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SHANKAR IAS ACADEMY

Do you think that the state employment laws in India go against the idea of being a unified Nation? Comment.

Ans: Yes, recently Haryana state employment of local Authorities Act 2021 was made effective from 15 Jan. 2022. The act was passed in the legislature at Nov 6, 2021 and will remain effective from 15 Jan 2022 for 10 yrs.

The main purpose of the act is to provide employment opportunities for local candidates in Haryana and also on securing employment opportunities for domiciled candidates.

The Act has introduced following key features:

- 1) Private sector employers should reserve 75% of jobs for local and domiciled candidates of Haryana.
- 2) The employment opportunities are given with gross monthly salary less than or equal to ₹30,000 ~~per month~~.
- 2) Employers has to register all the employee details in the designated portal by Haryana labour department - Haryana Udhyan Memorandum portal.

- 4) Initially employees has to register all employees getting 30,000 per month as salary in the portal within 3 months ~~from the effective~~ from effective date of the act. No new employees can be recruited until the registration is completed.
- 5) Few sectors and industries are exempted such as new startups, new IT companies, short term employment, domestic labour, farm labour etc.

Impacts on unified Nation

- 1) The act violates Article 14 of the fundamental right which says that 'every citizen is to be treated equal'.
- 2) It violates Article 16 of the fundamental right on grounds of discrimination based on birth or residence. According to the article "No person shall be discriminated on grounds of birth, residence".
- 3) It also violates Article 19(1)(g) - which says "Right to practice any profession" ~~and~~ which is conferred to the citizens of India.

Thus Haryana Act 2021 violates the fundamental right of the constitution impacting the constitutionality of India. It violates the idea of being 'unified Nation' since it ^{FR} violates ^{guaranteed by} constitution to all persons without any discrimination.