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ANNUAL REVIEW OF STATE LAWS 2023

THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "ANNUAL REVIEW OF STATE LAWS 2023". THIS TOPIC IS RELEVANT IN THE "POLITY AND GOVERNANCE" SECTION OF THE UPSC CSE EXAM.

WHY IN THE NEWS?

PRS Legislative Research has recently published its "Annual Review of State Laws 2023" which delves into a comprehensive examination of the operations of State legislatures throughout India. The report offers insights into several critical facets of their effectiveness and functioning.

KEY HIGHLIGHTS OF THE REPORT

FUNCTIONING OF STATE LEGISLATURES

- **Less discussion for passing the law:** State legislatures in India have been meeting for fewer days and passing bills and budgets with less scrutiny in recent years. In 2023, state legislatures met for an average of 22 days, with each sitting lasting about 5 hours on average. During this time, they passed over 500 bills and approved state budgets worth over ₹53 lakh crore.
- **Uneven distribution of sitting days:**
 1. The number of sitting days varied significantly across states. Maharashtra had the highest number of sitting days at 41, followed by West Bengal (40) and Karnataka (39). However, 13 states, including Andhra Pradesh, Haryana, Madhya Pradesh, Punjab, and Telangana, met for less than 20 days. Arunachal Pradesh, Nagaland, and Uttarakhand met for less than 10 days.
 2. The **six states with bicameral legislatures** (Andhra Pradesh, Bihar, Karnataka, Maharashtra, Telangana, and Uttar Pradesh) saw their Legislative Councils meet for an average of 26 days in 2023.
 3. **Focus on Budget session only:** 62% of the legislative sittings occurred during the budget session, which is typically held between January and March each year. Gujarat and Punjab held over 80% of their sittings during the budget session, while Tamil Nadu saw a decrease from 91% in 2022 to 72% in 2023.
- **Conflict between Governors and state governments:** There have been tensions between some state governments and Governors, with matters reaching the Supreme Court. Some states have continued legislative sessions for months without the Governor's summons, and

bills passed by legislatures have remained pending with Governors for over a year in some cases. Several states have also amended university laws to remove the Governor from the position of Chancellor.

OVERVIEW OF LAWMAKING

- **Less deliberation before passing the bills:** State legislatures passed over 500 bills in 2023 covering a variety of subjects like education, land, taxation, and health. On average, states passed 18 bills, with Maharashtra passing the highest at 49, followed by Andhra Pradesh (42) and Goa (34). Delhi and Puducherry passed the fewest at 2 each.
- In 13 states, all bills were passed within 5 days of introduction. Kerala and Meghalaya took more than 5 days to pass over 90% of their bills. Rajasthan took more than 5 days for 55% of its bills in 2023, compared to 73% in 2022. The legislative activity tends to be concentrated in a few days due to the short sessions.
- **59% of bills received the Governor's assent within a month**, with 7 states, including Bihar, Gujarat, Haryana, and Uttar Pradesh, having all their bills assented to within a month. However, some states have seen delays, leading to legal challenges.

LEGISLATION BY SUBJECTS

Education

- **Several states passed bills to set up new universities**, including Assam, Jharkhand, Karnataka, Maharashtra, Madhya Pradesh, Rajasthan, Sikkim, Tamil Nadu, and Uttar Pradesh. Some states also established institutes for health sciences, like Jharkhand and Telangana.
- **Many states amended their private university laws**, including Andhra Pradesh, Chhattisgarh, Goa, Gujarat, Madhya Pradesh, and Uttar Pradesh. The Andhra Pradesh amendment requires greenfield universities to tie up with top-ranked institutions.

Health

- Rajasthan passed a bill to prohibit violence against medical service personnel and damage to property in medical institutions. Offences are punishable with up to 2 years imprisonment and a fine of up to ₹50,000.
- The bill also requires medical institutions to take safety measures. Karnataka and Rajasthan passed bills to prohibit violence and criminal intimidation against advocates.

Finance

- Andhra Pradesh passed a law to provide a guaranteed pension scheme. Chhattisgarh, Jharkhand, and Uttarakhand passed bills to levy new taxes or increase existing ones, such as on liquor, entertainment, and stamp duty.

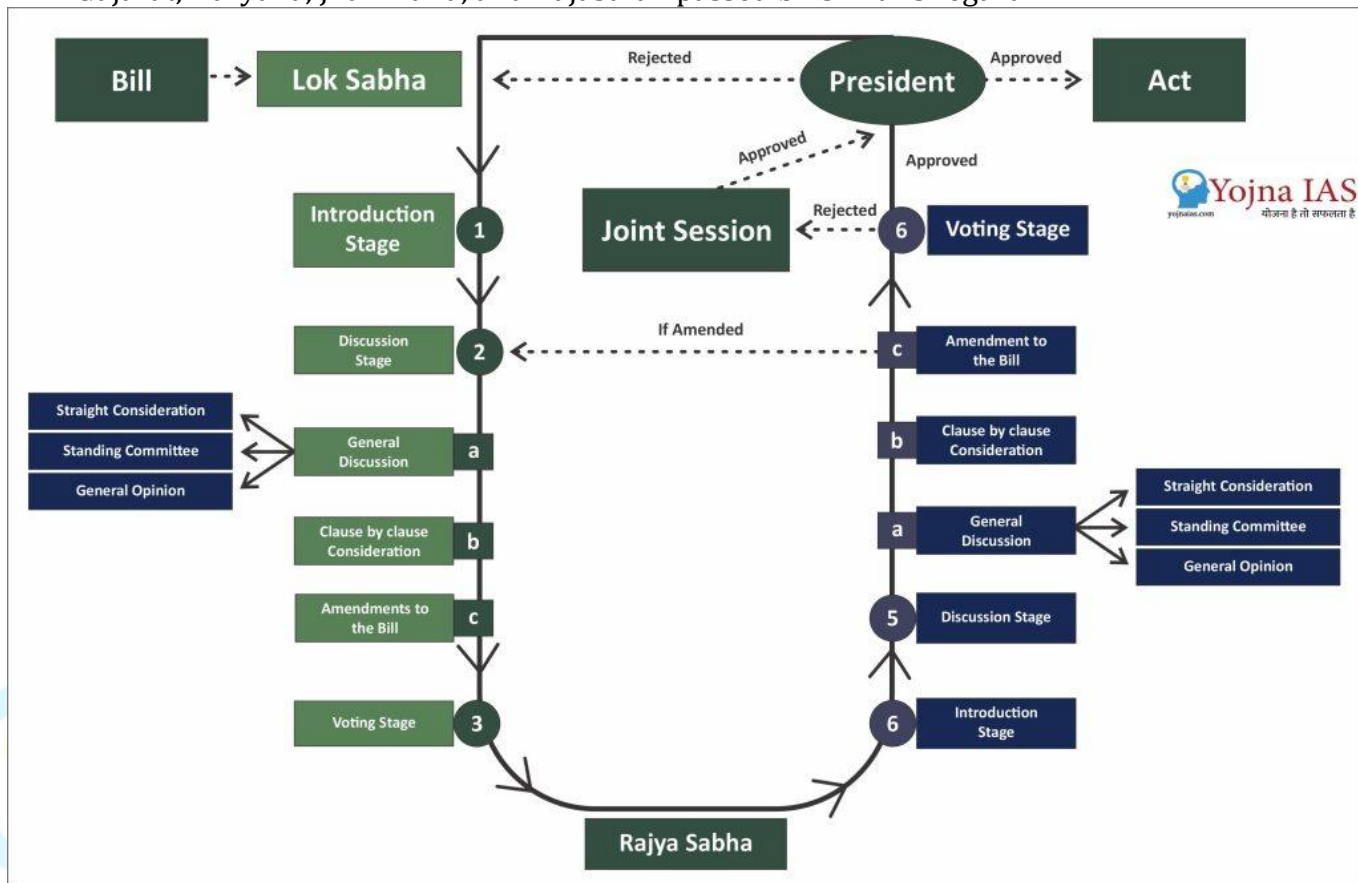
Land and Agriculture

- Several states passed laws related to land acquisition, land records, and land use. Chhattisgarh, Gujarat, Haryana, Jharkhand, and Rajasthan passed bills to amend their respective land revenue codes. Madhya Pradesh and Rajasthan passed bills to regulate real estate development and construction.

- In the agriculture sector, Chhattisgarh, Gujarat, Haryana, Jharkhand, and Rajasthan passed laws related to agricultural produce marketing, contract farming, and agricultural land leasing.

Law and Order

- Many states passed laws to strengthen law and order, including bills to regulate the sale of liquor, prohibit illegal mining, and prevent crimes against women and children. Chhattisgarh, Gujarat, Haryana, Jharkhand, and Rajasthan passed bills in this regard.



ISSUES ARISING DUE TO POOR LEGISLATION

Lack of Transparency and Accountability: Laws that are poorly written or lack clarity can be open to misinterpretation and abuse. This can create uncertainty for citizens and businesses, and make it difficult to hold governments accountable for their actions.

Unintended Consequences: Sometimes, legislation has unintended consequences that cause more harm than good. This can happen if the lawmakers fail to consider all the potential impacts of a new law, or if they are not well-informed about the issue they are trying to address.

Ineffectiveness: Poorly designed laws may simply not be effective in achieving their intended goals. This can be due to a lack of enforcement mechanisms or because the law itself is flawed.

Wasted Resources: Ineffective or poorly written laws can lead to wasted resources, as both the government and private sector may have to spend time and money complying with or trying to fix the legislation.

Social Injustice: Legislation can exacerbate existing social inequalities or create new ones if it is not carefully designed to be fair and equitable.

Erosion of Public Trust: When citizens see that laws are not being properly enforced, or that they are not effective in solving problems, it can erode their trust in government and the legal system.

WAY FORWARD

Enhancing Time for Deliberation

- **Increase Sitting Days:** The average of 22 sitting days per year is insufficient for thorough debate and committee review of bills. States should aim for a minimum number of sitting days to ensure adequate time for legislative business.
- **Focus Beyond Budget Session:** Overdependence on the budget session for legislative activity can lead to neglect of other important bills. A more balanced distribution of legislative work throughout the year is crucial.

Promoting Transparency and Accountability:

- **Public Availability of Information:** Making legislative agendas, committee reports, and voting records easily accessible to the public fosters transparency and allows for informed public engagement.
- **Strengthening Public Accounts Committees (PACs):** The vast disparity in PAC activity across states highlights the need for consistent and effective oversight of government spending.

Addressing Tensions Between Governors and Legislatures:

- **Clearer Guidelines for Governor's Assent:** Establishing a defined timeframe for Governors to grant or withhold assent to bills passed by legislatures can help minimise delays and legal disputes.
- **Open Communication Channels:** Regular communication and cooperation between Governors and state governments can help prevent conflicts and ensure the smooth functioning of the legislative process.

Enhancing Legislative Capacity:

- **Investing in Research and Support Staff:** Well-equipped research teams and support staff can assist lawmakers in effectively analysing proposed bills and their potential consequences.
- **Training for Legislators:** Providing training programs on legislative procedures, drafting techniques, and best practices can improve the overall quality of lawmaking.

Citizen Participation:

Public Hearings and Consultations: Encouraging public participation through hearings and consultations on proposed bills allows citizens to voice their concerns and contribute to a more inclusive legislative process.

PRELIMS PRACTISE QUESTION

Q1. Consider the following statements regarding the discretionary powers given to the Governor of a State:

1. Submitting a report to the President of India to recommend the imposition of President's rule

2. Reserving specific bills passed by the State Legislature for the President of India's consideration
3. Formulating regulations for governing the operations of the State Government
4. Appointing Ministers

How many of the above statements are correct?

- (a) Only one
- (b) Only two
- (c) Only three
- (d) All four

Answer: B

MAINS PRACTISE QUESTION

Q1. What measures can be taken to address the challenges faced by Indian state legislatures and improve their effectiveness and functioning?

[Himanshu Mishra](#)

DRIP PRICING

THIS ARTICLE COVERS 'DAILY CURRENT AFFAIRS' AND THE TOPIC DETAILS OF "Drip Pricing". THIS TOPIC IS RELEVANT IN THE "Economy" SECTION OF THE UPSC CSE EXAM.

WHY IN THE NEWS?

The Department of Consumer Affairs recently warned consumers about 'drip pricing', in which only a portion of the price is advertised initially, and additional charges are levied later during the purchase process.

The Centre government said that the drip pricing could surprise consumers with hidden charges and asked them to contact the National Consumer Helpline (NCH) number 1915 or WhatsApp 8800001915 for assistance.



WHAT IS DRIP PRICING?

Drip pricing is a strategy businesses use where additional fees or charges are gradually revealed to consumers during purchasing rather than being disclosed upfront. This can lead consumers to underestimate the total cost of a product or service until they reach the final stages of the transaction.

Drip pricing involves initially showing only part of the cost of a product or service, with additional fees revealed as the customer moves through the purchase process. This can include booking and service fees, resort and credit card fees, local taxes, and internet or necessary amenities costs.

This tactic is often used in travel, hospitality, telecommunications, and e-commerce industries. **Here's how it typically works:**

- **Initial Price:** The seller advertises a product or service at a base price, which may seem attractive to consumers.
- **Additional Charges:** As the buyer progresses through the purchasing process, additional fees or charges are incrementally disclosed. These could include taxes, service fees, handling, resort, booking, or other surcharges.
- **Total Cost:** The final price that the buyer pays is significantly higher than the initially advertised price due to the accumulation of these additional charges.

For example, when booking a hotel room online, you might initially see a base price, but as you proceed through the booking process, additional charges like resort fees, taxes, or service fees may be added. These additional fees might not be displayed until the final stages of the transaction, leading consumers to feel misled or frustrated.



Drip pricing impacts multiple stakeholders and market aspects in diverse ways. These are:

1. Drip pricing can lead to consumer confusion and frustration as they may not anticipate the full cost of a product or service until later in the purchasing process.
2. Consumers may perceive drip pricing as deceptive or misleading, which can erode trust in businesses and the market as a whole.
3. Businesses engaging in drip pricing may face regulatory scrutiny or legal consequences in jurisdictions where such practices are deemed deceptive or unfair.

4. Drip pricing could impact consumer spending patterns, as consumers may become more cautious or selective in their purchases, affecting overall market demand.
5. While drip pricing tactics may initially attract customers with lower base prices, businesses risk losing revenue if consumers perceive the final cost as unfair and choose not to make repeat purchases.

In December 2023, the Central Consumer Protection Authority (CCPA) issued 'Guidelines for Prevention and Regulation of Dark Patterns, 2023' to prevent and regulate dark patterns such as drip pricing, bait-and-switch, disguised advertising, and false urgency.

Dark patterns undermine consumer autonomy, decision-making, and choice, potentially constituting misleading advertising, unfair trade practices, or violations of consumer rights.

ABOUT THE DEPARTMENT OF CONSUMER AFFAIRS:

The Department of Consumer Affairs (DCA) is a government agency in India that protects consumer rights and interests. It operates under the Ministry of Consumer Affairs, Food and Public Distribution. **Its main functions include:**

- **Consumer Protection:** The primary role of the Department of Consumer Affairs is to protect consumer interests by enforcing laws, regulations, and policies against unfair practices, deceptive advertising, and poor-quality goods and services. It upholds the Consumer Protection Act of 2019, aiming to secure consumer rights and resolve disputes.
- **Policy Formulation:** The DCA is responsible for formulating policies and guidelines related to consumer protection, including those aimed at promoting fair pricing practices and ensuring pricing transparency in the market.
- **Regulatory Oversight:** The department oversees businesses and industries to ensure compliance with consumer protection laws and regulations. This includes monitoring pricing practices to prevent deceptive tactics like drip pricing.
- **Complaint Resolution:** The department provides mechanisms for consumers to lodge complaints against businesses engaging in unfair or deceptive practices, including drip pricing. It investigates consumer complaints and takes appropriate enforcement actions against violators.
- **Legal metrology:** The department upholds the Act of 2009, guaranteeing the precision of weights and measures in business and trading activities.
- **Bureau of Indian Standards (BIS):** The Department of Consumer Affairs oversees the Bureau of Indian Standards (BIS), tasked with developing and implementing quality standards for products and services.

CONCLUSION:

Drip pricing can have wide-ranging effects on consumers, businesses, market dynamics, regulatory environments, and the economy as a whole. The extent of these impacts depends on factors such as consumer perceptions, regulatory responses, and competitive pressures within specific industries. However, promoting transparency and fairness in pricing practices is generally beneficial for fostering a healthy and trustworthy market system.

MAINS PRACTICE QUESTION:

- Q. How does Drip's pricing compare to that of its competitors in the market? Are there any testimonials or case studies highlighting the effectiveness of Drip relative to its cost?**

Q. "Is it ethical for companies to use drip pricing tactics, where additional fees are added incrementally throughout the purchasing process, potentially leading to a lack of transparency and informed consent from consumers?"

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Yojna IAS

योजना है तो सफलता है