

NATIONAL SOCIAL ISSUES- WOMEN, POPULATION, URBANISATION, EMPOWERMENT ETC**National Policy on Domestic Workers**

In a bid to give recognition to domestic workers besides making them eligible for minimum wages, social security and safe working conditions, labour ministry is drafting the national policy. There is a need for the policy due to the following reasons:

- Employer-dominated, domestic work industry is characterised by low, stagnant wage rates. Wages are particularly low for Bengali and Adivasi workers.
- Irregular payment of wages by employer.
- Extraction of more work than agreed upon at the start of employment.
- Practice of arbitrarily reducing wages.
- Private power of regulation enjoyed by the employer.
- Private nature of regulation has allowed the employer to exercise quasi-magisterial powers over the domestic worker in India.
- Workers' attempts to renegotiate their terms of work or to leave such employment are outbid by verbal, and often, physical assaults by employers.
- Domestic workers are on an almost absolute risk of unemployment or criminalisation when they try to obtain their dues.

Proposed national policy for domestic workers

- Its aim is to protect the domestic workers from abuse, harassment, violence and guarantee them rights in the matter of social security and minimum wages. The policy also includes social security cover and provisions against sexual harassment and bonded labour.
- It is a national policy for all kinds of household helps, under which payment of wages will be made to the board under fixed slab rates and the central board/trust will be managed by all stakeholders.
- The policy intends to set up an institutional mechanism to social security cover, fair terms of employment, grievance redressal and dispute resolution. It provides for recognising domestic workers as a worker with the right to register themselves with state labour department or any other suitable mechanism.
- The policy will also promote the rights for them to organise and form their own unions/associations and affiliate with other unions/associations. It will also provide for model contract of employment with well-defined period of work and rest.
- It also aims to regulate the recruitment and placement agencies by respective governments through formulation of a policy. It will also have a tripartite implementation committee at centre, state and district levels.
- It will also clearly define various terms such as part time workers, full time workers, live in workers, employers and private placement agencies.

Formulation of a new Labour Code

The Ministry of Labour & Employment has prepared a Labour Code on Industrial Relations, by simplifying, amalgamating and rationalizing the relevant provisions of the following three Labour Laws:-

- The Industrial Disputes Act, 1947,
- The Trade Unions Act, 1926,
- The Industrial Employment (Standing Orders) Act, 1946.

The provisions of the draft Code have been discussed with stakeholders in various Tripartite Meetings and then finalized. Labour code on wages and industrial relations are two of the four codes that labour ministry had been working over the last few years.

In line with recommendations of Second National Commission on Labour, ministry had formed four labour codes, namely wages, industrial relations, social security & welfare and occupational safety, health and working conditions.

CONSTITUTION AND POLITY**10% reservation for economically weak among upper caste**

The Union Cabinet has approved a proposal for introduction of the Constitution (One Hundred and Twenty- Fourth Amendment) Bill, extending 10% quota to “the economically weaker sections in the general category who are not covered by any of the existing schemes of reservation”.

The bill is designed to amend the Constitution to extend 10% reservation in direct recruitment in government jobs and for admission in higher educational institutions to “economically weaker” sections among all castes and communities, Christians and Muslims included, who are not eligible under the existing quotas.

The proposed amendment Bill will define Economically Weaker Section (EWS) as one having:

- Annual household income below Rs 8 lakh.
- Agriculture land below 5 acres.
- Residential house below 1000 sqft.
- Residential plot below 100 yards in notified municipality.
- Residential plot below 200 yards in non-notified municipality area.

To become a reality, it will need an amendment of Articles 15 (prohibition of discrimination on grounds of religion, race, caste, sex or place of birth) and 16 (equality of opportunity in matters of public employment) of the Constitution. And the amendment will have to be ratified in both Lok Sabha and Rajya Sabha, by at least two thirds of members present and voting supported by an absolute majority.

Legal Test of the Quota

Economic Basis : A Constitution Bench of the Supreme Court in the Indira Sawhney Case (1992) specifically ruled whether backward classes can be identified only and exclusively with reference to the economic criterion. It categorically held that a backward class cannot be determined only and exclusively with reference to economic criterion. It may be a consideration or basis along with or in addition to social backwardness, but it can never be the sole criterion.

Quota Limit: The judgment declared 50% quota as the rule unless extraordinary situations inherent in the great diversity of this country and the people. If the government proposes to bring a constitutional amendment to include the 10% quota for “unreserved economically weaker sections, the 11-judge Kesavananda Bharati judgment may stand in the way which held that constitutional amendments which offended the basic structure of the Constitution would be ultra vires. Neither Parliament nor legislatures could transgress the basic feature of the Constitution, namely, the principle of equality enshrined in Article 14.

Exceeding Quota Limit: The government proposes to bring the 10% over and above the 49% quota — 7% for STs, 15% for SCs and 27% for Socially and Educationally Backward Classes, including widows and orphans of any caste, which is permitted. But a total 59% (49%+10%) quota would leave other candidates with just 41% government jobs or seats. This may amount to “sacrifice of merit” and violate Article 14.

Personal Laws (Amendment) Bill, 2018

The Lok Sabha has passed the Personal Laws (Amendment Bill), 2018, which seeks to remove leprosy as a ground for divorce. Leprosy is being removed as a ground for divorce as it is now a curable disease as against the earlier notion of it being incurable.

Personal Laws (Amendment) Bill, 2018:

- Personal Laws (Amendment) Bill, 2018, seeks to end the discrimination against leprosy persons in various central laws: the Divorce Act, 1869; the Dissolution of Muslim Marriages Act, 1939; the Special Marriage Act, 1954 etc.
- The Bill eliminates leprosy as a ground for dissolution of marriage or divorce.
- The condition under Section 18 (2) (c) of the Hindu Adoptions and Maintenance Act, that a Hindu wife is entitled to live separately from her husband without forfeiting her claim to maintenance if the latter is suffering from a virulent form of leprosy has been omitted.
- The amendments introduced in the Bill omit the provisions which stigmatise and discriminate against leprosy-affected persons.

Significance of the Bill:

- The Bill is meant to provide for the integration of leprosy patients into the mainstream. It is in keeping with the UN General Assembly Resolution of 2010 on the 'Elimination of discrimination against persons affected by leprosy and their family members'.
- The proposed law follows a National Human Rights Commission recommendation a decade ago to introduce amendments in personal laws and other statutes.

Supreme court issues notice to Election commission on VVPAT

The Supreme Court on Monday directed the Election Commission to respond to a plea that the counts from electronic voting machines and voter verifiable paper audit trail (VVPAT) units should be cross-verified in at least 30% randomly chosen polling stations in each Assembly and Lok Sabha constituency, especially in light of the Lok Sabha election in May.

- The petition said the commission had chosen to conduct the cross-verification exercise in an "inexplicably minuscule" manner in the recent Assembly elections.
- The fraction of polling stations chosen for such random cross-verification has been inexplicably minuscule (less than 1% of polling stations in each constituency). This is manifestly arbitrary, irrational, unreasonable and in violation of Article 14 of the Constitution, the petition said.
- It said the principle of elections not only need to be free and fair but also seen to be free and fair.
- The petitioners submitted that the Supreme Court in its judgment in Subramanian Swamy versus ECI, reported in 2013, had held that it was imperative that elections held through EVMs ought to implement a mechanism of voter verifiable paper audit trails so that the voter can satisfy himself that his vote was accurately recorded.

The court's judgment and need for voter confidence and transparency in the election process led to the mechanism for random cross-verification of EVM and VVPAT counts. This was in order to detect any technological mischief or mal-programming of EVMs, the petitioners contended.

GOVERNANCE- SCHEMES, E-GOVERNANCE, SERVICES ETC

Aadhar and Other Laws (Amendment) Bill, 2018

The Lok Sabha recently passed The Aadhaar and Other Laws (Amendment) Bill, 2018. The changes follow the recent Supreme Court's verdict in regards with Aadhaar. It upheld Aadhaar but limited its use for only certain subsidies and schemes funded by the Consolidated Fund of India.

The court had disallowed private companies from asking for Aadhaar for authentication. The amendments now seek to work on some of the restrictions imposed by the court.

Over 122 crore Aadhaar numbers were issued over the period. So, given the widespread use of Aadhaar, it is essential to have a regulatory framework for its operation. Also, UIDAI needed to be empowered to take enforcement actions against errant entities.

Objectives of the bill:

- The objective is to amend the laws relating to the use of Aadhaar and the powers of the Unique Identification Authority of India.
- The Bill seeks to amend at least 27 sections of three existing laws. These are:
 - The Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016
 - The Indian Telegraph Act, 1885
 - The Prevention of Money Laundering Act, 2002
- The most important changes are to
 - allow children the chance to exit the Aadhaar ecosystem once they turn 18 years old
 - expand the scope of Aadhaar being used by entities that was restricted by the Supreme Court
 - create a UIDAI fund
 - provide legal backing for Aadhaar to be used voluntarily as proof of identity to open bank accounts and for mobile phone SIM cards

INDIAN ECONOMY

Government aims GDP growth of 7.2 % in FY2019

The government has projected GDP growth for the full year 2018-19 to come in at 7.2%, which implies that growth in the second half of the year would slow significantly to 6.8% from the

7.6% clocked in the first half of the year, according to the first advance estimates of national income for 2018-19 released by the Ministry of Statistics.

This growth estimate for the entire year is slower than the Reserve Bank of India's forecast of 7.4%. The advance estimate says that the growth in the agriculture sector would be 3.8% in 2018-19, faster than the 3.4% in the previous year. The manufacturing sector is estimated to grow at 8.3% in 2018-19 compared with 5.7% in 2017-18.

However, this represents a dramatic slowdown in the manufacturing sector in the second half of the year, to 6.3% from 10.3% in the first half. The construction sector, however, is expected to witness an acceleration in the second half of the year. For the entire year, the growth has been estimated at 8.9%, with 8.3% having been recorded in the first half of the year. This implies a growth of 9.5% in the second half. The transport and communications services sector is expected to grow at 6.9% in 2018-19, down from 8% in the previous year. The financial services sector is set to grow at 6.8% in 2018-19 from 6.6% in 2017-18.

The estimates seem to be on the conservative side and the final numbers would depend on three factors — how the oil prices pan out and hence, inflation, the government spending in the pre-election last quarter and the mood of the economy post conclusion of U.S.-China trade negotiations," an expert said.

ENVIRONMENT- CONSERVATION, BIO-DIVERSITY AND ISSUES

CITES — Washington Convention

India has proposed to remove rosewood (*Dalbergia sissoo*) from Appendix II of Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), a multilateral treaty to protect endangered plants and animals.

The species is currently part of Appendix II of CITES that has species not necessarily threatened with extinction, but in which trade must be controlled to avoid utilisation incompatible with their survival. But, India doesn't want that for rosewood.

Reasons: The species grows at a very fast rate and has the capacity to become naturalised outside its native range, even it is invasive in some parts of the world. The regulation of trade in the species is not necessary to avoid it becoming eligible for inclusion in Appendix I in the near future and the harvest of specimens from the wild is not reducing the wild population to a level at which its survival might be threatened by continued harvesting or other influences.

Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES):

- It is an International agreement to regulate worldwide commercial trade in wild animal and plant species. It also restricts trade in items made from such plants and animals, such as food, clothing, medicine, and souvenirs
- It was signed on March 3, 1973 (Hence world wildlife day is celebrated on march 3).
- It is administered by the United Nations Environment Programme (UNEP).
- Secretariat — Geneva (Switzerland).
- CITES is legally binding on state parties to the convention, which are obliged to adopt their own domestic legislation to implement its goals.

Classifications: It classifies plants and animals according to three categories, or appendices, based on how threatened. They are :

- Appendix I: It lists species that are in danger of extinction. It prohibits commercial trade of these plants and animals except in extraordinary situations for scientific or educational reasons.
- Appendix II species: They are those that are not threatened with extinction but that might suffer a serious decline in number if trade is not restricted. Their trade is regulated by permit.
- Appendix III species: They are protected in at least one country that is a CITES member states and that has petitioned others for help in controlling international trade in that species.