

Editorial of the Day – 25.12.2025

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1. New Labour Codes, The Threats to Informal Workers(TH)

General Studies 2- Governance

Topic- Welfare schemes for vulnerable sections of the population by the Centre and States and the performance of these schemes; mechanisms, laws, institutions, and Bodies constituted for the protection and betterment of these vulnerable sections.

New Labour Codes- Threats to Informal Workers (Summary & Analysis)

Introduction

The enactment of the four new labour codes in 2019 and 2020—covering Industrial Relations, Wages, Social Security, and Occupational Health & Safety—has drawn consistent opposition from trade unions. These codes were passed without the traditional tripartite consultation (Workers, Employers, Government) at the Indian Labour Conference (ILC). While the impact on the organised sector is widely debated, the unorganised sector, which constitutes 90% of India's workforce and contributes nearly 65% to the GDP, faces grave existential threats. This analysis highlights the specific dangers posed to informal workers, particularly in the context of Tamil Nadu.

The Myth of Universalisation and Consolidation

Misleading Claims- The Union Government claims the codes aim to consolidate laws and universalise social security. However, unorganised workers are largely excluded from all codes except the Social Security Code.

Repeal of Protections- "Consolidation" has led to the repeal or weakening of sector-specific laws that previously offered targeted safeguards.

BOCW Dilution- The Building and Other Construction Workers (BOCW) Act, 1996, a critical safeguard for construction workers, has been undermined, increasing vulnerability in the informal sector.

Erosion of Occupational Safety and Health (OSH) Protections

Removal of Safety Rules- Approximately 180 safety rules under the BOCW Act have been omitted from the new Occupational Safety, Health and Working Conditions (OSHC) Code.

Weakened Enforcement- The shift from mandatory physical inspections to a web-based inspection system weakens the enforcement of safety standards and minimum wage laws, violating international labour standards.

Neglect of Occupational Diseases- The OSHWC Code ignores specific occupational diseases prevalent among informal workers, such as Silicosis (Construction workers). Cancer from pesticide exposure (Agricultural workers). Chronic ailments (Salt workers).

Lack of Policy- There is no comprehensive occupational health policy for the identification, treatment, and rehabilitation of work-related illnesses.

No ESI Coverage- With sector-specific laws repealed, unorganised workers lose access to Employees' State Insurance (ESI) coverage, leaving them without state-backed health mechanisms.

Unequal Social Security Framework

Disparity in Benefits- Organised Workers Receive clearly defined social security benefits. Informal Workers Relegated to vaguely worded "welfare schemes" without concrete legal guarantees.

Dismantling of Funding Sources- Post-GST reforms led to the abolition of sector-specific cesses (taxes dedicated to welfare). This has cut off funding for workers in beedi, salt, and mining sectors without any effective replacement.

Building Bureaucrats Since 2006

Lack of Assured Funds- There is no longer a mandate for employer contributions or specific Union government support dedicated to informal worker welfare.

Centralisation and Threat to State-Level Welfare Boards

One-Size-Fits-All Approach- The Social Security (SS) Code proposes a single welfare board for all unorganised workers (excluding construction and gig workers), ignoring the unique needs of diverse sectors.

Central Control of Funds- The centralised e-Shram registration system raises fears that the Union Government aims to take control of accumulated welfare funds, estimated at ₹1 lakh crore.

Threat to Existing Boards- In Tamil Nadu, 39 sector-specific welfare boards face dissolution.

Absence of Saving Clauses- The new codes lack "saving clauses" to legally preserve existing State-level boards or benefits like old-age pensions, maternity support, and educational assistance.

The Tamil Nadu Context- A Model Under Threat

Robust Framework- Tamil Nadu has a pioneering welfare architecture under the Tamil Nadu Manual Workers Act, 1982, built through decades of union struggle.

Coverage- The state has approximately 3 crore informal workers, with nearly 2 crores already registered across various welfare boards.

Contrast with Other States- While states like Andhra Pradesh have shut down welfare boards following the introduction of the new codes, Tamil Nadu has remained cautious and delayed framing rules to protect its system.

Conclusion & Way Forward

Preserve State Autonomy- To protect informal workers, State governments must safeguard their specific welfare boards and labour laws.

The Kerala Model- Tamil Nadu should emulate Kerala's approach by refraining from notifying rules under the new codes.

Demand for Saving Clauses- States must insist on legal provisions (saving clauses) that explicitly protect the existing, functional state-level welfare architecture from being dismantled by the central codes.

Source- <https://www.thehindu.com/opinion/op-ed/new-labour-codes-the-threats-to-informal-workers/article70434603.ece>

2. Aravallis Need the Supreme Court's Shield(IE)

General Studies 3- Internal Security

Topic- Challenges to internal security through communication networks, role of media and social networking sites in internal security challenges, basics of cyber security; money-laundering and its prevention.

The Aravalli Verdict- Implications of the New "100-Metre" Definition

Introduction- The Aravalli Significance

The Aravalli Mountain range is one of the oldest geological formations in the world, stretching approximately 692 km across Gujarat, Rajasthan, Haryana, and Delhi. It is not merely a physical feature but a critical ecological backbone for Northwest India.

Ecological Functions- It acts as a natural "Green Wall," preventing the eastward expansion of the Thar Desert into the Indo-Gangetic plains.

Hydrology- It is a vital recharge zone for groundwater in the water-stressed North Indian belt.

Climate Regulation- Acts as the "green lungs" for the Delhi-NCR region, mitigating pollution and regulating local climate.

Judicial History- The Supreme Court has historically played a proactive role in protecting this region from illegal mining and encroachments.

The Core Controversy- The 100-Metre Criterion

The Supreme Court recently accepted a new definition of the Aravalli hills, restricting the classification to only those landforms above 100 metres in elevation. This shift has generated significant concern among environmentalists and scientists.

Critical Issues Highlighted in the Verdict

Massive Exclusion of Hill Areas (Data by Forest Survey of India - FSI)- The 20-Metre Baseline-

Traditionally, hills above 20 metres were considered part of the ecological landscape.

Drastic Reduction- Under the new 100-metre rule, 91.3% of the 12,081 surveyed hills (above 20m) are excluded from protection.

Near Total Loss- If the total 1,18,575 identified hill structures are considered, over 99% fail to meet the new definition.

Result- The continuous mountain range is legally reduced to a few "scattered hills," stripping the vast majority of the range of its legal forest status.

Environmental & Ecological Implications

Accelerated Desertification- By losing protected status, the hills can no longer effectively serve as a barrier against the Thar Desert, threatening the fertile plains of North India.

Biodiversity Loss- The fragmentation of the range disrupts wildlife corridors and destroys habitats.

Groundwater Crisis- The Aravallis function as a watershed; opening these areas to development or mining will severely impact the water table in Haryana and Delhi.

Health Hazards- Ignoring occupational diseases (like silicosis) and pollution impacts contradicts the role of the hills in mitigating air pollution in the NCR.

Contradiction with Expert Opinions

Internal Disagreement- The verdict contradicts the warnings raised by the Court's own Amicus Curiae and the Central Empowered Committee (CEC).

Ignoring Past Damage- The CEC's 2018 survey highlighted that the Aravallis have already lost 25% of their hills due to illegal mining. The new definition validates further destruction rather than arresting it.

Broader Legal and Policy Context

Constitutional & Legal Principles- Article 21- The right to a healthy environment is a fundamental right. Allowing the degradation of the Aravallis potentially violates this constitutional guarantee.

'Polluter Pays' Principle- The verdict risks diluting the strict accountability established in landmark cases like *MC Mehta v. Union of India (1996)*.

Weakening Statutory Protections- Environment Protection Act (1986) & Forest Conservation Act (1980) Limiting the geographical definition of "Aravalli" shrinks the area where these strict laws apply.

Open Season for Encroachment- The redefinition effectively regularises existing illegal encroachments and incentivizes new mining and real estate projects in ecologically fragile zones.

Way Forward

Judicial Review- The Supreme Court must reconsider the 100-metre criterion, prioritizing scientific evidence and Ecological Impact Assessments (EIA) over administrative convenience.

Holistic Definition- A definition based on ecological function (vegetation, hydrology, geology) is needed, rather than an arbitrary height limit.

Integrated Conservation- Afforestation- Aggressive greening projects along the Aravalli stretch.

Community Involvement- Strengthening community-based monitoring to check illegal mining.

Coordinated Urban Planning- A unified approach between Rajasthan, Haryana, and NCR authorities to prevent urbanization from consuming the hill range.

Conclusion

Building Bureaucrats Since 2006

The Aravalli range is a hydrological and ecological lifeline for Northwest India. The acceptance of the "100-metre criterion" is a retrograde step that threatens to undo decades of environmental jurisprudence. To prevent inevitable desertification and ecological imbalance, the state and judiciary must adopt a science-based, holistic approach to conservation, rather than reducing nature to arbitrary numerical definitions.

Source- <https://indianexpress.com/article/opinion/editorials/aravallis-need-the-supreme-courts-shield-10437688/>

