

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.

बिहार विधान सभा एक संक्षिप्त परिचय

बिहार के इतिहास में 12 दिसम्बर, 1911 ई० मील का पत्थर के रूप में चिन्हित है । इस तिथि को आयोजित दिल्ली दरबार में ब्रिटिश सम्राट ने भारत सरकार की राजधानी कलकत्ता से स्थानान्तरित करते हुए दिल्ली लाने की घोषणा की थी ।

22 मार्च, 1912 ई० को जारी उद्घोषणा के द्वारा बंगाल से अलग कर बिहार एवं उड़ीसा नाम से नये राज्य का गठन किया गया और यह उद्घोषणा दिनांक 1 अप्रैल, 1912 के प्रभाव से लागू हुआ । सर चार्ल्स स्टूर्वर्ट बेले, के.सी.एस.आई. इस राज्य के प्रथम उप राज्यपाल नियुक्त किये गये । संयुक्त बिहार एवं उड़ीसा राज्य में विधायी प्राधिकार की स्थापना सन् 1913 ई० में हुई । इसके लिए 43 सदस्यीय विधायी परिषद् का गठन किया गया, जिसमें 24 निर्वाचित एवं 19 मनोनीत सदस्य थे । इसकी प्रथम बैठक दिनांक 20 जनवरी, 1913 ई० को बांकीपुर स्थित कौंसिल चैम्बर में उप राज्यपाल श्री बेले की अध्यक्षता में संपन्न हुई । दिनांक 29 सितम्बर, 1920 ई० को बिहार एवं उड़ीसा राज्य को राज्यपाल के शासन वाल प्रान्त बनने का गौरव प्राप्त हुआ । राज्यपाल के शासन वाला प्रान्त बनने के तुरन्त बाद लेजिस्लेटिव कौंसिल के गठन में भी संशोधन किया गया, जिसके अनुसार कुल सदस्यों की संख्या 103 निर्धारित की गई । 103 सदस्यी कौंसिल में 76 निर्वाचित एवं 27 राज्यपाल द्वारा मनोनीत सदस्य थे । मार्च, 1920 ई० में लेजिस्लेटिव कौंसिल का भवन का निर्माण शुरू हुआ और उसी वर्ष बनकर तैयार हो गया । इस भवन में कौंसिल की प्रथम बैठक दिनांक 7 फरवरी, 1921 ई० को सर मुडी की अध्यक्षता में संपन्न हुई । यह भवन आज बिहार विधान सभा के रूप में विद्यमान है । बिहार एवं उड़ीसा राज्य के अन्तिम राज्यपाल सर जेम्स डेविड सिफ्टॉन हुए । सन् 1935 ई० को बिहार विधान परिषद् भवन का निर्माण हुआ था । दिनांक 1 अप्रैल, 1936 ई० को बिहार एवं उड़ीसा अलग हुआ एवं दोनों पृथक राज्य के रूप में अस्तित्व में आये । गवर्नमेंट ऑफ इंडिया एक्ट, 1935 में निहित प्रावधानों के अनुसार 1 अप्रैल 1935 ई० को प्रान्तीय स्वयत्ता का श्रीगणेश हुआ, जिसके क्रम में प्रान्तों में द्विसदनीय व्यवस्था की शुरुआत हुई । इस व्यवस्था के अन्तर्गत बिहार में विधान सभा तथा विधान परिषद् प्रस्थापित किया गया । इस बदले हुए द्विसदनीय व्यवस्था में बिहार विधान सभा की क्षमता 152 थी । सदस्यों का उपर्युक्त अधिनियम की 5वीं एवं 6ठी अनुसूची में उल्लिखित मताधिकार प्राप्ति की योग्यता से पूरित क्षेत्रीय तथा विशेष निर्वाचन क्षेत्रों के मतदाताओं द्वारा प्रत्यक्षतः निर्वाचित होता था । गवर्नमेंट ऑफ इंडिया एक्ट 1935 की द्वितीय विश्व युद्ध की शुरुआत हुई जिसमें तत्कालिन ब्रिटिश सत्ता ने भारत की सहमति लिए बिना ही भारतीय को इसमें झोंक दिया । इसमें विरोद्ध स्वरूप दिनांक 31 अक्टूबर, 1939 ई० को तत्कालीन मुख्यमंत्री डॉ० श्री कृष्ण सिंह ने इस्तिफा दे दिया और बिहार विधान सभा विघटित कर दी गई । नवम्बर 1939 ई० से 1945 ई० तक बिहार विधान सभा विघटित रही सन् 1946 ई० में एक बार कांग्रेस ने पुनः सत्ता की बागडोर सम्भाली । भारतीय संविधान के प्रावधानों के अनुसार सन् 1952 ई० तथा 1957 ई० में क्रमशः पहले एवं दूसरे आम चुनाव सम्पन्न हुए । सन् 1952 ई० को सम्पन्न हुए चुनाव में बिहार विधान सभा के 330 सदस्यों का प्रत्यक्ष निर्वाचन हुआ तथा एक सदस्य अलग से मनोनीत किए गए । राज्य पुनर्गठन आयोग के अनुशंसाओं के आधार पर बिहार की सीमा में परिवर्तन हुआ । बिहार यथा पश्चिम बंगाल (क्षेत्रों का अंतरण) अधिनियम 1956 में निहित प्रावधानों के कारण दिनांक 1 नवम्बर, 1956 ई० को बिहार की कोई 3166 वर्ग मील भूमि तथा 44,46,385 की आवादी बंगाल को अंतरित कर दी गई परिणामस्वरूप बिहार विधान सभा के निर्वाचित सदस्यों की संख्या 330 से घट कर 318 हो गई तथा एक अन्य सदस्य मनोनित होते थे, जिन्हे मिलाकर बिहार विधान सभा की कुल सदस्यों की संख्या 319 रह गई । सन् 1962 ई० 1967 ई० 1969 ई० एवं 1972 ई० तक हुए क्रमशः तृतीय, चतुर्थ, पंचम एवं षष्ठम बिहार विधान सभा के चुनावों तक इसके सदस्यों की संख्या 318 + 1 = 319 रह गई । सन् 1977 ई० में जनसंख्या वृद्धि के अनुपात में बिहार विधान सभा के कुल निर्वाचित सदस्यों की संख्या 318 से 324 हो गई तथा एक मनोनित सदस्य पूर्वतः रहे । इसप्रकार विधान सभा में कुल सदस्यों की संख्या 325 हो गई ।

दिनांक 15 नवम्बर, 2000 ई० को द्वादश बिहार विधान सभा काल में बिहार विभाजन हुआ एवं पृथक झारखंड राज्य का गठन हुआ । फलस्वरूप बिहार विधान सभा के लिए निर्वाचित कुल 324 सदस्यों में से 21 सदस्य एवं एक मनोनित सदस्य अर्थात् कुल 82 सदस्य दिनांक 15 नवम्बर, 2000 ई० के बाद से झारखंड विधान सभा के सदस्य हो गए । इसप्रकार बिहार विधान सभा में कुल 243 सदस्य ही शेष रह गए, जो अबतक इसी स्वरूप में है ।



Extension Building of Bihar Legislative Assembly

