and Mizoram as UT, the formation of Meghalaya, and the promotion of Manipur and Tripura from UTs into complete states. With little respect for language, the second wave was established on ethnic, political, and strategic grounds.

Even under Atal Bihari Vajpayee's prime ministership in 2000, the states of UP, MP, and Bihar were partitioned to form newly formed states of Uttarakhand, Chhattisgarh, and Jharkhand. There were protests in support of the establishment of these new states, with Jharkhand in particular having a long shared history among the region's tribal people. One of few academics who has done considerable research on the third wave is Louise Tillin, a British scholar. *Remapping India*, her book, was released four years ago. She concluded that the creation of these three states was part of the RSS's larger goals and the Bharatiya Janata Party's political strategy to widen its community among tribal and OBC populations.²

What is notable about this event is that MP and Bihar were run by non-BJP parties in 2000, and both went along with the establishment of Chhattisgarh and Jharkhand without a fuss. In reality, when the Congress was in power in Madhya Pradesh, the state house voted a resolution in favour of a separate state of Chhattisgarh in year 1994. In Bihar, it is worth recalling that Jayaprakash Narayan called for the establishment of Jharkhand in the mid-1970s, which state political leaders, all products of the JP movement, would have been well conscious of.³

Why Was Language Employed As A Criterion For State Division And Why Were Additional States Formed?

Owing to the ability to express in a shared tongue, it would result in a greater number of locals

² Majeed Akhtar, *The Changing Politics of States' Reorganization*, *Publius* 33, No. 4 (2003): 83–98. <http://www.jstor.org/stable/3331197>.

³ Jairam Ramesh, *Lessons from reorganising India's states – and why Uttar Pradesh needs to be divided*, *SCROLL*, (Jan 15, 2022, 8 PM) <https://scroll.in/article/909436/jairam-ramesh-a-potted-history-of-reorganising-indias-states-and-why-uttar-pradesh-should-be-next>.

engaging in administration. Governance would be simplified in communities that shared language and some geographical characteristics. Which would have resulted in growth of regional languages, which the British previously disregarded.

One of the primary reasons was moral, traditional or social ties. Nagaland in the NE was formed with tribal connections in mind. Additional cause for this was economic growth. Chhattisgarh believed that the area could only thrive economically through independent statehood since state government was not meeting the region's development needs. Because of inequitable resource allocation and a lack of suitable growth possibilities, an aggrieved area has a strong belief that general growth will not happen in the larger state.

Also, a transfer of authority from federal government to some states, and with an expansion of various populations, current federal systems are unlikely to match ambitions of growing population.

Furthermore, parties prefer connection themselves with politics of identity in order to obtain attention on national arena & vote-bank. As a result, there is a growing demand for the establishment of new nations centered on social and cultural/traditional identities.⁴

How Was The Reorganisation Plan Executed?

The SRC proposed consolidating the four types of states into two categories: states and union territories, as well as combining Hyderabad, a former Part B state, with Andhra Pradesh. The States Reorganisation Act, 1956, was adopted by Parliament given under Article 4 of Indian Constitution to give effect to the reorganisation programme. To execute the States Reorganisation Act, the Constitution enacted the 7th Constitutional Amendment, which was signed by the Indian President on October 19, 1956.

This amendment not only resulted in the construction of new states by changing the areas and limits of the states, but it also resulted in the abolition of Part A, Part B, and Part C states as well as the designation of some territories as Union Territories.

⁴ *supra*, note 1.

The 1956 States Reorganisation Act lowered the number of states from 27 to 14. The new states founded as a result of state restructuring in 1956 include AP, Bombay Kerala, MP, Madras, Mysore, Punjab, and Rajasthan. After that, Parliament passed numerous Reorganisation Acts, resulting in the split of existing states.⁵

Smaller states offer a number of advantages. Because they have smaller assemblies, their decision-making is more rapid, and their rules apply exclusively to their geographic territory. It also aids in the preservation of their culture. When Assam was divided into many states with distinct cultures, the identities of Nagas, Mizos, and others became increasingly well-known throughout the country. When minor towns like Ranchi, Dehradun, and Raipur became state capitals, their names became household ones. The development of new cities is usually advantageous in terms of drawing new businesses and employment to the area.⁶

The rearrangement of nations based on language, an important part of national consolidation and integration, emerged nearly soon after independence. Province borders in pre-1947 India had been created haphazardly as British invasion of India had lasted over century. Because no consideration was given to linguistic or cultural cohesiveness, the majority of provinces were various languages and multi-traditional. Intermittent princely states also introduced a new dimension of complexity.⁷

The argument that states based on language for administrative subdivisions seemed compelling. Language is inextricably linked to culture, and so to people's habits. Furthermore, the huge dissemination of education and mass literacy could only happen through the channel of the mother language. Nehru established the States Restructuring Commission (SRC) in August 1953, with Justice Fazi Ali, K.M. Panikkar, and Hridaynath Kunzru as members, to study 'objectively and dispassionately' the entire matter of reorganisation of union's states. Meetings, rallies, agitations, and hunger strikes plagued the Commission during its two-year tenure.⁸

⁵ Rai, Anuradha, *State reorganization in india: real-politicking or electoral politics*, THE INDIAN JOURNAL OF POLITICAL SCIENCE 73, no. 4 (2012): 665–72. <http://www.jstor.org/stable/41858874>.

⁶ Patil Amruta, *New States and Union Territories Created After 1956*, PREPP, (Jan 15, 2022, 8 PM), <https://prepp.in/news/e-492-new-states-and-union-territories-created-after-1956-indian-polity>.

⁷ *Id.*

⁸ Parameswaran and Srikumar Chattopadhyay, *Reorganisation of States: A Different Approach*, ECONOMIC AND POLITICAL WEEKLY, vol. 49, no. 42, 2014, pp. 81–86, <http://www.jstor.org/stable/24480887>.

Different language groups battled verbally and, in some cases, physically. In October 1955, the SRC issued its report. While stating that administrative and economic reasons should be taken into account, it acknowledged the linguistic premise and also suggested redrawing state boundaries based on those criteria. The Commission, on the other hand, was opposed to the separation of Bombay and Punjab. Even after the widespread opposition to the report in many sections of the country, the SRC's recommendations were agreed upon, albeit together with some revisions, and soon executed.⁹

Largest opposition to SRC's report and States Reorganization Act arose from the state of Maharashtra, there major riots erupted and eighty people were murdered in police firings in Bombay in January 1956. A major protest movement was formed by opposition groups encouraged by a broad range of public opinion. The government then had to, in June 1956, split the state of Bombay into two language-based states, Maharashtra and Gujarat, with Bombay city being a distinct, centrally controlled state. The Maharashtrians were also vehemently opposed to this plan.¹⁰

Nehru now wavered, and in July, angry at having angered the residents of Maharashtra, returned to the establishment of multilingual, Bombay. The inhabitants of Maharashtra and Gujarat, on the other hand, were opposed to the proposal. The Samyukta Maharashtra Samiti and the Maha Gujarat Janata Parishad led the activities in the 2 areas of the state.¹¹ A significant number of Congressmen in Maharashtra backed the plan for a one language speaking Maharashtra with Bombay as its capital, and C.D. Deshmukh, the finance minister in the Central Cabinet, resigned over the matter. While the Gujaratis were worried that they would be in the minority number in newly created territory. While they also did not support to give Maharashtra control over the area of Bombay. Arson and violence spreaded to Ahmedabad and other Gujarat cities. 16 individuals were killed and 200 were injured in police shootings. Despite the Bombay issue, the government got stuck with and had to pass the States Reorganization Act in November 1956.¹²

⁹ Mahendra Prasad, *Reorganisation of States in India*, ECONOMIC AND POLITICAL WEEKLY 43, no. 11 (2008): 70–75. <http://www.jstor.org/stable/40277259>.

¹⁰ Jairam Ramesh, *Lessons from reorganising India's states – and why Uttar Pradesh needs to be divided*, SCROLL, (Jan. 15, 2022, 8 PM) <https://scroll.in/article/909436/jairam-ramesh-a-potted-history-of-reorganising-indias-states-and-why-uttar-pradesh-should-be-next>.

¹¹ *Id.*

¹² Pranav Arya, *State Reorganisation*, INDIAN SAGA, (Jan. 16, 2022, 5 PM), <http://indiansaga.com/history/postindependence/reorganization.html>.

Ambedkar contended that the SRC mistakenly concentrated on reorganising south India while ignoring the politically powerful north. SRC did not advocate for the division of Uttar Pradesh. KM Panikkar, on the other hand, responded to the official report with an erudite dissent comment. He expressed deep worry over the imbalance generated by Uttar Pradesh's disproportionate size, claiming "the basic and underlying weakness of the Indian Constitution - the vast discrepancy between one unit and the others." His goal was to establish a new state known as Agra alongside other one known as Uttar Pradesh. Panikkar bemoaned "this odd characteristic of our Constitution," stating that "the unmanageable size of UP impedes efficient government." Pant, on the other hand, practically single-handedly ensured that Uttar Pradesh remained together. But he would also remark that if administratively necessary, he would not obstruct UP's reorganisation.¹³

As per Article 3 of Constitution, state legislature's consent is not necessary for its own reorganisation. Parliament has full ability to revamp state borders, but only when the President has forwarded a Bill to state legislature of the reorganised state for opinion. In this manner Andhra Pradesh was partitioned. In the instance of Uttar Pradesh, the state assembly presented a proposal for reorganisation to the Government in November 2011, at that time Mayawati was the CM. Purvanchal (Eastern Uttar Pradesh), Paschim Pradesh (Western Uttar Pradesh), Bundelkhand (Southern Uttar Pradesh), and Awadh Pradesh were Mayawati's proposed new states (Central UP). If Parliament may reorganise Andhra Pradesh in its wisdom, against majority opinion in legislature of the state, Uttar Pradesh, that remained a better case for such involvement, may as well.¹⁴

Recent Developments

Andhra Pradesh was divided into Telangana and Andhra Pradesh in February 2014. Here, not like the bifurcations done in 2000, when respective state assemblies passed resolutions which recommended the bifurcation of the respective states to Centre, the bifurcation of Andhra Pradesh in 2014 was done by Parliament exerting its ultimate power under Articles 3 and 4 of the Constitution. In fact, the state legislature had dismissed bill submitted to them by Centre for division. Nonetheless, split occurred because all political parties, with the exception of the Communist Party of India, supported it. In 2014,

¹³ Jairam Ramesh, *Lessons from reorganising India's states and why Uttar Pradesh needs to be divided*, SCROLL, (Jan 16, 2022, 8 PM) <https://scroll.in/article/909436/jairam-ramesh-a-potted-history-of-reorganising-indias-states-and-why-uttar-pradesh-should-be-next>.

¹⁴ *Id.*

on 20th February, when the Rajya Sabha approved the Andhra Pradesh Restructuring Bill, 2014.¹⁵ After which Telangana became the 29th state of India with its shared capital with Andhra Pradesh, i.e. Hyderabad, for a period of ten years. While Amravati is being built as the capital of the state of Andhra Pradesh.

Conclusion

As we approach 2026, it is critical that we begin to consider the problems and concerns that another round of delimitation will provide. The most obvious aspect is the disparity across states in terms of the number of Lok Sabha MPs. According to present demographics, a state like Uttar Pradesh would have a three-digit representation, whilst most states in the Northeast will have a solitary number. Then there's the issue of significant emigration of SCs and STs to cities, where their proportions are so scattered that it's difficult to reserve seats for them. We'll also have to account for a considerable lot of migrant voters, as well as some balance across urban and rural areas.

Perhaps now is the time for a second, more thorough reorganisation of states to solve these challenges. Although the first States Reorganisation Commission (SRC) included a jurist, Justice Fazal Ali, a lawmaker, HN Kunzru, and a diplomat, KM Pannikar, the next SRC should be more inclusive, with greater time and resources to carve out Bharat's internal boundaries and constituencies.

A lot of states are still raising their voices for separate statehood in various parts of the country while some are asking for a second reorganisation of the present states on different basis of bifurcation this time.

¹⁵ *Supra*, note 5.