

LAWFOYER INTERNATIONAL
JOURNAL OF DOCTRINAL LEGAL
RESEARCH

(ISSN: 2583-7753)

Volume 3 | Issue 1

2025

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FEDERAL UNITY V. STATE CREATION: NATIONAL INTEGRITY & CONSTITUTIONAL AUTHORITY IN INDIA

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I. ABSTRACT

In India, the formation of new states is both a constitutional and political process considering socio-political and economic factors. The Parliament can reorganize states under Article 3 of the Indian Constitution, but only on the recommendations of the President and with the concurrence of the legislatures of the affected states, on which the Parliament may lawfully override. The States Reorganization Act of 1956 is regarded as the first significant step towards Indian federalism; linguistic regional aspirations were first considered as a federal principle and at the expense of national unity. There are judicial precedents that have supported Parliament's plenary power in state reorganization, but only where objective criteria are to be applied, such as administrative efficiency, economic viability, etc.

The creation of Telangana in 2014, for instance, highlighted modern challenges such as resource allocation, political representation, and the necessity of political consensus, while underscoring the Centre's role in mediating disputes, ensuring equitable resource distribution, and fostering inclusive governance. However, the creation of new states also raises issues of concern regarding the efficiency of administration, the viability of the economy, and the danger of regionalism leading to regional tensions. For the effective reorganization of states, the local aspirations for the regional identity have to be reconciled with the idea of national integrity, the processes should be transparent and inclusive, and cooperative relations with the State should prevail.

II. KEYWORDS

Linguistic States, Reorganization, Federalism, National Unity, States Reorganization Act 1956, Article 3, Regional Identity, Political Consensus, Centre-State relations.

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III. INTRODUCTION

Creating new states in India is possibly one of the most intricate and multi-layered undertakings, with several constitutional, political, and socio-economic considerations.² The Constitution of India does indeed comprise provisions that govern the reorganization of states. It must be conducted without violating the tenets of federalism or the mobility rights of the states of India. However, further creation of new states has also had a major impact on the Centre-State relationships in terms of power relations, distribution of resources, and governance. The demand for a new state comes from the relatively linguistic, ethnic, and economic grievances connected with the evolving dynamics of India's highly diverse population. While reorganization helps channel local governance, provides facilitation for targeted development, and ensures equitable distribution of resources, it involves competition for bureaucratic interests because it leads to both administrative fragmentation and high bureaucratic costs.

IV. FRAMEWORK FOR STATE REFORMATION AND REORGANIZATION IN INDIA

The Constitution of India, under the Article 3³, does grant the Parliament the authority to reorganize state boundaries and establish new states.

Article 3 states, Parliament holds the authority to enact laws that:

- Establish a new State by either separating a region from an existing State, merging two or more States (or parts thereof), or incorporating any territory into a State;
- Expand the territory of any State;
- Reduce the size of any State;
- Modify the boundaries of a State;
- Change the name of a State.

² Akhtar Majeed, The Changing Politics of States' Reorganization, 33 PUBLIUS 83, 83-98 (2003), <http://www.jstor.org/stable/3331197>.

³ The Constitution of India, art. 3.

However, a Bill proposing any of the above changes can only be introduced in Parliament with the President's recommendation, additionally, if the Bill pertains to modifications in the area, boundaries, or name of any State, the President must first refer it to the respective State Legislature.

The State is given a specified time to present its views, which may be extended at the President's discretion. The Bill can only proceed once the given period has lapsed. Though a direct authority to the Parliament to reorganize the states, the Parliament must take the views of the affected state legislature into consideration; The Parliament is not bound by the views expressed by the legislature of the state in which the reorganization is to take place, and it could, even if opposed by such a state, pronounce such reorganization.

V. HISTORICAL CONTEXT

The States Reorganization Act of 1956⁴ Was a significant development in independent India's political landscape, balancing cultural identity with national unity, the need for linguistic states was acknowledged even before the 1947 partition; The Indian National Congress recognized this in its 1920 provincial proposal, however, after independence, linguistic reorganization became an even more pressing necessity, the creation of Andhra Pradesh in 1953, following activist demands for a Telugu-speaking state, highlighted the importance of linguistic identity in governance.

This prompted Prime Minister Nehru to establish the States Reorganization Commission (SRC) in the same year to evaluate necessary changes, although the SRC had some reservations, it acknowledged that linguistic reorganization was of utmost importance, at least for the foreseeable future; The commission's recommendations led to the States Reorganization Act of 1956, which reshaped India's provincial boundaries. The SRC indicated that language was a legitimate distinguisher for redrawn lines of governance and political assimilation. When the Act came into effect in 1956, it led to the formation of 14 states and 6 union territories. Before this, the language had played a less formal role in the classification of states and territories. It created a South India;

⁴ The States Reorganisation Act, 1956, § 2, Ind.

Kerala (Malayalam) and Karnataka (Kannada) as states and a geographical Bombay State (later Maharashtra and Gujarat), an ethnic identity increasingly assimilated into economic realities.

This reorganization democratized governance by enabling regional elites to participate in state-building, fostering administrative efficiency and cultural preservation. However, critics feared it risked Balkanization, as linguistic identity could overshadow national solidarity, PM. Nehru himself harbored reservations, warning against “narrow provincialism.” Yet, the move proved politically astute, pre-empting separatist tensions by institutionalizing diversity within a federal structure.

Over time, linguistic states became arenas for regional parties to articulate subnational aspirations, enriching India’s pluralist democracy, however, the challenges persisted, as seen in later movements for Punjab (1966) or Telangana (2014), revealing the fluidity of identity politics, the Act also entrenched the Centre’s role as an arbiter of state boundaries, balancing unity with flexibility. By embedding linguistic diversity into federalism, India demonstrated that accommodating regionalism could strengthen, rather than weaken, national integration a testament to its unique model of “unity in diversity.”⁵ This framework, however, remains a dynamic experiment, continually negotiating between homogenizing impulses and the mosaic of identities.

VI. JUDICIAL INTERPRETATION OF ARTICLE 3

Over time the Supreme Court of India has also played a role in interpreting the boundaries and restrictions of Article 3.

A. Parliament’s Absolute Authority to Redefine Boundaries

*In the case of Babulal Parate v. State of Bombay (1960)*⁶, the Court found that under Article 3 of the Constitution, Parliament has the authority to redefine the territorial boundaries of states, and this power is not curtailed by the provisions of the Constitution which are not included in the first schedule. The court also highlighted the importance of the

⁵ V.P Menon, *Integration of INDIAN STATES* 1-20 (Orient Longman Ltd. 1956).

⁶ *Babulal Parate v. State of Bombay*, (1960) AIR 1960 SC 51.

President's approval as mandated by Article 3 for any proposed changes; failure to obtain endorsement would render the proposal unconstitutional.

B. Parliament's Exclusive Power and Advisory Role of States

*In the case of Pradeep Chaudhary v. Union of India, (2009)*⁷ The Supreme Court reiterated that it is only The Parliament that can decide on the restructuring of states and that the recommendations of state legislatures are advisory in nature only. The Court also stated that there are norms by which the formation of states should be done. These include, among others, operational efficiency, financial viability, and the wishes of the people. Moreover, other legal instances shed light on how new state formations are approached judicially.

C. Parliament's Supremacy Over State Legislatures

*The Supreme Court emphasized in the Rajadhani Rythu Parirakshana Samithi, v State of Andhra Pradesh case (2022)*⁸ That Parliament holds the authority to form states without being restricted by state legislative powers. This legal precedent highlights the idea that although states play a role in the reorganization process the final decision-making power rests, with the Parliament.

D. Continuity of Laws Post-Reorganization

*In State Of Madhya Pradesh and Others v. Lafarge Dealers Association (2019)*⁹, the Court narrated the continuity of laws subsequent to the reorganization, ensuring that legal frameworks remain intact until new laws are enacted, the role of ensuring continuity in-laws during transition is of supreme importance during all governance transitions.

E. Federal Balance and Judicial Safeguards Against Encroachment

*The case of K. Lakshminarayanan v. Union of India (2018)*¹⁰ affirms the principle of federalism within the Indian Constitution, stressing that states are not subordinate to

⁷ Pradeep Chaudhary v. Union Of India, (2009) 2009 SCC 12 248.

⁸ Rajadhani Rythu Parirakshana Samithi v. State of Andhra Pradesh, (2022) 2022 APHC 4576.

⁹ State Of Madhya Pradesh And Others v. Lafarge Dealers Association and Others, (2019) 2019 SCC 7 584.

¹⁰ K. Lakshminarayanan (S); v. Union of India (S), (2018) 2018 INSC 1161.

the Centre; this judgment serves as a reminder of the need for a balanced approach to governance, where both the Centre and states operate within their defined powers.

Lastly, in *Adam Chaki v. Govt. Of India* (2013)¹¹, the Supreme Court emphasized the necessity for courts to maintain a balance in interpreting powers to prevent encroachment on state authority. This case reflects the judiciary's role as a guardian of federal principles, ensuring that state rights are not unduly compromised.

VII. MODERN CONTEXT: THE CASE STUDY OF TELANGANA

One of the instances of a state being formed in India was when Telangana was established in 2014. The push for Telangana had been an ongoing concern and it dates back to our Independence, due to claims that the area had been overlooked in terms of progress and distribution of resources, after demonstrations and political discussions, the Andhra Pradesh Reorganization Act of 2014¹² Was approved by Parliament which led to the establishment of Telangana, under section 3 of the act, as India's 29th state.

The formation of Telangana shed light on factors influencing relationships, between the government and states in the contemporary era. Initially showcased was the government's readiness to address aspirations despite facing political and administrative hurdles. It also sparked discussions surrounding the standards for establishing a state with a focus, on sustainability and operational effectiveness.

Moreover, it emphasized the significance of reaching an agreement and engaging in dialogue during state restructuring procedures. During the Telangana movement, there was involvement, from groups such as political parties and civil society organizations along with the public expressing their views. This participation played a role in influencing discussions on the formation of the state and meeting the desires of the people:

The establishment of Telangana by the Centre was perceived as acknowledging the importance of governance that's sensitive to identities and requirements.

¹¹ *Adam Chaki v. Govt. Of India*, (2013) 2013 AIR GUJ 66.

¹² The Andhra Pradesh Reorganisation Act, 2014 § 3, Ind.

- Since its creation, Telangana has prioritized economic growth through initiatives like Mission Kakatiya (water conservation) and IT corridor development in Hyderabad, which remains a shared capital, the state has emerged as a very significant contributor to IT exports in India, though debates still persist over equitable resource distribution with Andhra Pradesh, the trajectory of Telangana highlights the delicate equilibrium required between honoring subnational identities and preserving national cohesion in India's federal framework.

VIII. CENTRE-STATE RELATIONS: POWER DYNAMICS AND RESOURCE ALLOCATION

In a setup such, as that of India's governance system is designed for the Centre and the states to collaborate harmoniously with respect and cooperation as guiding principles. Nevertheless, the formation of states may at times spark disputes and friction, especially concerning the distribution of resources and political representation. A major hurdle, in establishing states involves determining how assets and debts are divided between the state and the newly formed one. This encompasses assigning resources, infrastructure assets, and public services effectively.

The Centre plays a role, in resolving these conflicts, guaranteeing the smooth functioning of the newly formed state right from the start. One other critical matter involves how the new state is represented in Parliament and other key institutions at the center. The establishment of a state results in changes to constituencies which may impact the power dynamics within Parliament. It is crucial for the center to ensure representation, for the state and safeguard its interests during decision-making processes.

The situation, in Telangana exemplified these challenges clearly. The allocation of resources between Andhra Pradesh and Telangana sparked disagreements involving water resources,¹³ financial assets, and infrastructure. Intervention by the government was necessary to resolve these conflicts and guarantee treatment for both states as they

¹³ The Andhra Pradesh Reorganisation Act, 2014 § 84, Ind.

transitioned. The creation of a committee to manage the division of assets and debts was a measure, in tackling these issues.

IX. ECONOMIC VIABILITY AND ADMINISTRATIVE EFFICIENCY

One of the key considerations in the creation of new states is their economic viability and administrative efficiency. The Reorganisation Act, under *part vi apportionment of assets and liabilities*, has bifurcated all of these under that a new state must have the resources and infrastructure to sustain itself and provide effective governance to its citizens. This requires careful planning and coordination between the Centre and the state. In the situation concerning Telangana, as an example.¹⁴ The government needed to make sure that the newly formed state had financial support and access to infrastructure and public services.¹⁵ In place right from the start.

This involved sorting out who gets what between Andhra Pradesh and Telangana (distribution of revenue)¹⁶ As making sure there was enough money for both States from the central government, for development projects¹⁷. When new states are created it also impacts how efficient administration is. A smaller state might be able to govern and offer better public services by focusing on the specific needs of its people, but the situation may pose obstacles regarding cost-effectiveness and access, to staff members. Consequently, the governing body needs to find a ground between the advantages of regions and the requirement for operational effectiveness.

As evidenced by Telangana's case the formation of a state could result in enhanced governance and specific progress; however, it demands an administrative setup. The recent administration, in Telangana, had to build its systems which demanded considerable time and resources. The role of the Centre, in aiding this shift was vital to guarantee that the new state could function right from the start.

¹⁴ The Andhra Pradesh Reorganisation Act, 2014 § 70, Ind.

¹⁵ The Andhra Pradesh Reorganisation Act, 2014 § 83, Ind.

¹⁶ The Andhra Pradesh Reorganisation Act, 2014 § 46, Ind.

¹⁷ The Andhra Pradesh Reorganisation Act, 2014 § 90, Ind.

X. POLITICAL CONSENSUS AND DIALOGUE

The establishment of states frequently sparks sensitivity due to the adjustment of political borders and power redistribution involved in the process. It is important to execute this process inclusively with the involvement of all parties. Political agreement and open discussion play a role in ensuring the legitimacy and acceptability of creating states. All parties need to engage in discussions including the Central Government consulting with state legislatures as well, as political and civil society groups. The Centre must also consider the hopes and worries of the population when making decisions, about a region's development plans. For instance, in Telangana's case. Negotiations between the Centre and political parties from Andhra Pradesh and Telangana were crucial for reaching an agreement on the state's establishment terms even though the issues between the creation of High Courts lasted.¹⁸

These negotiations involved dealing with issues related to dividing assets and liabilities, between the regions, managing water resource allocations, and safeguarding the rights of both employees and civil servants. The significance of reaching an agreement became clear during the Telangana movement.¹⁹ When extensive public backing and political support played a role, in the central government's choice to establish the new state. Collaboration, among groups involved, assisted in easing tensions and cultivating a feeling of belonging among the residents of Telangana.

XI. CONCLUSION

The creation of new states in India is not merely an administrative exercise but a dynamic interplay of constitutional mandates, political will, socio-cultural aspirations, and economic pragmatism, while Article 3 of the Constitution grants Parliament unilateral authority to reorganize states, this power must be exercised with a judicious balance between central authority and federal sensitivity; The process reveals India's

¹⁸ Justice J Chelameshwar, God Save Indian Democracy, Live Law News Network, (Jan. 26, 2019, 11:53AM)

<https://www.livelaw.in/columns/save-indian-democracy-chelameswar-142411>

¹⁹ G. Haragopal, The Telangana People's Movement: The Unfolding Political Culture, EPW 45 51, 51-60 (2010).

<http://www.jstor.org/stable/20787475>.

unique federalism, a 'quasi-federal' structure where Centre has a significant say but regional identities and equitable development demands negotiate it constantly.

The Telangana example (2014) is a clear example of how statehood demands, which are based on historical neglect and socio-economic injustice, can bring about a fundamental change in the Centre-State relationship; However, there are other important examples, which include the creation of Uttarakhand, Chhattisgarh and Jharkhand in the year 2000 from the former states of Uttar Pradesh, Madhya Pradesh, and Bihar respectively on the back of agitation that had been going on for many years on issues such as tribal marginalization, resource exploitation, and administrative inefficiency, for example, the creation of Uttarakhand was an acknowledgment by the Centre of the distinct developmental challenges that the hill regions face and after the bifurcation, the state was able to focus on eco-tourism, hydropower, and disaster management with the help of central grants and policies.

However, there were also some conflicts that occurred during the process; debate on the sharing of water resources, such as the Ganga River, and the division of assets, such as institutions, had to be settled by negotiation and arbitration by the government, which showed that the relationship between federal entities is complex.

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