

the bihar legislature : A HISTORICAL PERSPECTIVE



Bihar has a deep and multi-faceted past. As history dawned in the Indian sub-continent during the sixth century BCE, this region was in the forefront of political and intellectual life. The Nanda dynasty carved out a powerful empire from their Capital at Rajgir, and later the Mauryas and the Guptas developed a pan-India empire from the city of Patliputra (Modern Patna). Bihar also witnessed intellectual efflorescence with the rise of two profound doctrines, Buddhism and Jainism, during this period.

Bihar has the distinction of nourishing one of the earliest democracies in the world. At Vaishali (40 Kms north of Patna) the Lichchavis, during the sixth century BCE, led a confederacy in which important political and administrative decisions were taken collectively by an assembly consisting of as many as 7707 members. The ancient Pali literature provides elaborate rules about conducting the assembly viz., process of moving resolutions, voting by ballot, decision by a majority of Votes, referring ticklish questions to committees, rules about quorum etc. The great Buddha had a high admiration for the constitution of Vaishali, and modelled his own religious sangha after it. Obviously, the people of Bihar have a long history democratic polity, as evidenced by Vaishali Sangha and several other such contemporary sanghas.

In order to trace the genesis of the present day Legislature of Bihar, let us turn the pages of modern history. During the rule of the East India Company, the area of Bihar was made a part of the Bengal Presidency. On 12th December, 1911 the British Emperor George V announced in his Delhi Durbar, the creation of a separate province by combining Bihar and Orissa, with Patna as its headquarter. In the same Durbar, the headquarters of the British Indian Government was shifted from Calcutta to Delhi.

On 22nd March, 1912 the creation of Bihar and Orissa state was notified and Sir Charles Stewart Bailey became the first Lieutenant Governor of the State. For legislative authority of this newly created province, a 43-member Provincial Legislative Council was constituted. The first meeting of the newly constituted Bihar and Orissa Provincial Legislative council was held on 20th January, 1913 in Patna. This is the same council, which after many changes and modifications in strength and constitution, now exists as the Bihar Legislative Assembly.

A new administrative system of Dyarchy was introduced by the Government of India Act 1919. According to this, administrative subjects were divided into two groups, namely 'reserved' and 'transferred'. Reserved subjects were administered by the Governor with his Executive Council whereas the administration of transferred subjects was done by the Governor with the Provincial Legislative Council. At the same time the province of Bihar and Orissa was elevated to the status of Governor's province and in place of the Lieutenant Governor, a new Governor was appointed. Lord S.P.Sinha became the first Governor of Bihar and Orissa.

At this time, the need for an independent building and secretariat for the Provincial Legislative Council started to be felt. As a result a new building for the Council Secretariat was built in 1920 and the Council started functioning from the same building, which is the main building of Bihar Legislature today. After becoming Governor's State the first meeting of the Bihar and Orissa

Provincial Legislative Council was held under the Presidency of Sir Walter Maude on 7th February, 1921 and it was addressed by Governor Lord S.P. Sinha.

Soon there arose demands for giving more power to the Council. On the other hand the freedom movement under the leadership of Mahatma Gandhi had also gained momentum. Under pressure of the freedom movement, an announcement was made by the British Government to establish a responsible government in India. After three Round Table Conferences and the Poona pact, the British Parliament passed the Government of India Act 1935. Under the Act, Bihar and Orissa were separated and made independent states. The beginning of the system of provincial autonomy was started by this Act. As one of the important provisions of the Act the system of bicameral provincial legislatures was also introduced. Accordingly a separate Upper House to be called the Bihar Legislative Council was created. In this way, the Bihar Legislative Council came into existence and its first meeting with 30 members was held under the Chairmanship of Sri Rajiv Ranjan Prasad on 22nd July, 1936 in a new hall built on the north side of the Assembly hall. Meetings of Bihar Legislative Council take place in this same hall even today.

In this bicameral system the number of members in the Bihar Legislative Assembly was increased to 152. In January 1937, elections to the Bihar Legislative Assembly were held and on 20th July, 1937 the first responsible government was formally constituted under the leadership of Dr. Shri Krishna Singh. The first joint session of the two houses took place on 22nd July, 1937. Shri Ram Dayalu Singh was elected as the Speaker of the Bihar Legislative Assembly.

In the year 1939 after the outbreak of the First World War, the British Indian Government declared the participation of Indian in the war without taking consent of the provincial responsible governments. Protesting this high handedness, Shri Krishna Singh tendered his resignation on 31st October, 1939 and the Bihar Legislative Assembly was dissolved. After the end of the 2nd World war in 1945, the Bihar Legislative Assembly Elections were held again and a government under the leadership of Dr. Shri Krishna Singh was formed once again.

After the enactment of the Indian Constitution in 1950 the first and second general elections to the Bihar Legislative Assembly were held in 1952 and 1957 respectively. In 1952, 330 members were elected directly and one member was nominated separately. Following the recommendations of the State Reorganization Commission 1956, the geographical boundary of Bihar changed once again. As a result the number of elected members in the assembly got reduced to 318 from 330. In different elections held in 1962, 1967, 1969 (Mid term election) and 1972, the strength of the house remained 319. In 1977 in proportion to the population growth the total number of elected members increased from 318 to 324 and the nominated member remained as earlier, so the total strength of the Bihar Legislative Assembly became 325.

After the passing of the Bihar Reorganization Act, 2000 by the Indian Parliament a new state of Jharkhand came into existence carved out of Bihar. As a result on 15th November, 2000, 81 members and one nominated member, altogether 82 members out of 325 became members of newly created Jharkhand Legislative Assembly. Thus the strength of the Bihar Legislative Assembly was reduced to 243, and this remains the same till now.

In the same way the strength of Bihar Legislative Council was increased from 30 to 72 in 1952. In the year 1958, this number was once again enhanced to 96. After the bifurcation and creation of Jharkhand state in 2000, the number of members of Bihar Legislative Council was reduced to 75, which is still the same.



Extension Building of Bihar Legislative Assembly

