

**GOVERNMENT OF INDIA  
LAW AND JUSTICE  
LOK SABHA**

UNSTARRED QUESTION NO:5748  
ANSWERED ON:10.05.2012  
LEGISLATIVE COUNCIL  
Agarwal Shri Jai Prakash

**Will the Minister of LAW AND JUSTICE be pleased to state:**

- (a) the names of the States which have Legislative Councils alongwith Legislative Assemblies;
- (b) whether the Government has made any rule for the constitution of Legislative Councils;
- (c) if so, the details thereof;
- (d) steps taken/likely to be taken to constitute Legislative Councils in the States where these do not exist particularly in the National Capital Territory of Delhi; and
- (e) if so, the details thereof and if not, the reasons therefor?

**Answer**

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

- (a): Andhra Pradesh, Bihar, Jammu and Kashmir, Karnataka, Maharashtra and Uttar Pradesh.
- (b) and (c): Under article 169 of the Constitution, Parliament may by law provide for the abolition of the Legislative Council of a State having such a Council or for the creation of such a Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting. The existing provisions under article 169 of the Constitution are adequate.
- (d) and (e): Once the State Legislative Assembly passes the necessary resolution as mandated under article 169 of the Constitution, the Central Government may by law provide for creation and abolition of Legislative Council in that State. Further, there is no proposal for creation of the Legislative Council in the National Capital Territory of Delhi.