

STATE LEGISLATURE

The **State Legislature** is the law-making body at the state level in a federal system of government. It consists of two houses in most states, although some states have a unicameral legislature. The legislature's primary role is to enact laws, amend existing laws, and oversee the functioning of the state government.

1. Composition of the State Legislature

1.1 Bicameral Legislature

A **bicameral legislature** consists of two houses:

1. **Legislative Assembly (Vidhan Sabha)**
2. **Legislative Council (Vidhan Parishad)**

The presence of two houses is common in larger states, while smaller states have a **unicameral legislature**, consisting only of the Legislative Assembly.

1.2 Unicameral Legislature

- **Legislative Assembly (Vidhan Sabha):** This is the only house in a unicameral legislature and is responsible for making laws and controlling the executive.

2. Legislative Assembly (Vidhan Sabha)

The **Legislative Assembly** is the lower house of the state legislature in a **bicameral** system, and it is the most important body in the state legislature. It represents the people of the state and is responsible for passing laws and holding the executive accountable.

2.1 Composition of Legislative Assembly

- The **Legislative Assembly** consists of **elected members** who are directly elected by the people of the state through **general elections**.
- The number of members varies from state to state, depending on the population of the state, but the total number of members cannot exceed **500**.
- Members are elected for a term of **5 years**, unless the assembly is dissolved earlier.

- **Eligibility:** To become a member of the Legislative Assembly, a person must be at least **25 years old** and an Indian citizen.

2.2 Functions of the Legislative Assembly

- **Legislation:** The main function of the Legislative Assembly is to make laws on subjects enumerated in the **State List** and **Concurrent List** of the Constitution.
- **Budget Approval:** The Legislative Assembly is responsible for passing the state's budget, which is proposed by the Chief Minister and the Finance Minister.
- **Control Over Executive:** The Legislative Assembly exercises control over the executive by asking questions, raising debates, and passing resolutions. If the assembly passes a vote of no-confidence against the government, the Chief Minister and the Council of Ministers must resign.
- **Debates and Discussions:** The Legislative Assembly debates and discusses issues of public importance, including law and order, economic policies, education, and social issues.
- **Electing the Speaker:** The members of the Legislative Assembly elect a **Speaker**, who presides over the sessions and ensures that the rules of the house are followed.

3. Legislative Council (Vidhan Parishad)

The **Legislary Council** is the **upper house** in a bicameral legislature. Not all states have a Legislative Council; only states with a larger population or significant importance in the political structure have it.

3.1 Composition of Legislative Council

- The members of the **Legislary Council** are **indirectly elected** from various groups such as graduates, teachers, local authority members, and members of the Legislative Assembly. Some members are nominated by the Governor.
- The total number of members in the Legislative Council cannot exceed **one-third of the members of the Legislative Assembly**.
- Members are elected for a **6-year term**, and one-third of the members retire every two years.

3.2 Functions of the Legislative Council

- **Legislation:** The Legislative Council reviews and revises bills passed by the Legislative Assembly. It can suggest amendments or delay the passage of bills but cannot permanently block bills passed by the Legislative Assembly.
- **Recommendations:** The Legislative Council can make recommendations to the Legislative Assembly, which can be accepted or rejected.
- **Debates and Discussions:** It plays a role in the discussions on important state issues, offering a second opinion on proposed laws.

4. Roles and Functions of the State Legislature

4.1 Law-Making

- The primary function of the state legislature is to **make laws** for the state on various subjects listed in the **State List** and **Concurrent List** of the Indian Constitution.
- The state legislature also has the power to amend existing laws and introduce new laws in areas like education, health, agriculture, transport, etc.

4.2 Budget and Finance

- The state legislature plays a crucial role in managing the state's finances. The **Finance Minister** of the state presents the **state budget** to the legislature. The legislature discusses and passes the budget.
- The state legislature ensures that public funds are used efficiently by scrutinizing government expenditures and making necessary adjustments to the state's financial proposals.

4.3 Control Over the Executive

- The state legislature holds the **executive (the government)** accountable through **question hour**, **debates**, and **discussions**. It can pass a **vote of no-confidence** to remove the Chief Minister and their Council of Ministers.
- The legislature can pass resolutions that compel the executive to take certain actions on critical state issues, such as law enforcement, public welfare, and economic reforms.

4.4 Representation of People

- The legislature represents the will of the people, as its members are directly or indirectly elected. It gives people a platform to discuss and address public concerns through their elected representatives.

4.5 Electoral Functions

- The state legislature plays a role in electing the **President of India** (by electing members to the **Electoral College**).
- The legislature also elects the **Vice President of India** and may participate in the selection of members to the **Rajya Sabha** (Council of States) and other important bodies.

5. The Governor and the State Legislature

- The **Governor** is the ceremonial head of the state and plays an important role in the functioning of the state legislature.
- The Governor **summons** and **prorogues** the sessions of the state legislature and can **dissolve the Legislative Assembly**.
- The Governor also gives **assent** to bills passed by the legislature for them to become laws.
- The **Governor** addresses the state legislature at the beginning of each session, outlining the government's priorities and policies.

6. The Speaker and Deputy Speaker of the Legislative Assembly

- The **Speaker** is elected by the members of the Legislative Assembly from among themselves. The Speaker is responsible for maintaining order in the house, ensuring debates are conducted fairly, and deciding which members will speak.
- The **Deputy Speaker** is also elected by the members and assists the Speaker. In the absence of the Speaker, the Deputy Speaker presides over the sessions of the assembly.

7. Sessions of the State Legislature

The state legislature typically meets in **three sessions** each year:

1. **Budget Session** – when the state budget is presented and financial matters are discussed.
2. **Monsoon Session** – to address important state issues and pass necessary legislation.
3. **Winter Session** – to discuss remaining business and finalize pending bills.