

Article 3 of Indian Constitution, Provisions, Amendment, Case Laws

March 9, 2026 • vajiramandravi.com



Article 3 of the Indian Constitution forms the constitutional basis for changing India's internal political map. It empowers Parliament to create new States and modify existing ones according to administrative needs and regional demands. The provision reflects a flexible federal design where unity is preserved while boundaries remain adjustable. Since Independence, this Article has been repeatedly invoked to reorganize territories, upgrade Union Territories into States, and rename or reshape regions. It ensures that constitutional procedure, not political convenience, governs every territorial alteration within the Union of India.

Article 3 of Indian Constitution

Article 3 authorizes Parliament to enact laws for forming new States or altering the area, boundaries, or names of existing States.

- **Article 3 (a):** Formation of a New State: Parliament can create a new State by separating territory from an existing State, merging two or more States or their parts, or attaching any territory to a part of a State, through a law duly enacted.

- **Article 3 (b):** Increase in Area of a State: Parliament has authority to enlarge the territorial extent of any State by adding land from another State or territory, ensuring administrative adjustment through a formal legislative process under constitutional provisions.
- **Article 3 (c):** Diminution of Area of a State: Parliament may reduce the geographical size of a State by separating a portion of its territory for the purpose of reorganization, merger, or creation of a new State or Union Territory.
- **Article 3 (d):** Alteration of Boundaries: Parliament can legally redraw or modify the inter-State boundaries, changing demarcation lines between States to improve governance, resolve disputes, or implement territorial reorganization as required.
- **Article 3 (e):** Alteration of Name of a State: Parliament is empowered to change the official name of any State by law, enabling recognition of historical, linguistic, cultural, or political developments within the constitutional framework.
- **Proviso:** Presidential Recommendation and State Consultation: A Bill under Article 3 cannot be introduced in either House without the President's recommendation. If it affects a State's area, boundary, or name, it must be referred to that State Legislature for its views within a specified period.
- **Explanation I:** Meaning of "State": In clauses (a) to (e), the term "State" includes a Union Territory, expanding Parliament's reorganization power. However, in the proviso requiring consultation, "State" does not include a Union Territory.
- **Explanation II:** Power to Unite Territories: The authority under clause (a) also permits Parliament to form a new State or Union Territory by uniting part of any State or Union Territory with another State or Union Territory.

Article 3 of Indian Constitution Provisions

The Article 3 of Indian Constitution lays down the following provisions:

- Parliament can create a new State by separating territory from an existing State or by uniting two or more States or their parts into one political unit.
- It can enlarge the territory of any State by legally adding land from another State or by integrating additional territory through parliamentary legislation.
- **Parliament** may reduce the geographical size of a State by carving out part of its territory for reorganization or merger purposes.
- The Article permits modification of inter-State boundaries, enabling redrawing of demarcation lines to meet administrative or regional requirements.
- Parliament has authority to officially rename any State through legislation, reflecting cultural, linguistic, or political developments.
- No Bill under Article 3 can be introduced in either House without prior recommendation of the President of India.
- If a proposal affects a State's area, boundary, or name, the **President** must refer the Bill to that State Legislature for expressing its views.
- The President specifies the period within which the State Legislature must respond, and may extend this time if necessary.

- The opinion expressed by the State Legislature is advisory only; Parliament may proceed even if the State disagrees.

Article 3 of Indian Constitution Amendments

Article 3 of Indian Constitution has been modified to refine procedural requirements for territorial changes. The **Fifth Constitutional Amendment Act 1955** has prevailed:

- This amendment clarified that a Bill under Article 3 requires the President's recommendation before introduction in Parliament.
- It mandated that if a proposal affects States listed in Part A or Part B of the First Schedule, the President must refer it to the concerned Legislature.
- The amendment authorized the President to specify the time within which the State Legislature must express its views on the proposal.
- It empowered the President to grant additional time beyond the original period for the State Legislature to submit its opinion.
- The amendment institutionalized consultation while preserving Parliament's final authority in matters of reorganization.

Article 3 of Indian Constitution Case Laws

Judicial interpretation has clarified the scope and limits of Parliament's power under Article 3 of Indian Constitution.

- **Babulal Parate v. State of Bombay 1960:** The **Supreme Court** upheld the validity of the Bombay Reorganisation leading to creation of Maharashtra and Gujarat, holding that Parliament is not bound by State Legislature's views. The Court ruled that the President may fix and extend the time for States to express their views, and absence of response does not invalidate the law.
- **Berubari Union Case 1960:** The Court clarified that Article 3 does not authorize cession of Indian territory to a foreign country; such transfer requires a constitutional amendment. Following the Berubari opinion, Parliament enacted the Ninth Amendment Act, 1960 to enable transfer of territory, showing limits of Article 3 power.
- **Haji Abdul Gani Khan v. Union of India:** The Court affirmed that Article 3 applies to both States and Union Territories, validating Parliament's authority over territorial restructuring. The judgment confirmed that Parliament can form new States or Union Territories and alter their boundaries under Article 3 framework.

Article 3 of Indian Constitution Implementation

Article 3 of Indian Constitution has shaped India's territorial evolution, including creation of-

- 14 States in 1956
- Gujarat and Maharashtra in 1960
- Nagaland in 1962
- Punjab and Haryana in 1966
- Meghalaya in 1969

- Himachal Pradesh in 1970
- Tripura and Manipur in 1972
- Sikkim in 1975
- Mizoram and Arunachal Pradesh in 1986
- Goa in 1987
- Chhattisgarh, Uttaranchal and Jharkhand in 2000
- Telangana in 2014

Also Check Related Articles	
Article 167 of Indian Constitution	Article 93 of Indian Constitution
Article 141 of Indian Constitution	Article 47 of Indian Constitution
Article 84 of Indian Constitution	Article 174 Of Indian Constitution
Article 128 of Indian Constitution	Article 114 of Indian Constitution
Article 17 of Indian Constitution	Article 32 of Indian Constitution
Article 21 of Indian Constitution	Article 19 of indian constitution
Article 14 of indian constitution	Article 18 of Indian Constitution
Article 23 of Indian Constitution	Article 24 of Indian Constitution
Article 3 of Indian Constitution	Article 38 of Indian Constitution
Article 43 of Indian Constitution	Article 48 of Indian Constitution
Article 143 of Indian Constitution	Article 326 of Indian Constitution
Article 124 of indian constitution	Article 45 of Indian Constitution
Article 41 of Indian Constitution	Article 160 of Indian Constitution
Article 340 of Indian Constitution	Article 43b of Indian Constitution
Article 156 of Indian Constitution	Article 144 of Indian Constitution
Article 365 of Indian Constitution	Article 201 of Indian Constitution
Article 140 of Indian Constitution	Article 35 of Indian Constitution
Article 166 of Indian Constitution	Article 102 of Indian Constitution
Article 83 of Indian Constitution	Article 88 of Indian Constitution
Article 28 of Indian Constitution	Article 103 of Indian Constitution
Article 36 of Indian Constitution	Article 62 of Indian Constitution
Article 82 of Indian Constitution	Article 97 of Indian Constitution

Article 224 of Indian Constitution	Article 251 of Indian Constitution
Article 13 of Indian Constitution	Article 29 & 30 of Indian Constitution
Article 15 of Indian Constitution	Article 4 of Indian Constitution
Article 85 of Indian Constitution	Article 27 of Indian Constitution
Article 238 of Indian Constitution	Article 312 of Indian Constitution
Article 137 of Indian Constitution	Article 118 of Indian Constitution
Article 353 of Indian Constitution	Article 111 of Indian Constitution
Article 113 of Indian Constitution	Article 76 of Indian Constitution
Article 44 of Indian Constitution	Article 50 of Indian Constitution
Article 295 of Indian Constitution	Article 194 of Indian Constitution
Article 39 of Indian Constitution	Article 191 of Indian Constitution
Article 20 of Indian Constitution	Article 16 of Indian Constitution
Article 67 of Indian Constitution	Article 40 of Indian Constitution
Article 78 of Indian Constitution	

Source: <https://vajiramandravi.com/current-affairs/article-3-of-indian-constitution/>

© Vajiram & Ravi. For personal use only.