

## Parliament and State Legislature [UPSC Polity Notes]

India has a parliamentary system of government with a bicameral legislature at the Centre. Some states have a bicameral legislative system while others have a unicameral one. In this article, you can read a comparison of the union parliament and the state legislatures for the [UPSC exam](#).

### Comparison of Parliament and State Legislature

The Parliament is a bicameral legislature comprising of two Houses and the Indian [President](#):

Lok Sabha: The House of the People (Lower House).  
Read more on [Lok Sabha](#).

Rajya Sabha: The Council of States (Upper House).  
Read more on [Rajya Sabha](#).

The functions of the Parliament are provided for in the Indian Constitution in Chapter II, Part V. You can also read more about the **functions of the Indian Parliament** in detail [here](#).

At the **state level**, the legislature is composed of the Legislative Assembly, the Legislative Council (only in 6 states currently) and the Governor of the State.

- In the Constitution, there are provisions for the creation of a second chamber (the Legislative Council) for states which do not have one. There are also provisions for the abolition of the Council for states that do have them. (Article 169).
- Currently, 6 states in India have the Legislative Council. They are:
  - Maharashtra
  - Karnataka
  - Andhra Pradesh
  - Telangana
  - Uttar Pradesh
  - Bihar
- There are proposals to abolish the Council in Andhra Pradesh.
- Until [Article 370](#) was in place, Jammu & Kashmir also had a Legislative Council under its own Constitution. Now, it is a Union Territory with a Legislative Assembly.
- Tamil Nadu abolished its Legislative Council (called Vidhan Parishad) in 1986.

For more on [State Legislatures](#), click on the linked article.

### Tabular Comparison of Parliament and State Legislature

Union Parliament	State Legislatures
Bicameral	Mostly unicameral - only 6 states are bicameral
Article 79 to 122 in Part V of the Constitution	Articles 168 to 212 in Part VI of the Constitution
If a bill is introduced in a House, and it passes it, then the other House can: <ol style="list-style-type: none"> <li>1. Pass the bill as it is.</li> </ol>	The Legislative Councils (LC) have only advisory powers by and large.

<ol style="list-style-type: none"> <li>2. Reject the bill altogether.</li> <li>3. Pass the bill with some modifications and return it to the first House for reconsideration.</li> <li>4. Nothing is done to the bill for 6 months, which means both Houses are in disagreement.</li> </ol> <p>In this case, a <b>joint sitting</b> of both the Houses is convened and made, to break the constitutional deadlock.</p> <p>Note: In the case of <a href="#">Money Bills</a>, which are to be introduced only in the Lok Sabha, the Rajya Sabha has restricted powers.</p>	<p>They have lesser powers when it comes to law-making.</p> <p>If a bill is introduced in the LC, which is passed by it, and it goes on to the Assembly:</p> <ol style="list-style-type: none"> <li>1. The Assembly rejects the bill.</li> <li>2. It passes the bill with some modifications which are unacceptable to the LC.</li> </ol> <p>In both the above cases, the bill comes to an end.</p> <p>However, if the bill originates in the Assembly, and it is either rejected or passed with modifications not acceptable by the LC, it does not come to an end.</p> <p><b>There is no provision for a joint sitting of the Council and the Assembly.</b> In the case of a disagreement, the decision of the Assembly is deemed final.</p> <p>Note: Money bills can originate only in the Legislative Assembly.</p>
<p>Members: Lok Sabha: 552 (Max.)</p> <p style="text-align: center;">Rajya Sabha: 250 (Max.)</p>	<p>Members: Legislative Assembly: Between 40 and 500</p> <p>Legislative Council: Not more than one-third of the membership of the State Legislative Assembly, and cannot be under 40.</p>
<p>Election to the Rajya Sabha:</p> <p>Members are elected by the elected members of the State Legislative Assemblies by means of proportional representation by means of a single transferable vote.</p>	<p>Election to the Legislative Councils:</p> <p>Members are elected by five different constituencies through a process of the single transferable vote system.</p> <ol style="list-style-type: none"> <li>1. <math>\frac{1}{3}</math> of the members are elected by the local authorities' representatives (Gram Panchayats, Municipalities, Block Parishads, etc.)</li> <li>2. <math>\frac{1}{3}</math> of the members by the MLAs.</li> <li>3. <math>\frac{1}{12}</math> of the members are elected by the teachers (of secondary schools, colleges and universities) in the state.</li> <li>4. <math>\frac{1}{12}</math> are elected by the graduates in the state.</li> <li>5. Remaining <math>\frac{1}{6}</math>th are nominated by the Governor from persons having experience or knowledge in the fields of science, art, literature, social service or cooperative movement.</li> </ol>

## UPSC Questions related to Parliament and State Legislature

### What is the difference between legislature and parliament?

The Parliament is the whole term for law-making bodies. In India, the Parliament comprises of the Lok Sabha, the Rajya Sabha and the President. The Legislature is generally the body that discusses and makes

laws for the country or state. For example, the Lok Sabha is a legislative body.

### **Is Parliament a legislature?**

The Parliament is a legislative body of the government.

### **What is state legislature?**

The State Legislature is the legislative body of the state in India. It comprises of the Legislative Assembly, the Legislative Council (in some cases) and the State Governor.

