
FROM EXPLOITATION TO PROTECTION: THE JUDICIAL TRAJECTORY OF LABOUR RIGHTS IN INDIA

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ABSTRACT

This study explores how the Indian judiciary has contributed to the protection, implementation, and broadening of labour rights. By analyzing labour legislation and judicial intervention post-independence from a historical and analytical standpoint, it aims to map the judiciary's impactful role in shaping legal protections and strengthening workers' rights. This research explored at how the law has interpreted labour rules so that workers are treated fairly and to stop maltreatment which was greatly inspired by the principles of social justice and human rights. It also assesses how judicial activism and court directives have influenced the practical application of labour legislation in India. Therefore, this research is significant as a careful and detailed analysis of judicial decisions which provides insights on the way in which workers' rights jurisprudence has evolved in India.

The study addresses existing research voids by deepening our insight into how labour rights, legal frameworks, and judicial activism interact within the broader lens of social justice in India. That not only presents a comprehensive review of what the judiciary did but also examines the ways in which the judiciary could alter the ways in which workers live and the nature of work in India in future. The findings and conclusions are anticipated to significantly impact all stakeholders engaged in promoting workplace human rights and social justice.

Keywords: Indian judiciary, Labour rights, Labour law, Workers' Rights.

1. INTRODUCTION:

Various landmark legal and judicial interventions have been instrumental in promoting fair, equitable, and humane working conditions, significantly shaping the historical progress of labour rights in India. However, labour rights remained largely stagnant during the pre-independence era, a time marked by widespread exploitation of the workforce, to the era of post-independence when comprehensive labour laws came into force, which aimed to shield workers from unjust labour practices and introduced minimum benchmarks for fair compensation and such legal inertia of labour rights has also undergone substantive changes from the era before independence to the era of post-independence. Nevertheless, the judicial interpretations, under which laws were profoundly understood in the sense of broadening the rights of workers, were done.

A closer look at India's labour rights evolution reveals a long-standing struggle to secure fair treatment and acceptable working conditions, which was impacted by colonial labour practices and the following requisites for a strong legal system after independence. In order to protect these labour rights, the judiciary plays a critical role. The purpose of this study is to investigate the functions of India's judicial system in terms of protecting the labour rights by presenting an exhaustive review of the decisions of the Indian judiciary. This research is guided by several pivotal questions: What type of roles have the Indian courts played in upholding labour rights? Which key legal precepts have been established by judicial interpretations? Landmark cases such as *Bandhua Mukti Morcha vs. Union of India & Ors*¹ (1983), which dealt with the issue of bonded labour and *Vishakha & Ors vs. State of Rajasthan*² (1997), which established the guidelines for preventing sexual harassment of women in the workplace, exemplify the judiciary's proactive approach. These cases illustrate the judiciary's proactive stance in interpreting, enlarging, and safeguarding labour rights as per constitutional mandates and labour statutes. By adopting a comprehensive research methodology, this study involves a great analysis of all labour legislations from pre-independence to post-independence and also analysis of constitutional provisions with legal precedents and judicial rulings, offering deep insight into the intersection of legal frameworks and ethical considerations and, judicial precedents which successfully shaped the landscape of labour rights across the country.

¹ *Bandhua Mukti Morcha v. Union of India & Ors.* 1984 (3) SCC 161.

² *Vishaka & Ors vs. State of Rajasthan* (1997) 6 SCC 241.

2. JUDICIAL INTERPRETATION AND ENFORCEMENT OF LABOUR RIGHTS WITH THE DEVELOPMENT OF LABOUR LAWS:

In India's history, the evolution and development of labour laws is a subject of dynamic process that influenced by socio-economic conditions, political movements, and international labour standards of the country. Its development can be broadly categorized as: pre-colonial period, colonial period, and post-independence period³:

2.1. PRE-COLONIAL PERIOD:

During ancient times in India, labour practices were shaped more by customary norms and religious doctrines than formal laws. The rigid caste hierarchy played a dominant role in assigning occupational roles across society. Guilds or shrenis were prevalent in ancient and mediaeval India, where skilled artisans and traders organized themselves to regulate their professions. Hence, it can be concluded that a structured legal system specifically addressing labour rights was absent during this era.

2.2. COLONIAL PERIOD:

The colonial era profoundly influenced the course of labour law development in India, primarily serving the economic interests of the British Empire in the age of the British colonial rule. The introduction of labour legislations during this period can be divided into 2 phases:

(a) The Early Colonial Phase:

(b) Later Colonial Phase:

2.2.1 Early Colonial Phase:

The early phase of British rule was marked by indentured labour systems and initial attempts at regulating factory work through legislation. At the beginning of British rule the primary concern was to get the labours for the purpose of plantations or industrial enterprises in each of the British colonies. Many Indian labourers were coerced into migrating to places like Fiji, Mauritius, and the Caribbean, where they were subjected to harsh conditions under the

³ Mishra, A., & Dwivedi, A. (2023). Labour laws in India: history, evolution and critical analysis. *Labor History*, 65(5), 679–690. <https://doi.org/10.1080/0023656X.2023.2280051>

Indentured Labour System. At the same time Indian Emigration Act, 1859 was introduced with a note of some regulation to control and monitor labour indentured recruitment, yet the Act was exhaustively favoured the British, not the labourers. Industrialization in Britain under British rule was also based on poor working conditions, long working hours and exploitation of factory workers. Thereby, Factories Act of 1881 enacted which was the first and large sized labour law of India.

2.2.2 Later Colonial Phase: Expansion of Labour Laws:

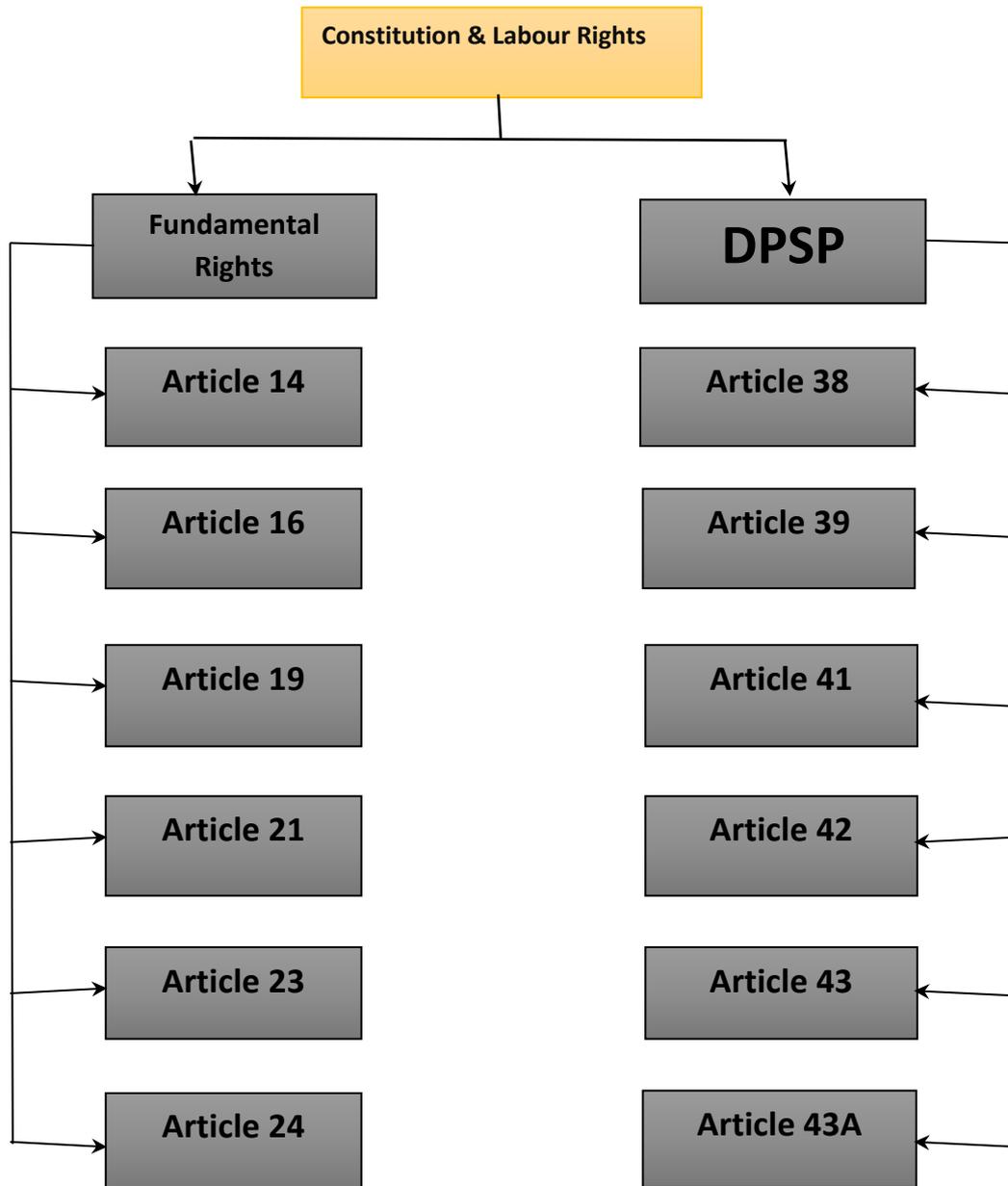
The expansion of industrial activity generated a demand for broader and more structured labour regulations. With the passage of Factories Act 1911, based on 1881 Act, working hours, sanitation, ventilation and general working conditions of women and children employees, were further regulated.

The Trade Unions Act, 1926 is another important development which granted legal recognition to trade unions, gave workers the right to organise and to collectively bargain for their rights. During the course, the Payment of Wages Act, 1936 protected workers by ensuring adequate wages. In the last era of British rule, the Industrial Employment (Standing Orders) Act of 1946 came into force to make employment conditions transparent and consistent. Employers were mandated to define and publish employment terms, hence, in this way it reduced the arbitrariness and exploitation. This Act laid the foundation of modern labour regulations by laying the industrial establishments.

2.3. POST- INDEPENDENCE PERIOD:

With India's independence in 1947, there was a significant shift in the approach towards labour laws, influenced by the ideals of social justice enshrined in the Constitution of India. The architects of independent India's Constitution envisioned a system that would promote the welfare and dignity of labourers which led to the introduction of several constitutional and legislative mandates including Articles 14, 19, 21, 23, 39, 41, 42, 43, 43A, along with key legislations like the Industrial Disputes Act, 1947, Minimum Wages Act, 1948, and Factories Act, 1948.

(Figure 2: This chart provides exclusive provisions of the constitution related to Labour rights, however, the chapter elaborates only those which are extensively deal with labour rights.)



2.3.1. Constitutional Provisions and Judicial Interpretation:

2.3.1.1. Article 14⁴: Equality Before Law

“The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”

Article 14 of the Indian Constitution upholds the principle of legal equality, offering protection to workers against discriminatory practices in employment and wages. This constitutional

⁴The Constitution of India, art. 14.

provision completely prohibits discrimination on grounds of religion, race, caste, sex or place of birth, thereby it ensures that workers are treated fairly and without prejudice in matters related to employment, wages, and working conditions. The Indian judiciary has significantly interpreted and enforced article 14 in the context of labour rights. The Supreme Court, in *Randhir Singh vs. Union of India*, recognized “equal pay for equal work” as an implicit guarantee under Articles 14 and 16 of the Constitution. The Court further observed that the workers who did essentially the same or similar duties should receive the same remuneration irrespective of their contractual or employment status. Similarly, in *D.K. Trivedi vs. State of Gujarat*, the Court clarified that arbitrary distinctions lacking rational justification breach Article 14. which have no rational nexus with the object which has been sought to be achieved violates Article 14. This principle has been very important to assure uniform and nondiscriminatory application of labour laws and policies so that no worker could be subjected to unjust and discriminatory treatment.

Article 14 continues to host the role of judiciary in affirming or negating labour rights regarding equality under the law and this significantly plays in framing the collective reading of labour jurisprudence in India and the principle of equality of all workers irrespective of their status in the class system. Thus Article 14 i.e., Right to Equality, which lends an important role to secure and defend the labour rights in India. Ultimately, it mandates the State cannot unlawfully deny to any person equality before the law and equal protection of the laws across the country. This fundamental principle guaranteed protection to the workers from discrimination, good treatment and social justice.

2.3.1.2. Article 19: ‘Protection of Certain Rights regarding Freedom of Speech⁵, etc.’

Article 19(1)(c) empowers Indian workers with the constitutional right to form associations or trade unions, thereby safeguarding their collective interests. Article 19(1)(c) empowers workers to organize themselves collectively, advocate for their rights and engage in collective bargaining with employers. The Indian judiciary interpreted and safeguarded these rights over the years. In the landmark case *All India Bank Employees Association v. National Industrial Tribunal*⁶, the SC observed the significance of Article 19(1)(c) for defending workers’ rights and enabling them to negotiate with employers through unified representation. Furthermore, in

⁵ The Constitution of India, art. 19.

⁶ *All India Bank Employees v National Industrial Tribunal and ors.* 1962 SCR (3) 269

*Bharat Bank Ltd. v. Employees of Bharat Bank*⁷, SC reinforced the principle that industrial tribunals are quasi-judicial bodies, and their decisions regarding labour rights may be challenged in appeal in higher courts if they violate fundamental rights guaranteed under Article 19 and other provisions of Part III of the Constitution. Such judicial interpretations played an undisputed role in expanding the scope of labour rights and in context of labourers' freedom to form associations or unions would not be suppressed capriciously. Additionally, the courts have consistently emphasized the application of equality and non-discrimination in employment issues, as reiterated in *Randhir Singh vs. Union of India*.⁸

Furthermore, these judicial pronouncements have demonstrated the role of Indian judiciary in defending workers' rights, which are essential to a fair and just society, in addition to attempting to strengthen the legal foundation for workers' rights in India. Through these landmark cases, Indian judiciary is continuing to tread on the principles enshrined under Article 19.

2.3.1.3. Article 21: 'Protection of Life and Personal Liberty'⁹

"No person shall be deprived of his life or personal liberty except according to procedure established by law."

The right to life and personal liberty under Article 21 extends to the labour domain by ensuring safe and humane working conditions for all workers. Courts have adopted a broad interpretation of this fundamental right, encompassing various dimensions of workers' well-being. For instance, in the landmark case *Unni Krishnan vs. State of Andhra Pradesh*¹⁰, SC emphasized that article 21 of the Constitution also covers right to education and right to earn livelihood as a fundamental right. This landmark decision meant that no worker should be deprived of basic education, the enjoyment of fair employment opportunities and reasonable working conditions and this was made in a direct link to their economic well-being to their right to life. This principle is further reinforced in the case of *PUDR vs. Union of India*¹¹, in which SC emphasized that the right to life is not merely animal existence but also right to live with dignity. The Court further emphasized its obligation to protect workers in exploitative

⁷ *Bharat Bank Ltd: v. Employees of Bharat Bank Ltd*, 1950 SCR 459

⁸ *Randhir Singh vs. Union Of India* (1982) AIR 879.

⁹ The Constitution of India, art. 21.

¹⁰ *Unni Krishnan, J.P. & Ors. vs. State of Andhra Pradesh & Ors* 1993 1 SCC 645.

¹¹ *People's Union for Democratic Rights... vs. Union Of India & Ors.* (1982) SCC (L&S) 262.

environments by interpreting Article 21 as a guarantee of dignity in employment. and the Court has continued to maintain that working environments that undermine dignity and endanger health are incompatible with the essence of Article 21.

Additionally, as we acquainted with the fact that Article 21 is widely interpreted, hence, right to life also includes the right to health and fair working conditions, which were interpreted in the case of *CERC v. Union of India*¹², where the SC held that right to life also includes right to a clean and healthy environment which extends to the workplace. Such a decision easily brings to light how the state's administration is responsible for implementation of safety regulations and occupational health standards to keep its workers from jeopardised working conditions.

In this course, the Court dealt with the issue of sexual harassment at place of work held that it is a fundamental right under Article 21, as held in the matter of *Vishakha vs. State of Rajasthan & Ors.*¹³. The guidelines issued in this case led to the enactment of the 'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act' of 2013, which ensures safe working conditions for women workers.

Furthermore, SC often used Article 21 to protect workers' rights to fair wages and timely payment. In matter of *M.C. Mehta vs. State of Tamil Nadu*¹⁴, SC emphasized that non-payment or underpayment of wages violates the right to life and dignity of workers, particularly those in vulnerable situations such as child laborers. Therefore, these landmark interpretations have helped in securing workers' rights. And we can also say that the judiciary significantly expanded the scope of this basic right by covering such other aspects like livelihood, dignity, health, fair treatment at workplace, etc. and has emphasized that the workers are not only treated as means of production but also as persons with a right to dignity and respect in the spheres of their working lives.

2.3.1.4. Article 23: 'Prohibition of Traffic in Human Beings and Forced Labour'¹⁵

Article 23 explicitly prohibits all forms of exploitation, including bonded and forced labour, thereby safeguarding vulnerable workers. This article provides, "*traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this*

¹² Consumer Education & Research Centre vs. Union Of India & Ors. (1997) 6 SCC 241.

¹³ Vishakha & Ors vs. State Of Rajasthan (1997) 6 SCC 241.

¹⁴ M.C. Mehta v. State Of Tamil Nadu & ors, (1996) 6 SCC 756

¹⁵ The Constitution of India, art. 23.

provision shall be an offence punishable in accordance with law.” Through significant rulings that have broadened its application and improved its enforcement, the Indian judiciary has interpreted and upheld this constitutional provision, is as under:

In *People's Union for Democratic Rights v. Union of India*¹⁶, SC absolutely prohibits the forced labour under Article 23 and held that any form of labour or service extracted from a person under the menace of any penalty is prohibited. The Court clarified that forced labour includes any service extracted under coercion, regardless of whether payment is made. Another significant case, *Bandhua Mukti Morcha vs. Union of India*¹⁷, which restored a right against forced labour and reaffirmed that the right against forced labour includes the case of persons compelled to work under conditions of bondage and servitude. In this particular case, SC instructed towards identification and rehabilitation of the bonded workers and the judiciary has played a proactive role in protecting vulnerable workers. These judgments illustrate the judiciary's expansive and inclusive interpretation of Article 23 in upholding workers' freedom from exploitation.

‘Directive Principles of State Policy’¹⁸ (DPSPs): As we acquainted with the fact that DPSP is a category and set of provisions enshrined under Part IV of Indian Constitution, which aim to guide the state in terms of policy-making and law-making for establishing a welfare state and ensuring social and economic wellbeing to all its citizens. Articles 39, 41, 42, 43, and 43A of the Constitution mandate the state to ensure social and economic wellbeing of workers, including to secure just and humane working conditions, living wage, and participation in management. Though provisions of this part are not legally enforceable yet provide a welfare environment for all the citizens.

2.3.1.5. Article 39: ‘Certain principles of policy to be followed by the State’¹⁹

Under Article 39, the State is directed to frame policies that ensure access to basic livelihood and adequate employment conditions for all citizens and employment conditions that guarantee a satisfactory standard of living for all citizens, men and women alike. This provision has been crucial in directing legislative and judicial endeavours to protect the rights of labourers throughout the nation. In the case of *M.C. Mehta v. State of Tamil Nadu*, the The Supreme

¹⁶ *People's Union For Democratic Rights... vs Union Of India & ors*, (1982) SCC (L&S) 262

¹⁷ *Bandhua Mukti Morcha vs. Union of India & Ors*, (1984) AIR 802

¹⁸ The Constitution of India, Part IV.

¹⁹ The Constitution of India, art.39.

Court's interpretation of clauses (e) and (f) of Article 39 emphasized the government's responsibility to protect the physical and mental welfare of workers, as well as to establish fair and humane working conditions. This case dealt with hazardous industries and issued robust directives aimed at minimizing risks to workers in hazardous industries, thereby reinforcing the constitutional mandate to safeguard workers' health and safety. Similarly, in *Chameli Singh vs. State of U.P.*²⁰, SC reiterated that the equal justice and right to free legal aid under article 39A, extends to workers who may not have the means to access justice, ensuring equitable treatment under the law. The principle of *equal pay for equal work*, an integral aspect of Article 39(d), was affirmed in *Randhir Singh v. Union of India*²¹, where SC held that differential pay scales regarding nature of employment without reasonable justification violate the equality under Articles 14 and 39(d). This pivotal judgment reinforced the principle of labour dignity and fairness in remuneration across sectors, benefiting numerous workers across various sectors.

Moreover, *Vishaka v. State of Rajasthan*²², while mostly on the issue of sexual harassment, SC invoked Article 39A to make law to prevent the workplace harassment and indicated the constitutional requirement to secure the work place harassment with respect to all workers including women workers. This precedent would have employers' responsibilities of preventing harassment and taking necessary actions against it.

Therefore, Article 39 is a milestone in legal arrangement for protection of workers' rights, it rules out the legislative provisions and also bearing on judicial decisions. In fact, Indian judiciary's active role in giving meaning to and effectuating these principles through decisions rendered significant contribution to workers' socio economic rights in ensuring equality, dignity, and fair deals at work place.

2.3.1.6. Article 41: 'Right to work, to education and to public assistance in certain cases'²³:-

"The State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of

²⁰ Chameli Singh & Ors etc. vs State Of U.P. & ors AIR 1996 SC 1051

²¹ Randhir Singh & Ors. vs Union of India, (1982) AIR 879.

²² Vishaka & Ors vs State of Rajasthan & Ors, (1997) 6 SCC 241

²³ The Constitution of India, art. 41.

unemployment, old age, sickness and disablement, and in other cases of undeserved want.”

Article 41 advocates for the right to employment, education, and assistance during adversity, urging the State to support workers' welfare within its economic means, education and public assistance in cases of unemployment, old age, sickness and disablement within the limits of its economic capacity and development²⁴. This provision has been significant in shaping labour laws and policies, and the judiciary has rigorously interpreted it with the article 21 as in *Olga Tellis v. Bombay Municipal Corporation*²⁵, the Supreme Court ruled that any deprivation of livelihood must follow lawful procedures, tying the right to livelihood with Article 21 protections. This case laid the foundation for recognizing the right to work as an essential part of article 21. Furthermore, in *Chandra Bhavan Boarding and Lodging, Bangalore vs. State of Mysore*²⁶, SC affirmed that labour laws, which include those that safeguard minimum wages and working conditions, should be read in a manner that prioritizes workers' rights, aligning legislative goals with constitutional values of social and economic justice. In *M.C. Mehta vs. State of Tamil Nadu*²⁷, SC directed Tamil Nadu state govt. to take essential measures to preserve the lives of child workers, drawing upon the content of Article 41.

Therefore, these judicial interpretations show that the judiciary laying upon constitutional provisions particularly Article 41 to ensure not only protection of the workers' rights but also an improvement of the same by progressive interpretations aligned to the existing societal norms and international standards.

2.3.1.7. Article 42: ‘Provision for just and humane conditions of work and maternity relief’²⁸

“The State shall make provision for securing just and humane conditions of work and for maternity relief.”

This was one of the primary rights which has shaped the labour laws and secured the rights of the working class in India, and is enshrined under Article 42 of the Constitution. The Supreme Court, in *Vishakha v. State of Rajasthan*, relied on Article 42 to establish a safe and respectful

²⁴ The Constitution of India, part IV.

²⁵ *Olga Tellis & Ors. vs. Bombay Municipal Corporation & Ors.*(1985) SCC 3 545

²⁶ *Chandra Bhavan Boarding And Lodging vs. State Of Mysore & Anr.*(1970) AIR 2042

²⁷ *M.C. Mehta v. State Of Tamilnadu & ors.* (1996) 6 SCC 757

²⁸ The Constitution of India, art.42.

workplace for women & Ors.²⁹ SC stringently laid guidelines to prevent sexual harassment of women at workplace, invoking Article 42's mandate for humane conditions of work to include a safe and dignified environment free from harassment. The guidelines introduced in the above case, became the sole basis for the enactment of 'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act', 2013, which further solidified protections for female workers.

In another case, *Unichoyi v. State of Kerala*³⁰, SC emphasized that the welfare of workers, as provisioned under Article 42, includes ensuring reasonable wages and humane working conditions. This verdict showcased how the judiciary applied Directive Principles to support socio-economic entitlements for workers. Such a decision would be influenced to subsequent legislations such as Minimum Wages Act and the Factories Act for ensuring fair wages and safe working conditions of all workers.

Moreover, *D.K. Basu vs. State of West Bengal*³¹, this landmark case standing for the commitment of the judiciary to treat with humane conditions of work, this case covers the aspect of custodial violence and ensuring that even a suspect in police is treated with dignity and humanity, and it is wider implications of article 42 that protect fundamental human rights in all the spheres of life.

Now we can say that Indian judiciary has used Article 42 as a guiding principle for ensuring just, fair and humane work conditions across the country for its workers. The idea is that the judiciary has not only widely interpreted the constitutional provisions but also has laid a path for labour rights like workplace safety, dignity at work, fair wages etc.

2.3.1.8. Article 43 and 43A: 'Living wage for workers and Participation of workers in management of industries'³²

"The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social

²⁹ Vishakha & Ors vs State of Rajasthan (1997) 6 SCC 241.

³⁰ U. Unichoyi and Others vs The State Of Kerala (1962) 1 SCR 946.

³¹ D.K. Basu vs. State of West Bengal AIR 1997 SC 610.

³² The Constitution of India, art. 43 & 43A.

and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas³³.”- Article 43

“The State shall take steps, by suitable legislation or in any other way, to secure the participation of workers in the management of undertakings, establishments or other organisations engaged in any industry³⁴.”- Article 43A

According to Article 43, the state must make every effort to provide workers with a livable wage, good working conditions, and other necessities for a reasonable quality of living by appropriate laws or economic organisation. Article 43 provides a constitutional foundation for laws that strive to enhance the socio-economic status of the working class. Article 43A, added through the 42nd Amendment in 1976 requires the state to take steps to guarantee worker participation in industrial management. Together, these articles reflect the constitutional commitment to social justice and the welfare of workers, which aims to uplift their living standards and provide them with a voice in decision-making processes.

Therefore, we can say that Indian judiciary significantly interpreted DPSPs by adopting two-fold approach, for example, in *Olga Tellis v. Bombay Municipal Corporation*³⁵, SC interpreted Article 21 expansively, recognized right to livelihood as an integral part of right to life. This interpretation affirmed the state’s obligation under Article 43 to secure living wage and decent working conditions for workers. Furthermore, in the matter of *Bandhua Mukti Morcha vs. Union of India*³⁶, SC invoked Articles 21 and 23 to address bonded labour, and highlighted the state’s duty to protect workers from exploitation and ensure dignified work conditions.

The courts have actively worked to ensure that labour legislation adheres to the spirit of the Directive Principles. In *Unichem Laboratories Ltd. vs. Workmen*³⁷, SC emphasized that the industrial disputes must be resolved in accordance with principles of social justice, reflecting the spirit of Article 43. Moreover, in *Rajasthan State Road Transport Corporation v. Krishna Kant*³⁸, SC further stressed that the workers’ rights must be protected by the right of workers to participate in decisions regarding their interest in management.

³³ The Constitution of India, art. 43.

³⁴ The Constitution of India, art.43A.

³⁵ *Olga Tellis & Ors vs. Bombay Municipal Corporation*, 1985 (3) SCC 545.

³⁶ *Bandhua Mukti Morcha vs. Union Of India & Ors.* 1984 SCC (L&S) 389.

³⁷ *Unichem Laboratories Ltd. vs. The Workmen* (1972) AIR 2332.

³⁸ *The Rajasthan State Road vs. Krishna Kant etc.* (1995) 5 SCC 75.

In this way, we can say that Article 43 and 43A are the constitutional bedrock to protect and ensure workers' rights in India. The judiciary, particularly through its progressive interpretation and enforcement of these provisions, has greatly strengthened labour rights by advocating fair practices and encouraging worker participation in governance along with the labour movement. The constitutional mandates and judicial activism continue to grapple India's labour laws and policies toward the delivery of social justice and inclusive growth to all workers of the country.

3. ROLE OF HIGH COURTS IN PROTECTION AND ENFORCEMENT OF LABOUR RIGHTS IN INDIA:

High Courts have also played a significant role in advancing labour rights and reinforcing the empowerment of the working class. In doing so, High Courts have consistently interpreted constitutional mandates and labour statutes, thereby strengthening existing labour rights and establishing influential legal precedents. For instance, in *Delhi Transport Corporation v. D.T.C. Mazdoor Congress*³⁹, the Delhi High Court emphasized the necessity of equitable labour practices and invalidated unjust dismissals, thus reinforcing job security for workers. Similarly, in *Shramik Uttarsh Sabha v. Raymond Woollen Mills Ltd.*⁴⁰, the Bombay HC affirmed contract workers' rights and stressed that they must not be denied their lawful entitlements and protections under Contract Labour (Regulation and Abolition) Act, 1970. Another landmark case *Mangalore Ganesh Beedi Works vs. Union of India*⁴¹, the Karnataka HC addressed rights of beedi workers, and upheld their eligibility for social security benefits under the Beedi Workers Welfare Fund Act, thereby acknowledging the essential need for social security in unorganized sectors. In *R. Gandhi vs. Union of India*⁴², The Madras High Court addressed the issue of sexual harassment in the workplace, underscoring the need for rigorous compliance with the Vishaka Guidelines prior to the enactment of the 2013 law on workplace sexual harassment, which provides a safe working environment for women workers. Additionally, in *Bharat Petroleum Corporation Ltd. vs. The Employees' State Insurance Corporation*, the Calcutta HC reiterated the significance of the Employees' State Insurance Act and ensured adequate health insurance benefits. In *Mohd. Aslam vs. State of Rajasthan*⁴³, the Rajasthan HC stressed the urgency of prompt wage disbursement and reinforced the application

³⁹Delhi Transport Corporation vs. D.T.C. Mazdoor Congress, (1991) AIR 101

⁴⁰Shramik Uttarsh Sabha vs Raymond Woolen Mills Ltd. & Ors, (1995) 3 SCC 78

⁴¹Mangalore Ganesh Beedi Works etc. vs Union Of India etc., (1974) 4 SCC 43

⁴²R. Gandhi & Ors. vs Union Of India, AIR (1989) MAD205

⁴³Mohd Aslam vs State Of Rajasthan, (2023) Latest Caselaw 7729 Raj

of the Minimum Wages Act, 1948. In *Management of Sonapat Cooperative Sugar Mills Ltd. vs. Ajit Singh*⁴⁴, The Andhra Pradesh HC reaffirmed the concept of equal remuneration for equivalent work, extending it to both temporary and contract workers with permanent workers for similar work, thus promoting wage equality. Consequently, it can be said that such rulings from multiple High Courts have addressed individual disputes while simultaneously influencing the broader legal structure for protecting labour rights, thus playing an indispensable role in empowering labourers and ensuring justice within the labour market in India.

4. IMPACT OF JUDICIAL INTERPRETATIONS ON WORKERS' RIGHTS⁴⁵:

Judicial pronouncements by both the Supreme Court and various High Courts have significantly contributed to the protection and expansion of workers' rights nationwide. Specifically, this impact can be seen in three primary areas: improved legal protections, social and economic impact, and empowerment of workers.

(i). Judicial interventions have led to the robust enforcement of statutory protections for workers, thereby reinforcing compliance with labour legislation across industries. In the past the courts also adopt a proactive approach in interpreting labour laws to plug existing loopholes and to cover workers fully.

(ii). Courts have established new legal doctrines in the field of labour rights through dynamic interpretations. The Supreme Court has also reinforced core principles, including the right to equal remuneration for equal work' declared as unconstitutional discrimination.

(iii). The judiciary's proactive interpretation and implementation of labour laws have significantly improved working conditions for Indian workers. For instance, the enforcement of Factories Act 1948, has resulted to provide a safer working condition for industrial workers as with the judiciary mandating strict adherence through its rulings.

(iv). Courts have ensured the effective application of the Employees' Provident Funds Act, 1952 and the Employees' State Insurance Act, 1948 and Employees' State Insurance Act,

⁴⁴ *Mangt. Of M/S Sonapat Coop. Sugar Mills vs. Ajit Singh*, (2005) AIR 6 SC 1050

⁴⁵ Mann, J. S., Centre for Transparency and Accountability in Governance, & National Law University, Delhi. (2021). Labour law reforms. In Labour (Vol. 2) [Law Reforms]. Centre for Transparency and Accountability in Governance, National Law University, Delhi. <https://nludelhi.ac.in/wp-content/uploads/2024/04/Labour-Law-Reforms-Book-NLU-Delhi-2021.pdf>

1948” so that workers receive their due social security benefits and get financial stability and security.

(v). Judicial activism has played a key role in raising public consciousness about labour rights. By addressing issues affecting workers’ welfare through public interest litigation, courts have brought these matters to national attention of everyone and brought into limelight the rights and entitlements of workers.

(vi). Multiple judicial decisions have underlined the importance of trade unions in terms of advancing and protecting labour rights. The judiciary has reaffirmed workers' right in Article 19(1)(c) of the Constitution to form associations and enabling them to organize effectively and engage in collective bargaining to secure improved employment terms.

5. CONCLUSION:

It is universally acknowledged that labour is indispensable to both production and the equitable distribution of wealth. In pursuit of workers’ rights and broader socio-economic progress, the Indian legislature has pledged to implement strong measures within the legal framework. The legislative framework strives to strike a balance between upholding workers’ rights and sustaining economic development. However, in the absence of effective enforcement mechanisms, legislative efforts often falter, prompting the judiciary to step in and ensure accountability and use dynamic and transformative approach in maintaining the rights and keeping up the legislative promises. Numerous decisions delivered by Indian courts have played a vital role in protecting and upholding labour rights nationwide. By interpreting existing statutes and evolving new legal doctrines, the judiciary has considerably enhanced the legal protections available to the workforce.⁴⁶Key contributions include the enforcement of minimum wage laws in *PUDR vs. Union of India*⁴⁷, the recognition of right to equal pay for equal work in *Mackinnon Mackenzie & Co. Ltd. v. Audrey D’Costa*, and the establishment of guidelines for preventing sexual harassment at the workplace in *Vishakha v. State Of Rajasthan*. Furthermore, courts have furthered economic stability and safer workplaces by ensuring strict compliance with occupational safety laws and social welfare schemes. as held in *M.C. Mehta vs. Union Of India* and *RPFC vs. Shiv Kumar Joshi*. Therefore, the judicial

⁴⁶ Mittal, J.K.(1986), CASUAL LABOUR AND EQUAL PAY FOR EQUAL WORK, Journal of the Indian Law Institute 28, no. 2, 260–67. <http://www.jstor.org/stable/43951011>.

⁴⁷ People's Union For Democratic Rights vs Union Of India & ors, (1982) SCC (L&S) 262

insights have broadened the understanding of labour rights to encompass dignity, workplace safety, and equality. which have profoundly impacted workers' lives in India hence, The judiciary thus remains a vital instrument in the ongoing advancement and protection of workers' rights in India.