



Annual Review of State Laws 2024

For Prelims: [State Legislative Assemblies](#), [Article 178](#), [Deputy Speaker](#), [Question Hour](#), Sessions of State Legislature

For Mains: Decline in the functioning of State Legislative Assemblies in India, Reforms to improve productivity and deliberation in state legislatures

[Source: DTE](#)

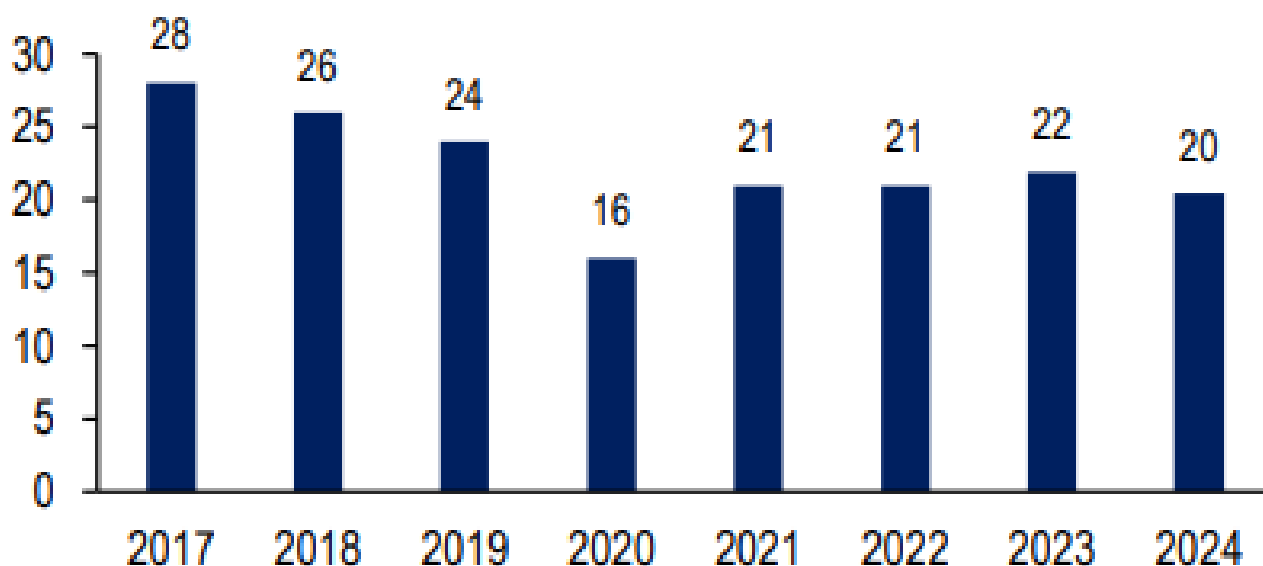
Why in News?

A report titled **Annual Review of State Laws 2024** by PRS Legislative Research, a non-partisan think tank, reveals that **India's state legislative assemblies are functioning with alarmingly low productivity.**

What is the Status of Legislative Assemblies in India?

- **Low Number of Sitting Days:** In 2024, [state legislative assemblies](#) met for an average of **only 20 days**, down from 28 days in 2017 and 16 days in 2020 (pandemic year).
 - Some states have minimum sitting day requirements under their **Rules of Procedure**. None of the states met their own targets in any year from 2017 to 2024.

Average sitting days for state Assemblies



- **Variation Across States:** Odisha (42 days) and Kerala (38 days) had the highest sittings in 2024. Larger states like Uttar Pradesh and Madhya Pradesh met for just 16 days.
- **Vacancy in the Deputy Speaker's Post:** Despite [Article 178 of the Constitution](#) mandating the election of a [Deputy Speaker](#) in every State Legislative Assembly, 8 state assemblies currently do not have one. Notably, Jharkhand has been without a Deputy Speaker for over 20 years.
 - The [Lok Sabha](#) also lacks a Deputy Speaker from June 2019.
- **Bills Passed Without Deliberation:** States passed an average of 17 bills in 2024.
 - Over 51% of bills were passed on the same day they were introduced, often **without debate**. The average duration of each sitting was **only 5 hours**.
 - The quality of legislative debate is deteriorating, with most bills receiving minimal discussion. This trend of **rushed law-making reflects a weakening of deliberative democracy**.
- **Focus Areas of Legislation:** About half of the laws were related to **education, finance, and local governance**.
 - Uttarakhand became the **first state to pass a [Uniform Civil Code](#)**, while West Bengal introduced the [Aparajita Act](#), mandating stricter penalties for rape.
 - Madhya Pradesh brought in legislation to regulate private school fees, and
 - Maharashtra granted **[10% reservation to Marathas](#) in education and government jobs**.

What Key Facts About State Legislature in India?

- **Constitutional Provisions:** The structure, powers, and functioning of State Legislatures are governed by **Part VI of the Constitution, from Articles 168 to 212**.
 - These articles lay down the organization, composition, duration, powers, and procedures of state legislative bodies.
- **Composition:** Article 168 of the Constitution of India provides for the constitution of State Legislatures.
 - There are two types of state legislatures: **unicameral and bicameral**.
 - A unicameral legislature comprises the [Governor](#) and the **Legislative Assembly (Vidhan Sabha)**, which is the more common structure in most states. In contrast, a **bicameral legislature** includes the Governor, the **Legislative Assembly, and the Legislative Council (Vidhan Parishad)**.
- **Sessions of State Legislature:**
 - **Summoning:** The Governor summons the State Legislature to meet from time to time. The maximum gap between **two sessions cannot exceed six months**. A session consists of multiple sittings.
 - **Article 174** mandates state legislatures to meet at least twice a year, with no more than six months between sessions.
 - **Adjournment:** It is the temporary suspension of House proceedings for hours, days, or weeks.
 - **Prorogation:** After the session ends, the Governor officially ends the session by issuing a notice. This is called prorogation, it can be issued even when the House is in session.
 - **Adjournment ends a meeting, but prorogation ends the session.**
 - **Dissolution:** Applies only to the Legislative Assembly, not the Legislative Council (permanent house).
 - Dissolution ends the **full term of the Assembly**, leading to fresh elections.
 - **Quorum:** It is the minimum number of members needed to start a meeting. It is either **10 members or 1/10th of total members**, whichever is greater.
 - If quorum is not met, the House is adjourned or suspended by the Presiding Officer.
 - **Voting in the House:** Decisions are by majority of members present and voting. The Presiding Officer votes only in the case of a tie (casting vote).
 - Special majority is required only in specified cases (e.g., removal of Speaker/Chairman).
 - **Language in State Legislature:** Business is conducted in the official state language, Hindi, or English. Members can speak in their mother tongue with permission.
 - States may discontinue English after 15 years (most states), 25 years (Himachal Pradesh, Manipur, Meghalaya, Tripura), and 40 years (Arunachal Pradesh, Goa,

Mizoram)

- **Rights of Ministers and Advocate General:** Ministers and the Advocate General can speak and take part in discussions in either House or its committees, even if not members. However, they cannot vote unless they are elected members.

What are the Implications of Low Productivity of State Legislative Assemblies?

- **Weakening of Democratic Deliberation:** Legislative assemblies are meant to deliberate on laws, budgets, and public issues, but low productivity undermines this role.
 - In 2021, Nearly 44% of the 583 Bills tabled in state Assemblies were passed within a day after they were introduced, leaving no scope for informed debate, resulting in laws that lack depth, foresight, and public engagement.
- **Decline in Legislative Oversight:** Assemblies often fail to hold the executive accountable through instruments like [Question Hour](#), motions, and debates.
 - Fewer sittings mean reduced scrutiny of **public expenditure, departmental performance, and policy impact**. This undermines **accountability and transparency**, key pillars of democratic governance.
- **Poor Quality of Legislation:** In most states, bills are passed without referral to the Public **Accounts Committee (PAC)**. Ad hoc Select Committees are rare; hence, sectoral expertise and stakeholder consultations are missing.
 - Consequently, laws are often poorly drafted, hastily passed, and vulnerable to legal and implementation challenges.
- **Delayed or Arbitrary Governance:** Many Bills require the Governor's assent to become law. However delays in granting assent by Governors are frequent and often unexplained. This raises serious concerns about arbitrary governance and a lack of accountability in the legislative process.
 - Additionally, over-reliance on **ordinances** (Kerala issued 144 in 2021) circumvents legislative scrutiny.
- **Overlooking Local Aspirations:** State legislatures' inaction on key areas like education, health, land, agriculture, and policing delays essential reforms, depriving people of timely grassroots solutions.

How can the Productivity of State Legislative Assemblies be Enhanced??

- **Fix Minimum Sitting Days:** The **National Commission to Review the Working of the Constitution (NCRWC)** has recommended mandatory minimum sittings for State Assemblies, at least 50 days a year for those with fewer than 70 members, and 90 days for those with more than 70.
 - Amending Article 174 to mandate minimum sitting days for state legislatures would curb **long adjournments and ensure regular legislative functioning**.
- **Strengthen Committee System:** Institutionalising ad hoc Select Committees and Standing Committees, and enabling expert and stakeholder engagement, will lead to more informed, evidence-based legislation, enhancing productivity by reducing policy gaps, improving scrutiny, and ensuring faster, more effective implementation.
- **Promote E-Governance and Transparency:** Implement the **National e-Vidhan Application (NeVA)** to digitise all legislative processes. Nagaland has become the first state to fully adopt NeVA.
 - Ensure live telecast of proceedings to boost citizen awareness and participation.
- **Review of Laws by the Legislature:** Laws must evolve with changing societal contexts, making regular reviews essential to ensure their continued relevance and effectiveness.
 - For instance, the **Information Technology Act, 2000** underwent amendments to address emerging cybercrimes that were not envisaged earlier.

- **Periodic scrutiny** helps correct hastily drafted or politically motivated laws, promoting legal efficacy and public interest.
- Legislative reviews also help identify unintended consequences, and promote accountability by ensuring laws align with their intended purpose and democratic values.
- **RTI and Bilingual Accessibility:** Ensure assembly websites are regularly updated with debates, Bills, and reports. Content should be published both in vernacular languages and in English to ensure wider access and better understanding.

Drishti Mains Question:

State legislatures are witnessing a steady decline in productivity and oversight. Examine the causes and suggest institutional reforms to address this challenge.

UPSC Civil Services Examination, Previous Year Questions (PYQ)

Prelims

Q. Which of the following are the discretionary powers given to the Governor of a State? (2014)

1. Sending a report to the President of India for imposing the President's rule
2. Appointing the Ministers
3. Reserving certain bills passed by the State Legislature for consideration of the President of India
4. Making the rules to conduct the business of the State Government

Select the correct answer using the code given below:

- (a) 1 and 2 only
- (b) 1 and 3 only
- (c) 2, 3 and 4 only
- (d) 1, 2, 3 and 4

Ans: (b)

Mains

Q. Whether the Supreme Court Judgment (July 2018) can settle the political tussle between the Lt. Governor and elected government of Delhi? Examine. (2018)

Q. Discuss the essential conditions for exercise of the legislative powers by the Governor. Discuss the legality of re-promulgation of ordinances by the Governor without placing them before the Legislature. (2022)