

Rakhi Rani

Q. Discuss the process of state creation and reorganization in India, highlighting the constitutional provision and legislative steps involved. Compare India's approach with that of the US, focusing on linguistic and ethnic factors in shaping federalism. Analyze whether India's emphasis on these factors has strengthened national unity or promoted regionalism.

12 + 10 + 16

Ans: According to B.R. Ambedkar, the drafting committee wanted to make it clear that though India was to remain a federation, the federation was not the result of an agreement by the states to join in a federation and that the federation, not being the result of an agreement, no state has the right to secede from it.

PROCESS OF STATE CREATION

constitutional provisions → 10
legislative provisions

Legislative Provision

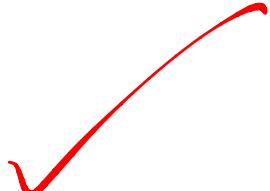
- Article 1
- , Article 2
- Article 3
- Article 4

CONSTITUTIONAL PROVISION

constitutional provisions → 10
constitutional provisions

but did you know?

constitutional provisions



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का
संक्षेप
दीजिए

Article 1 :- India is a union of states and defies its territory.

• **Article 2 → Admission of new state**

U/A 2, Parliament by law (simple majority) we can admit into Indian union or establish new states.

Ex :- Parliament has incorporated

Goa
Sikkim
Dadar and Nagar Haveli etc.

• **Article 3 → Rearrangement of states (within India)**

U/A 3, Parliament by law can increase or diminish area of new states; it may change the name or alter boundary.

Ex :- Jharkhand came out from Bihar

- Uttarakhand from UP

Ex - 1950 - United Province became Uttar Pradesh.
2011 - Orissa became Odisha.

LEGISLATIVE STEPS → for article 2 and 3.

1. Bill introduced in either house with the prior permission of President.

2. Copy sent to concerned state legislature to seek its opinion, not binding in nature.

3. Parliament by simple majority could pass the bill by

- ~~Ceding or adding new territory to or from foreign country required amendment of the constitution~~

Q/A 368

Ex:- ~~8th CAA~~ Ceding territory :- ~~9th and 100th CAA ceded territory to Bangladesh~~

Addition of new territory :- ~~36th CAA made Sikkim full fledged state.~~

- ~~Any changes under article 2 and 3 requires changes in first schedule 1 and sometimes in schedule 4.~~

COMPARISON BETWEEN INDIA AND US STATE

REORGANISATION

	INDIA	US
1. Basis	Holding together federation Constitution divides the power with various units, and the centre is responsible for holding together	Coming together Federation Independent states joined each other through agreement to form a country
2. Authority to create states	Parliament by simple majority	Congress but with the consent of state legislature.
3. Role of central govt.	Centre has strong authority Due to linguistic, cultural there are frequent changes	Shared authority w/ with federal and states.
4. Frequency of changes		Rare changes due to the complex process

प्रश्नों की संख्या दीजिए	5. Process for creating states Bill introduced in Parliament after President's consultation with states	Requires agreement of states and congress	Candidate must not write on margin
6. Judiciary	limited, Parliament's say are usually final	federal courts can play a key role	
7. Highly flexible	Highly flexible	West Virginia (1863) Maine (1820)	
8. Example	Telangana (2014) J and K (2019)	CHAIJAH	

Keeping ethnic and cultural diversity, state reorganisation in India has brought significant changes -

1. ADMINISTRATIVE EFFICIENCY

Bringing more transparency and accountability

Ex:- Development index of Chattisgarh has been more than Madhya Pradesh after the former separation from later.

2. ECONOMIC OPTIMISATION

Optimum use of resources has been seen to give targeted benefits.

Ex:- Uttarakhand's tourism sector got more funding and subsequently developed after its alienation from UP.

3. CULTURAL CONSOLIDATION

Ethnolinguistic homogeneity creates more sense of belonging thus contributing to public life and creates strengthened cohesion and fraternity.

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दीजिए

Candidate
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write on
margin

Ex :- Jharkhand's separation from Bihar

1. POLITICAL INCLUSIVENESS

1.1 Enhanced Participatory democracy.

2. INFRASTRUCTURAL PRIORTISATION

2.1 Apart from coastal land there will be less emphasis on mainland.

Ex :- Telangana's separation from Andhra Pradesh.

CHALLENGES

1. INCREASED GOVT. REVENUE

1.1 New states lead to bureaucratic explosion thus increasing govt. expenditure.

1.2 Economic disequilibrium thus creating aid curse or dependency syndrome.

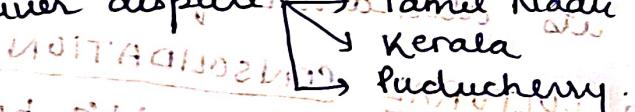
2. POLITICAL BALKANISATION

2.1 Breaking up into smaller and hostile units thus hindering sovereignty and integrity of India.

3. CHALLENGES OF SHARING OF RESOURCES

3.1 Inter water state dispute.

Ex:- Cauvery water river dispute.



4. INCREASED DOMINO EFFECT

4.1 More demand of separation from state has arisen recently.

Ex:- Khalistan from Punjab.
Mithilanchal from Bihar.

Thus, till now state reorganisation has strengthened national unity and by conducting second state reorganisation, geo economic mapping India could mitigate recent demand to meet their genuine aspiration and it will strengthen our federal spirit. more effectively.

Conclusion "but most comprehensive"

(C6)

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