

RESOLUTION

The Andhra Pradesh Legislative Council (Council in short) was constituted on 1-07-1958 under the Article 168 of the Constitution of India.

The Council was abolished w.e.f. 1-6-1986 vide the Andhra Pradesh Legislative Council (Abolition) Act, 1985 (Act. No. 34 of 1985).

The Council was again created under the provisions of the Andhra Pradesh Legislative Council, 2005 (Act. No. 1 of 2006).

After the bifurcation of the State, as per Section 22 of the Andhra Pradesh Reorganisation Act, 2014 the Council was constituted in accordance with the provisions contained in the Article 169 of the Constitution of India and the existing Legislative Council of the State of Andhra Pradesh, on and from the appointed day, was deemed to have been constituted as Legislative Council of the State with the existing members.

Subsequently, the Andhra Pradesh Legislative Assembly (Assembly in short) has adopted a statutory resolution on 27-1-2020, as required under Article 169 of the Constitution of India, resolving that the Legislative Council of the State to be abolished. The decision for the abolition of the Council was taken keeping in view the availability of adequate qualified and experienced members in the Assembly for the purpose of making laws and to remove intentional and avoidable delays in the passing of bills.

In accordance with the resolution of the Assembly, the Chief Secretary of Andhra Pradesh vide D.O. Letter No.11/87/Law/2020, dated 27-1-2020 addressed the Home Secretary, Government of India conveying the above resolution of the Andhra Pradesh Legislative Assembly & requesting to take necessary action in the matter.

However, despite constant persuasion of the matter at various levels & elapse of a considerable period of time of one year & ten months, the Government of India has failed to take action on the above resolution of Andhra Pradesh Legislative Assembly.

In the meantime, the Council is functioning and discharging its bounden duties. However, there is undue uncertainty amongst the members of the Council as the matter regarding the abolition of the Council is kept pending by the Ministry of Home Affairs, GOI for an inordinately long period.

In the context of the delay by the Government of India to the statutory resolution dated 27-1-2020 of the Andhra Pradesh Legislative Assembly, & there being no visibility as to the time-frame in which the action is likely to be completed, it is considered necessary to put an end to the prevailing situation of uncertainty & ambiguity, which is affecting the dignity and decorum, always associated with the Council and its members.

Therefore, in the light of the above, it is proposed to withdraw the statutory resolution adopted by the Andhra Pradesh Legislative Assembly on 27-1-2020, instead continue with the Council which is in existence. The resolution is moved accordingly.
