

The Constitution (131st Amendment) Bill 2025 - Chandigarh Under Article 240?

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The Constitution (131st Amendment) Bill 2025 Latest News

- The Union Home Ministry has clarified that the Central Government has **no intention of introducing** the Constitution (131st Amendment) Bill 2025 in the Winter Session of Parliament to bring Chandigarh under Article 240.
- The proposal triggered sharp political backlash in Punjab, reviving long-standing tensions related to Chandigarh's status, rooted in the Punjab Reorganisation Act, 1966.
- Chandigarh is a Union Territory (**UT**), but is also the **shared capital** of Punjab and Haryana. The Governor of Punjab currently holds **additional charge** as the Administrator of the UT of Chandigarh.

Proposed Change

- **Parliament bulletin:**
 - Lok Sabha bulletin (Nov 21) listed the Constitution (131st Amendment) Bill 2025 for introduction.

- **Objective:** Include Chandigarh under Article 240, allowing the President to make regulations for the UT.
- **Effect:** Enable **appointment** of an independent Administrator/Lieutenant Governor.
- **Article 240:**
 - Empowers the President to frame regulations for certain UTs – Andaman & Nicobar Islands, Lakshadweep, Dadra & Nagar Haveli and Daman & Diu, Puducherry (when Assembly is dissolved/suspended).
 - **Presidential regulations** can override Acts of Parliament applicable to that UT.
- **If applied to Chandigarh:**
 - Chandigarh would come under direct administrative control of the Centre, similar to other UTs without legislatures.
 - Punjab Governor would no longer serve as Administrator.

Centre's Clarification

- **Government's statement:**
 - Proposal only aimed at **simplifying** the Central government's law-making process for Chandigarh.
 - However, no decision has been finalized yet. No change intended in the current governance structure. No Bill will be introduced in the 2025 Winter Session.
- **Stakeholder consultation:** Decision will be taken only after adequate consultations with Punjab, Haryana, Chandigarh administration, other stakeholders.

Punjab Opposing the Move

- **Historical significance:**
 - **Post-partition:** Lahore went to Pakistan in 1947. Chandigarh was envisioned as the modern capital of Punjab.
 - **Planned city:** Designed by **Le Corbusier**. Inaugurated by President Rajendra Prasad in 1953.
 - **Punjab Reorganisation Act, 1966:** Creation of Haryana. Chandigarh made **joint capital** with property division in 60:40 ratio (Punjab:Haryana). Chandigarh became a **UT** under Centre's control.
 - **1970:** Centre declared that Chandigarh would go to Punjab. Announcement influenced by Punjabi Suba movement leader Fateh Singh.
 - **Haryana's temporary arrangement:** Allowed to share secretariat and legislature buildings for five years. Given financial assistance to build new capital (₹10 crore grant + ₹10 crore loan). No separate capital built till date.
- **Punjab's current position:** Views Chandigarh as its undisputed rightful capital. Asserts that the city was built by "uprooting Punjabi villages". CM Bhagwant Mann (AAP) opposed the Bill, calling it a conspiracy to weaken Punjab's claim.
- **Political reactions:** Opposition parties criticised the Centre's move as "**FAST approach** — First Announce, Second Think."

Key Constitutional and Administrative Issues

- **Sensitive federal question:** Chandigarh's status is historically linked to state reorganisation and **linguistic federalism**. High political stakes for both Punjab and Haryana.
- **Administrative implications:** Changing role of Administrator from Punjab Governor to LG shifts decision-making, Centre-State power dynamics, control over land, policing and administration.
- **Inter-State power balance:** Haryana continues to operate from Chandigarh without setting up its own capital.
- **Political symbolism:** Chandigarh represents Punjabi identity, legacy of reorganisation, incomplete implementation of 1970 promise.
- **Historical commitments:** Transfer promises made in 1970 remain unfulfilled, complicating any new move.
- **Governance stability:** Risk of administrative friction if the governance model is altered abruptly.
- **Legal and constitutional complexity:** Bringing Chandigarh under Article 240 may require nuanced constitutional interpretation.

Way Forward

- **Stakeholder consultation:** Mandatory structured dialogue among Centre, Punjab, Haryana, Chandigarh UT administration.
- **Federal consensus:** A political-administrative consensus model on Chandigarh's status is essential.
- **Revisit past commitments:** Review the 1970 declaration and explore realistic, time-bound solutions.
- **Balanced administrative framework:** Any law-making reform must protect local governance, federal balance, and the interests of both states.
- **Transparent communication:** Avoid ambiguity in legislative bulletins to prevent political escalation.

Conclusion

- The controversy over including Chandigarh under **Article 240** highlights the deep-rooted historical, political and constitutional sensitivities surrounding the city.
- The episode reflects the need for careful federal negotiation and respect for long-standing commitments made to Punjab and Haryana.
- A balanced, consultative approach remains essential to ensure administrative efficiency without disturbing the delicate **inter-state equilibrium**.

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