



Can the right to work be made real in India?

GS III: Indian Economy and issues relating to Planning, Mobilization of Resources, Growth, Development and Employment.



Context: As economies around the world struggle to recover from the double

whammy of a pandemic and a lockdown, unemployment is soaring. In India, the land of the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), the promise of jobs and the politics of unemployment have a long history. Can a citizen demand work as a right, and is it the state's responsibility to provide employment?

The legal status of the right to work internationally and in India

The Universal Declaration of Human Rights includes the right to work in the International Covenant on Economic, Social and Cultural Rights. In India, we don't have a constitutional right to work. But what we do have is MGNREGA. This is a step in the direction of a right to work, but it is a statutory right. Under MGNREGA, a person can hold the state accountable for not fulfilling the right by demanding an unemployment allowance. But if the law is amended or withdrawn, the right vanishes as it is not a fundamental right.

Need for Right to work in the Present world

The term 'right to work' is often used in the context of unemployment or lack of availability of work. But there is also another sense of it, which is the right to earn my livelihood without any obstruction. In both these senses, what we have seen in the past few decades is that the path of development not only does not create adequate employment opportunities, it also actively dispossesses or displaces people from their means of livelihood. So, on the one hand, displacement and dispossession, and on the other, failure to create new jobs make it all the more important to imagine the right to work in a creative way and make it legally enforceable.



Growth vs Distribution Debate

We rarely discuss per capita GDP growth; most discussion centres on overall growth even though from the vantage point of people's welfare, the former matters more. Distribution issues are buried in subtle ways. For a labour-abundant country like India, I'm not sure how much policy sense it makes to encourage capital-intensive methods of production. It made sense in the countries in which these techniques of production evolved since they were labour-scarce. But more and more automation in a country like India is likely to lead to jobless growth. Such fundamental questions about our growth strategy need further deliberation.

Urban Employment Guarantee Scheme

The right to work is not only about lack of adequate work but also the profound lack of public goods and assets, in urban India generally. It is the state's responsibility to provide these public goods, and this imperative can be combined with an employment creation programme just like MGNREGA does in rural areas. In MGNREGA too, the asset creation part is often under-emphasised, and it would be good to bring both these things together through an urban employment guarantee.

The right to work and Employment Guarantee

With the idea of the right to work, it is the responsibility of the state in a capitalist economy where welfare and employment are not a guaranteed by-product of private economic activity.

So we're talking about the state generating its own work — for public goods, education, healthcare, administration, etc. To be sure, for all these things which the state is supposed to do, it should generate its own employment. But at the same time, it's also supposed to safeguard people's employment. That includes everything, from ensuring that street vendors have vending zones, and fish workers are protected, to ensuring that farmers have viable incomes — all of this comes broadly under the right to livelihood or right to work. One small part of this can be an employment guarantee, but by no means is it the only thing.

Provision of Basic services and link with employment generation

It is incumbent on the state to provide basic services such as health, education and housing, and in providing them, employment is generated. We are nowhere near countries that are comparable in GDP per capita, such as Vietnam, and



countries that spend much more on public goods as a percentage of their GDP. We should do that. That will create jobs.

Employment guarantee

Just to connect this to what we were saying about employment guarantee earlier, an effective employment guarantee programme can be an excellent solution to the structural weakness of labour. So, given the constraints in state capacity when it comes to enforcing labour laws, tightening the labour market is a great way to ensure that workers are treated well. That is how a good employment guarantee programme would function as far as the rights ‘in work’ are concerned. If the state steps in and significantly reduces the surplus-labour, particularly in the casual market, it automatically creates the conditions for better treatment of workers.

Mains:

1. Indian is in urgent need of the Urban employment guarantee scheme. Discuss.
2. MGNREGA increased wages in rural areas and the bargaining power of labour, similarly urban employment will enhance labour bargains in urban areas ensuring the right to decent work. Elaborate.

Media regulation that is quite over the top

GS II: Important Aspects of Governance, Transparency and Accountability, E-governance-applications, models, successes, limitations, and potential; Citizens Charters, Transparency & Accountability and institutional and other measures.



Bottom line: The government’s move bringing online news and current affairs portals along with “films and audio-visual programmes made available by online content providers” under the Ministry of Information and Broadcasting is as brazen as it is deceitful. Bringing digital media under the I&B

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Ministry nips in the bud the promise of combative journalism. Print media and television media are under self-regulation only.

Arguments:

1. Brazen, because this is an attack on the free press, targeted at a section that has been bold and forthright in speaking truth to power.
2. Deceitful, because, it is clubbing the only sector of the media which has pre-censorship, namely films (through the Central Board of Film Certification), with the news media which has so far, at least officially, not been subject to pre-censorship.
3. In fact, the reasons given by the government for this annexation of the digital media by the Ministry of Information and Broadcasting is that the self-regulation proposals given by the sector (the mandate and representativeness of the organisations in this sector which made these proposals are questionable in the first place) were not satisfactory.
4. It seeks to divide and rule the press by creating an artificial distinction between the new-age digital media (the stand-alone news portals which are already struggling to stay afloat) — which is the media of the future, the media of the millennial generation — and the older print and TV news media.

The fate of digital media

The fate of the digital media under the control of the Ministry of Information and Broadcasting leaves little scope for hope and dooms the sector for both the media practitioner and the media entrepreneur and for the startups that have been the new vibrant face of contemporary journalism. The move is tantamount to nipping in the bud a promise of combative journalism. It makes our democracy poorer for it.

Mains:

1. The government's move bringing online news and current affairs portals along with "films and audio-visual programmes made available by online content providers" under the Ministry of Information and Broadcasting amounts to unequal treatment and will harm combative journalism. Discuss.