

Legislative councils

May 19, 2021

In news- West Bengal government has decided to set up a Legislative Council or a **Vidhan Parishad, the Upper House of state legislature.**

About Legislative councils-

- India follows a bicameral system at both the centre and state level.
- The Legislative Council is the **upper house** of the state.
- It is a **permanent body**, which can be formed or abolished when the Legislative Assembly passes a special resolution.
- Its institution is outlined in **Article 169** of the Constitution of India.
- However, the **Constitution does not mandate** states to form a Legislative Council.
- Under Article 169, **Parliament may create or abolish the Council** in a state if the Legislative Assembly of that state passes a **resolution to that effect by a special majority.**
- Parliament abolished the Vidhan Parishad in Andhra Pradesh in 1985, but in March 2007, it was reinstated.
- Once the Council is set up, West Bengal will become the seventh Indian state to have a bicameral system of legislature.
- **Andhra Pradesh, Telangana, Bihar, Uttar Pradesh, Maharashtra and Karnataka** are the other **six states** that have a Legislative Council.
- The tenure of the members of the council is **six years**, and a third of the members of the House retire after every two years.

Nomination/ election-

- One-third of the members of this House are elected by the Legislative Assembly.
- One-third are elected by the local bodies like a municipality or other local authorities.
- One-twelfth of the members are elected by graduates.
- One-twelfth of the members are elected by teachers.
- About one-sixth of the members are **nominated by the Governor.**

The legislative Council elects its Chairman, who plays the role of presiding officer and Deputy Chairman from amongst its members.

Role of the Legislative Council-

- The Constitution of India gives limited power to the Legislative Council.
- It **cannot make or break a government.**
- It cannot say 'no' to Finance Bills.

It is **considered important as** it can ensure individuals who might not be cut out for the elections are able to contribute to the legislative process and it can keep an eye on hasty decisions taken by the Legislative Assembly.