



drishti

Andhra Pradesh to Scrap Legislative Council

 drishtiias.com/printpdf/andhra-pradesh-to-scrap-legislative-council

Why in News

The Andhra Pradesh (AP) assembly has passed a resolution to abolish the state's **Legislative Council**.

- The Andhra Pradesh government has to send the resolution to the **Governor** for his approval and then to the Parliament for **ratification**.
- The move comes after the Legislative Council referred the **Capital Decentralisation Bill** to a Select Committee for review.
- Andhra Pradesh's Legislative Council, set up in 1958, was abolished in 1985, then **reconstituted** in **2007**.

Note: Select committees are formed for a specific purpose, for instance, to deliberate on a particular bill. Once the Bill is disposed of, that select committee ceases to exist.

Legislative Council

- **Basis For Formation**
India has a **bicameral system of legislature**. Just as the Parliament has two Houses, the states can also have a Legislative Council (LC) in addition to the Legislative Assembly through Article 169 of the Constitution.
- **Abolition and Creation - Article 169**
The Parliament can abolish a Legislative Council (where it already exists) or create it (where it does not exist) by a simple majority, if the legislative assembly of the concerned state, by a special majority, passes a resolution to that effect.

Note

- **Simple Majority** implies a majority of the members of each House present and voting.

- **Special Majority** implies:
 - A majority of the total membership of the assembly and
 - A majority of not less than two-thirds of the members of the assembly present and voting.
- **States having Legislative Councils**
 - Besides Andhra Pradesh, the other states having Legislative Councils are Telangana, Uttar Pradesh, Bihar, Maharashtra and Karnataka.
 - Legislative assemblies of Rajasthan, Assam and Odisha have passed resolutions for the formation of the Council.
- **Arguments in Favour of the Formation of the Council**
 - A Legislative Council can help check hasty actions by the directly elected House.
 - The Legislative Council also enables non-elected individuals to contribute to the legislative process.
- **Arguments Against**
 - The Legislative Council can delay legislation.
 - It can also be used to park leaders who have not been able to win an election.
 - It strains state finances.

Way Forward

- The Parliamentary Committee that examined the Rajasthan Bill for the formation of the Legislative Council advocated for the evolution of a **national policy for creation/abolition of Legislative Councils**.
- It argued that **the status of Legislative Councils cannot be of temporary in nature** depending on the mood of the Government of the day nor can be abolished once created, only at the whims and fancy of a newly elected Government in the State.

Source: TH