

Article 240 of Indian Constitution, Interpretation, Significance

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Article 240 of Indian Constitution grants the President special powers to frame regulations for specific Union Territories (UTs) for their peace, progress, and good governance. These regulations operate with the same legal force as Acts of Parliament and can even amend or repeal existing laws. This provision becomes particularly important for UTs without a legislative assembly or where Parliament prefers a centralized administrative mechanism.

Article 240 of Indian Constitution

Article 240 of the **Indian Constitution** empowers the President to make regulations for the peace, progress, and good governance of specific Union Territories. These regulations hold the same authority as Acts of Parliament and may amend or repeal existing laws applicable to those territories.

Power of President to make regulations for certain Union territories

(1) The President may make regulations for the peace, progress and good government of the Union territories of-

- (a) the Andaman and Nicobar Islands;
- (b) Lakshadweep;
- (c) Dadra and Nagar Haveli;
- (d) Daman and Diu;
- (e) Pondicherry (only until its legislature constituted under Article 239A begins functioning)

Recent Developments: Chandigarh and Article 240 Debate

The Chandigarh and Article 240 debate recently gained attention due to concerns raised by Punjab and local stakeholders over potential moves to alter Chandigarh's administrative framework. Although Chandigarh is *not* covered under Article 240, discussions emerged after reports suggesting possible central regulations affecting the Union Territory's governance.

- Chandigarh is **not included** under Article 240; it is governed under **Article 239** as a Union Territory with its own administrative model.
- Concerns arose when speculative reports hinted at possible central regulations, prompting political reactions from Punjab leaders.
- The debate highlighted sensitivities around Chandigarh's shared administrative legacy between Punjab and Haryana.
- Centre clarified that no proposal exists to bring Chandigarh under Article 240 or alter its administrative structure.

Article 240 of Indian Constitution Interpretation

Article 240 of the Indian Constitution allows the President to frame regulations for certain Union Territories, especially those without a legislative assembly, to ensure efficient administration. These regulations can override existing laws and carry the same authority as an Act of Parliament.

- Applies to UTs like Andaman & Nicobar, Lakshadweep, Daman & Diu, Dadra & Nagar Haveli, and Puducherry (with limits).
- Enables quick law-making without parliamentary delays.
- Ensures centralized governance where local legislatures are absent.
- Presidential regulations can amend or repeal parliamentary laws in these UTs.

Union Territories Covered Under Article 240

Union Territories covered under Article 240 are those for which the President is empowered to make regulations for their peace, progress, and good governance. These UTs either lack a legislative assembly or require centralized administrative oversight due to their size, population, or strategic location.

- **Andaman and Nicobar Islands**
- **Lakshadweep**

- **Dadra and Nagar Haveli**
- **Daman and Diu**
- **Puducherry** (only until its legislature constituted under Article 239A begins functioning)

Article 240 of Indian Constitution Landmark Judgements

There are no major landmark Supreme Court judgments directly on Article 240 of Indian Constitution because its scope is clear and rarely disputed in courts. Most Union Territory regulations issued under this Article have operated smoothly without significant constitutional challenges.

- Courts seldom intervene as Article 240 deals with administrative powers over UTs.
- No major constitutional conflict has arisen regarding Presidential regulations.
- UTs under Article 240 are small, reducing litigation and political disputes.
- Judicial references are mostly indirect, related to UT governance rather than Article 240 itself.

Article 240 of Indian Constitution Significance

Article 240 is significant because it ensures centralized, efficient, and uniform governance in Union Territories that lack full legislative structures. It empowers the President to issue regulations quickly, enabling smooth administration, development, and legal continuity in these territories.

- Provides a constitutional mechanism for governing UTs without legislatures.
- Enables swift policy decisions without waiting for parliamentary processes.
- Ensures administrative stability in newly formed or small UTs.
- Allows regulations to amend or override parliamentary laws when needed.
- Supports national security and strategic governance in sensitive UTs.

Article 240 of Indian Constitution Amendments

Amendments to Article 240 reflect changes in India's territorial administration, especially when new Union Territories were integrated. These amendments expanded the President's power to issue regulations for newly added UTs until stable governance structures were established.

- **Tenth Amendment (1961):** Added *Dadra and Nagar Haveli* under Article 240 after its integration into India.
- **Twelfth Amendment (1962):** Brought *Goa, Daman and Diu* under Article 240 following their liberation and union with India.
- These amendments helped ensure smooth administration of newly acquired territories.
- They allowed presidential regulations until full political institutions and legislatures were developed.

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