

PREVIOUS YEAR QUESTION

UPSC 2022 · 10 marks

Legislative Council is a house without any effective powers. Comment.

FLOW SNAPSHOT — how the answer moves

Intro routes

R1 Art 169 (creation/abolition) + Art 171 (composition) → secondary chamber, weaker than even the Rajya Sabha → charge has force, but “without any” overstates

R2 Take the claim head-on → test the absolute “without any” → concede weakness on decisive power, deny total powerlessness

Body flow

Critique holds → ordinary Bills: delay only (3 months → 1 month, Assembly final say) → Money Bills: cannot originate, only recommend → no no-confidence, no control over executive → but not powerless → revising + deliberative chamber, checks hasty legislation (**Ambedkar**) → members can be ministers / Chief Minister → political weight

Counter-view

Wheare + Austin: weak duplication → others: a costly refuge for defeated politicians

Conclusion routes

R1 Powers limited, not absent → advisory worth is real → turns on better composition + genuine scrutiny

R2 Claim true on decisive power, overstated as a whole → value is deliberative, contingent on reform

The Legislative Council is the upper house in some states, created or abolished under Article 169 and composed under Article 171. As a secondary chamber, weaker than even the Rajya Sabha, the charge carries force - yet calling it powerless overstates the position.

On effective power the criticism holds. Over ordinary bills the council can only delay - 3 months at first, 1 month thereafter. Money bills cannot originate here; it may merely recommend changes the assembly can reject. It also cannot move a no-confidence motion or remove the ministry, so it exercises no control over the executive.

But "without any powers" goes too far. It remains a revising and deliberative chamber that checks hasty legislation, a role B.R. Ambedkar defended.

Its members may become ministers, or even CM, giving it political weight.

Critics like K.C. Wheare and Granville Austin still see it as a weak duplication and others as a refuge for defeated politicians.

Its powers are limited, not absent; its worth depends on better composition and genuine scrutiny.