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The Deliberate Unmaking of India's 'Right to Work'

Context

- The replacement of the Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) with the Viksit Bharat–Guarantee for Rozgar and Ajeevika Mission (Gramin) Act, 2025 marks a decisive transformation in India's welfare regime.
- Enacted in 2005, MGNREGA established a demand-driven, legally enforceable guarantee of employment for rural citizens.
- The new law overturns this framework, replacing entitlement with discretion and decentralised implementation with centralised authority.
- This transition represents a **fundamental ideological redefinition of welfare**, altering the relationship between the state and its most vulnerable citizens.

Background: The Origins and Significance of MGNREGA

- MGNREGA emerged from the contradictions of post-liberalisation India, where economic growth failed to generate adequate employment or livelihood security.
- Persistent agrarian distress, jobless growth, and widening inequalities exposed the limits of market-led development.
- In response, the United Progressive Alliance introduced a rights-based legislative framework that included the Right to Information Act and the Forest Rights Act.
- MGNREGA stood at the centre of this framework. It recognised **Employment as a legally enforceable right**, affirming that political equality requires material security.
- Rather than rejecting liberalisation, the programme sought to mitigate its social costs by embedding enforceable entitlements within governance.
- Employment was treated as the most dignified and effective form of social protection in an economy dominated by informal labour.

Structural Changes under the VB-G RAM G Act

- The VB-G RAM G Act reverses the defining principle of guaranteed employment.
- By shifting from a demand-driven to a supply-driven model, it grants the Centre decisive authority over allocations, scope, and implementation.

- Work becomes contingent on administrative approval rather than citizen demand, reinforcing the **centralisation of power and discretion**.
- The revised funding structure deepens this shift. The Centre–State cost-sharing ratio has changed from 90:10 to 60:40, transferring substantial financial responsibility to States without corresponding fiscal support.
- Many poorer States may struggle to meet these obligations, compelling them to curtail project approvals and suppress employment generation.
- This combination of fiscal decentralisation and administrative centralisation undermines both federal balance and programme viability.

Ideological and Political Dimensions

- The repeal of MGNREGA represents a deliberate ideological break.
- The removal of Mahatma Gandhi's name severs the programme from a moral legacy grounded in justice, dignity, and the upliftment of the poorest.
- This symbolic shift aligns with a broader political economy that prioritises market imperatives and corporate interests.
- Rights-based welfare schemes empower workers, decentralise authority, and institutionalise claims on the state.
- Such features conflict with governance models that favour executive discretion and market dominance.
- Discretionary welfare reframes social protection as benevolence, depoliticising structural inequality and transforming welfare into an instrument of political loyalty rather than social justice.

Democratic and Legislative Implications

- The legislative trajectory of the VB-G RAM G Act contrasts sharply with that of MGNREGA.
- While MGNREGA was enacted with unanimous parliamentary support, the 2025 Act was rushed through Parliament amid Opposition walkouts and without scrutiny by a Parliamentary Standing Committee.
- The absence of consultation with affected communities further underscores the **erosion of democratic accountability**.
- Restrictions on public protest and the procedural hurdles imposed on dissent highlight a shrinking civic space.
- Long-standing rights can be dismantled swiftly, while opposition is delayed through bureaucratic regulation, weakening participatory democracy.

Broader Consequences for Social Justice and Federalism

- MGNREGA demonstrated that large-scale welfare programmes could enhance productivity, raise rural wages, and strengthen democratic participation.
- Its nationwide reach and rights-based design converted welfare into enforceable citizenship claims.
- Its repeal, particularly after its critical role during the COVID-19 pandemic, constitutes a rollback of legal, fiscal, and institutional safeguards.
- By making livelihoods contingent on fiscal discretion, the new framework weakens constitutional commitments to **dignity through work as a right** and redefines welfare as conditional assistance rather

than obligation.

Conclusion

- The **dismantling of MGNREGA** marks the end of India's most ambitious experiment with rights-based welfare.
- The repeal signifies a retreat from enforceable entitlements and a reorientation toward discretionary governance.
- Beyond the fate of a single programme, it raises fundamental questions about social justice, federalism, and the future of democratic accountability in India.

The Deliberate Unmaking of India's 'Right to Work' FAQs

Q1. What core principle of MGNREGA was reversed by the VB-G RAM G Act?

Ans. The Act replaced the demand-driven right to employment with a supply-driven, discretionary framework.

Q2. Why was MGNREGA significant in post-liberalisation India?

Ans. It addressed jobless growth and livelihood insecurity through a legally enforceable employment guarantee.

Q3. How did the new funding structure affect States?

Ans. The revised cost-sharing ratio increased States' financial burden without providing adequate fiscal support.

Q4. What ideological shift does the repeal of MGNREGA represent?

Ans. It marks a move away from rights-based welfare toward market-oriented and discretionary governance.

Q5. How does the repeal impact democratic accountability?

Ans. It weakens participatory law-making by reducing consultation and limiting citizens' ability to assert rights.

Source: The Hindu

New Labour Codes, the Threats to Informal Workers

Context

- The labour reforms enacted by the Indian government in 2019 and 2020 have faced sustained opposition from **trade unions** and worker collectives across the country.
- These labour reforms have generated widespread concern, particularly for **unorganised workers**, who form over 90% of India's workforce and contribute nearly 65% of national output.
- The new **labour codes**, covering wages, industrial relations, **social security**, and working conditions, were passed without tripartite consultation.
- Their implementation raises serious concerns about the future of worker rights and protections in India.

Background and Claims of the Labour Codes

- The Union government has justified the reforms as an attempt at **consolidation** of labour laws and expansion of social protection.
- However, the restructuring has instead resulted in the **dilution** of several sector-specific protections that previously addressed the realities of informal employment.
- Rather than strengthening safeguards, the reforms centralise authority while weakening legal mechanisms built through decades of labour struggles.

Criticism of New Labour Codes

- **Dilution of Occupational Safety and Health Protections**
  - One of the most significant consequences of the reforms is the weakening of occupational safeguards under the **Occupational Safety Health** and Working Conditions framework.
  - The repeal of protections governing the **construction** sector has removed detailed safety regulations despite the hazardous nature of work and high fatality rates.
  - The shift from physical workplace inspections to digital systems has undermined effective **inspections**, limiting enforcement and accountability.
  - This approach reduces on-ground verification and weakens compliance mechanisms essential for protecting workers in informal and high-risk settings.
- **Neglect of Occupational Health of Informal Workers**
  - Informal workers face severe occupational health risks across sectors.
  - Construction workers suffer from **silicosis**, agricultural labourers are exposed to carcinogenic pesticides, and salt workers experience chronic eye, skin, and kidney ailments.
  - The absence of structured mechanisms for diagnosis, treatment, and rehabilitation leaves these workers without meaningful protection.
  - Without access to formal insurance systems, occupational diseases remain unrecognised, untreated, and uncompensated, deepening health-related vulnerabilities among informal workers.
- **Threats to Welfare Boards and Social Security**
  - The restructuring of social protection frameworks poses serious risks to worker **welfare**.
  - Sector-specific funding mechanisms, including dedicated **cesses**, have been removed without viable alternatives.
  - This has disrupted financial support systems for workers in mining, construction, beedi, and salt industries.
  - The move towards a single welfare structure undermines existing **State-level** boards that provide pensions, maternity benefits, and educational assistance.
  - These boards were designed to address sector-specific needs and have played a crucial role in supporting informal workers.

Federal Concerns and the Case of Tamil Nadu

- The reforms raise important **federal** concerns, particularly for States with long-standing welfare architectures.
- **Tamil Nadu** has built an extensive system supporting informal workers through legislation and welfare boards developed over decades.
- The introduction of the **e-Shram** registry raises apprehensions regarding central control over accumulated welfare **funds**, estimated to be substantial.
- Such centralisation threatens State autonomy and risks diverting resources away from intended beneficiaries.

Conclusion

- The labour reforms mark a significant retreat from worker-centric protections.
- The erosion of safety standards, weakening of welfare mechanisms, and centralisation of authority have intensified worker **precarity**.
- Without corrective measures, these changes risk deepening inequality and insecurity among informal workers.
- Preserving State initiatives and ensuring participatory reform processes are essential to uphold worker **dignity** and long-term social justice.

New Labour Codes, the Threats to Informal Workers FAQs

Q1. Why did trade unions oppose the new labour codes?

Ans. Trade unions opposed the labour codes because they were passed without tripartite consultation and weaken existing worker protections.

Q2. Which group of workers is most affected by the labour codes?

Ans. Unorganised workers are most affected because they form the majority of the workforce and lack strong legal safeguards.

Q3. How did the new codes affect occupational safety regulations?

Ans. The new codes weakened occupational safety by repealing sector-specific laws and reducing effective workplace inspections.

Q4. Why are welfare boards important for informal workers?

Ans. Welfare boards are important because they provide pensions, maternity benefits, and educational assistance tailored to sector-specific needs.

Q5. Why is Tamil Nadu cautious about implementing the Social Security Code?

Ans. Tamil Nadu is cautious because the Code threatens its existing welfare boards and centralises control over worker welfare funds.

Source: **The Hindu**
