



DAILY MAINS NEWSLETTER

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Mains Value Addition

SC seeks States' views on 50% cap on quota

Syllabus- GS2- Separation of powers between various organs dispute redressal mechanisms and institutions

Analysis:

- The Supreme Court recently decided to examine whether its nearly three-decade-old judgment which fixed **reservation for the marginalised and the poor in government**

jobs and educational institutions at 50% needs a relook.

- In 1992, a nine-judge Bench of the court had drawn the “Lakshman rekha” for reservation in jobs and education at 50%, **except in “extraordinary circumstances”**.
- However, over the years, several States, such as Maharashtra and Tamil Nadu, have crossed the Rubicon and passed laws which **allow reservation shooting over 60%**.
- A five-judge Bench set up to hear the **challenge to the Maratha quota law**, decided not to confine the question of reservation spilling over the 50% limit to just Maharashtra.
- The Bench expanded the ambit of the case by making other States party and inviting them to make their stand clear on the question of **whether reservation should continue to remain within the 50% boundary or not**.
- Another question is whether the **Maharashtra State Reservation for Socially and Educationally Backward Classes (SEBC) Act of 2018**, which provides 12% to 13% quota benefits for the Maratha community, thus taking the reservation percentage in the State across the 50% mark, was enacted under “extraordinary circumstances”.



Delhi's per capita income dips by 5.9%

Syllabus- GS3- Indian Economy and issues relating to planning, mobilization of resources, growth, development and employment

Analysis:

- The **per capita income of the people of Delhi has fallen by 5.91%** (at current prices) to ₹3,54,004 during 2020-21, compared to ₹3,76,221 in 2019-20.
- Also, the Gross State Domestic Product (at current prices) fell by 3.92% in 2020-21 to ₹7,98,310 crore from ₹8,30,872 crore in 2019-20, as per the Economic Survey of Delhi 2020-21 tabled in the Delhi Assembly recently.
- Business was less in the market and because of this revenue was less for the government.
- This was due to the effect of COVID-19 and the series of lockdowns, which disrupted **the economy across the world**, according to the survey report.
- The government expects the economic condition to pick and register growth.
- In 2021-22, a sharp recovery of real GSDP of Delhi with a double-digit growth is expected based on a low base effect and inherent strengths of the economy.
- Delhi has maintained its consistent revenue surplus which was ₹7,499 crore during 2019-20 (Prov.) as compared to ₹6,261 crore during 2018-19. Also, about 30.74 lakh Foreign Tourist Arrivals (FTAs) was recorded in Delhi during 2019.

Only half of govt. schools, anganwadis have tap water'

Syllabus- GS2- Important aspects of governance, transparency and accountability

Analysis:

- **Less than 8% of schools in Uttar Pradesh and 11% in West Bengal have it**, while it is available in only 2-6% of anganwadis in Assam, Jharkhand, Uttar Pradesh, Chhattisgarh and Bengal.
- At a time when **schools and anganwadis are just starting to reopen** after a year-long shutdown, COVID-19 safety protocols require repeated handwashing by students and teachers.
- In its report on the demand for grants submitted to the Lok Sabha on Monday, the Standing Committee urged the Ministry to take up the matter with laggard States.
- The campaign to **provide potable piped water supply for drinking and cooking purposes** and tap water for washing hands and in toilets in every school, anganwadi and ashramshala or residential tribal school was launched on October 2, Gandhi Jayanti.
- The 100-day period should have ended on January 10, 2021. However, as of February 15, only **48.5% of anganwadis and 53.3% of schools had tap water supply**, the Ministry told the Parliamentary panel.

Will handle national security projects: ISRO

Syllabus- GS3- Science and Technology- developments and their applications and effects in everyday life; Achievements of Indians in science & technology

Analysis:

- The Indian Space Research Organisation (ISRO) has said it will be in **charge of projects linked to “national security and advanced technology”**, such as the forthcoming **Chandrayaan-2 missions and the Gaganyaan mission** that plans to send Indian cosmonauts into space.
- However, the bulk of commercial activities would increasingly be handled by the newly formed New Space India Ltd (NSIL).
- NewSpace India Limited (NSIL) is a Public Sector Enterprise (PSE) of Government of India and commercial arm of Indian Space Research Organisation (ISRO).

Russia kept India out, US brings Delhi to talk stable for Afghan peace plan

Syllabus- GS2- Effect of policies and politics of developed and developing countries on India's interests

Analysis:

- India is finally at the table with five other countries to **decide on the roadmap for peace in Afghanistan** after six months of hectic behind-the-scenes diplomacy.
- This mechanism has been suggested by Washington even as **Moscow is learnt to have suggested a plan that kept New Delhi out.**

- India's refrain has been that it wants an **Afghan-led, Afghan-controlled and Afghan-owned** process but ground realities have been such that other players have dictated terms.
- Russian interlocutors — amid growing proximity between Moscow and Beijing — suggested that **Russia, China, US, Pakistan and Iran should be at the table.**

Mains Analysis

An alarming diktat.

Why in News: - Haryana's new '75% jobs for locals' law is a harbinger of doom.

Syllabus: - GS-1: Social empowerment.

GS-2: Government policies and interventions for development in various sectors and issues arising out of their design and implementation.

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- **The approval granted by Haryana governor Satyadev Narayan Arya 2020** to a job reservation Bill that provides 75% reservation in the private sector to those holding the domicile of the state militates against the idea of an integrated India.
 - New Haryana Bill puts forth **Domicile-based preferential** policies that indict the economy as a whole, suggesting pessimism about both education and job creation.

What is the Law:

- The Haryana State Employment of Local Candidates Act of 2020 seeks to **ensure that 75% of all jobs with gross monthly**

salaries of up to ₹50,000 are provided to the State's own residents.

- The law is applicable to all the companies, societies, trusts, limited liability partnership firms, partnership firms and any person employing 10 or more persons and an entity, as may be notified by the government from time to time shall come **under the ambit of this Act.**

2. Karnataka is toying with the idea of reserving all blue collar jobs for locals;
3. Madhya Pradesh has announced that public employment in the state be reserved for state residents.
4. Andhra Pradesh (AP) had passed a **similar law in 2019, and the Madhya Pradesh CM has promised one to reserve 70% private sector jobs.**

Grey Areas

WHAT HARYANA GOVERNMENT SAYS

75% private sector jobs with pay of up to ₹50,000 to be reserved for local residents

Employers should comply within 90 days of notification

Gurgaon/ Manesar/ Faridabad: headquarters of top MNCs, tech, BPOs, automobile, ecommerce, FMCG, durables, services cos

INDUSTRY CONCERNS

- 1 Move will shrink talent pool
- 2 Delay hiring
- 3 Escalate workforce restructuring costs

BCCL

The Government rationale:

- Providing reservation in public employment is one of the many ways through which the state endeavours to **ensure equal opportunity for all citizens.**
- With public sector jobs constituting only a minuscule proportion of all jobs, legislators wish to rope in private sector to really achieve the same constitutional mandate.
- **Private industries use public infrastructure in many ways** — from accessing land through subsidised allotment to receiving credit from public banks, tax exemptions and in many cases subsidies for fuel etc.
- **So, the state has a legitimate right to require them to comply with the reservation policy.**
- A similar argument was made in requiring private schools to comply with the Right to Education Act, which the Supreme Court also upheld.

EXAMPLE: -

1. Andhra Pradesh has mandated 75 per cent reservation for locals;

Legal challenges:

1. The Haryana Bill is constitutionally indefensible as the Constitution prohibits discrimination based on place of birth.

1. The right to move freely in the country and reside and settle in any part of it, the right to carry out any trade or profession, is all established rights.
2. The bill violates both Article 14 that speak of equality of all citizens and Article 19 that grants every citizen the right to reside and work in any part of the country.
3. **The Constitution, especially Article 19(1)(g) and Article 16(2).** Operationally, the law imposes onerous and contentious responsibilities on key personnel of firms in the State, including those with as few as 10 employees.

Criticism: -

1. The Private Businesses attached to severe monetary penalties for perceived non-compliance.
2. They need to register every employee earning ₹50,000 on an official portal and **employing 75% of locals** in such jobs presumably by removing existing non-Haryanvi employees beyond the 25% limit.
3. Most preposterous is seeking exemptions to the law firms can hire outsiders by proving that local candidates for a desired skill are not available.
4. Apart from the power to enter firms' **premises for inspections**, officials will decide if a firm can hire an outsider or

should train local candidates instead, till they become proficient enough.

5. Even if this harks **back to an 'Inspector Raj' system**, the process would dissuade employers from operating in the State, thus defeating the idea of boosting local jobs when unemployment is running high.

The private sector is against the bill:

1. **First**, the private sector cannot be subject to the same yardstick as the public sector; imposing reservation would not just interfere with freedom of trade and business, it might also be a form of expropriation.
2. **Second**, given the variety of parties now espousing domicile-based reservation, the argument that the "private sector" can be protected will be an argument in bad faith.
3. Arguably, the case for reservation for social justice is stronger than the case based on domicile.
4. **Fourth**, these bills will open up a new form of competitive ethnic politics. It is odd that a state like Haryana which has benefitted from being part of a cosmopolitan zone like NCR should unilaterally impose reservations.
5. **Fifth**, there is patent class discrimination: If you are rich, privileged or highly skilled, there are no entry barriers in accessing any labour market. But we shall put entry barriers on lower skilled migrants; our own internal **version of an H-1B visa**.
6. Sixth, the greatest damage the Bill does is to increase the discretionary power of the state, almost taking us back to a license permit raj,

where companies will have to bargain, or worse, bribe the state for exemptions. This is the antithesis of regulatory reform.

Way Forward:

- **If every state does this then what happens to our constitution under Article 19, which gives us the right to travel and reside in any part of the country.**
- It is a constitutional right but how will you exercise it if you can't get a job or education anywhere else other than the state you were born in.
- The Bill would have an adverse impact on the functioning of companies and the business in the state, he said, a golden rule was devised in **Indira Sawhney vs Union of India on** capping reservation at 50% and that should not be breached.

Question: -

The Haryana State Employment of Local Candidates Act of 2020 bill is expected to impact the functioning of companies and the business in the state. Critically discuss various apprehensions in its effective implementation along with the concerns of Fundamental rights.

Pursuing the American dream with 'WFA'.

Why in News: - U.S. immigration is unlikely to change soon, but those hoping to access opportunities could still have a new choice.

Syllabus: - GS-2: Effect of policies and politics of developed and developing countries on India's interests, Indian Diaspora.

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- On the first day of taking office, President Joe Biden presented immigration reform legislation to Congress and signed a slew of executive orders covering varied areas, including immigration.
 - However, with the ongoing pandemic and economic crisis, uncertainty remains. In the meantime, high-skilled workers facing
 - immigration woes can take advantage of another emerging employment trend — companies offering their employees the ability to work-from-anywhere (WFA).

U.S. immigration reform:

1. In January 2020, Mr. **Biden had floated a proposal to overhaul the U.S.** immigration system, expanding pathways for legal immigration for both family-based and employment-based migrants.

2. **For high-skilled migrants, Mr.** Biden's proposal would remove country-specific quotas for employment-based visas, and would exempt anyone with a STEM PhD from a U.S. institution from all quotas to receive a green card.

3. There is a **long road ahead before** the proposal becomes the law of the land, needing to pass through both the U.S. House of Representatives and the U.S. Senate. Given partisan divisions in the U.S. legislature, it is quite unlikely that the proposal in its current form will ever become law.

article outlines the complete process on how to apply for H4 dependent visas.

4. **In addition, current H-4 visa holders** (i.e., spouses and children of H-1B visa holders) would become eligible for work permits. Currently, H-1Bs are issued for three years

The difference:

1. Even before the **COVID-19 pandemic**, companies were beginning to explore remote work options. The pandemic accelerated this trend across all industries for millions of workers.

2. Unlike a traditional **work-from-home (WFH)** model that allows workers to WFH a few days every week and from an office for the rest of the week, work-from-anywhere grants individuals the choice to live in their preferred locations.

3. This gives them the flexibility to live in a town, city, or country, far away from where the company or its customers have a physical office.

MORE UNCERTAINTY OVER JOB VISA

- > H-1B visa will be granted for only that duration for which a beneficiary will have to do the specified work
- > Currently, visas are granted for 3 years and an extension for another three years is almost a given
- > Shorter duration visas will make it near impossible for H-1B users to get a Green card
- > Firms say it will be difficult for immigration officers to join the dots between qualification and work, leaving granting of visa to their discretion

There will be more paperwork as detailed documentation will be required on nature of assignment at client site

“A series of executive orders have been coming out. Each one by itself may not be much, but they have cumulatively added up to making it much difficult and onerous for firms to use the H-1B route”

R Chandrasekhar
NASSCOM PRESIDENT

What is H-1B and H-4 Visa?

1. The H-1B is a visa in the United States under the Immigration and Nationality Act, **section 101** that allows U.S. employers to temporarily employ foreign workers in specialty occupations.
2. To qualify for the **H-1B visa category**, the prospective H-1B employee must hold a U.S. bachelor's or higher degree, or the equivalent. The person must hold a U.S. equivalent 4 years' bachelor's or higher degree from an accredited college or university.
3. A H4 visa is issued to dependent family members (spouse and children) of H1 visa holders who would like to accompany the H1B visa holder to the U.S. during their stay. This



4. Workers can relocate to their hometown, be closer to family and friends, manage dual career situations and move somewhere where they can enjoy better weather or a better cultural and culinary fit.

5. Workers benefit by moving to or continuing to live in a lower cost-of-living location.

6. Organisations can benefit from work-from-anywhere as well, and research conducted at the United States **Patent and Trademark Office (USPTO)** found that worker productivity under a work-from-anywhere policy was 4.4% greater than when workers were in a traditional work-from-home environment

7. As more of the workforce shifts to remote work, organisations can also reduce and reimagine the utility of the physical office, reducing real estate costs.

8. Society, too, can benefit, as daily work commutes are a major source of carbon emissions; the USPTO estimated that shifting to remote work cut emissions by their employees by more than 44,000 tons.

A case study: TCS modal

1. It is most popular among start-ups, where WFA allows new companies to access a global pool of talent with relatively low investment in office space.

2. Tata Consultancy Services (TCS) made headlines during the pandemic when it announced that its 400,000-plus employees will be **75% remote by 2025**.

3. TCS has rolled out a '**25-25 remote-work model**': 25% of the workforce will be in a physical office at any one time, and workers will only be expected to work from an office for 25% of their working hours.

4. The changes being implemented by TCS. In **this 25-25 model**, TCS workers are mostly 'location independent'. This enables TCS clients to access the best talent within TCS, independent of the location of talent.

5. The model also offers TCS employees an opportunity to simultaneously work on multiple projects around the globe, without relocating to the client site or worrying about immigration.

6. The TCS example shows how work-from-anywhere can help Indian companies and workers mitigate the challenges of immigration.

Way Forward

1. With U.S. immigration unlikely to change in the immediate **future**, those hoping to



access U.S.-based opportunities do have an alternative: embrace work-from-anywhere.

2. The USA immigration policies may change for the better, high-skilled workers should view work-from-anywhere as a viable alternative to physical relocation, allowing them to work globally without queuing up for an H1-B visa.

3. The Covid-19 crisis has opened senior leaders' minds to the idea of adopting WFA for all or part of their workforces and best example is TCS modal.

Question: -

Discuss the implications of HB1 visa on Indian companies.

Make room for women in the new normal

Why in News: - The pandemic may have limited our ability to connect with the external world, but for several Indian women, isolation isn't unfamiliar or new

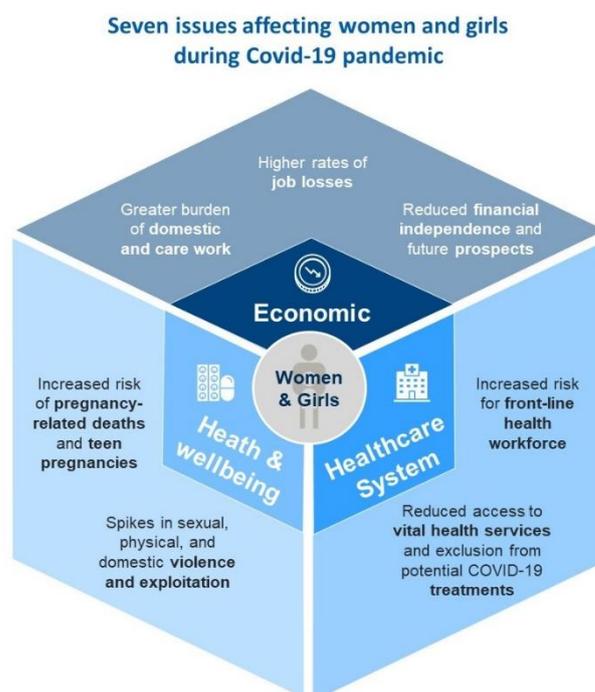
Syllabus: - GS 1: Social Empowerment, Role of Women

- Even before mask-wearing limited our ability to connect with the external world, it was commonplace for 60 per cent of Indian women who practise either the ghunghat or purdah.
- The telephone was already the lifeline connecting women to their support network — about a quarter of women respondents were unable to visit their natal families more than once a year.

- Part of this isolation may be because it is difficult for women to travel unless someone accompanies them.

Women's Lack Of Access To Public Spaces

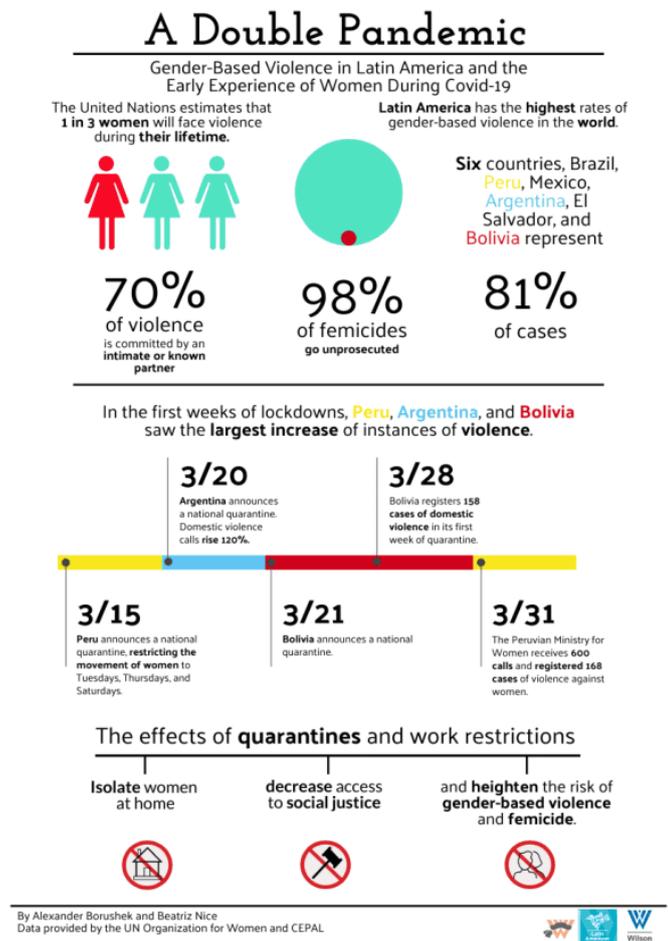
- The India Human Development Survey of 2012 (IHDS), conducted by the University of Maryland and National Council of Applied Economic Research, revealed that 18 per cent of women respondents do not go to a kirana shop. A further 19 per cent would not go alone.
- A third of households relied only on men or children to do any grocery shopping. Only 11 per cent of rural women had ever attended a gram sabha.
- Barely 18 per cent had ever visited a metropolitan city, and an equal proportion had ventured outside their state.



Challenges: -

- Perhaps the pandemic-enforced isolation will increase our empathy for the substantial proportion of Indian women who have found themselves confined to their homes during the normal course of life.
- The challenge, however, lies in understanding what has caused this isolation and finding ways to address it.
- A large number of studies have documented that women face sexual harassment as they venture outside the home.
- Fear of sexual harassment has negative societal consequences in many areas of life.
- Women are less likely to work away from home in areas where perceived sexual harassment of girls is higher.
- Despite having high marks, girls in Delhi University choose to attend lower-quality colleges to avoid sexual harassment while traveling to college.
- Safety concerns are not limited to major metropolitan cities.
- A study carried out by the NGO Safetipin in Bhopal, Gwalior and Jodhpur found that 95 per cent of women feel unsafe using public transport, 89 per cent feel unsafe in the marketplace, 84 per cent feel unsafe waiting for public transport while 76 per cent feel unsafe on roads or footpath.
- The study found that about 30 per cent of women reported having faced some form of sexual harassment in the past year.

- Half of these incidents took place while using public transport and 16 per cent were while waiting for public transport.



Women's Safety And Full Participation In Public Life: -

1. Some of these are relatively simple — improving lighting around roads, buses, and train stations is relatively simple.
2. However, we also need to look to more creative solutions to create a critical mass of women in public spaces so that women don't feel isolated and see safety in numbers.
3. This may involve hiring women drivers and bus conductors, emulating Lahore's pink buses, and expanding spaces allocated to women vendors in markets.

4. It also involves creating an environment where the whole society collaborates to welcome women into public life. This is not a one-way street, benefitting women alone.
5. The Indian Independence movement offers an inspirational example of the synergy between the women's movement and the nationalist movement.
6. This intertwining won freedom for the nation while creating an obligation for an Independent India to deliver gender justice, resulting in the Hindu Code Bill that provided for monogamy, divorce, and inheritance rights for women.
7. MGNREGA, with equal pay for men and women, has played an important role in bringing women, who used to work only on family farms in the past, into paid work.
8. Finding opportunities for women to participate in creating public goods, whether through special programmes designed for

women or structuring existing programmes in a way that allows for enhanced participation by women can only be a win-win situation.

Way Forward: -

- The COVID-19 pandemic has made it clearer than ever that **women's unpaid domestic labour** is subsidising both public services and private profits.
- This work must be **included in economic metrics and decision-making**. We will all gain from working arrangements that recognise people's caring responsibilities, and **from inclusive economic models** that value work at home.
- This pandemic has not only challenged **global health systems**, but our **commitment to equality and human dignity**.
- Let us hope that when we tell our grandchildren about 2020, the pandemic generated isolation is as unfamiliar to our granddaughters as to our grandsons, and the reclaiming of public spaces occurs for both men and women.



Question: -

What do you understand by Shadow Pandemic? Critically explain the shadow pandemic in India.

The real victims of nativist labour laws? Low-income migrant workers

Why in News: - Political rhetoric and the occasional violence against inter-state migrant workers is nothing new in India.

Syllabus: - GS 2: Human Resource.

- Starting from the Mulki rules in Nizam-ruled Hyderabad in the late 19th century that favoured local employment to the anti-South Indian movements in Bombay in the 1960s to the “sons of the soil” movement in Assam and beyond, India has witnessed many instances of subnational nativism.
- After all, several Articles of the Indian Constitution prohibit discrimination in employment on the basis of place of birth.
- As pointed out by the report of the Working Group on Migration in January 2017, the Supreme Court decision in 2014 in the Charu Khurana v Union of India case “clearly renders restrictions based on residence for the purposes of employment unconstitutional.”

Internal Migrants:

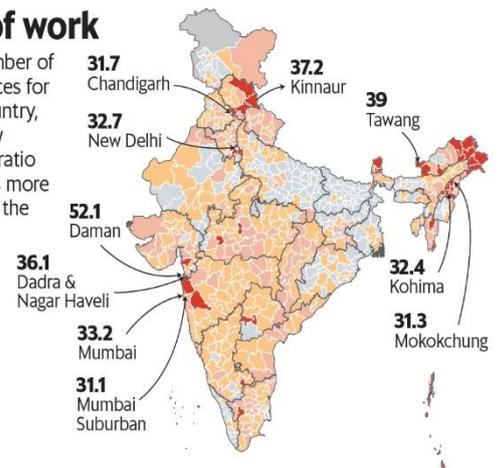
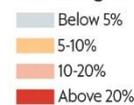
1. These are migrants who within a country
2. Internal migrants in India are a vast and heterogeneous population.
3. They are of three traits: they predominantly migrate from villages to cities; they are low-income populations who work in the informal sector; they have not permanently relocated their families to the city. Instead, they

circulate between villages and cities several times a year.

In search of work

Despite a large number of people moving places for work inside the country, there are only a few districts where the ratio of such migration is more than 20%. Here are the top ten districts.

Those migrating for work/business as % of total migrants



The Reality:

1. In 2019, the government of Andhra Pradesh passed the Andhra Pradesh Employment of Local Candidates in the Industries/Factories Bill, 2019, reserving 75 per cent of jobs for locals.
2. This law was soon challenged and the petition was accepted by the Andhra Pradesh High Court as a matter of public interest.
3. Yet, the clamour for similar laws pervades across states including Madhya Pradesh and Goa. Most recently, in March, the Haryana government passed the Haryana State Employment of Local Candidates Bill, 2020, reserving 75 per cent of jobs in the private sector for locals, when the monthly salary was under Rs 50,000 per month.
4. The fundamental problem with this law is that low-income migrant workers will once again become the victims of India’s public policies.

Challenges: -

1. Life is tough for low-income inter-state migrant workers in India, as was painfully illustrated by the migration crisis of 2020.

To their long list of woes, ranging from precarious livelihoods to lack of access to portable social security, they now have an added source of concern — nativist laws.

2. Sectors which do end up employing a large number of inter-state migrant workers do so because the local workers do not aspire for those jobs.

3. Migration for work represents a match between employers who are looking for certain skills at low rates and workers who want to earn much more than what they can make back home.

4. The current premise of the nativist laws is that with adequate skill training given to locals, they can perform the same tasks as the migrants.

5. The law also appears to be tough to implement on the ground and one can expect a parallel market to emerge on the ability to prove local residence, as it often happens in the case of ration cards.

6. Further, the income cut-off in Haryana's law conveys that the rich can move anywhere in India and work as they please but those same opportunities are to be denied to poorer inter-state migrant workers.

Way Ahead:

- In the coming decades, internal migration is only going to continue to surge in India, as it did in China over the past three decades, and as it did in the developmental trajectory of practically every country on this planet.
- Recognition of circular migrants as part of India's urban population.
- Relaxing the restrictions that prevent migrants from accessing vital benefits
- Prioritising dedicated transport options for migrants to prevent overcrowding.
- Special Measures should also take into account the particular situation of migrant women.

Question: -

By restricting migration choices, the governments of Andhra Pradesh and Haryana send out bad signals in the labour market, especially when their own elites have benefited tremendously from internal and international migration. Explain.