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Q5(d)

Relevance of the Legislative Council.

UPSC Civil Services Mains 2024 · PSIR GS 1 · 10 marks · Indian Nationalism

Indian Nationalism: Political Strategies of India's Freedom Struggle; Perspectives on Indian National Movement; Gandhi, Tagore, Nehru, Ambedkar, and the socialists.

Core demand of the question

- State what a Legislative Council is (10 marks)
- Show constitutional provisions and functions
- **Argue relevance:** revision, federal voice, and the case for abolition
- Reach a balanced note

Revision summary

The Legislative Council is a state's optional second chamber under **Articles 168-171**.

Its members come from local bodies, graduates, teachers, Assembly electors, and a nominated quota.

It can revise and delay ordinary bills but cannot finally block **money bills**.

Relevance lies in scrutiny and functional or local representation; the case against it is cost, delay, and patronage.

Creation and abolition follow an Assembly resolution and a parliamentary law, so the Constitution treats the Council as useful only if a state will use it as a revising house.

Introduction

A Legislative Council is the Vidhan Parishad, the optional second chamber of a state legislature under **Articles 168** to 171. It is not a copy of the Rajya Sabha for every state. Its relevance is the live question: whether a revising house still earns its cost in a democratic system already based on the Vidhan Sabha.

Body

Design

Parliament may create or abolish a Council if the Legislative Assembly so resolves. Membership mixes elected teachers, graduates, local-body representatives, Assembly electors, and a Governor's nominated quota of persons from literature, science, art, the cooperative movement, and social service. The Council cannot permanently block **money bills**. It can delay and revise ordinary legislation. This is a house of second thought and of functional representation, not a house of equal popular sovereignty.

Relevance

Supporters say a Council checks hasty bills, gives a voice to local bodies and professions, and offers a place for experienced persons who may not fight Assembly elections. In a large state,

revision can improve drafting. Opponents say it is a parking place for party loyalists, a delay on majority programmes, and a colonial leftover. Several states have abolished Councils; others retain or seek them.

Relevance, then, is conditional. A Council is relevant where it actually revises and represents local government, as the **73rd Amendment**'s panchayat system might suggest a need for a local-body stream. It is not relevant as a permanent veto on the Assembly. The constitutional design already limits it. The political task is to staff it for scrutiny rather than for patronage.

Flow diagram

Legislative Council -> Mixed membership
Legislative Council -> Revise and delay
Legislative Council -> No permanent money-bill veto
Relevance -> Scrutiny
Relevance -> Patronage risk

Conclusion

The Legislative Council is an optional revising chamber with a mixed electorate and limited power over money. It remains relevant as second thought and as a channel for local and professional voice. It loses relevance when it is only patronage. The Constitution leaves that choice to states under parliamentary approval.

Facts & figures

Article 169

Parliament may create or abolish a Legislative Council if the **Assembly passes** a resolution by a special majority.

Article 171

Specifies the mixed composition, including a twelve-of-the-total nominated share for distinguished persons in specified fields.

Money bills

The Council's power over money bills is only recommendatory and time-bound, which preserves Assembly primacy.