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Article 240: President’s Power to Regulate Certain Union Territories

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Article 240: President’s Power to Regulate Certain Union Territories

On 2 June 2025, the Centre issued a regulation for Ladakh. Parliament did not vote on it first.

The tool was Article 240. It lets the President make regulations for certain Union Territories.

Each regulation has the force of an Act of Parliament. The Centre can make it, and change it, on its own.

Article 240, at a glance

- **Who:** the President makes the regulations.
- **Force:** same as an Act of Parliament, in that territory.
- **7th Amendment, 1956:** rewrote the article.
- **Ladakh:** regulations flow through section 58(2) of the 2019 Act.

Regulation: This is a rule made by the President for a named Union Territory. Think of it as a law made without a legislature. It matters because it can even change an Act of Parliament there. Exams ask about its force.

Promulgate: This means to issue a law or rule formally. A draft has no force until this step. A notice in the Gazette is the usual sign. Exams test the gap between a draft and an issued rule.

Administrator: This is the head who runs a Union Territory for the President. The post comes from Article 239. In some places the title is Lieutenant Governor. Keep this role apart from the regulation power.

Proviso: This is an added condition that limits the main rule. A proviso may switch a power off, or back on. Article 240 has two for Puducherry. They are a favourite exam point.

What Article 240 Lets the President Do

What do clauses (1) and (2) say?

Clause (1) lets the President make regulations for the peace, progress and good government of certain Union Territories.

Clause (2) says a regulation may repeal or amend an Act of Parliament, or any other law that applies there.

Once the President issues it, it has the same force as an Act of Parliament in that territory.

Parliament does not vote on it first.

Sources: indiankanoon.org

Which territories does the article name?

The printed text names the Andaman and Nicobar Islands, Lakshadweep, Dadra and Nagar Haveli, Daman and Diu, and Puducherry.

Puducherry comes with conditions, which the next chapter explains.

Ladakh, Delhi and Jammu and Kashmir are not in clause (1).

Other Union Territories are covered in the linked lessons below.

Sources: indiankanoon.org

Why does the power exist?

Some Union Territories have no elected law-making body.

No State-like body exists to make laws for them.

Article 240 fills that gap. The Union can then govern without a fresh Act of Parliament for each change.

The test of “peace, progress and good government” is wide. It gives the Centre broad room.

Sources: indiankanoon.org

> **Quick check 1.** A regulation under Article 240 needs a vote in Parliament before it takes effect. *(True or False?)* See answer ↓

Puducherry, Switching On and Off

When does the power stop for Puducherry?

Puducherry can have its own Legislature under Article 239A.

The first proviso says the President makes no regulation once that Legislature holds its first meeting.

So where people elect an Assembly, the President steps back.

Sources: indiankanoon.org

When does the power come back?

The second proviso brings it back. It applies if the Legislature is dissolved, or its working is suspended.

The power then lasts only for the period of the dissolution or suspension.

So Article 240 is a tool for territories without a working legislature.

Sources: indiankanoon.org

> **Quick check 2.** Article 240 names Ladakh in its list of Union Territories. *(True or False?)* See answer ↓

How the Article Was Rewritten

What did the Seventh Amendment do?

The Constitution (Seventh Amendment) Act, 1956, substituted the article.

It replaced the earlier text on the President's authority over these islands and territories.

A President-chosen administrator runs each Union Territory.

Sources: indiankanoon.org

How did the list grow?

The Tenth Amendment of 1961 brought in Dadra and Nagar Haveli.

The Twelfth Amendment of 1962 added Goa, Daman and Diu.

The Fourteenth Amendment of 1962 added Pondicherry.

The Twenty-Seventh Amendment of 1971 (section 4) gave the power for Mizoram. It also added Arunachal Pradesh as entry (g) of Article 240(1), from 15 February 1972.

The Thirty-Seventh Amendment of 1975 (section 3) added Arunachal Pradesh to the two provisos. It did not add a new entry.

Later changes took some names out. The printed text shows those gaps.

Sources: indiankanoon.org

Article	What it does
239	Administrator who runs a Union Territory
239A	Local legislature for Puducherry
240	President's regulations for named territories
241	High Courts for Union Territories

Remember: Administrator = 239. Local legislature = 239A. Regulations = 240. High Court = 241.

> **Quick check 3.** The Seventh Amendment (1956) gave Article 240 its present form. *(True or False?)* See answer ↓

Regulation versus Act

How is a regulation like an Act?

In force, a regulation equals an Act. It applies with the same effect in that territory.

It can even change an Act of Parliament that applies there.

The President issues it. That is the step that gives it force.

Sources: indiankanoon.org

How is it different?

In origin, it is not the same. The President makes it. A legislature does not.

So it is executive in origin, but legislative in force.

The exam point is that sharp contrast.

Sources: indiankanoon.org

Think it through: how can an executive rule carry the force of an Act of Parliament?

Show the answer

Clause (2) says so. A regulation issued by the President has the same force as an Act for that territory. The Constitution gives it that force.

Quick check 4. A draft regulation has the force of law. *(True or False?)* See answer ↓

Ladakh in 2025

Is Ladakh governed under Article 240?

The 2019 Act formed Ladakh as a Union Territory without a Legislature.

Section 58(2) says the President may make regulations for it under Article 240.

So Ladakh is not in the list in clause (1). But Article 240 still reaches it, through the Act.

A good answer names both the Act and the article.

Sources: indiankanoon.org; ladakh.gov.in

What did the June 2025 regulations do?

The Government of India notified the Ladakh Civil Services Decentralization and Recruitment (Amendment) Regulation, 2025 on 2 June 2025.

The Ladakh Reservation (Amendment) Regulation was notified the same day.

Both are regulations of the President, made under Article 240 through section 58(2) of the 2019 Act.

They set up a legal base for recruitment in the Union Territory.

Sources: ladakh.gov.in; indiankanoon.org

What came next after the regulations?

Domicile Certificate (Procedure) Rules followed on 3 June 2025.

The formats for domicile certificates were issued on 27 June 2025.

A one-time age relaxation of five years applies to recruitment in 2025 and 2026.

The Administration then began recruiting for 359 Gazetted posts through the UPSC.

Sources: ladakh.gov.in; indiankanoon.org

What reservation did Ladakh set?

The Ladakh Administration says the Ladakh Reservation (Amendment) Regulation, 2025 was notified on 2 June 2025.

It raised the cap from 50 per cent to 85 per cent.

The split is 80 per cent Scheduled Tribes, 4 per cent Areas Adjoining the Line of Control and 1 per cent Scheduled Castes.

Economically weaker sections get 10 per cent, and 5 per cent is unreserved.

Sources: ladakh.gov.in; indiankanoon.org

Category	Share
Scheduled Tribes	80%
Areas Adjoining the LoC	4%
Scheduled Castes	1%
Economically weaker sections	10%
Unreserved	5%

Quick check 5. Ladakh's 2025 regulations flow from Article 240 through section 58(2) of the 2019 Act. *(True or False?)* See answer ↓

Must Know

- The **President** makes the regulations.
- They have the force of an **Act of Parliament**.
- No prior **Parliament vote** is needed.

Good to Know

- The **Seventh Amendment** (1956) rewrote it.
- Puducherry has two **provisos**.

Great to Know

- Ladakh: **section 58(2)** of the 2019 Act.
- The 2025 Regulation is dated **2 June 2025**.

Previous Year Questions

Examiners ask which Union Territories Article 240 names, and what a regulation can do.

Try these: the Article 240 power question and what Article 240 lets the President do.

Traps examiners set

- **Ladakh is in the Article 240 list.** Wrong. It reaches Ladakh through the 2019 Act.
- **A regulation needs Parliament's approval.** Wrong. It does not.
- **Article 240 deals with the Administrator or High Courts.** Wrong. Those are Articles 239 and 241.

Quick Q&A

- Who makes the regulations? The President.
- Rewritten in? 1956.
- Ladakh domicile rules? Notified 3 June 2025.
- Ladakh Regulation date? 2 June 2025.

Practice MCQs

1. Regulations under Article 240 are made by:

A. Parliament

B. The President

C. The Lieutenant Governor

D. The Supreme Court

See answer ↓

2. A regulation issued under Article 240 has the same force as:

A. A Government order only

B. A court direction

C. An Act of Parliament

D. A party resolution

See answer ↓

3. Which amendment substituted Article 240 in its present form around the Union Territories?

A. Seventh Amendment, 1956

B. Forty-Second Amendment, 1976

C. First Amendment, 1951

D. Ninety-Third Amendment, 2005

See answer ↓

4. The President can again make regulations for Puducherry if its Legislature:

A. Holds its first meeting

B. Is dissolved or its working is suspended

C. Meets every year

D. Passes a new Act

See answer ↓

5. Under which provision may the President make regulations for Ladakh under Article 240?

A. Section 58(2) of the J&K Reorganisation Act, 2019

B. Section 3 of the 2019 Act

C. Article 239A

D. Article 241

See answer ↓

6. The Ladakh Civil Services recruitment (Amendment) Regulation, 2025 was notified on:

A. 31 October 2019

B. 2 June 2025

C. 27 June 2025

D. 3 June 2025

See answer ↓

Answer Key

1. **B.**
   Clause (1) gives the power to the President.
   ↑ Q1
2. **C.**
   Clause (2) gives it the force of an Act in that territory.
   ↑ Q2
3. **A.**
   The Seventh Amendment of 1956 rebuilt the article.
   ↑ Q3
4. **B.**
   The second proviso revives the power for the period of dissolution or suspension.
   ↑ Q4
5. **A.**
   Section 58(2) allows the President to make regulations for Ladakh under Article 240.
   ↑ Q5
6. **B.**
   The Administration says the regulation was notified on 2 June 2025.
   ↑ Q6

Quick-check answers

1. **False.** Clause (2) gives it force when the President issues it. ↑ 1
2. **False.** Ladakh is not in clause (1). Its power comes through section 58(2) of the 2019 Act. ↑ 2
3. **True.** It substituted the article in 1956. ↑ 3
4. **False.** Only a issued regulation has force. ↑ 4
5. **True.** Section 58(2) is the route. ↑ 5

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