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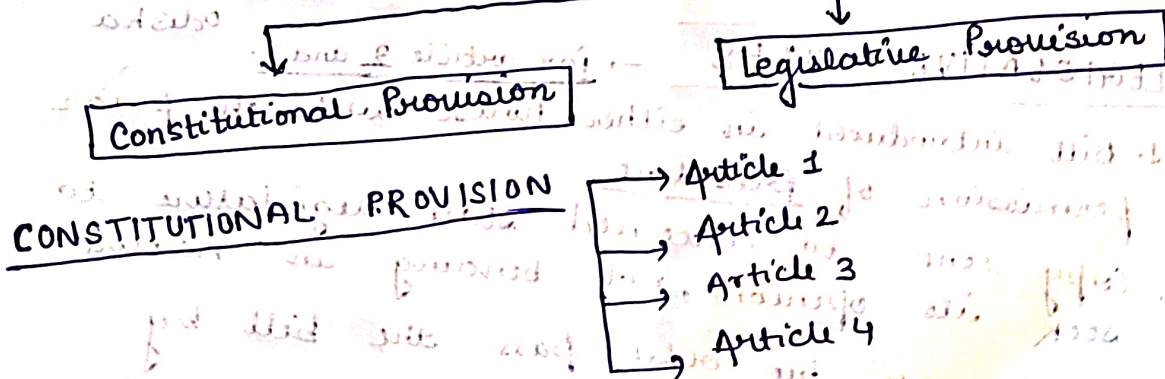
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Q. Discuss the process of state creation and reorganization in India, highlighting the constitutional provision and legislative steps involved. Compare India's approach with that of the US, focusing on linguistic and ethnic factors in shaping federalism. 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 be 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



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

• Article 2 → Admission of new state

U/A 2, Parliament by law (simple majority) 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:
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 could pass the bill by Simple majority.

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

U/A 368.

Ex:- 8th 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 and sometimes in schedule 4.

COMPARISON BETWEEN INDIA AND US STATE REORGANISATION

	INDIA	US
1. <u>Basis</u>	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. Ex:- Switzerland
2. <u>Authority to create states</u>	Parliament by simple majority	Congress but with the consent of state legislature.
3. <u>Role of central govt.</u>	Centre has strong authority	Shared authority with federal and states.
4. <u>Frequency of changes</u>	Due to linguistic, cultural there are frequent changes	Rare changes due to the complex process

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5. Process for creating states

Bill introduced in Parliament after President consultation with states

Requires agreement of states and congress

6. Judiciary

limited, Parliament's say are usually final

Federal courts can play a key role

7. Flexible

Highly flexible

less flexible

8. Example

Telangana (2014)
J and K (2019)

West Virginia (1863)
Maine (1820)

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 Chhattisgarh has been more than Madhya Pradesh after the former separation from later.

2. ECONOMIC OPTIMISATION

2.1 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

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

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Ex:- Jharkhand's separation from Bihar

4. POLITICAL INCLUSIVITY

4.1 Enhanced Participatory democracy.

5. INFRASTRUCTURAL PRIORITISATION

5.1 Apart from coastal land there will be more 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 demand curve or dependency syndrome.

2. POLITICAL BALKANISATION

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

3. CHALLENGES OF SHARING OF RESOURCES

- 3.1 Inter water state dispute.
- Ex:- Cauvery water river dispute
- Karnataka
 - Tamil Nadu
 - Kerala
 - Puducherry

4. INCREASED DOMINO EFFECT

- 4.1 More demand of separation from state has arisen.
- 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.

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