Polity & Governance · GS - II

Explain the constitutional provisions under which Legislative Councils are established. Review the working and current status of Legislative Councils with suitable illustrations.

EXAM YEAR	PAPER	SUBJECT
2021	GS - II	Polity & Governance

MARKS	WORD LIMIT
15	~250 words

Answer Hint

Article 169, state legislature, Legislative Council, abolition and creation, special majority, Parliament's law, bicameralism, permanent house, one-third retirement, representation of local bodies, legislative scrutiny, political challenges.

Model Answer

Introduction

Legislative Councils are the upper houses of state legislatures in India. They provide a second chamber for legislative review and representation of diverse interests.

Constitutional Provisions

- **Article 169:** Parliament may create or abolish a state's Legislative Council if the concerned State Legislative Assembly passes a resolution by a majority of its total membership and a two-thirds majority of members present and voting.
- **Parliamentary legislation:** Parliament subsequently passes a law to create or abolish the Council.
- **Article 171:** Prescribes the composition of Legislative Councils, generally with membership not exceeding one-third of the Assembly's strength and not less than 40.
- **Composition:** Members are elected by local authorities, graduates, teachers and MLAs, while the Governor nominates members with special knowledge or practical experience in specified fields.

- **Permanent chamber:** Councils are not dissolved; approximately one-third of members retire every two years.

Working and Current Status

As of 2021, six states had Legislative Councils: Andhra Pradesh, Bihar, Karnataka, Maharashtra, Telangana and Uttar Pradesh.

Councils provide opportunities for experienced legislators and specialists to review bills and scrutinise government decisions. However, their delaying powers are limited, particularly over Money Bills. They may also face criticism for political appointments, duplication of debate and additional expenditure.

Conclusion

Legislative Councils can improve legislative scrutiny and represent specialised interests, but their usefulness depends on quality debate, independence and constructive oversight rather than partisan political accommodation.

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