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REORGANIZATION OF STATE

Before attaining full statehood, Himachal Pradesh underwent multiple reorganizations in its journey to become the 18th state within the Union of India.

The following steps contributed to the attainment of full statehood for Himachal Pradesh.

- **Origin of State** - After independence, Himachal came into existence as a Chief Commissioner's Province on 15 April 1948 after a long political struggle.
 - ❖ 26 Shimla Hill states and 4 Punjab Hill States, a total of 30, were merged to form Himachal Pradesh.
 - ❖ Chamba, Mandi, Sirmour and Mahasu were created on 15th April 1948.
 - ❖ N.C. Mehta became the first Chief Commissioner of H.P.
- **Part C State** - Indian parliament created "Part C" states in 1951 and Himachal became a Part-C state with a legislative assembly of 36 members.
 - ❖ Major General MS Himat Singh assumed the office of the first Lt. Governor of Pradesh.
 - ❖ The Legislative Assembly was elected in 1952 and Dr. Y S Parmar was elected as the first Chief Minister of Himachal Pradesh.
- **Merger of Bilaspur** - On 1st July 1954, Bilaspur became part of H.P. as its 5th district.
 - ❖ Raja Anand Chand of Bilaspur was against the merger of Bilaspur with H.P.
 - ❖ He also founded the Swatantrta Party for achieving his goals, but failed.
- **H.P. Became Union Territory** - On the recommendation of the State Reorganization Commission, headed by Fazl Ali, it was decided to merge H.P. with Punjab, but with efforts of Dr Y S Parmar, Fazl Ali used his veto and favoured the formation of Himachal Pradesh as a separate state.
 - ❖ Thus Himachal Pradesh became a union territory on 1 November 1956.
 - ❖ The Legislative Council dissolved and a 43-member territorial council was established for Himachal Pradesh.
 - ❖ Raja Bajrang Bahadur became the first Lt. Governor and Thakur Karam Singh became Chairperson of the territorial Council.
- **Formation of Kinnaur** - On May 1, 1960, Kinnaur was separated from Chinni Tehsil, and 14 villages

from Rampur Tehsil were incorporated into it.

- **Appointment of Sen Committee** - The Committee was appointed to look after the loopholes of the political system in the state and on the recommendation of the committee territorial council was replaced with a legislative assembly.
 - ❖ YS Parmar was sworn as Chief Minister on 1st July 1963.
- **Formation of Hukum Singh Committee** - This committee was formed to evaluate the reorganization of Punjab on 28 September 1965.
 - ❖ The committee recommended forming Haryana as a separate state and merger of Punjab Hill areas to Himachal Pradesh.
- **Merger of Punjab Hill States** - After the reorganization of Punjab on 1st July 1966, Kangra, Shimla, Kullu, Lahual-spiti Nalagarh, Dalhousie, and Una were merged with H.P.
- **Full Statehood** - On 18 December 1970, the State of Himachal Pradesh Act was passed by Parliament, and the new state came into being on 25 January 1971.
 - ❖ Himachal became the 18th state of the Indian Union with Dr. Yashwant Singh Parmar as its first chief minister of the state of Himachal Pradesh.

Role of Various Political Parties and Committees in Formation of Himachal Pradesh into a full-fledged State:

- **Praja Mandal and Congress Party Unite** - In the post-independence era, the Praja Mandal initiated the "Suket Stayagrarah" movement, advocating for the amalgamation of princely states.
 - ❖ This effort led to the signing of a merger agreement. On April 15, 1948, Himachal Pradesh was established, combining thirty small and large hill states as Chief Commissioner's provinces.
- **Formation of "Himachal Pradesh Congress Committee"** - Following independence, various Praja Mandals were consolidated to create the "Himachal Pradesh Congress Committee."
 - ❖ Their aim was to shape Himachal Pradesh's identity and preserve culture, and ethos while preserving its individuality.
 - ❖ When the Indian constitution was being formulated, Himachal Pradesh initially became a Part C state.

- ❖ In 1954, Bilaspur was merged into Himachal Pradesh.
- ❖ The “Himachal Pradesh Congress Committee” persistently advocated for the inclusion of Kullu and Kangra into the state.
- **Formation of “Vishal Himachal Samiti”** - In 1954, political parties such as the Communists, Praja Socialist Party, and some Congress members, along with leaders from Una and Kangra, formed the Vishal Himachal Samiti.
- ❖ They aimed to protect Himachal Pradesh’s identity and sought to merge adjoining hill areas of Punjab and Uttar Pradesh.
- **Efforts of “Himachal Pradesh Prant Sabha” and “All Himalayan People’s Association”** - These organizations were established to work towards the merger of hilly areas of Punjab with Himachal Pradesh.
- ❖ The All India Linguistic States Conference (AILSC) was also founded with a similar goal.
- **Role of the “Greater Himachal Pradesh Committee”** - The Greater Himachal Pradesh Committee, representing people from Chamba to Tehri Garhwal, feared Himachal’s merger with Punjab.
- ❖ They sought not only separation but also a larger Himachal Pradesh.
- ❖ Committee members included individuals from Kangra, Pathankot, Una, Kullu (Punjab), Kohistan (PEPSU), Garwal, Mussoorie (Uttar Pradesh), and prominent leaders from Himachal Pradesh.
- **Influence of the Fazal Ali Commission** - While some members suggested merging Himachal Pradesh with Punjab, Fazal Ali recommended keeping it as a separate entity under direct central control.
- ❖ In 1956, Himachal Pradesh became a union territory based on Fazal Ali’s recommendations, replacing the state legislative assembly with a territorial council.
- **“Negotiating Committee of Himachal Vidhan Sabha”** - A committee was formed by the Himachal Pradesh Vidhan Sabha, led by Krishan Chander, to pressure their demands for a democratic rule and a separate state with a full-fledged Legislative Assembly.
- **Recommendations of the Ashok Sen Committee** - Headed by Ashok Sen, the committee recommended a democratic setup for Himachal Pradesh, which led

to the reinstatement of a popular government with a Legislative Assembly in 1963, under the leadership of Y.S. Parmar.

- **Sardar Hukam Singh Committee** - In 1965, a Parliamentary Committee, led by Sardar Hukam Singh, recommended the integration of Kangra and Shimla districts into Himachal Pradesh based on cultural and linguistic similarities, as well as to address the concerns of exploitation of hill people.
- **Punjab Boundary Commission** - The Indian government recognized the state of Punjab on linguistic grounds and constituted the Punjab Boundary Commission in 1966.
- ❖ On the recommendation of, the committee, Punjab Hill States merged with Himachal Pradesh.
- ❖ In 1966, Kangra, Kullu, Lahaul Spiti and Shimla were created and merged with H.P.
- **Himachal Pradesh Attains Statehood** - On January 25, 1971, Himachal Pradesh finally achieved full statehood.
- ❖ This was a result of prolonged efforts by the Congress and various political parties in Himachal Pradesh.
- ❖ The State of Himachal Pradesh Act, of 1970, declared Himachal Pradesh as the 18th state of the Indian Union.

Impact of the Linguistic Reorganizations of Punjab on the Political Framework of Himachal Pradesh:

- **Extended New Constituencies** - The merger of Kangra, Kullu, Lahaul-Spiti and districts of Shimla into old Himachal provided new constituencies to the state.
- **Emergence of New Leadership** - As a result of the merger, new leadership from the Kangra Hill State, represented by Jan Sangh, emerged within the state to challenge the established leadership of old Himachal.
- **Politics of Sub-Regionalism** - Due to historical, economic and social distinctiveness in the Old and the New Himachal gave rise to the politics of sub-regionalism.
- **Aligning of Pressure Groups** - The Laghu Zamindar Sabha, formed in 1973, aligned with Jan Sangh and later Janta Party due to mutual interests.
- ❖ When the Janta government took power in Himachal, it raised orchard taxes but lowered agricultural taxes.
- ❖ Further, the Apple Growers Association came up in the politics of H.P. in 1983 and associated

itself with Congress.

- ❖ Hence, both regions lean towards Congress or BJP to secure their economic interests.

- **Two-Party System** – Due to the formation of two distinctive blocks in the state on political grounds, restricted the emergence of third parties (apart from Congress and BJP) into state politics.
- **Strengthened the Demand for Statehood** – The amalgamation of Punjab Hill States into Himachal Pradesh significantly bolstered the confidence of the state government, political parties and its residents, sparking an enthusiastic demand for complete statehood.

In conclusion, Himachal Pradesh's journey to full statehood was a complex and dynamic process, marked by the efforts of various stakeholders and guided by political, historical, and regional considerations.

POLITICAL PARTIES OF HIMACHAL PRADESH

After the formation of Himachal Pradesh on 15 April 1948, many political parties emerged in the state.

These parties are:

- **Praja Mandal (later constituted as the Congress Committee)** - In the elections to the 36-member Legislative Assembly, the Indian National Congress secured 24 seats, leading to Y.S. Parmar being sworn in as the first Chief Minister.
- **Kisan Mazdoor Praja Party** - During the 1952 Himachal Pradesh Legislative Assembly elections, this party contested 22 seats and managed to win 3.
- **Swatantra Party** - This party initially opposed the merger of Bilaspur with Himachal. However, Raja Anand Chand eventually agreed to the merger in 1954, which held historical and administrative significance for the state.
- **Communist Party** - The Communist Party of Himachal Pradesh was established in January 1953 and gained state party status in 1961.
 - ❖ They gained support from the poor peasants and working class due to their ideological considerations.
- **Bharatiya Jan Sangh** - Founded in October 1951, this party initially struggled during the first three general elections and later evolved into the Bharatiya Janata Party (BJP).
- **Lok Raj Party** - This party, also known as the People's Rule Party of Himachal Pradesh, was formed in the early 1970s under the leadership of Thakur Sen Negi and J.B.L. Khachi.

- ❖ In the 1972 state assembly elections, it fielded candidates in 16 out of 68 constituencies, with two candidates winning.

- **Himachal Vikas Congress** - Founded by Pt. Sukh Ram after splitting from the Indian National Congress, and later HVC eventually merged with the Congress in 2004.
- **Loktantra Morcha** - Registered as a political party in 2003, this party is led by Mohinder Singh Chaudhary, a former member of Himachal Vikas Congress.
- **Himachal Swabhiman Party** - Founded by former BJP ideologue Govindacharya on August 10, 2011. This party participated in assembly elections but did not win any seats, receiving only 6,571 votes.
- **Himachal Lokhit Party** - This party was created by some dissidents of the BJP just before the 2012 Himachal Pradesh Legislative Assembly election.
 - ❖ Maheshwari Singh served as its president, and senior leaders like Mahender Nath Sofat and Shayama Sharma joined the party.
 - ❖ Half of the party merged with the BJP in 2016, and the remaining members later joined the Aam Aadmi Party.

Reasons for the Failure of Any Non-Congress, Non-BJP Party to Emerge in Himachal Pradesh:

- **Old and New Area Politics** - In Himachal Pradesh, the Congress and BJP have strongholds in specific regions.
 - ❖ The Praja Mandal played a pivotal role in the democratization of the Shimla Hill States and the merger of princely states into the Indian Union. It later transformed into the Congress Committee, advocating for Himachal's statehood under YS Parmar.
 - ❖ During the freedom struggle, Jan Sangh played an essential role in Punjab politics.
 - ❖ These historical connections restrict the emergence of a third front.
- **No New Face** - In Himachal Pradesh, there hasn't been a case where a fresh entrant, similar to the AAP in Delhi and Punjab, someone not affiliated with either of the established parties, has entered the political arena and established a new party.
 - ❖ All those who made attempts either separated from the dominating parties or offered nothing new to the people.
 - ❖ E.g., TS Negi, Vijai Singh Mankotia, Sukh Ram or Maheshwar Singh. They all left their parent party for personal interests and came back after

some time.

- **Politically Smart Electors** - The voters in this region display a high level of political astuteness, a quality that can be linked to the elevated literacy rate and rising per capita income.
- **Negligible factors of caste or religion** – Hindus constitute around 95% of Himachal Pradesh population, which is why there is very little scope for the emergence of political parties based on religion.
 - ❖ In Himachal Pradesh castes like Brahmin, Rajput, and SC support both the political parties BJP and Congress equally.
- **Anti-Incumbency** - In Himachal Pradesh, a trend of anti-incumbency often leads to a change in the government every five years. This cycle hinders the formation of a stable voter base and discourages political revolution.
- **The Strong Employee Force** - The substantial presence of a robust workforce has also played a significant role in Himachal Pradesh's political landscape.
 - ❖ With approximately 2.35 lakh employees, their considerable influence has consistently shaped the dynamics, leading successive governments to cater to their interests.
- **Famous Political Leaders** – Both, the Late Shri Virbhadra Singh (Congress) and Shri Prem Kumar Dhumal (BJP) remained popular among people of the state, and were identified as people's leaders.
 - ❖ Hence, people didn't get influenced by other third-party leadership.

All these factors restricted the advent of a third political party in the state.

Performance of Political Parties in Legislative Assembly Election 2022:

- **Number of Seats Won** - In the legislative assembly election, Congress obtained 43.90% of the overall vote share and emerged victorious in 40 seats.
 - ❖ Meanwhile, the BJP, while securing 43% of the total vote share, managed to win only 25 out of the total 68 seats in the assembly.
 - ❖ Independent candidates won the remaining three seats, i.e., Ashish Sharma from Hamirpur, Hosiyar Singh from Dehra and K L Thakur from Nalagarh.
 - ❖ The AAP was unsuccessful in securing any seats in the election.
 - ❖ Additionally, the CPI-M did not win any seats,

and their sitting MLA from Theog also lost.

- **Highest Margin Win** - Jairam Thakur (former CM) won the election with the highest margin of 38183 from the Seraj constituency by defeating Congress candidate Chetram Thakur
- **Women Candidate** – Despite women voters outnumbering men voters in the election, only one candidate (Reena Kashyap) out of the 24 women contestants managed to secure a seat in the assembly.
 - ❖ Reena Kashyap of Pacchad constituency of Sirmaur district emerged winner by defeating Congress's Dayal Pyari by a margin of 3,857 votes.
- **Voter Turnout** - According to the Election Commission data, HP witnessed a record of 75.6% of voter turnout for the assembly election.
 - ❖ In this election, 76.8% of women cast their votes, exceeding the 72.4% turnout among men.
 - ❖ Women voters outnumbered male voters by 82,301.
 - ❖ Interestingly, the polling percentage of women voters was more than men since 1998 polls and the trend continued in the past five elections.
 - ❖ The polling percentage of women and men electors was 72.2 and 71.23 per cent in 1998, 75.92 and 73.14 per cent in 2003, 74.10 and 68.36 per cent in 2007, 76.20 and 69.39 per cent in 2012 and 77.98 and 70.58 per cent in 2017.
- **Third-Gender Voters** - As many as 26 out of 38 registered transgenders (68%) cast their vote in the assembly elections in 2022, which is double the number that participated in the 2019 Lok Sabha polls.
 - ❖ A transgender, Bijali Mahant, was made the 'district icon' of Bilaspur district in a bid to encourage more members of the community to vote.

POLITICS OF SUB-REGIONALISM

Sub-regionalism is a multifaceted concept that arises due to historical, cultural, economic and social distinctiveness.

- When these unique characteristics are employed as influential factors in shaping the political structure of a state, it is referred to as the politics of sub-regionalism.

Various Factors Responsible for the Political Sub-Regionalism in H.P. are:

- **Historical Impact** - Before independence, the Shimla Hills were ruled by native Princes, whereas Kangra Hill states were directly administered by the British govt.
 - ❖ Thus, in the hilly region before independence, two types of movements were going on simultaneously, i.e., the Praja Mandal Movement (in Shimla Hill States), and the Freedom Movement (In Punjab Hill States).
 - ❖ Hence, the ideology of movements also affects the politics of the states.
- **The Feeling of Sub-Regionalism Within Congress Party** - Although most party presidents after 1966 had been from the “new area”, the real power was concentrated in the hands of the chief minister who used to be from Upper Himachal.
- **Cap Politics** – This politics was started by the Late Shri Virbhadra Singh (who wore a Green cap) and Shri Prem Kumar Dhumal (who wore a maroon cap). The green cap represented the Congress party whereas the maroon represented the BJP party.
 - ❖ Hence with time the caps become the identity of politics rather than culture.
- **Economic Interests** – Shimla Hill states is a horticulture region whereas Kangra Hill is an agriculture region. Under the land reform, the big landowners from Kangra were deprived of their surplus land, but orchards were exempted from the land ceiling during Congress’s rule.
 - ❖ Laghu Zamindar Sabha was formed in 1973 to protect their landed interests. This sabha was naturally an ally of Jan Sangh and later of the Janta Party, as both needed each other in the given political reality.
 - ❖ Further when the Janta govt formed govt in Himachal, it levied more taxes on orchards farming and reduced taxes on agricultural products.
 - ❖ Hence both regions support Congress or BJP to secure their economic interest.
- **Effects of Social divide on Politics** - In some areas of Upper Himachal people mainly in Kinnaur high hills, Lahaul Spiti follows Buddhism while in lower Himachal, Hinduism is the main religion.
 - ❖ Congress in state politics has followed a traditional leftist approach in politics and attracts people from different castes and religions, whereas the BJP follows a rightist approach in

politics and is seen as leaning towards people of a particular religion.

- ❖ **Unbalanced Development** - The issue of unbalanced and inequitable development of two regions is also exploited by political parties.

Current Status of the Politics of the Sub-Regionalism in the State:

- While HP has experienced sub-regional politics, recent developments suggest that people have transcended this mindset.

Several Key State-Level Developments Shifted the Focus Away from Sub-Regionalism and its Associated Politics:

- **Literacy and Education** - The Kangra region exhibits a higher literacy rate (85.67%) compared to the Shimla region (83.64%).
 - ❖ This reflects positive progress in education and literacy within the Kangra region.
- **Healthcare Access** - Today, medical institutions like Tanda College are opening in the Kangra region, improving healthcare facilities.
- **Economic Opportunities** - Most small-scale industries are now thriving in the Kangra region, boosting economic growth and employment opportunities.
- **Rise of Dharamshala** - Dharamshala is achieving a status equal to Shimla, covered under the smart city mission program, and known for its international cricket stadium.
 - ❖ It is also declared as the second capital of Himachal Pradesh.
- **Government Infrastructure** - The inauguration of Himachal Pradesh’s new Vidhan Sabha complex for the winter session of the state assembly has been held in Tapovan, Dharamshala.
 - ❖ This represents a positive investment in infrastructure and governance facilities.
- **Agricultural Diversification** - The Kangra region, traditionally known for tea gardens, is witnessing the growth of apple trees alongside tea plantations.
- **Unity Over Divisiveness** – Former Chief Minister Jai Ram Thakur’s decision to discontinue divisive political symbols, like caps associated with different parties, reflects a move toward unity and progress.
- **Leadership Transition** - New leadership in Himachal Pradesh from the Seraj area of Mandi i.e., Jairam Thakur and first chief minister of Congress from lower Himachal i.e., Sukhvinder Singh Sukhu, marks the end of the dominance of two clans in the

Shimla and Kangra regions.

- ❖ Moreover, Mukesh Agnihotri, the First Deputy Chief Minister of Himachal Pradesh representing the Haroli constituency in Una, emphasized the shift in the state's political focus away from sub-regionalism.

As Himachal Pradesh progresses, it has the potential to anticipate a future marked by greater unity and prosperity, leaving behind the influence of sub-regional politics.

PRESSURE GROUPS

A "Pressure Group," also called an "Interest Group" or "Advocacy Group," is a collective of individuals or entities with shared interests working to influence government policies through lobbying and advocacy to represent their members' concerns and viewpoints.

The major differences between Pressure Groups and Political Parties are:

- **Varied Membership** - Pressure groups typically have a more specialized and limited membership compared to political parties, which attract a broader and more diverse range of members.
- **Formal vs Informal** - Pressure groups tend to operate in an informal and less structured manner, whereas political parties are characterized by well-defined hierarchies and organizational frameworks.
- **Financial Backing** - Pressure groups primarily depend on financial contributions from their members and supporters, whereas political parties rely on a combination of donations and possible government funding.
- **Goals and Priorities** - The primary focus of pressure groups revolves around lobbying to shape policies, while political parties prioritise the goal of winning elections.
- **Ideology** - While pressure groups might be driven by a specific ideology or agenda, political parties typically present a more comprehensive and all-encompassing platform.
- **Representation** - Pressure groups do not have elected representatives, unlike political parties, which are built around the concept of elected representation.
- **Time Period** - Pressure groups can be short-lived, driven by current issues, while political parties usually last longer and have a more stable presence.

Various Pressure Groups and Their Role in Himachal Pradesh:

- **Advocating for Environmental Conservation** - Groups like Sirmaur Hills Awarred Resident

Association (SHARA) and AWAAZ work to protect Himachal Pradesh's natural resources and ecosystems.

- ❖ They lobby for sustainable development and fight against issues like illegal mining and environmental pollution.
- **Promoting Tourism** - The Federation of Himachal Hotel & Restaurant Associations (FOHHRA) advocates for policies that support the growth of the state's tourism industry, contributing to economic development and job creation.
- **Supporting Agriculture** - Organizations like the Apple Growers Association and Laghu Zamindar Sabha address the concerns of agricultural communities, advocating for fair prices, agricultural policies, and rural development.
- **Education Reform** - Student groups like Akhil Bhartiya Vidhyarthi Parishad (ABVP) and National Student Union of India (NSUI) focus on educational reforms and student welfare, influencing policies related to the state's education system and highlighting student issues.
- **Preserving Culture and Arts** - Cultural and Artistic Organizations like Abhijan Darpan and Active Monal Cultural Association work to preserve and promote the cultural heritage, arts, and traditions of Himachal Pradesh.
- **Economic Growth** - Business and Trade Associations, including Himachal Pradesh Laghu Udyog Mahasang, HP Transport Workers Union, and HP Chamber of Commerce and Industry, advocate for policies that promote economic growth and development in the state.
- **Fighting Against Drug Menace** - Organizations like GUNJAN Organization for Community Development and Shimla Youth Progressive Association work against the drug menace, assisting the government in efforts to combat illegal drug use and improve public health.
- **Caste-Based Politics** - Pressure groups organized along caste lines, such as the Himachal Pradesh Brahmin Sabha and the Anusuchit Jatti-Janjatti Kalyan Sangh, aim to shape the state's politics to serve their specific caste-based interests.
- **Generate Public Opinion** - Pressure groups, like the Himachal Pradesh Teacher Association, HP Medical Officers Association, etc. actively assess policies affecting their interests, significantly influencing public opinion, as seen during elections.
- ❖ E.g., the "No work, no Pay" policy of the Shanta Kumar Government proved fatal for him.

Hence, Pressure groups in Himachal Pradesh enhance the democratic landscape by representing various interests, influencing governance, and contributing to policy development.

STATUTORY BODIES

Himachal Pradesh Commission for Protection of Child Rights

The HP Commission for Protection of Child Rights was constituted on 27 April 2013 to achieve the very purpose of the guidelines adopted in the special session of UNO for protecting the rights of children worldwide.

The aims of the Commission are:

- **Public Awareness** - The commission is responsible for raising public awareness about children's rights.
- **Efficient Law Implementation** - The commission ensures the effective implementation of laws, policies, and programs related to child abuse prevention.
- **Comprehensive Protection** - It safeguards children's rights to education, health, and nutrition, and investigates barriers to these rights caused by various factors such as natural disasters, domestic violence, maltreatment, exploitation, and more.

Composition of the Commission:

- There is a chairperson and 6 members of the commission.
- Members shall hold the office for a term of three years from the date on which he or she assumes office and no member shall hold the office for more than 2 terms.
- Salary and allowances payable to the members shall be such as may be prescribed by the state government.

Functions of the Commission:

- **Law and Policy Alignment** - Ensure alignment of laws, policies, and administrative processes with the child rights perspective outlined in the Indian Constitution.
- **Investigate Violations** - Investigate and take action on violations of child rights, including initiating inquiries and handling complaints as a civil court when required.
- **Monitoring and Rescue** - Vigilantly monitor and facilitate the rescue and rehabilitation of child labourers, including migrant children, addressing issues related to education, healthcare, child trafficking, and the welfare of children in need of care and protection.

Himachal Pradesh State Commission for Women

Himachal Pradesh State Commission for Women is a statutory body constituted in the year 1993 to deal with the issues relating to crime against women in the state of Himachal Pradesh.

Composition:

- The H.P. State Commission for Women comprises one Chairperson and 3 to 4 nominated Members amongst the educationists, social workers, NGOs, environmentalists, jurists etc.

Aims and Objectives of the Commission are:

- Ensuring the prevention of women's harassment.
- Elimination of the Dowry System.
- Safeguarding the constitutional rights of women.
- Addressing women's grievances.
- Facilitating the rehabilitation of women facing disruption.
- Promoting awareness among women in areas such as social, legal, constitutional matters, health, and livelihood.
- Providing recommendations to the State Government for the betterment of women.

Powers and Functions:

- **Legal Protection Adherence** - The commission ensures that women's legal rights and protections as defined by the Constitution and related laws are upheld.
- **Agency Oversight** - It monitors and reports if any state agency fails to protect women effectively.
- **Legal Amendments** - It can provide recommendations for the amendments in any law if it fails to provide justice to the women of the state.
- **Addressing Violations** - It works with authorities to address violations of women's rights and recommends corrective actions.
- **Direct Redressal** - Women can approach the commission directly if their rights are violated.
- **Counseling and Assistance** - The commission provides help to women who are victims of discrimination and abuse.
- **Legal Expenses** - Providing financial support for legal costs in cases involving a large number of women and, when necessary, submitting reports to the state government concerning these cases.
- **Premises Inspection** - Inspecting any premises, jail or other remand home where women prisoners are lodged or

any other case and bringing them to the notice of respective authorities, in case of need.

- **Enquiries and Investigations** - It investigates women-specific issues and suggest actions.
 - ❖ **Suo-Motu Investigations:** It can initiate investigations on issues that harm women's rights, laws, or policies.
- **Promoting Women's Rights** - The commission promotes research and methods to ensure women's representation in all areas.

QUASI-JUDICIAL BODIES

Himachal Pradesh State Information Commission

The Himachal Pradesh State Information Commission (HPSIC) was constituted on February 4, 2006, under the Right to Information Act, 2005. It officially commenced operations on March 1, 2006, with its headquarters in Shimla.

Appointment and Tenure:

- They are appointed by the Governor on the recommendation of a committee consisting of the Chief Minister as Chairperson, the Leader of the Opposition in the Legislative Assembly and a State Cabinet Minister nominated by the Chief Minister.
- The Commission consists of a State Chief Information Commissioner and not more than ten State Information Commissioners.
- The tenure of the State Chief Information Commissioner and a State Information Commissioner for holding office will be a term of 3 years or until they attain the age of 65 years, whichever is earlier and will not be eligible for reappointment on completion of tenure.

Key Powers and Functions:

- **Enquiry into Complaints** - The Commission can initiate inquiries when there are valid grounds for investigation.
- **Acting as a Civil Court** - It possesses the same powers as a civil court when addressing matters specified under section 18(3) of the Act.
 - ❖ While investigating a complaint, the Commission can see any records controlled by a public authority.
 - ❖ They have the right to access these records for their investigation.

- **Awarding Compensation** - It has the authority to require public authorities to compensate complainants for any loss or harm suffered.
- **Imposing Penalties** - The HPSIC can impose penalties on State Public Information Officers for various defaults, amounting to Rs. 250 per day, not exceeding Rs. 25,000.
- **Opportunity for a Hearing** - Before imposing penalties, the Commission offers a reasonable opportunity for the State Information Officer to be heard.
- **Recommendation for Disciplinary Action** - The Commission can recommend disciplinary action against State Public Information Officers.

Lokayukta of Himachal Pradesh

The Lokayukta is India's state-level Parliamentary Ombudsman, established through the Lokpal and Lokayukta Act of 2013 in each state's legislature.

- It aims to address grievances quickly, focusing on government integrity and efficiency, particularly in the conduct of public servants.

Appointment:

- The Lokayukta is appointed by the Governor of the state on the recommendation of the committee, consisting of the Chief Minister as chairperson, Chief Justice of the State High Court, Leaders of the Opposition in the Legislative Assembly, and the Legislative Assembly Speaker.

Qualification:

- The appointee must be a former Supreme Court judge or a former Chief Justice of a High Court, aged over 45, with a clean record free from convictions or past removal from state service.

Lokayukta's Term:

- The Lokayukta hold office for a five-year term or until they reach the age of 70, whichever is earlier.
- The Lokayukta can also resign by addressing the Governor directly in writing.

Lokayukta's Functions:

- The Lokayukta's primary role involves investigating corruption cases on the basis of a complaint received from citizens or suo moto to ensure transparency and promote citizen-friendly administrative practices.
- The extent of their function depends on their jurisdiction and the availability of facilities for promptly addressing citizens' grievances without undue technicalities.

- The Lokayukta can investigate public servant actions when referred by the state government.
- During investigations, they wield the authority to issue search warrants and possess the powers of a civil court, including summoning individuals, taking oaths, requesting documents, receiving evidence via affidavits, and acquiring public records or court copies.
- He presently presents the annual report to the Governor of the state and the Governor puts that report before the state legislative assembly.
- He takes the help of the state investigating agencies for conducting inquiries.
- The recommendations made by the Lokayukta are only advisory in nature.

Himachal Pradesh State Human Rights Commission

The Himachal Pradesh Human Rights Commission was established under the provisions of the Protection of Human Rights Act of 1993.

- This empowers the commission to probe human rights violations in matters within the concurrent list of the Indian Constitution and those specific to Himachal state.

Appointment:

- The Chairman and members of the Commission are appointed by the state's Governor, with recommendations from a committee comprising the Chief Minister (committee head), Speaker of the Legislative Assembly, Home Minister, and the opposition leader in the state Legislative Assembly.

Composition:

- The Commission must have a minimum of three members, with the Chairperson being a retired Chief Justice of an Indian High Court. The other members should include:
 - ❖ A current or retired High Court judge or District Judge in the state with at least seven years of District Judge experience.
 - ❖ An individual with practical expertise or knowledge in human rights matters.

Tenure:

- The Chairperson and members of the commission have a fixed term of five years or until they reach the age of 70, whichever comes earlier.
 - ❖ After their term, they can't be employed by the state or central government, except for another

term on reaching the age limit.

Functions:

- **Complaints Investigation** - The commission can inquire into human rights violations based on petitions from victims, suo motu actions, or complaints regarding negligence by public servants in preventing such violations.
- **Legislation Review** - The commission reviews existing constitutional and legal safeguards for human rights and recommends measures for their effective implementation.
- **Detention Facility Inspection** - The commission can visit and assess the living conditions of inmates in state-controlled jails or detention facilities, providing recommendations for improvements when necessary.
- **Remedial Measures** - After reviewing factors hindering the enjoyment of human rights, including actions like terrorism, the commission can recommend appropriate remedial measures.
- **NGO Support** - The commission encourages and supports the efforts of Non-Governmental Organizations and other institutions working in the field of human rights development.
- **Legal Proceedings Intervention** - The commission may intervene in court proceedings in cases of alleged human rights violations with the court's approval.
- **Research and Promotion** - The commission undertakes and promotes research in the field of human rights and works to spread awareness and literacy about human rights among the general public.

Limitation:

- **Advisory in Nature** - The recommendations of the commission are not binding and only advisory in nature.
- **No Penalizing Powers** - The commission can recommend penalties or specify compensation amounts but does not have the authority to enforce them.
- **Time Limit** - The commission only considers cases reported within one year of the complaint being registered.
- **Political Interference** - The body is considered post-retirement heaven for judicial and bureaucrats with allegiance to the govt.

REGULATORY BODIES

Himachal Pradesh Private Institute Regulatory Commission

The H.P. Private Educational Institutions Regulatory Commission was created under the Himachal Pradesh Private Educational Institutions (Regulatory Commission) Act, 2010.

- Its main role is to regulate and maintain standards in private educational institutions, safeguard student interests, and act as a liaison between the state government and central regulatory bodies.
- Composition:
- The Commission is composed of a Chairperson and a maximum of two members.
- These members are selected from individuals with eminence in public life or the higher education sector.
- They must have held positions of Secretary or above in the Government of Himachal Pradesh or equivalent roles in the Government of India for a minimum of three years.
- Importantly, the Chairperson and members cannot come from the same field of specialization.

Appointment and Tenure:

- The Chairperson and members of the Commission are appointed by the State Government based on the recommendations of a Search Committee.
- They are appointed for a term of three years or until they reach the age of 65, whichever comes earlier.
- These individuals may be eligible for a second term, provided they don't exceed the upper age limit of 65 years.
- After their term ends, the Chairperson or member cannot work in any Private Educational Institutions within Himachal Pradesh or their associated offices or companies, both within and outside Himachal Pradesh, for three years.

Power and Functions:

- **Ensuring Educational Standards** - The Commission ensure that Private Educational Institutions meet standards in admission, teaching, and infrastructure, as per government guidelines.
- **Merit-Based Admissions** - The Commission ensures admissions in Private Educational Institutions are merit-based, relying on national or state-level entrance tests.
- **Grievance Redressal** - The Commission establishes and oversees a grievance redressal mechanism for student and parent complaints.

- ❖ Institutions must resolve complaints within a specified time frame.

- **Quality Inspections** - The Commission conducts inspections of Private Educational Institutions and forms expert committees for this purpose.
- **Fee Regulation** - The Commission has the authority to monitor and regulate fees charged by Private Educational Institutions.
- **Power of Civil Court** - The Commission, for any inquiry or proceedings under this Act, possesses the same authority as a civil court.

Himachal Pradesh State Pollution Control Board-Top of Form

The H.P. State Pollution Control Board is a nodal agency in the administrative structure of the State Government, for the planning, promotion, co-ordination and overseeing the implementation of environmental programs.

Functions of the HPSPCB are:

- **Air and Water Quality Supervision** - Monitoring and regulating air and water quality in the state.
- **Noise Monitoring** - Monitoring and controlling noise pollution levels.
- **Waste Management** - Managing various types of waste, including bio-medical waste, plastic waste, hazardous waste, e-waste, construction, and demolition waste.
- **Consent Certificate (Pollution NOC)** - Providing consent certificates to organizations, allowing them to discharge industrial waste in a regulated and environmentally responsible manner.
- **Environment-Related Risk Mitigation** - Playing a role in assessing and mitigating environmental risks associated with upcoming development projects in the state.
- **Advisory Body** - Serving as an advisory body for the Himachal Pradesh State Government, providing guidance and recommendations on pollution prevention, control, and reduction measures.
- **Regulatory Function** - Implementing various acts and rules related to environmental pollution control, ensuring compliance and enforcement.
- **HPSPCB enforces the following Acts and Rules in Himachal** -The Water (Prevention & Control of Pollution) Act, 1974;
- The Air (Prevention & Control of Pollution) Act, 1981;
- The Environment (Protection) Act, 1986;
- The Public Liability Insurance Act, 1991;
- The Hazardous & Other Wastes (Management & Transboundary Movement) Rules, 2016;

- The Bio-Medical Waste Management Rules, 2016.

Himachal Pradesh Real Estate Regulatory Authority

The Government of Himachal Pradesh established the Himachal Pradesh Real Estate Regulatory Authority (RERA) in December 2019.

- The RERA in Himachal Pradesh commenced operations on January 1, 2020.

Composition:

- The authority comprises of Chairperson and two Members.

Functions and Powers:

- **Enhance Transparency** - RERA's main objective is to enhance transparency in the real estate sector by mandating the disclosure of project details and providing consumers with reliable information.
- **Consumer Protection** - It provides a mechanism for speedy dispute resolution, ensuring that consumers' rights are protected and disputes are addressed effectively.
- **Appellate Tribunal** - The Act establishes an Appellate Tribunal responsible for hearing appeals against decisions, directions, or orders issued by the Real Estate Regulatory Authority and the adjudicating officer.
- **Mandatory Project Registration** - The Act requires project promoters to register with RERA before any promotional activities, like advertising, booking, or selling real estate in a planning area.
- **Registration of Real Estate Agents** - It is mandatory for all real estate agents to register with the Authority.



JOKTA ACADEMY

IAS/HAS

Our Books

