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HIMACHAL PRADESH

SACHIN SHARMA*

Introduction

The state of Himachal Pradesh was initially formed on 15th April 1948 by integration of thirty erstwhile princely states. The first legislative assembly of Himachal Pradesh was held during 1962-67. Since then, there have been fourteen assemblies and currently the fourteenth assembly is in term. The last assembly election, held in November 2022 led to a massive win for Indian National Congress, which secured 40 seats out of 68 and BJP emerged as second largest party, managing to get 25 seats. Unfortunately, the fourteenth legislative assembly has only one woman member, in comparison to the four women members in the 13th legislative assembly. During 2017-2022, the state legislative assembly sat for thirty days a year, which was higher than the national average of 25 days between 2016-21. The average duration of one sitting of the Himachal Pradesh assembly was 4.2 hours.¹

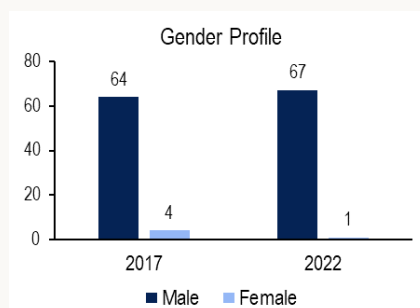


Figure 1: Gender diversity of Himachal Pradesh Legislative Assembly in 13th and 14th term.²

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¹ PRS Legislative Research, *Functioning of 13th Himachal Pradesh State Legislative Assembly*, (2023), https://prsindia.org/files/legislature/legislature_state_vital_stats_/Vital_Stats_13th_HP_Vidhan_Sabha.pdf (Last visited on December 13, 2023).

² Source: Election Commission of India results available at: results.eci.gov.in. The position of women representation at important places in governments continues to be disappointing. Data compiled by UN Women shows women represent 22.8% of Cabinet members heading ministries. Available at: <https://www.unwomen.org/en/what-we-do/leadership-and-political-participation/facts-and-figures> (Last

The 14th assembly, met in four sessions during 2023. The first session took place in the month of January 2023. There were three sittings during this session. In the first session oaths were administered to the newly elected members and the Governor delivered their address. The legislative business was transacted mainly during the second, third and fourth sessions. There were sixteen sittings for the second session, the highest in the year 2023, and seven and five for third and fourth sessions respectively.

The second session of 76 hours recorded the highest working hours for the assembly, which was followed by the third and fourth sessions.

Legislative Activity in 2023

Sixteen bills along with two ordinances were introduced in the four sessions of the 14th legislative assembly. These bills are primarily related to civil and revenue matters including land ceiling non-biodegradable garbage control, tourism development, Fiscal Responsibility and Budget Management and Municipal Services. Two bills dealt with the rights of children and women to hold landed property. A majority of the bills(ten), were passed on the very next day after being introduced and three were passed in the same sitting of the assembly. The following chart depicts the bills introduced in Himachal Pradesh State Legislative assembly in the year 2023.

	Name of the Bill	Introduced On	Passed On
01	Himachal Pradesh Fiscal Responsibility and Budget Management (Amendment) Bill, 2023	05/01/2023	06/01/2023
02	Himachal Pradesh Goods and Services Tax (Amendment) Bill, 2023	05/01/2023	06/01/2023
03	The Himachal Pradesh Water Cess on Hydropower Generation Bill, 2023	14/03/23	16/03/2023
04	The Himachal Pradesh Appropriation Bill, 2023	15/03/2023	15/03/2023
05	The Himachal Pradesh Appropriation (Number 2) Bill, 2023	29/03/2023	29/03/2023
06	Himachal Pradesh Ceiling on Land Holdings (Amendment) Bill, 2023	29/03/2023	03/04/2023
07	The Himachal Pradesh Loktantra Prahri Samman (Repealing) Bill, 2023	03/04/2023	03/04/2023
08	The Himachal Pradesh Ground Water (Regulation and Control of Development and Management) Amendment Bill, 2023	05/04/2023	06/04/2023
09	The Himachal Pradesh Sukhashraya (Care, Protection and Self-Reliance of Children of the State) Bill, 2023	05/04/2023	06/04/2023

visited on January 12, 2024) Also see: SS Sree Kumar, *Representation of Women in Legislature: A Sociological Perspective in the Indian Context*, The Indian Journal of Political Science, Vol. 67, No. 3, pp. 617-628.

10	Himachal Pradesh Goods and Services Tax (2nd Amendment) Bill, 2023	21/09/2023	22/09/2023
11	Indian Stamp (Himachal Pradesh Second Amendment) Bill, 2023	21/09/2023	22/09/2023
12	Himachal Pradesh (on Certain Goods Carried by Road) Amendment Bill, 2023	21/09/2023	22/09/2023
13	Himachal Pradesh Municipal Services (amendment) Bill, 2023	21/09/2023	22/09/2023
14	The Himachal Pradesh Repealing Bill, 2023	20/09/2023	21/09/2023
15	Himachal Pradesh Non-Biodegradable Garbage (Control) Amendment Bill, 2023	22/12/2023	Pending
16	Himachal Pradesh Tourism Development and Registration (Amendment) Bill, 2023	21/12/23	Pending

All the sixteen bills were introduced by the government. A majority of these bills were introduced by the chief minister and the deputy chief minister with the finance minister, who primarily introduced the tax and cess bills. Two bills were passed between two to five days of the same session. Not a single private member bill was introduced during the four sessions of 14th legislative assembly.³ In order to make the draft bills accessible to the public, the legislative handbook for the State of Himachal Pradesh provides for the preparation and drafting of the bills in Hindi.⁴

In order to fulfil one of their main election promises, the government also provided for implementation of the 'Old Pension Scheme' during the budget deliberations. During the third and the fourth session of 14th legislative assembly special deliberations on natural disasters took place due to the extremely heavy rainfall during the monsoon in 2023. The government declared the state a 'natural calamity affected area'. In his address in the assembly, the Chief Minister stated that Himachal Pradesh has incurred a loss of over 10,000 crores rupees and sought support and cooperation from all stakeholders.⁵ In addition to the bills, there were two Ordinances; Himachal Pradesh Municipal Corporation (Amendment) Ordinance, 2023 (No. 1 of 2023); Himachal Pradesh Water Cess on Hydropower Generation Ordinance, 2023 (No. 2 of 2023). These ordinances were repealed

³ In fact, while looking into the history of introduction of private member bill to the state legislative assembly, I was unable to find any record of the same.

⁴ See *Handbook on The Preparation and Passing of Bills in the State of Himachal Pradesh, 2005-2006, Ch. 3, Rule 8.*, Available at: https://himachal.nic.in/WriteReadData/l892s/10_l892s/HBonPrenPassinigoftbillsinHp-11690104.pdf (last visited on January 21, 2024)

⁵ Daijiworld Media Network, *Himachal suffered loss worth Rs 10,000 cr, it will take one yr to rebuild state: CM Sukhu*, August 19, 2023, available at <https://www.daijiworld.com/news/newsDisplay?newsID=1111739> (Last visited on May 27, 2024).

within a couple of weeks after enactment of statute on the same subjects.⁶ Further, during the year 2023, the government also notified the Town and Country Planning (Tenth Amendment) Rules 2023.⁷

Qualitative Analysis of Bills

Himachal Pradesh Goods and Services Tax (Amendment) Bill, 2023 (Bill no. 2 of 2023) has introduced changes with regard to input tax credit in the law. Thus, a person registered under the law can claim input tax credit only if the supply communicated to such registered person is not restricted. The amendment also specifies the time period within which such input credit can be claimed. Other amendments made to the Act address the matter of online money gaming. The legislation also clarifies the scope of specified actionable claim in relation to betting, gambling, lottery etc.

Himachal Pradesh Fiscal Responsibility and Budget Management (Amendment) Bill, 2023 (Bill no. 1 of 2023) was introduced to amend Himachal Pradesh Fiscal Responsibility and Budget Management Act, 2005.⁸ The Act aims to ensure prudent fiscal management by the state government. The Act requires that the state government must eliminate the revenue deficit by 2011-12 and maintain a revenue surplus in subsequent years. The 2023 amendment bill specifies that the state must eliminate deficit and maintain revenue surplus.⁹

The amendment revised the limit for fiscal deficit. The fiscal deficit is the excess of total expenditure over total receipts. It is measured as a percentage of the state gross domestic product (GSDP). Earlier, the Act specified the following targets for fiscal deficit as % of GSDP: i) 3.5% or less by 2011-12, ii) 3% or less in subsequent years. The bill amends this to maintain the fiscal deficit as % of GSDP at i) 6% or less in 2022-23, ii) 3.5% or less in 2023-24, and iii) 3% or less in subsequent years.

The bill specifies via amendment to section 5 (1)(ii) that 50 years interest-free loans received from the central government, under the scheme for 'special assistance to states for Capital Expenditure' will not be accounted as borrowing for enforcing fiscal deficit and outstanding

⁶ See, Act No. 10 of 2023 and Act No. 7 of 2023 respectively.

⁷ The said amendment rules were the outcome of the power conferred on the Governor by section 87 of Himachal Pradesh Town and Country Planning Act, 1997. Available at: <https://legalitysimplified.com/wp-content/uploads/2023/06/Himachal-Pradesh-Town-and-Country-Planning-Tenth-Amendment-Rules-2023.pdf> (last visited on January 11, 2024)

⁸ Available at: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-1of2023HP.pdf

⁹ Available at: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-1of2023HP.pdf, last accessed on March 22, 2024)

debt limit, if any unutilised borrowing of the previous year is carried forward to subsequent years.¹⁰

The Himachal Pradesh Water Cess on Hydropower Generation Bill, 2023 (Bill no. 5 of 2023) was introduced on March 14 2023 and passed on March 16 2023. It replaced the Himachal Pradesh Water Cess on Hydropower Generation Ordinance, 2023, promulgated on February 15th 2023.¹¹ The bill seeks to levy cess on hydropower generation in the state. Accordingly, cess will be levied on the amount of water drawn during the process of hydropower generation. This bill applies to hydropower projects operated by government departments, local bodies and companies. The volume of water drawn will be measured based on the difference in the water level at the entry and exit points of the project. The rate of cess will be notified by the state government. The bill establishes a water cess commission to administer the levy of the cess. The commission will adjudicate the disputes related to the cess. The bill further states that if any installed devices are damaged, the user will be responsible for replacing them. Failure to do so will attract a penalty of Rs. 50,000/- . If a user fails to pay the cess, the water cess commission has been authorised to impose such a penalty as it deems fit. In the event of the user contravening a decision of the commission, a penalty of up to Rs.10 lakh may be imposed. If the default continues an additional penalty of up to Rs. 5000 per day may also be imposed.

Himachal Pradesh Ceiling on Land Holdings (Amendment) Bill, 2023 (Bill no. 8 of 2023) amends the 51-year-old Himachal Pradesh Ceiling on Land Holding Act, 1972. The amendment brings gender equality by providing equal rights in landholding to the adult daughter (married and unmarried). The Act limits and regulates the maximum amount of land that can be owned by an individual, family or entity.

In the Act, to calculate the maximum permissible land ceiling for families, sons were considered as separate units. The amount of land that a family can own is directly proportional to the number of 'units' in a family. Thus, families with a son could hold more land than families with daughters. According to the said amendment, the adult daughter will be permitted to have a separate independent unit up to 150 bighas of the land¹². The state government has rectified the earlier mistake by inserting the word 'or daughter; after

¹⁰ Id.

¹¹ Available at: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-5of2023HP.pdf (last visited on January 13, 2024)

¹² Biswa is a traditional unit of measurement of land area and is equivalent to about 37.6 square meter in Himachal Pradesh.

the word 'son' in sub-section 4 of section 4.¹³ The amendment is significant as it challenges the old patriarchal dominance in property rights¹⁴. And moves to realise the right to equality enshrined under the provisions of the Indian Constitution.¹⁵ The amendment in the legislation is aimed to provide a relief to lakhs of families in the state having daughters, as it would enable the daughter to claim a unit of 150 bighas of land, equally with the son.¹⁶

The Himachal Pradesh Loktantra Prahri Samman (Repealing) Bill, 2023 (Bill no. 6 of 2023) was introduced in order to repeal the Himachal Pradesh Loktantra Prahri Samman Act, 2021.¹⁷ The Governor of Himachal Pradesh has raised questions against the amendment bill. The original Act was related to provisions of 'dignity pension' or 'sammanrashi' and other facilities to Loktantra Prahris, who were detained in jails during the Emergency of 1975-77. It is pertinent to note that the original statute was enacted when the BJP was in power and the repealing bill was introduced when the Indian National Congress formed the government.

The Himachal Pradesh Ground Water (Regulation and Control of Development and Management) Amendment Bill, 2023 (Bill no. 9 of 2023) was introduced in the legislative assembly on 5th April 2023. The bill amends The Himachal Pradesh Ground Water (Regulation and Control of Development and Management) Act, 2005. The Act provides for the regulation of groundwater usage, including requirement of registration and obtaining of permits to extract ground water. The Act provides for penalties for offences like obstructing

¹³ The Himachal Pradesh Ceiling on Land Holdings (Amendment) Bill, 2023 (last visited on December 29, 2023).

¹⁴ Working Group on the Issue of Discrimination against Women in Law and in Practice, *Insecure Land Rights for Women Threaten Progress on Gender Equality and Sustainable Development*, United Nations Human Rights Special Procedures, available at : <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/Womenslandright.pdf> (last visited on January 11, 2024).

Also see: USAID, *Land Tenure, Property Rights and Gender, Challenges and Approaches for Strengthening Women's Land Tenure and Property Rights* available at: https://www.land-links.org/wp-content/uploads/2016/09/USAID_Land_Tenure_2012_Washington_Course_Module_3_Land_Tenure_Gender_Brief.pdf (last visited on January 08, 2024).

¹⁵ Article 14, Article 15, Article 16 of The Indian Constitution. VN SHUKLA, *CONSTITUTION OF INDIA* (MP Singh ed., 2016) Also see: Food and Agriculture Organization of the United Nations, *Gender Gap in Land Rights*, available at: <https://www.fao.org/3/I8796EN/i8796en.pdf> (last visited on January 08, 2024).

¹⁶ Anand Bodh, *Himachal Pradesh amends Ceiling on Land Holdings Act to provide equal property rights to daughters*, The Times of India, April 24, 2023, available at <https://timesofindia.indiatimes.com/city/shimla/himachal-pradesh-amends-ceiling-on-land-holdings-act-to-provide-equal-property-rights-to-daughters/articleshow/99244227.cms> (Last visited on December 09, 2023).

¹⁷ Available at: <https://hpvidhansabha.nic.in> also see: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2021/5of2021_HP.pdf (last visited on January 11, 2024).

or failing to supply required information to the Himachal Pradesh Ground Water Authority. All contraventions of the Act are punishable with imprisonment of up to five years, or a fine of up to 10 lakh, or both for the first offence. The bill removes imprisonment as a punishment, whilst retaining the fine.¹⁸

The Himachal Pradesh Sukhashraya (Care, Protection and Self-Reliance of Children of the State) Bill, 2023 (Bill no. 10 of 2023) was introduced in the Himachal Pradesh Legislative Assembly on April 5th 2023.¹⁹ The bill establishes childcare institutions for care, protection and development of children. These institutions have been charged with the responsibility to take care of food, clothing, shelter, higher education, and the skill development of unmarried orphans between the ages of eighteen and twenty-seven, who don't have any means of livelihood and have no place to live. Residents of child care institutions and after care institutions will be eligible for certain benefits including clothing allowance; festival allowance etc. Furthermore, the state government will provide for the education of ex-residents of childcare institutions till the age of 21 years (or in exceptional cases 23 years) and orphans (up to the age of 27 years).²⁰ The Bill also provides for three biswa of government land and grants for constructing houses during their lifetime. The Governor of Himachal Pradesh sent the Sukhashraya Bill for the President's assent.²¹

Himachal Pradesh Taxation (on Certain Goods Carried by Road) Amendment Bill, 2023 (Bill no. 13 of 2023)²² was introduced in the assembly on September 21st, 2023. It seeks to amend the Himachal Pradesh (on Certain Goods Carried by Road) Act, 1999. The Act provides for levy of tax on certain goods carried by road in Himachal Pradesh. These goods include fruits, vegetables, minerals, seeds and timber. Under the said Act, tax is levied and paid to the state government on specified goods transported by road using a mechanical vehicle or cart. The tax is not levied on goods transported by railways and airways. The Act provides for a differential levy of tax depending on the distance covered for transporting goods. Transporting goods for more than 250 km is taxed at twice the rate as compared to goods transported for less than 250 km. schedule-I of the Act provides for the tax rate levied

¹⁸ Available at: <https://hpvidhansabha.nic.in> also see: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-9of2023HP.pdf (last visited on January 13, 2024).

¹⁹ Available At: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/Billno10of2023HP.pdf (last visited on January 11, 2024)

²⁰ The orphan children will be known as the children of the state. Moreover, Convention on the Rights of the Child makes it obligatory for the states to take measures for securing the freedom, justice, full development, an atmosphere of happiness, love and understanding. For details see: Convention on the Rights of the Child, available at: www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/crc.pdf

²¹ Article 200 of the Constitution of India.

²² Available at: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-13of2023HP.pdf (last visited on January 21, 2024)

on various goods. The bill omits the differential taxation of goods. Transportation of goods will be taxed at a uniform rate as specified in schedule I of the Act.

Himachal Pradesh Municipal Corporation (Amendment) Bill, 2023 (Bill no. 7 of 2023) replaced the Himachal Pradesh Municipal Corporation (Amendment) Ordinance, 2023. The bill amends the Himachal Pradesh Municipal Corporation Act, 1994. The Act provides for the establishment of municipal corporations. For electing Councillors, the Act provides certain criteria for dividing a municipal area into wards. It specifies the total number of wards in municipal corporations should not be more than 41. The Bill reduces the said number to 34.²³

Indian Stamp (Himachal Pradesh Second Amendment) Bill, 2023 (Bill no. 17 of 2023) was passed in the assembly. The stamp Act was revised after ten years.²⁴ According to the recent amendment, women have to now pay a 4% registration fee for property worth 80 lakhs rupees and an 8% fee if the value is greater than 80 lakhs rupees. The others have to pay a 6% registration fee for a property worth 50 lakh and 8% for property of higher value.

The Himachal Pradesh Repealing Bill, 2023 (Bill no. 11 of 2023) seeks to repeal thirteen laws, which have become obsolete and redundant. These include: the Himachal Pradesh Paramedical Council Act, 2003; the Himachal Pradesh Private Forest Act, 1954; the Punjab Labour Welfare Fund Act, 1965; Himachal Pradesh Preservation of forests and Maintenance of Supplies of Forest based Essential Commodities Act, 1984. The bill also seeks to repeal certain pre-independence laws including the Agriculturalist Loan Act, 1884; the Provincial Small Cause Court Act, 1887 etc.²⁵

Himachal Pradesh Non-Biodegradable Garbage (Control) Amendment Bill, 2023 (Bill no. 22 of 2023)²⁶ was introduced to amend Himachal Pradesh Non-Biodegradable Garbage (Control) Act, 1995. In definition, section 2 clause (ee) shall be substituted namely, 'non-biodegradable material means the material which cannot be decomposed or degraded by action of micro-organisms, sunlight or other natural actions and includes goods made or

²³ Available at: <https://prsindia.org/bills/states/the-himachal-pradesh-municipal-corporation-amendment-bill-2023>. Also see:

https://secure.evidhan.nic.in/SecureFileStructure/AssemblyFiles/14/3/20230922/Documents/6_2_2.pdf (last visited on January 11, 2024).

²⁴ Previously the legislation was revised in 2012. Available at:

<https://emerginghimachal.hp.gov.in/themes/backend/uploads/notification/Notification/rules-grant-of-incentives-concessions.pdf> (last visited on 25 March 2024).

²⁵ Available at: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-11of2023HP.pdf (last visited on January 15, 2024).

²⁶ Available at: https://prsindia.org/files/bills_acts/bills_states/himachal-pradesh/2023/BillNo-22of2023HP.pdf (last visited on January 23, 2024).

manufactured from Polythene, Nylon or other Plastic substances such as Poly-Vinyl-Carbohydrates (PVC), Poly- Propylene and Polystyrene and any material which is specified to be composed/biodegradable at a particular temperature of 35 to 40 Degree Celsius in open conditions for degradation in approximately six months' time or any other material which is not degradable on day to day basis in natural climatic conditions of State of Himachal Pradesh as specified in the Schedule approved to this Act.

Himachal Pradesh Tourism Development and Registration (Amendment) Bill, 2023 (Bill no. 19 of 2023) was introduced to amend Himachal Pradesh Tourism Development and Registration Act, 2002. According to the said Act, there was a provision of six-month imprisonment as well as a fine of 10,000 rupees for homestay operators running without registration. However, the government has proposed to abolish the six-month sentence in the amendment bill. As per the amendment bill there is an increase in fine from 10,000 rupees to 1 lakh. The amendment seeks to include homestays in the list of establishments of tourism development corporations. It will be mandatory for such homestays to get themselves registered as per the provisions of the Act, and they will be issued a license that will remain valid for a period of two years.

Observations and Conclusion

The year 2023 was a crucial year for Himachal Pradesh Legislative Assembly, as it witnessed the formation of the new government. Many of these bills/policies were based on the election manifesto of the Indian National Congress. One such major policy was the assurance about the implementation of the old pension scheme for the employees of the state government. But due to the poor fiscal condition of the state, implementation of the said policy has become a big challenge. According to the White paper on state finances, tabled in the Himachal Pradesh Assembly in the year 2023, revealed that every new child in the state of Himachal Pradesh is born with the debt burden of rupee 1,02,818, as the fiscal position of the state has become precarious and state become the fifth highest debt stressed state in India. The debt liability of the state increased from rupee 47,906 crore (in 2017-18) to rupee 76,630 crore in the year 2022-23. Moreover, the monsoon season of the year 2023 had witnessed a serious natural disaster in the hill state. This resulted in doubling the financial stress on the state. As per the chief minister's statement, Himachal Pradesh has suffered over ten thousand crore loss during this year's natural disasters caused due to extremely heavy rainfall. Though, there were deliberations about the reasons of the present disaster in the state but not many constructive measures were taken in this direction. In fact,

54% of forest area is still not demarcated, which resulted in encroachment of 9,545 hectares of forestland.²⁷

Majority of bills introduced in the said year primarily focuses on revenue management²⁸ through cess, tax etc. For instance, Himachal Pradesh Fiscal Responsibility and Budget Management (Amendment) Bill, 2023; Himachal Pradesh Goods and Services Tax (Amendment) Bill, 2023; The Himachal Pradesh Water Cess on Hydropower Generation Bill, 2023; The Himachal Pradesh Appropriation Bill, 2023 etc. There are also bills related to public welfare concerning particularly gender equality (in reference to holding of landed property)²⁹ and children welfare (particularly focusing on orphans and developing institutions for their cultural, social and educational life including provision for allocating landed property etc.) This initiative is positive but much still needs to be done with respect to gender equality in the state, particularly when there is almost no representation of women in the legislative assembly of the state.³⁰ Further, here it is important to know that the law related to childcare is passed by the state assembly but still awaits the President's assent. Further, it is pertinent to note that the majority of these bills were passed immediately the day after their introduction. This indicates the absence of deliberation in the house. Further, I also came to know that the bills related to repealing certain laws, passed by the previous government had drawn the interest of the governor and his office called for an explanation from the government.³¹ The practice is not very healthy for democracy.³²

While talking about the accessibility to the information, it is important to note that Himachal Pradesh Legislative Assembly has up to date information and has a well-maintained website. All the information related to day-to-day proceedings of the sessions is duly uploaded on the website immediately after the completion of the particular day's proceeding; including starred and unstarred questions. The government has not addressed

²⁷ Comptroller and Auditor General of India, *Social, General and Economic Sectors, Government of Himachal Pradesh*, Report No. 3 of 2017, (2017), available at https://cag.gov.in/webroot/uploads/download_audit_report/2017/Himachal_Pradesh_Report_No_3_of_2017_Social_General_Economic_Sectors_Non_PsUs.pdf (Last visited on September 14, 2024).

²⁸ The primary reason for the same is related to the weak financial condition of the state and through these newly introduced bills; the government is aiming at improving the economic status.

²⁹ Through Himachal Pradesh Ceiling on Land Holdings (Amendment) Bill, 2023, government tries to bring equal right to hold landed property in equal proportion for son and daughter.

³⁰ *Supra* at note 2.

³¹ Gaurav Bisht, *Himachal Pradesh governor questions Bill to repeal Loktantra Prahari Samman Act*, July 5, 2023, available at <https://www.hindustantimes.com/cities/chandigarh-news/himachal-pradesh-governor-questions-bill-to-repeal-loktantra-prahari-samman-act-101688577085793.html> (Last visited on December 29, 2025).

³² S. Susen, *Jürgen Habermas: Between democratic Deliberation and Deliberative Democracy* in R Wodak & B Forchtner (Ed.), *THE ROUTLEDGE HANDBOOK OF LANGUAGE AND POLITICS* 43-66, Routledge Publication, (2018).

the information rights of persons with disabilities.³³ Except for the increase of font size the accessibility needs of persons with visual disability have not been addressed.³⁴ In conclusion, it can be stated that in the survey year the legislative assembly has primarily focused on the financial condition of the state, with little deliberation on the laws relating to public welfare.

³³ Article 9 of UNCRPD provides to enable persons with disabilities to live independently and participate fully in all aspects of life. It puts state obligation in providing access to persons with disabilities on an equal basis with others, to physical environment, to information and communication (including information and communications technologies and systems). General Comment No. 2 (2014), Article 9, Accessibility, Available at: <https://digitallibrary.un.org/record/812025?ln=en> (Last visited on: 28 January 2024).

³⁴ Web Content Accessibility Guidelines (WCAG) outlines strategies and resources for creating accessible sites. Many WCAG recommendations echo the basic principles of good web design. This includes *making pages work well in landscape and portrait display orientations; promoting the use of auto fill forms* etc. Similarly, WCAG also has guidelines that are usually considered less significant. For example, it states that a web page should never contain anything that flashes more than three times per second. Over-flashing or rapid flashing of coloured graphics can induce *photosensitive epileptic seizures*. But people at large and ironically legislators are unaware about these guidelines or deliberately ignore to implement them because people with disabilities don't affect the vote percentile for the political parties. Available at: <https://www.w3.org/WAI/standards-guidelines/wcag/> (last visited on December 09, 2024).