

CONFERENCE PROCEEDINGS

INTERNATIONAL CONFERENCE
ON

CONTEMPORARY DEVELOPMENTS IN LABOUR
AND INDUSTRIAL LAWS

Organized by:

Centre for Labour Studies and Research,
School of Law, Bennett University

In collaboration with

V.V. Giri National Labour Institute
(Ministry of Labour and Employment,
Government of India)

And

University of Reading,
United Kingdom

Edited By:

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Ms. Nupur Kumari

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on
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ABOUT CONFERENCE

The evolving landscape of labour and industrial laws has been significantly influenced by global socio-economic transformations, technological advancements, and shifting employment patterns. With the rise of globalization, digitalization, automation, and the gig economy, traditional labour regulations face new challenges in ensuring fair employment standards, protecting workers' rights, and maintaining industrial harmony. The increasing integration of artificial intelligence (AI), remote work, and digital platforms into the workforce has redefined employer-employee relationships, necessitating a reevaluation of existing legal frameworks. The gig economy, characterized by short-term contracts and freelance work, has raised concerns about job security, social protection, and collective bargaining rights, highlighting the urgent need for inclusive policy reforms. Similarly, industrial automation and artificial intelligence have sparked debates over job displacement, upskilling, and the role of labour unions in an era of technological disruption.

The interplay between national labour policies and international frameworks has become increasingly complex, necessitating a multidisciplinary approach that integrates legal, economic, and social perspectives. The COVID-19 pandemic further accelerated shifts in labour policies, compelling governments and organizations to rethink workplace safety, remote work policies, and social security measures for informal and contract workers. Issues such as workplace rights in the digital age, collective bargaining in platform-based employment, the role of artificial intelligence in labour regulation, and the impact of transnational trade policies on domestic employment laws require critical examination. Additionally, the legal recognition of new forms of employment, such as hybrid and remote work models, has prompted regulatory bodies to reconsider wage structures, work-hour regulations, and occupational health standards.

Addressing these concerns demands collaboration among legal scholars, policymakers, industry professionals, and researchers to develop adaptive regulatory frameworks that balance economic growth with labour welfare. The emergence of labour law reforms across various jurisdictions reflects an effort to harmonize economic competitiveness with workers' rights, emphasizing the need for legal certainty, flexibility, and fairness. Comparative studies of labour law models in different countries can provide valuable insights into best practices and potential

pitfalls in shaping effective policies. Moreover, the role of international labour organizations, trade unions, and advocacy groups remains pivotal in shaping equitable labour regulations that uphold human dignity and economic sustainability.

This chapter delves into contemporary developments in labour and industrial laws, analyzing key legislative reforms, judicial interpretations, and policy innovations aimed at fostering equitable and sustainable labour relations in the 21st century. By examining recent case studies, landmark legal decisions, and evolving jurisprudence, this discussion seeks to provide a comprehensive understanding of how labour laws are adapting to modern work environments while ensuring social justice and economic resilience.

ABOUT ORGANIZERS

Centre for Labour Studies and Research, School of Law, Bennett University

The Centre for Labour Studies and Research (CLSR) is a dedicated research and policy hub committed to advancing scholarly discourse and practical insights into labour and industrial laws. Operating under the School of Law, CLSR fosters interdisciplinary engagement by collaborating with legal experts, policymakers, academicians, and industry professionals to address emerging challenges in employment regulations, social security frameworks, and workplace rights. Through research initiatives, policy dialogues, and academic events, the Centre examines the impact of globalization, digitalization, and evolving labour market dynamics, offering innovative solutions for regulatory reforms. CLSR also enhances legal education by integrating contemporary labour law developments into academic curricula, equipping students with practical expertise and a comprehensive understanding of the field. By forging national and international collaborations, the Centre remains at the forefront of shaping informed labour policies and contributing to the broader discourse on equitable and sustainable labour practices.

V.V. Giri National Labour Institute

V.V. Giri National Labour Institute (VVGnLI), an autonomous body of the Ministry of Labour and Employment, Government of India, set up in July 1974, is a premier Institute of Labour Research, Training and Education. Since its inception, the Institute has endeavored through research, training and publications to reach all those who are concerned with various aspects of labour, both in the organized and unorganized sectors. The focus of such endeavors has been the transfer of academic insight and understanding related to all the aspects of labour for application to policy formulation, legislation and action to ensure a just and proper place for labour in an egalitarian and democratic society.

University of Reading, United Kingdom

The University of Reading, located in Reading, Berkshire, England, is a distinguished public research institution with a rich history dating back to 1892, when it was established as University College, Reading, an extension college of the University of Oxford. In 1926, it

received its Royal Charter from King George V, granting it the authority to confer its own degrees, making it the only university to receive such a charter between the two world wars. Often classified as a red brick university, it reflects its 19th-century origins. The university encompasses four major campuses: Whiteknights and London Road in Reading, Greenlands in Buckinghamshire, and an international campus in Iskandar Puteri, Malaysia. Academically, it is organized into 16 schools, offering a wide array of undergraduate and postgraduate programs. The institution boasts a substantial annual income, with significant contributions from research grants and contracts, underscoring its commitment to academic excellence and innovation. Notably, the Whiteknights campus has been recognized among the UK's top green spaces, reflecting the university's dedication to providing a conducive learning environment. Over the years, the University of Reading has evolved into a global institution, renowned for its research output, diverse academic offerings, and picturesque campuses.

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Navigating Remote Work: Legal Protections and Challenges for Workers in the Digital Age

Aayushi Singh

The shift to remote work, accelerated by the COVID-19 pandemic and advancements in global technology, has transformed employment dynamics in India, presenting significant legal and regulatory challenges. This paper critically examines the intricacies of remote workers' rights within the framework of Indian labor law, offering insights and practical solutions to navigate the emerging complexities. Although remote work has become a widespread practice, it remains largely unregulated under Indian law, creating legal ambiguities in areas such as labor disputes, contractual agreements, worker protections, taxation, and data privacy. These challenges are compounded by concerns over productivity, work-life balance, and mental health, which are further exacerbated by the absence of explicit policies and robust oversight mechanisms.

The study underscores the urgency of developing comprehensive legislative frameworks to address the unique requirements of remote work, emphasizing the need for laws tailored to electronic work environments. It explores how global events and technological advancements have accelerated the transition to remote work, creating both opportunities and risks for businesses and employees. The paper highlights key challenges businesses face, such as maintaining compliance with labor regulations, managing data security, and adapting traditional employment contracts to the remote context. Similarly, it identifies critical concerns for workers, including job security, equitable compensation, and safeguarding mental health in an increasingly digital workspace.

The rapid adoption of remote work has brought to light significant discrepancies in labor law enforcement. For instance, many employment contracts fail to explicitly address remote work arrangements, leaving workers vulnerable to exploitation. Issues such as excessive working hours, lack of proper compensation for overtime, and inadequate mechanisms to address grievances have become common. These concerns are further magnified in sectors reliant on gig workers, who often operate without the protections afforded to traditional employees. The paper emphasizes the necessity of bridging these gaps by revising existing labor laws and introducing new provisions specific to remote work contexts.

Taxation policies also play a pivotal role in shaping the remote work landscape. Employees working from different states or even countries face ambiguity regarding tax liabilities, while employers struggle with compliance under varied jurisdictional frameworks. This paper advocates for clear guidelines to simplify taxation for remote workers and their employers, ensuring equitable treatment and reducing administrative burdens. With the rise of cross-border remote work, questions around double taxation and jurisdictional conflicts have emerged, underscoring the need for international cooperation and harmonization of tax policies.

Another critical area explored in the study is data privacy. With remote work necessitating the use of digital tools and platforms, concerns around the security of sensitive information have escalated. Employers must navigate stringent data protection requirements to prevent breaches, while employees need assurance that their personal information is not misused. The paper calls for robust cybersecurity protocols and comprehensive data protection legislation to address these concerns effectively. It also emphasizes the importance of employer transparency in data handling practices, ensuring employees are aware of how their information is stored and used.

The mental health implications of remote work are another focal point. The blurring of boundaries between professional and personal life has led to increased stress, burnout, and feelings of isolation among workers. The paper advocates for organizational policies that prioritize employee well-being, such as mandatory breaks, mental health support programs, and initiatives fostering team cohesion. Additionally, it suggests leveraging technology to monitor and improve work-life balance without infringing on employees' privacy. Employers are encouraged to adopt proactive measures, such as conducting regular mental health check-ins and providing access to counselling services, to support their workforce.

To foster a sustainable remote work environment, the paper proposes the adoption of objective-based performance evaluations. Traditional metrics often fail to account for the nuances of remote work, leading to unfair assessments. By focusing on outcomes rather than hours worked, employers can create a more equitable and effective evaluation system. Flexible work schedules are also recommended to accommodate the diverse needs of remote workers, enabling them to balance professional and personal responsibilities more effectively. Moreover, the paper highlights the potential of leveraging artificial intelligence and data

analytics to create customized work schedules and optimize productivity.

The cultural shift required to support remote work extends beyond legal and policy changes. Organizations must embrace inclusivity and adaptability, recognizing the diverse needs of their workforce. Training programs to equip managers with skills for leading remote teams, investment in collaborative technologies, and fostering a culture of trust are critical steps toward achieving this goal. Companies are encouraged to redefine their workplace values and prioritize open communication, enabling employees to voice concerns and contribute to policy development. This participatory approach not only enhances employee satisfaction but also drives innovation and adaptability in remote work practices.

The role of technology in facilitating remote work is another important dimension explored in this paper. From video conferencing tools to project management software, technology has been instrumental in enabling seamless collaboration. However, it has also introduced new challenges, such as the digital divide and cybersecurity vulnerabilities. The paper emphasizes the need for government and corporate initiatives to address these disparities, ensuring all workers have access to the tools and infrastructure necessary for remote work. Additionally, it advocates for the development of policies that incentivize innovation in remote work technologies, fostering a competitive and equitable digital ecosystem.

In conclusion, this paper advocates for the development of a sustainable and equitable remote work environment in India by addressing legal ambiguities and implementing effective solutions. By modifying existing labor laws and introducing new regulatory frameworks, India can ensure the preservation of workers' rights in the digital age while fostering a resilient workforce capable of navigating the challenges of a rapidly changing global landscape. This holistic approach aims to transform remote work from a temporary adaptation to a stable, inclusive, and well-regulated employment model that benefits all stakeholders in the digital era. By prioritizing the integration of legal reforms, technological advancements, and employee well-being initiatives, India can position itself as a global leader in remote work policy and practice.

Keywords: Remote work, worker protections, Legal challenges, Workers' rights, work- life balance.

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Child Labour in Hazardous Works

Abdul Jaleel. S and Harrinipriya. S

Inequalities such as child labor, slavery, and child trafficking are the worst forms of human rights violations that could be faced in this world and remain persistent even with the various initiatives taken to eradicate them. These practices are perpetrated against millions of people, whereby children are the most vulnerable, and such practices violate human dignity and prospects for development. This paper examines these issues in depth, determining the effectiveness of both international and domestic legislation, enforcement practices and trends emanating from the digital and informal economy. Additionally, it explores self-help programs and suggests means of addressing the issue of the root causes of exploitation.

1. Understanding the Scope and Impact

Child labor is the employment of children in work that harms their physical, mental, and social well-being. Forced labor is work extracted under threat, coercion, or deceit, often in exploitative conditions. Human trafficking involves the recruitment, transportation, or harboring of people using force, fraud, or coercion for exploitation through sexual slavery, forced labor, and organ trafficking. These processes are interconnected to perpetuate patterns of poverty and inequality, thereby calling for effective action by the government, the international community, and civil society.

2. Role of International Instruments

International legal instruments provide the foundation for combating exploitative labour practices. The International Labour Organization (ILO) Convention No. 182 (1999) aims to eliminate the worst forms of child labour, including hazardous work. The ILO Convention No. 29 (1930) and its Protocol of 2014 address forced labour, emphasizing prevention and victim protection. The Palermo Protocol (2000), under the United Nations Convention against Transnational Organized Crime, specifically targets human trafficking by focusing on prevention, protection, and prosecution. These frameworks set a global standard, but the success of these instruments largely depends on effective national implementation. Countries ratifying such conventions have to harmonize their laws to address local manifestations of exploitation, compounded by resource constraints and governance deficits.

3. National Legal Mechanisms

Countries have developed domestic laws to address these challenges. For example: India specifically prohibits the use of children below 14 years in any hazardous industries by the Child Labour (Prohibition and Regulation) Act, 1986 while regulating adolescent work for certain kind of activities. 370 of the Indian Penal Code addresses trafficking for commercial gain with severe retribution against an offender. For the United States, the law that was utilized is the Trafficking Victims Protection Act (TVPA), 2000-which adopts three-prong strategy-prevention protection as well as prosecution-and rehabilitation as a support function for victims. However, these laws are often difficult to enforce because of the lack of resources, poor coordination between agencies, and cultural or economic factors that perpetuate exploitation.

4. Strengthening Enforcement Mechanisms

Mechanisms of enforcement are vital to fill the gap between the legal provisions and the impact in reality. Labour inspections, judicial processes, and inter-agency collaboration are the key ones. Innovative initiatives such as Brazil's Dirty List, which names publicly entities involved in forced labour, demonstrate the power of transparency to deter exploitative practices. India's Operation Smile and Operation Muskaan demonstrate the power of coordinated rescue operations to combat trafficking and child labor. The integration of technology in enforcement, including real-time monitoring systems and data analytics, is emerging as a vital tool. AI and blockchain technologies can help ensure supply chain transparency, identifying labor abuses and holding corporations accountable.

5. Tackling New-Age Threats

New challenges to combating exploitation arise from the rise of digital platforms and informal economies. Deceptive recruitment can be facilitated by online platforms, and gig economies often lack the regulatory oversight necessary to prevent bonded labor. Child labor has emerged in sectors such as e-waste recycling and artisanal mining, thus requiring adaptable policy responses. Some measures to regulate digital platforms and improve worker protections in the informal sector would call for innovative solutions. Balancing privacy and accountability, for instance, as has been incorporated into the European Union's General Data Protection Regulation, can prevent platforms from facilitating exploitation.

6. Addressing the Root Causes

Legal frameworks and enforcement mechanisms are incomplete unless the socio-economic drivers of exploitation are addressed. Poverty, lack of education, gender inequality, and systemic discrimination leave many at risk whom traffickers and exploitative employers exploit. For change, the comprehensive package should involve:

- Increase access to education and skill development.
- Social security should be upgraded, like improved healthcare and unemployment benefits.
- Gender equality and increasing the political voices of marginalized communities.

Much can be done through public-private partnerships to address those root causes. For instance, corporate initiatives that focus on the enrichment of ethical supply chains and fair wages have reduced demand for exploitative labor.

7. Policy Recommendations

Multi-dimensional effort is needed to eliminate child labor and both slave labor and human trafficking:

- Strengthen Legal Frameworks: Domesticating national laws in international requirements and have them respond to new expressions of exploitation.
- Enhance Enforcement: Provide resources to labor inspections and train enforcement agents. Leverage technology for live monitoring.
- Encourage International Cooperation: Enhance cross-border coordination to break the trafficking networks and ensure effective prosecution.
- Empower Communities: Develop grassroots initiatives for community awareness programs and engage locals in identifying potential exploitation.
- Attack Socio-Economic Vulnerability: Develop overall policies that combat the root cause of exploitation in education, social security, and economic empowerment.

Critical Legal Provisions

ILO Convention No. 182 (1999): Combating the worst forms of child labor.

ILO Convention No. 29 (1930): Combating forced labor and its protocol.

Palermo Protocol (2000): Combating trafficking in persons.

Indian Penal Code / Bharatiya Nyaya Sanhita, 2023,: Combating human trafficking in India.

TVPA (2000): A comprehensive anti-trafficking framework in the U.S.

The struggle against child employment, slavery, and human trafficking is a complex and multi-faceted problem that requires active legal engagement, enforcement measures and community efforts. More importantly, addressing the socio-economic factors that lead to exploitation and adopting means such as technology to tackle growing threats will allow states and institutions to build a means of addressing these serious crimes. In order to do this, one needs to make massive effort, stick to adequate civilizational resources, and act in unity as to the liberty and freedom of mere everyone and the weakest citizens of the world in particular.

Keywords: Exploitation, Legal Frameworks, Enforcement Mechanisms, Digital Economy, Socio-Economic Vulnerabilities

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Does India's Labour Law Framework Adequately Address Human Trafficking for Labour?

Manav Garg and Dr. Priyanka Chatterjee

India's labour law framework, while extensive in many areas, remains insufficiently equipped to combat the pervasive issue of human trafficking for labour. Human trafficking is a multidimensional challenge that involves the illicit recruitment, transportation, and exploitation of individuals for forced labour in various sectors, including agriculture, construction, domestic work, and the informal economy. Despite many legislative actions, laws against the exploitation of vulnerable groups are still poorly enforced to protect vulnerable groups from the menace of labour trafficking. This paper analyses the extant legal system in India: assessing how well these statutes are doing and which loopholes need to be addressed, which could further form an actionable comprehensive package for this task.

India's constitution and other national legislation have a host of provisions on paper that should protect citizens from being exploited, such as trafficking for labour. However, the lack of awareness, bureaucratic inefficiency, and the informal sector's complexity hamper the actual implementation of such provisions. Despite attempts to address trafficking through various laws, such as the Immoral Traffic (Prevention) Act (ITPA), 1956, the Bonded Labour System (Abolition) Act, 1976, and the Child Labour (Prohibition and Regulation) Act, 1986, these laws often fail to address the full spectrum of trafficking for labour. They instead focus on trafficking for sexual exploitation or the abolition of bonded labour and leave out of the discussions any current forms of trafficking, including forced labour in the unorganized sector or domestic servitude.

Further, the legal framework faces systemic problems within the police and coordination issues between the central and state governments. Most trafficked people are not visible in the legal system; therefore, they cannot claim redress or legal recourse because their employment is informal, and due to the inefficiency of the law enforcement which is incapable of monitoring or controlling such workers. This lack of oversight is compounded by India's massive unorganized and informal sectors, where trafficking is most rampant. Many victims are trafficked into these sectors with little recourse to justice due to the absence of formal contracts

or documentation.

In addition, while India has acceded to international instruments on human trafficking, including the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, the implementation of the international obligations that it has adopted is slow and uneven. Preventive measures - public awareness campaign, rehabilitation infrastructure, and the national database with regard to incident tracking - and stricter enforcement both are necessary steps for an overarching approach to address trafficking.

This provides an important opportunity for review in the present Bill Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill, 2021. It promises to have a more holistic approach towards dealing with trafficking issues. It introduces prevention, protection, and rehabilitation for victims as well as an effective prosecution mechanism. However, it has yet to be passed, and its effectiveness depends on several key areas that include training law enforcers, strengthening victim protection mechanisms, and development of better data management systems of tracking cases.

In light of these complexities, this paper argues that the current labour law framework in India is not comprehensive enough to deal with human trafficking for labour. The legislative intent is there, but the operational and structural challenges are preventing meaningful progress. India will require a multi-pronged approach of strong enforcement of extant laws, improving protection and rehabilitation to the victims, sensitization programs, and all-over comprehensive reforms to be aimed at combatting trafficking in all its multifaceted aspects, including informal sector forced labour. It has to reach the grassroots levels to the root causes that create this - poverty, ignorance, and social marginalization.

One needs to have a nuanced understanding of trafficking for labour, but more importantly, one needs to have a well-coordinated legal framework to overcome the most demanding human rights issues in our current era. Only a legal structure that takes into account the dynamism of trafficking and the needs of its victims will allow India to respond effectively to this grave problem. As India remains in the midst of dealing with social and economic issues related to labour trafficking, there is a great need for reform that will protect the vulnerable but also destroy the networks exploiting them. The need of the hour is that this labour law framework should grow to make this human trafficking for labour a history, and an era of respecting every worker for his dignity and justice should take birth.

Further exploring socio-political factors sustaining the flow of human trafficking into and through India, this essay reviews economic inequality, the weak structure of labour law, and the deep roots of systemic corruption, while positing that anti-trafficking policy alone will never succeed against this entrenched criminal phenomenon in isolation. This calls for economic, social, and legal change as a response. By examining international best practices and proposing a reimagined labour law framework, this paper outlines a path forward to combat human trafficking for labour in India effectively.

This paper argues that India's labour law framework is not only inadequate but also complicit in the perpetuation of trafficking for labour. The existing laws fail to adapt to the evolving nature of trafficking, which is increasingly driven by globalization, economic inequality, and technological advances. While India's commitment to international conventions on human trafficking is evident, the political and bureaucratic realities undermine any meaningful progress. Instead of taking piecemeal, fragmented approaches, the country needs a more radical rethinking of labour laws—one that acknowledges the obvious truth: human trafficking is not an isolated crime but a symptom of a thoroughly broken and exploitative economic system. The nation needs to either stand by its status quo or face uncomfortable realities about the overlap of capitalism and class and the existence of human trafficking. This paper argues for bold reforms that go beyond the surface-level fixes to address the systemic nature of trafficking and exploitation in India's labour market.

Ultimately, unless India reimagines its approach to trafficking as an intersectional issue tied to economic policies, caste dynamics, and worker rights, it will continue to fall short in its efforts to protect those most vulnerable to exploitation. Addressing trafficking for labour requires confronting deeply entrenched societal structures that enable the dehumanization of workers, particularly those in the informal sector, and dismantling the very systems that make trafficking not only possible but profitable. This paper calls for a paradigm shift, one that holds both traffickers and the state accountable for perpetuating conditions that allow trafficking to thrive.

Keywords: Marginalized, Human Trafficking, Socio-political, Labour welfare, Exploitation
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The Emergence of Platform Workers: Time to Review the Definition of 'Employee' under the Existing Labour Legislations

Amit Srivastav

Technological advancement in every field has moved at a breakneck speed and has compelled the policy makers to recalibrate the existing law and legal system which were grounded in the era of pre information revolution age. The necessity to restructure the existing laws arises from the fact that the development in technology often creates a situation where the existing laws are found lagging and insufficient to address the emerging issues and challenges. The emergence of App-based businesses in one such development which has challenged the existing labour legislations. These new business models have given rise to an unconventional work force viz., the platform workers. The challenges posed by the online businesses have many dimensions such as; what kind of legal entity should they be termed as? which regulatory laws should apply to them? Lastly, the most probing question is; what is the legal status of the persons who are associated with these businesses? Are they 'employees' of the online business entity outsiders i.e., 'independent contractors'?

In the current legal system, these two words viz., 'employees' and 'independent contractors' have a huge difference with respect to the availability and applicability of the labour laws. If such persons are termed as 'employees' of an online business entity, then they get the protection of the various labour legislations which a traditional employee enjoys, but if they are termed as 'independent contractors', then all the labour laws such as the Minimum Wages Act, the Employees Compensation Act, the Employees Provident Funds and Miscellaneous Act, the Payment of Bonus Act, etc., fail to bring into their ambit such persons. One can imagine that if these labour legislations do not provide the protection coverage to a person, he would be a human being without having even the basic human rights. As per a study conducted by the Institute of Public Policy (IPP) of the National Law School of India University (NLSIU) on food delivery workers in Karnataka¹, most of such workers are not able to earn an amount which is sufficient for their subsistence.

The prime reason for the plight of such persons is that the online companies do not

¹ Institute of Public Policy (IPP) Occasional Paper Series 10/2020.

recognize them as ‘employees’ and hence they walk out of the most essential law i.e., the Minimum Wages Act. Strictly speaking, these companies, while refusing to give the persons associated with them the status of ‘employee’, do not violate any law, rather they operate comfortably within the legal void. The root of the problem lies in our existing legal framework which, even today, applies the ‘control and supervision test’ to determine whether a person is an ‘employee’ or is an ‘independent contractor’. As per the existing laws, a person is deemed to be an ‘employee’ only when he is being controlled, supervised and directed by his employer. While we are involved in a debate on the legal status of platform workers, we must look at Article 43 of our Constitution which, *inter alia*, mandates to provide a living wage to all workers, agricultural, industrial or otherwise. Who can argue that the platform workers do not fall even within the word ‘otherwise’ mentioned in Article 43? It appears that the Constitution makers had contemplated the emergence of some unconventional work force in future and hence deftly put the word ‘otherwise’ under Article 43.

The digital platform business has posted challenging questions before the law. Since ‘technology’ is an ever-evolving phenomenon, the expansion of platform work force is inevitable. According to a recently published report of NITI Aayog², globally, the number of web-based platforms have tripled, and the number of taxi and delivery platforms has grown nearly tenfold. The number of digital platforms increased from 142 in 2010 to 777 in 2020. These digital platforms of labour are primarily concentrated in the US (29%), India (8%), and the UK and Northern Ireland (5%)³. We are already witnessing Public Interest Litigations (PIL) being filed by various organizations, demanding the coverage of basic labour laws. In September 2021, the Indian Federation of App-based Transport Workers (IFAT) filed a public interest litigation seeking an employer–employee relationship with the platforms they are associated with. According to IFAT, denying these workers social security has resulted in their exploitation through forced labour, which is prohibited under Article 23 of the Constitution. The failure to register them as unorganised employees and provide them with social security, it says, is a violation of their rights under Article 21 of the Constitution⁴. India is not the only

² India’s Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work, June 2022.

³ Ibid

⁴ Kritti Bhalla, Gig workers move Supreme Court seeking social security benefits from Zomato, Swiggy, Ola and Uber (September 17, 2022, at 11:30 IST), <https://www.businessinsider.in/business/news/zomato-swiggy-ola-uber-app-gig-workers-move-supreme-court/articleshow/86420264.cms>

country which has to address the issue of bringing the platform workers within a definite legal framework; but many countries around the world also are facing this challenge. For instance, on 1st January 2020, California brought in a law called AB5⁵, which states that in order to determine whether workers are employees or independent contractors in the state, ABC test⁶ has to be followed. Under this test, a worker is an independent contractor only if he or she: (a) is free from the control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact, and (b) performs work that is outside the usual course of the hiring entity's business, and (c) is customarily engaged in an independently established trade, occupation, or business of the same nature as that involved in the work performed. In an interesting case in Australia⁷, Uber Eats anxiously settled a case with one of its delivery riders, as it feared that the Federal Court would declare its delivery riders as its employees, and not an independent contractor.

This paper highlights the obvious void which has been created between the existing labour legislations and the emergence of the platform workers. It refers to the Constitutional mandates and the judicial trends to emphasize the need to accommodate the platform workers within the ambit of labour legislations. It then explores the contemporary developments taking place in prominent foreign jurisdictions in order to address the plight of the platform workers. Lastly, it proposes the solution as to how the coverage of various labour legislations may be extended to cover the platform workers in order to ensure a meaningful life for them.

Keywords: Platform Workers, Employees, Independent Contractors, Technological advancement, Labour Rights.

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⁵ State of California, Department of Industrial Relations (September 17, 2022, at 11:45 IST), [https://www.dir.ca.gov/dlse/faq_independentcontractor.htm#:~:text=AB%205%20requires%20the%20applicati on,Commission%20\(IWC\)%20wage%20orders](https://www.dir.ca.gov/dlse/faq_independentcontractor.htm#:~:text=AB%205%20requires%20the%20applicati on,Commission%20(IWC)%20wage%20orders)

⁶ Ibid.

⁷ The Guardian, Uber Eats avoids landmark ruling on workers' status by settling case with delivery rider (September 17, 2022, at 11:55 IST), <https://www.theguardian.com/technology/2020/dec/30/uber-eats-avoids-landmark-ruling-on-workers-status-by-settling-case-with-delivery-rider>

Contemporary Developments in Labour and Industrial Laws

Ammu R.S

The Indian Constitution serves as a cornerstone for safeguarding workers' rights, providing a robust framework that reflects the principles of social justice, equality, and dignity. It addresses these rights comprehensively through the Preamble, Fundamental Rights (Part III), and Directive Principles of State Policy (Part IV), which together form a balanced structure of enforceable guarantees and aspirational goals. The Preamble envisions a just and equitable society, free from exploitation, where every citizen, including workers, can enjoy dignity and equal opportunities. The Fundamental Rights provide critical legal protections to workers. Articles 14 and 15 ensure equality before the law and prohibit discrimination, guaranteeing fair treatment in workplaces. Article 19(1)© empowers workers to form unions, a cornerstone for collective bargaining and the protection of their interests. Article 21 extends the right to life to include the right to live with dignity, interpreted to cover safe and humane working conditions. Furthermore, Article 23 prohibits forced labor and trafficking, shielding vulnerable groups from exploitation, while Article 24 prohibits child labor in hazardous industries, underscoring the state's commitment to protecting children and ensuring their development.

In addition to these enforceable rights, the Directive Principles of State Policy outline the state's responsibility to ensure workers' welfare. Articles 39, 41, 42, and 43 provide a blueprint for policies aimed at improving workers' socio-economic conditions. Article 39 calls for adequate livelihoods, equal pay for equal work, and protection from exploitation. Article 41 emphasizes the right to work, education, and public assistance for the unemployed, sick, or disabled, highlighting the need for a social safety net. Article 42 mandates humane working conditions and maternity benefits, reflecting the importance of worker welfare and dignity. Article 43 seeks to secure living wages and a decent standard of life, encouraging holistic well-being. While these provisions are non-justiciable, they reflect the Constitution's aspiration for a fair and equitable society where workers are empowered to thrive.

This dual approach of enforceable rights and aspirational goals ensures that the Constitution provides both immediate protection and long-term vision for workers' welfare. Over time, the judiciary has expanded the scope of these provisions, interpreting them to

address contemporary challenges and strengthen workers' protections. However, realizing these constitutional ideals requires more than legal guarantees; it demands effective implementation, strong enforcement mechanisms, and proactive policymaking. Despite these constitutional safeguards, issues such as weak enforcement, informal employment, and systemic inequities persist, underscoring the need for continuous effort to bridge the gap between law and practice. By addressing these challenges, the state can uphold the Constitution's promise of social and economic justice, ensuring that every worker can lead a life of dignity and security.

To translate constitutional provisions into actionable rights, India has enacted several labor laws. Key legislations include the Factories Act, 1948, the Minimum Wages Act, 1948, the Industrial Disputes Act, 1947, and the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. These laws regulate various aspects of employment, such as working hours, wages, dispute resolution, and social security. The introduction of the Code on Wages, 2019, and the Occupational Safety, Health, and Working Conditions Code, 2020, reflects an effort to consolidate and modernize labor laws. These codes aim to simplify compliance, enhance worker protection, and promote industrial harmony. However, their implementation and effectiveness remain a subject of debate.

The judiciary in India has played a pivotal role in expanding the scope of workers' rights, ensuring that constitutional guarantees translate into actionable protections. Through landmark judgments, the courts have interpreted constitutional provisions in a manner that strengthens workers' welfare and addresses systemic exploitation. In *People's Union for Democratic Rights v. Union of India* (1982), the Supreme Court broadened the scope of Article 23, ruling that it not only prohibits forced labor but also encompasses bonded labor, mandating humane working conditions. Similarly, in *Bandhua Mukti Morcha v. Union of India* (1984), the Court emphasized the state's responsibility to identify, rescue, and rehabilitate bonded laborers, reinforcing its duty to uphold social justice. The judiciary has also linked the right to livelihood with the right to life under Article 21. In the landmark case of *Olga Tellis v. Bombay Municipal Corporation* (1985), the Supreme Court held that the right to life includes the right to earn a livelihood, asserting that workers' access to employment is crucial for their dignity and survival. These rulings highlight the judiciary's proactive approach in interpreting constitutional provisions to safeguard workers from exploitation, uphold their dignity, and ensure access to essential rights. By doing so, the judiciary has significantly contributed to

broadening the understanding and enforcement of labor rights in India, addressing the evolving needs of the workforce while holding the state accountable for its constitutional obligations.

Despite the robust constitutional and legal framework, workers in India face significant challenges. Informal sector workers, who constitute nearly 90% of the workforce, often lack access to legal protections, social security, and fair wages. Exploitative practices such as contractualization, wage theft, and unsafe working conditions persist, exacerbated by weak enforcement mechanisms and bureaucratic inefficiencies. The COVID-19 pandemic further exposed vulnerabilities in the labor market, with mass layoffs, wage cuts, and unsafe working conditions disproportionately affecting marginalized workers. Workers' rights under the Indian Constitution are a testament to the nation's commitment to social justice, equity, and the dignity of labor. The Constitution, through its Preamble, Fundamental Rights, and Directive Principles of State Policy, provides a comprehensive framework for safeguarding these rights, ensuring fair treatment, humane working conditions, and protections against exploitation. However, the realization of these constitutional ideals requires more than legal provisions—it demands effective implementation, robust enforcement mechanisms, and proactive judicial interventions to address systemic challenges that hinder workers' welfare.

To fulfill the constitutional vision of dignity and justice for every worker, a holistic approach is essential—one that integrates legal, social, and economic dimensions. This includes strengthening labor law enforcement, expanding social security to cover informal and gig workers, and fostering social dialogue between workers, employers, and the government. By prioritizing the welfare of all workers, particularly the marginalized and vulnerable, India can bridge the gap between constitutional ideals and ground realities, ensuring that the rights enshrined in the Constitution become a lived reality for its vast and diverse workforce.

In conclusion, the Indian Constitution provides a robust framework for the protection of workers' rights, emphasizing the principles of equality, dignity, and socio-economic justice. Its provisions, coupled with a comprehensive legislative framework and judicial interventions, have laid the foundation for ensuring fair treatment, humane working conditions, and social security for workers. Strengthening labor protections, addressing systemic inequalities, and ensuring inclusive growth are imperative to realizing the constitutional vision of justice for all. A collaborative approach involving the government, judiciary, employers, and workers is essential to create a fair and equitable labor ecosystem that upholds the rights and dignity of

every worker in India.

Keywords: workers right, equality and freedom, labor welfare, exploitation, justice.

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Navigating the Shift: Workforce Transformation from Industry 4.0 to 5.0 through Human-Technology Collaboration

Annshika Bakshi and Souroja Roy

The Fourth Industrial Revolution (4IR) brings about a transformational era with technological innovations in the form of Artificial Intelligence (AI), robotics, the Internet of Things (IoT), and intelligent automation. These innovations are changing workforce and workplace ecosystems, making it essential to re-evaluate skills, organizational structures, and employment strategies. This paper analyses the challenges and opportunities related to workforce and workplace ecosystems in the context of 4IR, focusing on changing job roles and the transformative power of emerging technologies.

The infusion of AI, smart robotics, and automation technologies into industrial systems has a strong impact on productivity, operational efficiency, and economic growth. At the same time, these innovations also raise issues such as job displacement, skill obsolescence, and social inequality. As machines begin to take on more repetitive and low-skilled work, high-skilled labor in data analytics, cybersecurity, and machine learning are in ever-increasing demand. This transition serves as an indicator of the imperative for workforce upskilling and reskilling for employability and economic sustainability. Organizations should create continuous learning frameworks and cultivate adaptive capabilities that would be capable of meeting demands arising from dynamic technological landscapes.

Today and even more in the coming decades, individuals, organizations, communities, governments, and nations are confronted with significant global, economic, political, sociocultural, environmental, and technical issues and challenges: resource competition (energy, oil, water, gas etc.); climate change and global warming; pollution and environmental degradation; hunger and extreme poverty; inequality of income and inequality of opportunity; working conditions and precarious employment in some regions and/or countries; diversity, inclusion, and equity; health problems and pandemic risks and impacts; social and demographic change, ethnic and religious rivalries, terrorism, and armed conflicts. New technological discoveries are coming at a dizzying speed. Outcomes are not the same for everyone.

Technological innovation and major digital transformation challenges can result in big winners and big losers.

Technological change is a megatrend that radically transforms economies, societies, and the environment. Except for the technological inventions, the Covid-19 has equally contributed in great ways in the speed, amplitude, and priorities of the digital transformation. We now possess an extraordinary power in our hand-the information and communication technology or ICT and its tools that are available with the help of the 4IR. Klaus Schwab has coined this term Fourth Industrial Revolution – also known as 4IR or Industry 4.0. As Founder and Chairman of the World Economic Forum (WEF), Schwab has presented a report regarding this disruptive transformation and in 2016 has published a book with the same name. The 4IR is the fusion of technologies and their interaction across the physical, digital, and biological domains. Moreover, different innovations, domains, and disciplines are integrated and harmonized in an intelligent approach and create new forms of intelligence. The specific 4IR & Industry 4.0 technologies have generated interactions from macro, micro, and nano levels, reshaping society, organizations, and individuals. This process of technological transformation has already begun – although it is quite at the beginning in some industries and countries - but it will have a huge boost and impact in the future.

Industry 5.0 plays a complementary paradigm in this sense, and there is much potential in using these paradigms to counter 4IR because Industry 4.0 majorly relies on automation and is machine- driven in its operations; Industry 5.0 views human-machine cooperation, fusing human creativity with emotional intelligence to technological precision, and promotes the development of cooperative systems. The current transition is making companies embrace more collaborative robots called cobots in addition to improved human-machine interfaces to enhance manufacturing processes without disengaging man from decision and complex problem solving.

The paper utilizes a literature survey approach to review studies, industry reports, and academic research that explore the effects of 4IR. The most important findings show that, while automation and AI increase efficiency and innovation, their adoption leads to ethical and social issues such as job loss, inequality, and data privacy issues. Policymakers, educators, and industry leaders need to collaborate to develop inclusive frameworks that support workforce adaptability and minimize negative effects.

New categories of jobs altogether are expected to be introduced under 4IR, such as AI specialists, robotics engineers, and IoT developers. These call for special training programs and a more interdisciplinary approach to education where technical expertise will be complemented by soft skills such as problem-solving, communication, and adaptability. Fourth Industrial Revolution further fosters digital platforms and gig economies, promoting flexible work arrangements and global talent pools. These innovations offer businesses scalable solutions while granting people increased flexibility in their job opportunities.

However, the digital divide remains a critical challenge, as unequal access to technology and education exacerbates socioeconomic disparities. Bridging this gap requires targeted investments in digital infrastructure, affordable internet access, and inclusive educational policies to prepare underrepresented groups for the demands of the digital economy. Collaborative efforts between governments, industries, and educational institutions are essential to creating equitable opportunities in the 4IR era.

Additionally, IR5 is expected to reshape organizational structures, particularly within human resources. Traditional HR roles may evolve into Worker Resources Departments (WRD), focusing on integrating robots into the workforce and redefining job descriptions to accommodate both human and robotic capabilities. This shift will necessitate a re-evaluation of how companies approach talent acquisition and employee development, as they will need to identify which tasks are suitable for automation and which require human oversight.

Moreover, the rise of IR5 heralds a new era of customer-centric manufacturing. The emphasis on hyper-customization means that companies will need to leverage human creativity alongside advanced digital processes to meet specific consumer demands. This trend not only enhances customer satisfaction but also opens new markets, as products become tailored to individual preferences. The workforce will thus be tasked with innovating solutions that bridge the gap between technological capabilities and consumer expectations.

In summary, Industry Revolution 5.0 is poised to transform the workforce by fostering collaboration between humans and machines, promoting upskilling, redefining HR functions, and enhancing customer experiences through personalization. As organizations adapt to these

changes, the focus will increasingly shift towards harnessing human creativity and intelligence in conjunction with advanced technologies.

This paper aims at exploring the implications of the transition from 4IR to Industry 5.0, the impact of the growth of human-technology interface, emphasizing the importance of human-centric approaches in industrial evolution. By integrating human ingenuity with machine efficiency, Industry 5.0 will look toward a future that will prioritize sustainability, resilience, and ethical considerations. It will be more productive, promote workforce well-being, and create long-term economic stability.

Keywords: 4IR, Industry 5.0, digital transformation, human-machine interface, workforce displacement.

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The Impact of Digital Transformation on the Labour Rights in the Age of the Gig Economy

Anuska Nair and Ms. Deepali Sinha

The paper deals with the legal position of the gig workers. As the economy grows and the gig workers continue to become a major part of the economy they continue to become a major part of the workforce, their legal position becomes the major part of the discussion. There are a lot of challenges faced by these workers specially when their rights have not been defined clearly and their position being unclear in the economy with specially a world of digital transformation. The gig workers usually comprise of the workers who indulge in the short or temporary work, or short-term contract basis are categorized differently as compared to the traditional employees. The gig economy, characterized by short-term contracts, freelance work, and platform-mediated engagements, has transformed traditional employment paradigms. While it has offered unprecedented flexibility and innovation in the labor market, it has also raised significant legal and ethical challenges. This paper delves into three critical issues inherent in the gig and platform economy: job insecurity, lack of benefits, and undefined employment relationships. Through a comparative analysis of regulatory frameworks in the United States, the United Kingdom, and India, it highlights the diverse approaches to addressing these issues. Additionally, the study explores innovative models for securing gig worker rights without compromising the flexibility that defines this sector.

The research examines the existing legal framework for gig workers in India and identifies key gaps and challenges that require attention. It emphasizes that current labor laws in India fail to adequately address the rights and needs of gig workers, who are typically classified as independent contractors rather than employees. This classification excludes them from accessing benefits and protections available to traditional employees, such as minimum wages, social security, and health insurance. Additionally, the study observes that gig workers in India operate within a largely unregulated environment, leaving them susceptible to exploitation and unfair practices by clients and platform operators.

Moreover, the absence of employer-sponsored benefits such as health insurance, retirement plans, and paid leave exacerbates their economic vulnerability. The ambiguous nature of gig work—where workers are frequently classified as independent contractors

rather than employees—further compounds these issues, leaving them without legal protections afforded under labor laws.

This paper explores the legal and policy dimensions of these challenges, focusing on the tension between the need for regulatory intervention and the preservation of the gig economy’s inherent flexibility. Key questions addressed include:

1. How can policymakers define and standardize employment relationships in the gig economy?
2. What legal mechanisms can provide gig workers with essential benefits and protections?
3. How can these mechanisms be implemented without stifling innovation and growth in the sector?

The regulatory response to the gig economy varies significantly across jurisdictions, reflecting different labor market conditions, political priorities, and legal traditions. This section provides a comparative analysis of the regulatory approaches in the United States, the United Kingdom, and India.

In the U.S., gig workers are predominantly classified as independent contractors under federal law, particularly the Fair Labor Standards Act (FLSA). This classification exempts them from minimum wage, overtime pay, and other employee benefits. However, state-level initiatives, such as California’s Assembly Bill 5 (AB5), have attempted to redefine the criteria for employment classification, aiming to extend protections to gig workers. The paper evaluates the effectiveness and limitations of these initiatives, including their impact on platform businesses and worker livelihoods.

The UK’s legal framework for gig workers is anchored in the concept of “worker” status, a middle ground between employee and self-employed classifications. Landmark cases, such as *Uber BV v. Aslam*, have affirmed that gig workers are entitled to minimum wage, paid holidays, and other basic protections. This section analyzes the implications of these rulings and the ongoing debate over whether the “worker” classification strikes the right balance between protection and flexibility.

India’s gig economy is one of the fastest-growing globally, driven by a burgeoning digital infrastructure and a large informal workforce. Recent legislative efforts, such as the Code on Social Security, 2020, aim to extend benefits like health insurance and retirement

schemes to gig and platform workers. The paper assesses the challenges of implementing these provisions in a predominantly informal labor market and the role of technology in ensuring compliance and transparency. Beyond traditional regulatory approaches, this paper explores innovative models and best practices for enhancing gig worker rights while preserving flexibility:

Portable Benefits Systems: Portable benefits schemes decouple benefits from employers, allowing workers to retain benefits such as health insurance and retirement savings as they move between gigs. This model has gained traction in countries like the U.S., where policymakers and industry stakeholders have proposed frameworks for funding and managing these systems.

Collective Bargaining and Worker Cooperatives: The gig economy's decentralized nature often weakens workers' bargaining power. Collective bargaining agreements and worker cooperatives provide a mechanism for gig workers to negotiate fair wages, benefits, and working conditions. Case studies from the UK and India illustrate the potential of these models to empower workers.

Platform Accountability and Algorithmic Transparency: Platform companies play a central role in shaping gig workers' experiences through algorithms that determine job allocation, pricing, and performance evaluations. Regulatory measures that mandate transparency and accountability in algorithmic decision-making can address concerns of discrimination and unfair practices.

Public-Private Partnerships: Governments and private platforms can collaborate to develop frameworks that balance worker protection with economic dynamism. Examples include subsidized insurance schemes and skill development programs co-funded by public and private entities.

The research underscores the necessity for a comprehensive legal framework that acknowledges the unique nature of gig work and ensures adequate protections for gig workers. It highlights recent legal developments in India, along with other jurisdictions, and other such

proposed social security code and the inclusion of gig workers under the new labour codes. These initiatives aim to enhance social protection and labor rights for gig workers.

Keywords: gig workers, legal framework, protection of rights, labour rights, like treatment

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Labour Rights in the Age of the Gig Economy and Digital Transformation

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A significant transformation in the global labour market has been driven by technological progress and changing consumer demands. Flexible, short-term work facilitated by digital platforms has characterised this shift, disrupting traditional employment structures and impacting labour policies and worker rights. This transformation offers a mix of benefits and drawbacks, encompassing enhanced flexibility and job creation alongside worries about job stability, equitable treatment, and the necessity for regulatory guidelines. This research is crucial for addressing the intricacies of the evolving market economy. Its objective is to guarantee that this economy is both effective and morally responsible, placing a high priority on fairness and equality for all employees in the process. The growth of the gig economy is strongly linked to factors such as the 2008 financial crisis, which led businesses to reduce costs, and the COVID-19 pandemic, which significantly increased the demand for adaptable work arrangements. The rise of the gig economy is also tied to factors such as the 2008 financial crisis, which pressured businesses to cut costs, and the COVID-19 pandemic which further accelerated the need for flexible work arrangements.

The primary objectives of this study involve examining the current status of labour rights within India's expanding gig economy. The aim is to evaluate the understanding of labour rights among gig workers in India.

- To investigate the difficulties they encounter in obtaining equitable pay, social benefits, and safeguards against discriminatory treatment.
- Examining the effects of digital transformation and algorithmic management on the working conditions of gig workers.
- Assessing the efficacy of existing policies in safeguarding the rights of gig economy workers.
- Suggestions for strengthening labour rights and social safeguards are proposed.

This study will cover a range of sectors within the Indian gig economy, specifically retail, transportation, delivery, and personal services, among others. Both gig work on and off of platforms will be taken into account. Both platform and non-platform gig work will be

considered. This study will utilize a mixed-methods design, combining quantitative and qualitative data sources. The research is grounded in labour process theory, which examines control in the workplace, and social justice theories that prioritise fairness in labour relations.

- This concept explores digital labour and platform capitalism, looking at how digital platforms influence work routines. Primary data will be gathered through a survey of a randomly selected group of gig workers in India.
- The forthcoming survey will evaluate levels of awareness about labour laws, investigate income levels, examine working conditions, determine access to social security, and gather data on experiences of discrimination. Quantitative survey data will be statistically analysed.
- Interview data will offer additional insights and background information, and will be examined using thematic analysis methods. Qualitative data from interviews will provide further insights and context, and will be analysed using thematic analysis techniques.

The expected outcome of this research is a substantial disparity between the adaptability provided by the gig economy and the absence of sufficient labour protections. Key outcomes are anticipated to comprise. There is a widespread lack of understanding among gig workers about their labour rights.

- Obstacles in securing fair remuneration, social security, and standard employment benefits.
- The effects of algorithmic management on employees' working conditions and wages are evident.
- Discrimination frequently persists due to gender, racial, and other disparities.
- In the Indian context, there is a requirement for enhanced policy and regulatory frameworks to safeguard gig workers.
- The study anticipates diverse experiences across various sectors and demographic groups, which it aims to document. This research will examine the part played by digital platforms in job assignment, remuneration, and workforce administration. The study will explore the role of digital platforms in job allocation, pricing, and worker management.

The study is anticipated to make a significant contribution to the academic debate on labour rights and the gig economy, shedding light on the specific difficulties encountered by gig workers in India. The discovery will have substantial repercussions for policy development, underscoring the necessity for: Labour laws that cater to the distinct characteristics of gig work

may establish a separate category for gig workers with a limited scope of labour rights.

- Implementation of current laws and regulations, encompassing those pertaining to the minimum wage and collective bargaining rights.
- Portable social security and benefits that can be accessed by gig workers.
- Measures are in place to prevent discriminatory practices and protect against exploitation.
- Ensuring transparency and accountability within algorithmic systems that manage gig work.
- The upcoming study will demonstrate the intricate equilibrium between adaptability and moral factors, indicating that the gig economy can serve as a beneficial factor for economic expansion and employment generation, provided that it is effectively governed and fair. The study will show the complex balance between flexibility and ethical considerations, showing that the gig economy can be a positive force for economic growth and job creation, but only if it is well-regulated and equitable.

The research is expected to yield a thorough grasp of the difficulties faced by labour rights in India's gig economy, thereby guiding policy adjustments to safeguard gig workers. The forthcoming research project will offer advice on responsible and environmentally friendly business strategies, ensuring equitable treatment and social support for freelance workers. The gig economy holds the potential to stimulate economic growth and have a beneficial effect on workers' lives, but it necessitates a forward-looking and adaptable regulatory framework. More in-depth investigation is required to examine the lasting effects of the gig economy on the future of employment and social structures. This study makes a significant contribution to the overall conversation about workers' rights in the modern digital age, providing a model for future research in other areas experiencing analogous difficulties. The research contributes to the broader discussion of labour rights in the digital era, offering a blueprint for similar research in other regions facing similar challenges.

Keywords: Labour market, social justice, digital labour, COVID-19 pandemic, algorithmic management.

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Labour Welfare: The Conundrum of Policy, Principle, and Practice

Ashish Mishra and Anshi Goyal

Labour welfare can be defined as the aim of safeguarding the employee's physical, psychological, and fiscal needs besides reflecting the spirit of the principle 'social justice' within the working environment. Labour welfare is sociologically and philosophically anchored to fight structural inequalities that industrialisation and economic liberalisation has caused, and to restore equity, human dignity and social order. This paper seeks to explore the directions of the paradox of worker welfare by analysing how moral values, constitutional safeguards, new criminal laws including BNS, and BNSS, and the challenges inherent in the attainment of these objectives was addressed. Despite the Constitutional provisions in Article 39A, 41, and 43 and the Directive Principles of State Policy (DPSPs), the problem of lack of implementation leaves development disadvantaged. At the philosophical level, the promotion of labour welfare is guided by utilitarianism that aims at the greatest happiness of the highest number of individuals, Marxist theory that focuses on the exploitation that exists within capitalist structure. From multiple sociological perspectives, Emile Durkheim's concept of solidarity and Max Weber's Theory of Bureaucracy gives the understanding of how structured interventionism can empower workplace conditions. These principles support the dignity of work as a means of personal satisfaction and social betterment stressing that welfare must go beyond the tokenism to achieve lasting results.

The Factories Act of 1948, the Employees' Provident Funds and Miscellaneous Provisions Act of 1952, and the new Labour Codes that consolidated disparate regulations are only a few of India's many labour welfare laws. Laws designed to safeguard workers' rights against criminal exploitation, such as bonded labour, workplace harassment, and non-compliance with welfare laws, are included in recent introductions such as the BNS and BNSS. By bringing India's legal system into line with international norms, these laws aim to modernise and simplify it. But there are still several obstacles in the way of their actual application.

Comparing various survey data, large discrepancies in enforcement and compliance are identified. However, out of the employees of informal organisations in India; only 35% have

social security coverage as per a ILO report of 2022. In the same regard, only 28% of the workers in the Small and Medium sized businesses avoided offering information about their workplace. However, according to the data of the Centre for Monitoring Indian Economy (CMIE), 72% of the managerial employees reported the unsafe environment at their workplace. This is an indication that safety regulation put in place under Factories Act are not implemented. There are examples in this regard by using case studies of Maharashtra and Uttar Pradesh show that underfunded labour departments are hard-pressed to keep an eye on compliance, and most notably in rural and semi-urban spaces. Apart from these figures placed on enforcement, there are certain practical challenges of the real world. There perceived financial costs associated with the implementation of labour welfare programs⁹² therefore employers often resist welfare programs and employees in the unorganised sector lacking basic knowledge of their legal entitlements makes it easier for the employers to opt out of compliances. This certainly becomes the reason why welfare regulation faces practical problems which are aggravated by corruption and ineffective bureaucracy, and often, welfare regulations remain rather more theoretical rather than truly practical. For instance, a poll conducted by National Commission for Women in 2021 revealed that out of 1088 eligible women workers in the organized sectors, 40% of those polled failed to receive the maternity benefits, let alone those in the unorganized sectors in spite of the Maternity Benefit Act passed in 1961.

These dynamics of change in India's labour welfare landscape clearly point towards the requirement of doing an overhaul of the principles with respect to practice. In a philosophical premise, the dilemma is an embodiment of the struggle between the principles of fairness and the economic rationality informing the policies. The sociological principles of Labour welfare such as functional solidarity and bureaucratic efficiency most of the time prove ineffective due to structural inequities and operational incompetency. These principles consider interventions to be preventive, which not only seek to protect workers but also tend to correct injustices like lack of education, healthcare, or funds. Although the law has provided ambitious objectives for the protection of workers' rights, numerous workers continue to struggle in conditions of vulnerability, especially those who operate in the informal economy. Moreover, the current outbreak of the COVID-19 pandemic has brought out and deepened frailties in the lights of labour welfare in India. Approximately thirty million low-wage migrant workers in India, a

significant portion of the country's informal sector workforce, were severely affected due to the loss of employment, insufficient social protection, and state relief measures during the pandemic crisis. According to Oxfam India's survey, 92% of the migrant workers have incurred income losses during the COVID-19 phase because of administrative hurdles, lack of transference of welfare benefit schemes among others. These issues show a need to use technology to enhance the delivery of welfare and to include people in the welfare system.

That is why the emergence of new criminal codes, such as the Bharatiya Nyaya Sanhita (BNS) and the Bharatiya Nagarik Suraksha Sanhita (BNSS), is making the Indian legal system move towards modernization in relation to labour criminal offenses. Some of these laws are designed to protect the employees from unfair treatment, forced or bonded labour, unpaid wages or wages below the legal minimum, and workplace harassment. However, to enhance their effectiveness, they need to be backed by strong institutional frameworks, judicial responsibility, and popularity among the population. For example, whereas the BNSS criminalised non-payment of wages, the attempts to enforce this law have been hindered by low reporting rates and a constrained geographical jurisdiction of labour courts. According to the data obtained from the Ministry of Labour and Employment, over 50% of the cases in labour relations are still awaiting solutions for over one year, which implies the call for judicial solutions. Filling the gap between Policy, Principle, and Practice must therefore be pursued on many fronts, including policy change, improvement in accountability, raising awareness amongst employees, and participation by all stakeholders. With these concerns aimed at, India has the propensity of arriving at a Labour Welfare System that embraces the provision of the Constitution whilst supporting healthy economic growth.

Keywords: Policy, Principles, Practice, Enforcement, Compliance.

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A Comparative Study of Regulations for Gig Workers

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“Dignity of labour has to be our national duty; it has to be a part of our nature.” Mahatma Gandhi⁸

As a result of the Fourth Industrial Revolution (4IR), the nature of employment and workplaces has undergone significant transformation⁹. We are witnessing an evolution in both workforce and workplaces, marked by a shift towards new skill sets and labour displacement. Many people are working outside the purview of traditional offices, which requires the engagement of communication technologies. As it happens online and through contractors, Governments struggle to regulate these jobs. A prominent example of such a new form of job is the upswing of the gig economy. It refers to the labour market as primarily composed of temporary and short-term employment agreements, characterized as independent contracting and operating digitally that primarily act as middlemen for such fleeting interactions in work. These individuals deliver commodities through food delivery platforms or drive cars for services like Uber and Ola. They form part of the rapidly growing gig economy. The gig economy offers a wide range of new work opportunities; simultaneously, it is encumbered by issues like low wages, lack of social security, and job insecurity. Due to the ambiguity surrounding their classification of workers as independent contractors or employees, they are deprived of legal protection available to workers such as minimum wages, social security benefits, no safety net, and collective bargaining. Gig employment is a relatively new phenomenon, and India's legal provisions, policy initiatives, and regulatory framework are still in the early stages of development. This study focuses on a comparative analysis of the legal frameworks governing gig workers in the United States, the United Kingdom, and India and their unique approaches to balancing flexibility with the rights and protection given to gig workers.

⁸ Vidhi Santhosh Rane, Platform – Based Gig Workers: A Blind Spot in the Indian Labour Laws (Dec. 09, 2024, 02:45 PM), https://papers.ssrn.com/sol3/papers.cfm?Abstract_id=4821229

⁹ Alex de Ruyter, et.al. Gig Work and the Fourth Industrial Revolution, 72, *Journal of International Affairs*, 37, 37, (2019)

The ongoing debate in the United States about gig workers is whether these workers should be classified as employees or independent contractors. In *Dynamex* case, the judgment of Californian Supreme Court lays the foundation for the creation of Assembly Bill 5 (AB5) to ascertain if a gig worker is classified as an employee or independent contractor. This legislation aims to reclassify gig workers as employees providing those benefits such as minimum wages, unemployment insurance and overtime pay. However, the implementation of AB5 faced significant pushback from gig economy companies, leading to exemptions for certain industries and the passage of Proposition 22 in 2020, which allowed app-based transportation and delivery companies to continue classifying their workers as independent contractors.

The US approach is characterized by an ongoing tension between maintaining the flexibility of gig work and ensuring basic worker protections. Critics argue that the current system leaves gig workers vulnerable to exploitation, while proponents maintain that over-regulation could stifle innovation and reduce job opportunities. The Biden administration has signaled interest in addressing gig worker classification at the federal level, but concrete policy changes remain to be seen.

The United Kingdom has taken a more proactive and worker friendly approach to gig economy regulation compared to the United States. A significant development came in 2021 when the UK Supreme Court in *Uber BV and others v. Aslam and others* ruled that Uber drivers should be classified as “workers” rather than self-employed contractors¹⁰. This landmark decision entitled gig workers to certain rights such as minimum wages, holiday pay and pensions contributions¹¹. The UK’s approach is based on a three-tier employment classification system: employees, workers, and self-employed. The “worker” category, which now includes many gig economy participants, provides a middle ground between full employment and self-employment¹². This classification aims to offer some protections while maintaining a degree of flexibility inherent to gig work. The UK has also taken steps to address specific issues within the gig economy. For instance, the government has introduced measures to ensure transparency in platform algorithms and to protect workers from unfair

¹⁰ Colin Leckey, Supreme Court confirms that Uber drivers are ‘workers’ (UK), *European Employment Law Cases*, 2, 2, 2 2021.

¹¹ *ibid*

¹² NITI Aayog, *India’s Booming Gig and Platform Economy: Perspectives and Recommendations on the Future of Work*, 81, 2022.

rating systems¹³. Additionally, there are ongoing discussions about extending sick pay and other benefits to give workers. Despite these advancements challenges exists Enforcement of existing regulations can be difficult, and some gig economy companies continue to resist worker reclassification. However, UK's approach generally demonstrates a more balanced attempt to adapt existing labour laws to the realities of the gig economy.

India's approach to gig economy regulation is still evolving, reflecting the country's rapidly growing digital economy and the unique challenges of its labor market. Unlike the US and UK, India does not yet have a comprehensive regulatory framework specifically addressing gig work. However, there is increasing recognition of the need for such regulations as the gig economy expands. The Indian gig economy is characterized by a high degree of informality, with many workers operating in a legal grey area. This situation is partly due to the country's large informal sector and the rapid adoption of digital platforms. Gig workers in India often lack basic social protections and face issues such as income instability and lack of job security. In recent years, the Indian government has taken initial steps towards addressing gig work. The Code on Social Security, 2020, for the first time recognized gig workers and platform workers as distinct categories¹⁴. This legislation aims to extend some social security benefits to these workers, including health insurance and disability coverage. However, the implementation of this code has been delayed, and its effectiveness remains to be seen. Several state governments in India have also begun to address gig work regulations.

This study aims to highlight the merits and demerits concerning regulatory measures, using experiences from international practices and to propose a balanced legal framework for gig and platform workers.

Keywords: Gig Workers, US, UK, India, Social Security

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¹³ Brhmie Balam, Josie Warden and Fabian Wallace-Stephens, Good Gigs: A fairer future for the UK 's gig economy, 1, 36.

¹⁴ International Labour Organisation, Expansion of the Gig and Platform Economy in India: Opportunities for Employer and Business Member Organisation, 33, 2024

Gig Workers: In Search of Justice from The Indian Judiciary

Ms Avilya. A

The plethora of legislations has been enacted in India for maintaining welfare, social order and security of the labour force. Due to the emerging trends and modernization in the global level, the traditional employer-employee relationship is now being reduced. The Fourth Industrial revolution in the world gave rise to the Gig Economy. The most recent phase of digitalisation in the global South, reflected in the widespread adoption of Internet and smart- phone technologies, has given rise to an emergent gig economy that employs tens of millions of workers across its diverse urban centres. The gig economy, characterized by short-term contracts, freelance work, and on-demand tasks, has witnessed the rapid growth in recent years, reshaping the way people work and earn a living. Gig work are more like many jobs in delivery, home services, food & beverages, e-commerce emerged which were temporary in nature, contractual or part time and apt for freelancers and people looking for short term assignments. These employees called gig workers have become a part of developing India and are contributing in an immense manner to the gig economy. India is the fifth largest country in terms of gig workers. The gig populace is partly attracted by the youth and partly by the middle and old-aged persons. In India, The vast majority of gig workers, Unorganised Workers and Platform workers fall under unorganised sector and accepting gig workers as “employees” remains controversial and also face quite more issues. The stigma of the gig workers is evident and which need to be informed and reformed.

The preamble of the Indian Constitution assures the democratic way of living and every Indian citizen is entitled to receive fundamental rights which are guaranteed under the Constitution of India. To protect the dignity of workers’ and the need for protecting the interest of labour as human beings has been enshrined in the Articles 16,19,23,24,39,41,42,43,43A and 54 keeping in line with the Fundamental rights and Directive Principles of State Policy. The state shall ensure the adequate working conditions to the workers in any form of labour work done. The Supreme Court of India is known as the Guardian of the Indian Constitution. The basic fundamental rights which also includes the Right to Work and Livelihood on decent conditions of work under the Article 21. Denial of the social security to the “gig workers” and

the “platform workers” is an affront to the workers' right to life and the right against forced labour that are secured by Articles 14, 21 and 23 of the Constitution of India.

The Indian Ministry of Labour and Employment established the New Labour Code for New India which is considered to be the Biggest Labour Reforms in Independent India but it has Contemporary issues in the legislation and enforcement. For the first time in the code on Social Security, 2020 recognised ‘gig workers’ and ‘platform workers’ as ‘unorganised workers’. But at present the unorganised workers are not entitled to any benefit under the social welfare legislations. The researcher through this paper would like determine the ambiguity in chapter IX of Code on social Security, 2020 which potentially leaves the significant portion of the workers vulnerable and also many other provisions in Unorganised Workers’ Social Security Act, 2008 dealing with social security of the gig workers and unorganised workers. The NITI AAYOG report which was established in 2022 “India’s Booming gig and Platform economy” has provided the perspectives and recommendations of the future work of gig economy and it included challenges, characteristics, opportunities, barriers and so on. But, the report does not include anything about the cases so far filed by the workers for the violation of fundamental rights and role of the judiciary in deciding the cases.

Therefore, the research is primarily doctrinal and the researcher in this first part paper analyse the nature of the work and present scenario gig workers in India. The second part of the paper clearly put forward the Constitutional guarantees and discusses the lacunae in the legislation and the enforcement of new labour codes in respective of gig workers, unorganised workers and platform workers. The gig workers face many violations and currently striving hard for their livelihood. In order to get rid of the disastrous reforms happening to them, they seek the court to ensure their own fundamental rights under the Constitution of India. So, The third part of the paper deals with the role of courts in emerging issues of gig workers’ rights and filing the lacunae in legislation by the Judiciary and also criticise with the help of decided cases such as Daily Rated casual Labour vs. Union of India, The Indian Federation of App-Based Transport Workers vs. Union of India, Kavitha S. Sharma vs. Uber India, Uber India System Private Limited vs. Union of India, Ayantika Mondal vs. State of Karnataka. The researcher feels it is significant to look into the role of the courts in the contemporary issues regarding gig workers’ rights. Because Gig economy provides major part to the Gross Domestic Product of our country and so said major economic contributors’ rights are violated and the

judiciary cannot keep its eye out of the subject matter. If done, the raising spirit and the demand for gig economy may be decreased. The paper in the end provides findings and suggestions through this research for the better resolution in the matters dealing with gig economy and the workers' rights.

Keywords: Gig workers, gig economy, unorganised workers, social order, employee, right to livelihood, Labour Codes.

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Constitutional and judicial aspects of Labour rights

Devika Chandran.S and Vishnu Prasad MJ

The Indian Constitution provides a robust framework to protect and promote labor rights through Fundamental Rights, Directive Principles of State Policy (DPSP), and various judicial interpretations. Labor rights have been consistently interpreted by Indian courts to uphold the dignity and welfare of workers.

Labour rights form the foundation of social justice and economic equity, encompassing worker dignity and welfare. Strong constitutional and judicial protection safeguards these rights in India through fundamental guarantees and directive principles of state policy. Articles 14, 15, 19(1), 21, 23 and 24, along with Articles 39, 41, 42 and 43, make such constitutional commitment towards the workers' rights, equality of treatment at the workplace and the prohibition of exploitative practices. The judiciary has come out as a very critical instrument in furthering such principles, as exemplified in landmark judgments relating to contract labor, gig work, and equality in the workplace, that thereby adapt labor laws toward socio-economic realities.

Although globalization and urbanization have expanded economic opportunities, they have also increased inequalities in labor conditions. It is contract labor and gig work that are increasingly emerging as significant issues. AI further complicates this landscape, requiring an examination of labor rights to guarantee fairness and inclusivity in automated work environments.

Judicial interpretations have continually evolved to address these issues, fostering the alignment of labour laws with constitutional ideals. Key cases demonstrate the judiciary's proactive stance in ensuring labour welfare while balancing industrial interests. However, gaps persist in legal frameworks, necessitating comprehensive reforms.

Labour rights include Employment, work, and livelihood and the judicial and constitutional recognition of these rights. Labour rights are an integral part of the realization of social justice and economic equity. They include dignity, welfare, and equal opportunities for workers and are essential to the larger vision of a just society. The Indian Constitution forms a strong framework for the protection and promotion of these rights, based on Fundamental

Rights, Directive Principles of State Policy (DPSPs), and judicial interpretations. These mechanisms ensure that workers are protected from exploitation, their dignity is maintained, and equality is promoted in the workplace. Through time, the judiciary has played a significant role in interpreting and reinforcing these rights by adapting labor laws to changing socio-economic challenges.

The constitutional basis of labor rights in India is based on Fundamental Rights, which guarantee equality, non-discrimination, and the freedom to form associations. Article 14 ensures equality before the law, prohibiting discrimination in employment or workplace conditions based on caste, gender, or religion. Article 15 furthers this by explicitly forbidding discrimination, paving the way for equitable treatment in labor practices. Article 19(1) empowers workers by guaranteeing the right to form associations or unions, enabling collective bargaining to secure better wages, working conditions, and grievance Redressal mechanisms.

The constitutional commitment to labor rights extends to safeguarding workers' dignity and well-being. Article 21 guarantees the right to life and personal liberty, which has been judicially interpreted to include the right to a livelihood and humane working conditions. Articles 23 and 24 specifically address exploitative practices, prohibiting forced labor, human trafficking, and the employment of children in hazardous occupations. These provisions underlie the responsibility of the state to safeguard the vulnerable from exploitation and guarantee them all their basic rights.

Accompanying the Fundamental Rights are the Directive Principles of State Policy (DPSPs), which provide the state with a framework on which it is to legislate for policies and enactments in order to advance the cause of labor welfare. Articles 39, 41, 42, and 43 outline the need for securing proper means of livelihood, fair and humane working conditions, maternity benefits, and living wages. It calls upon the state to refrain from any exploitation and emphasizes that all citizens have a right to work, education, and public assistance. Article 42 stipulates for humane working conditions and maternity relief, and Article 43 aspires towards providing a living wage with decent working conditions. As such, the DPSPs together present the vision of a constitutional society that strives to provide welfare and dignity for its workers.

Judicial activism has also extended to issues related to contract labor and gig work, which have gained prominence in the era of globalization and urbanization. Contract laborers often face precarious employment conditions, with limited job security and inadequate social

protections.

Economic opportunities have been greatly advanced through globalization and urbanization, yet these processes are also expanding inequalities in conditions of work. Informal, unorganized workers, mainly contract workers and gig economy workers, are usually disadvantaged by such inequalities. They face challenges such as low wages, lack of social security, and unsafe working conditions. Judicial interpretations have played a vital role in addressing these issues, fostering a balance between industrial interests and labor welfare.

The rise of AI and automation has brought new complexities to the labor market, requiring a reevaluation of the existing legal frameworks. Automated systems and AI-driven decision-making have the potential to disrupt traditional employment patterns, raising questions about job security, wage disparities, and the ethical treatment of workers. The judiciary has recognized the importance of addressing these challenges, ensuring that technological advancements do not undermine the fundamental rights of workers.

Despite the considerable progress, gaps still persist in the legal framework governing labor rights in India. Informal workers, who form a significant proportion of the workforce, often fall outside the purview of labor laws and social protections. The lack of comprehensive legislation for gig workers further emphasizes the need for legal reforms to address emerging challenges in the labor market. The judiciary has constantly called for legislative action to bridge these gaps, urging the state to enact laws that ensure the protection and welfare of all workers.

India's commitment to labor rights is not confined to its domestic framework; it also aligns with international standards and conventions. Labor rights are enshrined in various international treaties, declarations, and conventions, such as the International Labour Organization (ILO) conventions and the Universal Declaration of Human Rights. These instruments underscore the importance of protecting workers' dignity, promoting fair wages, and ensuring decent working conditions. India's ratification of several ILO conventions reflects its dedication to upholding international labor standards.

The constitutional and judicial framework on labor rights in India mirrors a deep commitment to social justice, economic equity, and worker welfare. Fundamental Rights and DPSPs laid a strong foundation for securing labor rights, while judgments have been modified in adapting these principles to suit new challenges. Important judgments reinforce the obligation

of the state to protect workers from exploitation to ensure equality at work sites and humane working conditions at the workplace. This changing nature of work, therefore, calls for all-encompassing legal reforms, filling the existing gaps, and safeguarding labor rights in the modern era. Thus, aligning the domestic labor laws with constitutional ideals and international standards, India will continue to uphold the dignity and welfare of its workforce and ensure a just and equitable society for all.

Keywords: Labour, equality, welfare, Dignity, Judiciary

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Sexual Harassment in the Workplace under POSH Act 2013: A Handling Approach with AI

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The Prevention of Sexual Harassment (POSH) Act, 2013, is a landmark legislation enacted to ensure a safe and secure working environment for women in India. It mandates the establishment of Internal Complaints Committees (ICCs) in organizations to address and resolve complaints of sexual harassment in the workplace. Despite its significance, the practical implementation of the POSH Act has faced numerous challenges, including biased judgment, procedural delays, and lack of sensitivity in handling cases. These issues undermine the very purpose of the legislation, leaving many cases unresolved and victims without proper recourse. The integration of Artificial Intelligence (AI) into the POSH framework offers a promising avenue to address these challenges and transform the way sexual harassment cases are managed.

One of the primary challenges in the implementation of the POSH Act is the manual handling of complaints, which is prone to human biases and errors. Decisions made by ICCs may sometimes reflect societal prejudices or personal biases, leading to unfair outcomes. Additionally, the process of filing and investigating complaints can be intimidating for victims, especially in cases where anonymity is not guaranteed. Fear of retaliation or judgment often discourages victims from coming forward, resulting in underreporting of incidents. AI-powered tools can play a pivotal role in overcoming these barriers by ensuring anonymity and creating a more inclusive and supportive environment for victims to report incidents. For instance, AI chatbots can provide a confidential and user-friendly platform for employees to lodge complaints, enabling them to share their experiences without fear of exposure or stigma.

Moreover, AI can significantly enhance the efficiency and effectiveness of the complaint-handling process. By leveraging Natural Language Processing (NLP) algorithms, AI systems can analyze the context and content of complaints to assess their credibility and severity. These algorithms can identify patterns, detect inconsistencies, and flag high-priority cases, helping ICCs focus their attention on the most critical issues. This analytical capability not only reduces the risk of oversight but also expedites the resolution of complaints, ensuring timely justice for

victims. Additionally, AI tools can assist ICCs in conducting investigations by processing vast amounts of data, such as emails, chat logs, and other communication records, to uncover evidence of inappropriate behavior. This capability is particularly valuable in cases where traditional methods of investigation may be inadequate or time-consuming.

AI's potential extends beyond individual case management to monitoring and improving workplace culture. By analyzing employee feedback and organizational data, AI tools can identify trends and patterns of behavior that may indicate a hostile work environment. For example, frequent complaints from a particular department or recurring themes in employee feedback may signal systemic issues that require immediate attention. This proactive approach allows organizations to address underlying problems and implement preventive measures, fostering a safer and more inclusive workplace. Furthermore, AI can be used to evaluate the effectiveness of existing policies and training programs, providing actionable insights to enhance their impact.

Training and awareness are critical components of the POSH Act's implementation. Traditional training programs on sexual harassment prevention often lack engagement and fail to address the unique needs of different employees. AI-powered training solutions can address these limitations by offering personalized and interactive learning experiences. For instance, AI can create role-playing simulations or scenario-based learning modules tailored to the specific challenges faced by employees in different roles or industries. This customized approach not only enhances the effectiveness of training programs but also ensures that employees are better equipped to recognize and prevent sexual harassment in the workplace.

While the integration of AI into the POSH framework offers numerous benefits, it is essential to acknowledge its limitations and address potential concerns. AI systems rely on data for training and decision-making, and the quality of outcomes depends on the quality and diversity of the data used. If the data is biased or incomplete, AI systems may perpetuate existing biases, leading to unfair outcomes. To mitigate this risk, organizations must ensure that AI tools are developed and trained using diverse and representative data sets. Additionally, regular audits and evaluations are necessary to identify and rectify any unintended biases in AI algorithms.

Another critical consideration is the ethical use of AI in handling sensitive cases of sexual harassment. While AI can assist in investigations by analyzing communication records

and other data, it is important to ensure that these tools are used responsibly and with respect for individuals' privacy. Organizations must establish clear guidelines and protocols for the use of AI in investigations, ensuring that employees' rights are protected and that AI tools are used as a complement to, rather than a replacement for, human judgment. Human oversight is crucial in sensitive cases to ensure that decisions are fair, empathetic, and aligned with the principles of justice.

The integration of AI into the POSH framework is not without its challenges, but the potential benefits far outweigh the drawbacks. By addressing issues of bias, inefficiency, and lack of sensitivity, AI can significantly improve the implementation of the POSH Act and enhance its impact. The recent Supreme Court judgment in *Aureliano Fernandes v. State of Goa* highlighted several inadequacies in the implementation of the POSH Act, emphasizing the need for innovative solutions to address procedural challenges. Other notable cases, such as *Vishaka v. State of Rajasthan*, which laid the foundation for the POSH Act, and *Medha Kotwal Lele v. Union of India*, which highlighted the need for stricter enforcement of anti-harassment measures, underline the importance of a robust framework. These cases serve as reminders of the ongoing challenges and the critical need for aligning the POSH framework with modern tools and technologies to achieve its objectives effectively.

In conclusion, the Prevention of Sexual Harassment (POSH) Act, 2013, is a vital piece of legislation that aims to create a safe and equitable working environment for women in India. However, its implementation faces significant challenges that undermine its effectiveness. The integration of Artificial Intelligence (AI) into the POSH framework offers a transformative solution to these challenges, enhancing the speed, accuracy, and fairness of complaint handling processes. AI-powered tools can facilitate anonymous reporting, reduce biases, expedite investigations, and monitor workplace culture, fostering a safer and more transparent environment. Additionally, AI can revolutionize training programs, equipping employees with the knowledge and skills needed to prevent sexual harassment. While human judgment remains indispensable in sensitive cases, AI can serve as a powerful ally in achieving the objectives of the POSH Act. By embracing AI-driven innovations, organizations can address procedural inadequacies, uphold the principles of justice, and create a workplace culture that is truly inclusive and respectful. The alignment of AI technologies with the POSH Act's goals

represents a significant step forward in the fight against workplace sexual harassment, ensuring a safer and more equitable future for all employees.

Keywords: POSH Act, sexual harassment, AI, Internal Complaints Committees, Natural Language Processing, Anonymity

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Empowering Abilities: Innovations in Workplace Design

Dr. Chayanika Basu

Inclusion and accessibility are essential for promoting fairness and diversity in contemporary workplaces. Differently-abled employees form a substantial component of the worldwide labour market; yet, they are significantly under-represented owing to structural, attitudinal, and institutional obstacles. These obstacles impede the full engagement of differently-abled persons and lead to missed chances for organisations to use varied skills and viewpoints. As societies progress, there is a growing focus on mitigating these gaps via creative tactics and practices that prioritise workplace accessibility. This paper explores the many innovations reshaping workplaces for individuals with disabilities, analysing technology breakthroughs, regulatory frameworks, organisational methods, and universal design principles. Analysing these categories offers a thorough comprehension of the redefinition of accessibility in modern workplaces. The need for accessible workplaces arises from the obstacles encountered by those with disabilities in accessing or engaging in the workforce. These problems are multifaceted, including physical inaccessibility, technology deficiencies, cultural stigma, and insufficient policy enforcement. Numerous workplaces are constructed without regard for ability diversity, leading to situations that unintentionally marginalise differently-abled persons. This exclusion impacts people and constrains organisational progress by suppressing creativity that often emerges from varied viewpoints.

Furthermore, persons with disabilities often encounter substantial job disparities. The World Health Organisation (WHO) reports that individuals with disabilities are twice as likely to be jobless as those without disabilities. These differences underscore the pressing need for workplaces that are both accessible and inviting. Governments, business corporations, and non-profit organisations are progressively enacting efforts to establish such workplaces. In this context, accessibility extends beyond architectural alterations; it includes an inclusive culture, fair regulations, and adaptable technology tailored to accommodate various demands. Technological innovations have been crucial in transforming workplace accessibility. Assistive software solutions have become indispensable instruments for workers with disabilities. Screen readers and text-to-speech software enable workers with visual impairments to traverse digital

platforms. Widely used programs like JAWS (Job Access With Speech) and NVDA (Non-Visual Desktop Access) have revolutionised the interaction of those with visual impairments with technology, allowing them to do intricate jobs autonomously. Likewise, speech-to-text converters and real-time captioning systems improve communication for those with hearing impairments, enabling them active participation in meetings, conversations, and joint endeavours.

Artificial intelligence (AI) has significantly broadened the scope of accessibility. AI-driven products, such as chatbots and predictive text systems, streamline intricate operations and diminish reliance on physical inputs, aiding workers with cognitive or motor impairments. Robotics and wearable exoskeletons are revolutionary advancements for those with mobility impairments. These gadgets facilitate engagement in physically strenuous activities while improving safety and minimising tiredness, hence creating new possibilities in sectors previously unattainable for differently-abled individuals. Furthermore, virtual, and augmented reality (VR/AR) technologies are used to provide immersive training modules designed for differently-abled personnel. These technologies facilitate skill acquisition in regulated settings, ensuring personnel build confidence and proficiency prior to engaging in real-world situations. Virtual and augmented reality are especially advantageous in sectors like healthcare and manufacturing, where practical experience is essential. Technological breakthroughs are essential for enhancing workplace accessibility; nevertheless, they need strong legislative frameworks to guarantee sustainability and justice. Legislative laws, such as the Americans with Disabilities Act (ADA), the UK's Equality Act 2010, and India's Rights of Persons with Disabilities Act 2016, provide a legal framework for accessibility. These guidelines require appropriate adjustments, prevent discrimination, and obligate organisations to prioritise accessibility. The ADA mandates that companies provide accommodations, such as modified workstations, or flexible timetables, to enable differently-abled employees to fulfil their responsibilities efficiently.

Organisations are implementing proactive measures that promote inclusion beyond mere compliance. Flexible work arrangements, such as remote work choices and changeable hours, cater to the varied requirements of differently-abled personnel. These policies not only empower workers but also enhance overall organisational efficiency by fostering a good work-life balance. Impartial recruiting methods, like anonymised resumes and focused outreach

initiatives, guarantee fair employment prospects, dismantling obstacles that often marginalise differently-abled applicants. Governments and non-profit organisations are essential in facilitating these initiatives by providing financial assistance. Subsidies for assistive equipment, subsidies for workplace adaptations, and incentives for employing differently-abled individuals motivate organisations to engage in accessibility initiatives. These activities are especially vital for small and medium-sized firms (SMEs), who may be deficient in resources to execute comprehensive accessibility programs. Case examples from multinational firms highlight the significance of inclusive policies. Microsoft has initiated an AI for Accessibility initiative that finances technical solutions aimed at improving workplace inclusion. IBM has instituted extensive accessibility training for its staff, embedding diversity throughout its corporate culture. The physical workstation is an essential element of accessibility. Universal design principles, promoting surroundings accessible to all individuals irrespective of ability, have emerged as a fundamental aspect of inclusive workplaces. These concepts underscore the need of designing environments that cater to diverse physical and sensory requirements, hence removing obstacles to participation.

Physical alterations are some of the most apparent manifestations of accessibility. Examples include height-adjustable workstations, wheelchair-accessible entrances, tactile paths, and automatic doors. These adaptations allow differently-abled personnel to autonomously traverse and use workplaces, promoting autonomy and dignity. Organisations are integrating sensory-friendly elements, such noise-cancelling areas, adaptive lighting, and neutral colour palettes, for workers with sensory sensitivities. These modifications foster a conducive and efficient atmosphere, especially for persons with problems like autism or anxiety disorders. Accessible transport alternatives significantly improve workplace accessibility. Organisations are partnering with local governments to provide accessible public transportation or specialised services for differently-abled workers, therefore removing a prevalent obstacle to employment. Although physical and technical advancements are essential, societal acceptance and understanding have equal significance. Negative preconceptions and implicit prejudices often hinder the inclusion of differently-abled employees, necessitating cultural transformations. Workplace awareness initiatives and training programs inform workers about impairments, promoting empathy and comprehension. Disability Etiquette Training programs provide personnel with the skills to engage politely and successfully with

colleagues with disabilities.

Leadership and representation significantly influence the challenge of social norms. Individuals with disabilities in leadership roles motivate organisations and workers to adopt diversity. Their presence illustrates that disability is not a constraint but a distinctive viewpoint that may foster innovation and creativity. Employee Resource Groups (ERGs) for individuals with disabilities foster a supportive network inside organisations. These organisations promote accessibility efforts, provide a forum for workers to express their problems and recommendations, and assist in formulating organisational policy. Notwithstanding considerable advancements, obstacles remain in attaining generally accessible workplaces. Financial limitations often impede SMEs from executing accessible initiatives, whilst discrepancies in legislative enforcement led to inconsistent advancements across various locations and sectors. Prevalent attitudinal prejudices and insufficient understanding underscore the need for ongoing lobbying, education, and cooperation. Confronting these difficulties requires a multi-stakeholder strategy. Governments must mandate adherence to accessibility legislation while offering incentives for organisations to implement inclusive practices. Technology developers must provide cost-effective and intuitive assistive technologies, guaranteeing that accessibility is not restricted to major enterprises. Employers must prioritise accessibility as a fundamental value, including it into organisational goals and financial plans. Establishing accessible workplaces is not just a legal or ethical need; it is a strategic necessity that advantages both organisations and society. By adopting advancements in technology, policy, design, and culture, companies may transform into genuinely inclusive settings where persons with disabilities flourish. In addition to the direct advantages for workers, cultivating accessible environments strengthens organisational resilience, stimulates innovation, and advances overarching social objectives of fairness and inclusion. As workplaces progress, accessibility must be prioritised to guarantee that no person is excluded from achieving professional greatness.

Keywords: Differently-abled employees, Workplace diversity, Legislative Frameworks, Physical accessibility, Impartial recruiting methods.

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The Impact of Climate Change on Labour Law: A Global Legal Outlook

Dr. Kavya Chandel

The impact of Climate change is impacting the working conditions of the workers working in Factories, Mines and Trade Unions. The interrelationship between the climate change and safe working conditions is crucial. The workers working in Industries are prone to various risk factors. The lives of these workers working in Industries is at Peril. Physical risks are accelerated due to climate change. Climate change has made the lives of these workers vulnerable. However, UK is less prone to natural calamities than much of the world. There are various Acts and statutes that highlights upon focusing on maintaining a decent temperature that is adaptable for workers. The workplace (Health Safety and welfare) Regulations 1992 highlights upon the needs that employers must maintain a safe and balanced temperature at workplaces. Additionally, there are various acts such as Employment Rights Act, 1996 which protects the individuals from dismissal or removal on the grounds of climate Change.

Similarly, In India Factories Act,1948 provides for safe and healthy environment inclusive of the facilities of Ventilation and Sanitation that is crucial in building an ecologically sustainable environment for the workers. Additionally, The Occupational Safe health and working Conditions Code 2020. It provides safe and harmonious working environment to the workers working in factories, Mines and Plantations.

The International Labour organization has multiple rules and regulations creating an intersection between Climate changes and various Rules. For an Instance, Convention number 148 working Environment convention 1977 states about guaranteeing protection to the workers from Air Pollution. Chemical convention number 170, also guarantees protection and build an Ecologically sustainable economy for people at large. Also, Annexure I, of International Labour Organization provides a list of conventions that are related to Environment. Article 11, states that there must be complete vigilance taken by the competent authority regarding providing a safe secure and Healthy workspace provided to the workers. It further states that the workspace must be free from occupational Health hazards or Noise pollution. The supervision will comprise of Medical Examinations that will take place to discover any kind of environmental hazards. However, there are various codes also which protection and

Conservation of Environment and also maintaining a stable environment, at various workplaces.

The Occupational Safety Health and working conditions code 2019, lists out various provisions like There is a responsibility of the central government to inform the working conditions at workplaces that there must be hygienic and safe drinking water provided to the people who are working at various workplaces. The harmonious and environmentally sustainable environment must also include Decent canteens, Creches, first aid boxes etc. The working must also include safe and hygienic work atmosphere that is free from any kind of hazardous processes. In the Indian Legal Perspective, The Factories Act, 1948 provides a safe and secure working environment to the people working in factories. It tries to ensure that a harmonious workspace need to be provided for the people working in factories. It promotes in building an environment which promotes Health and welfare of the workers. The act also ensures that there must be proper ventilation facilities and a sound waste disposal system provided to the workers. The environment around them must not be hazardous or destructive in nature. Infact, The Trade union Act, 1929 ensures that a decent salary and safe and secure environment must be Provided to the Employees. In India the objective of the Labour Legislations draws its towards creating an finding a balance between work and Environment. It focuses upon safeguarding the human dignity by protecting and improvising the living standards of the workers. It also highlights in creating an environment which is Physically and mentally nourishing for Labourers /workers.

The Child Labour Prohibition and Regulation Act,1986 was prepared for prohibiting the children under 14 years of age working in Factories, Mines and hazardous workplaces. The act ensures that a child must be provided a safe and harmonious workspace which is free from any destruction or nuisance.

The Mines Act 1952, was formulated to provide a healthy and safe working conditions to the workers working in mines. The workers working in boreholes, oilwells and borings must be provided safety standards and healthy working conditions. The Beedi and cigar workers (condition of Employment) Act 1966 was formulated to ensure a safe space for the workers working in these areas. It ensures that the premises must be kept clean and stay free from any kind of awful or foul smell. The premises must be well kept and also standards and regulations of cleanliness must be there. The standards and cleanliness must include whitewashing,

Varnishing and Painting. There must be necessary precautionary measures taken by the Employers, to eliminate all kinds of dust and fumes that is creating impurity in surroundings and also harmfully impacting the environment. Eventually, another act that deals with the providing a safe and harmonious environment to the workers. The Building and construction workers Act,1996 states that there must be safety standards provided to the workers working in construction activities. The health and Safety is one of the primary and the foremost concern for the workers working in Building and Construction activities. Additionally, one more act deals with regulating the working conditions of the workers in factories and also to safeguard their rights. The Contract Labour Regulation and Abolition Act 1970, states about guaranteeing protection to the workers. It safeguards the rights of the workers in ensuring safe and secure working conditions. It also keeps a check on the timings of the workers.

Keywords: Environment, workers, Climate Change, Regulation, Employees, safety standards, Pollution, Hazardous materials, working Hours, Labour Legislations

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The Right to Disconnect: Balancing Work-Life Dynamics in the Digital Age

Dr Krishna Kishore Padala and Aarthy Jonathan Kennedy

The widespread adoption of digital technologies and flexible work arrangements has significantly transformed professional environments. While offering greater flexibility, these advancements have blurred the boundaries between professional and personal life, fostering an "always-on" work culture. Among the most affected are teaching professionals in higher education, who are often required to be accessible to students, administrators, and colleagues beyond official working hours. This study delves into the socio-legal dimensions of the "Right to Disconnect", a legal provision that enables employees to disengage from work-related communications outside their contracted working hours. It critically examines the implications of this right on mental health, work-life balance, and overall well-being, with a specific focus on Indian academia. The study employs a mixed-method approach, integrating empirical data from a survey of 50 teaching professionals across various universities in India with doctrinal and comparative legal analyses. The survey provides grounded insights into their perspectives, knowledge, and experiences concerning the Right to Disconnect. A significant finding is the widespread lack of awareness among teaching professionals regarding this right, coupled with a strong consensus on the negative impact of over-connectivity. Participants reported challenges such as mental fatigue, reduced job satisfaction, strained personal relationships, and diminished overall productivity. These issues are exacerbated by the demands of digital communication platforms and remote teaching tools, which create constant pressure to remain accessible.

Through a comparative analysis of global legal frameworks, the study highlights effective models that address these challenges. France's "El Khomri Law" stands out as a pioneering example, mandating the Right to Disconnect and emphasizing the preservation of personal time to reduce workplace stress. Ireland's voluntary guidelines offer a flexible approach, encouraging organizations to adopt practices that respect employee boundaries. Belgium takes a more structured route by requiring mandatory agreements between employers and employees to enforce disconnection policies. These international examples provide valuable lessons for India, where labour laws are yet to fully address the complexities of digital over-

connectivity. A critical evaluation of India's "New Labour Codes" reveals significant gaps in addressing these challenges, particularly in sectors like academia. While the New Labour Codes aim to consolidate and modernize labour laws, they do not consider the unique pressures posed by digital connectivity. The absence of provisions specifically protecting workers from the psychological toll of constant accessibility highlights the need for reform. Teaching professionals, already burdened with administrative, academic, and extracurricular responsibilities, are especially vulnerable to the detrimental effects of an always-on culture. This study argues for the inclusion of the Right to Disconnect within the Indian labour framework to safeguard the mental health and well-being of these professionals. Employers and digital platforms are pivotal in addressing the challenges of over-connectivity.

The study explores the role of technology in regulating after-hours work expectations, recommending tools such as automated shutdown systems for communication platforms and controlled email access outside working hours. Additionally, it emphasizes the need for accountability mechanisms, including employer audits, reporting frameworks, and penalties for non-compliance. These measures are essential to ensure that the Right to Disconnect is effectively implemented and enforced. The psychological impact of an always-on culture is a central focus of this research. Survey participants frequently cited feelings of burnout, anxiety, and stress as direct consequences of blurred work-life boundaries. Teaching professionals reported being unable to disconnect from their professional responsibilities even during personal time, leading to reduced job satisfaction and increased frustration. The Right to Disconnect is proposed as a critical intervention to address these issues, ensuring that workers can enjoy a healthier balance between their professional and personal lives. By fostering a culture of disconnection, organizations can enhance employee well-being, boost productivity, and create a more sustainable workplace environment. The study also highlights the role of awareness and cultural shifts in implementing the Right to Disconnect. While legal mandates are crucial, they must be supported by educational initiatives that inform workers and employers about the benefits of disconnection. Awareness campaigns, workplace training programs, and trade union advocacy are recommended as effective strategies to promote understanding and acceptance of this right. Drawing from survey data and global best practices, the study presents actionable recommendations for integrating the Right to Disconnect into India's labour laws. These include amending the New Labour Codes to incorporate explicit provisions for the Right to

Disconnect, tailored to address the unique challenges of teaching professionals and other vulnerable groups. Promoting awareness campaigns is crucial to educate both workers and employers about the socio-legal and mental health benefits of this right, fostering a deeper understanding of its importance. Additionally, leveraging technology by developing and implementing tools to monitor and regulate after-hours communication effectively can ensure compliance with disconnection policies. Establishing sector-specific guidelines, particularly for academia, is also essential to address the unique pressures faced by teaching professionals in maintaining a healthy work-life balance. Together, these measures aim to create a balanced framework that protects worker well-being while maintaining organizational productivity. This study advocates for a balanced approach, combining legal reforms with organizational culture shifts to ensure that technological advancements enhance, rather than exploit, the workforce. By addressing the socio-legal dimensions of the Right to Disconnect, it contributes to the evolving discourse on labour rights in the digital age. Ultimately, the research emphasizes the importance of collaborative efforts among policymakers, employers, and educational institutions to implement this right effectively. It underscores the necessity of safeguarding workers' mental health and dignity while maintaining productivity in a rapidly changing workplace environment. By integrating the Right to Disconnect into India's legal and organizational frameworks, the study envisions a future where technological progress aligns with the principles of equity, sustainability, and human well-being.

Keywords: Right to disconnect, work-life balance, labour law reforms, employee, technology, digital overload.

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The Impact of AI-Driven Surveillance on the Human Rights of Gig Workers: Privacy, Autonomy, and Beyond

Dr. Poorvi Singh Chaudhary

Man was born free, and he is everywhere in chains” - Jean-Jacques Rousseau.

The gig economy in India has experienced explosive growth in recent years, reshaping the workforce landscape with its flexible, short-term employment opportunities facilitated by digital platforms. Powered by advancements in smartphone penetration, expanded internet access, and the proliferation of app-based platforms in industries such as ride-sharing, food delivery, and freelance work, the gig economy has introduced both opportunities and challenges. Among the most pressing issues are the risks posed to privacy, the implications of AI surveillance, and the ethical dilemmas arising from algorithmic management systems.

Gig workers face significant privacy concerns due to the extensive use of AI-driven surveillance technologies. As the workers rely heavily on personal devices such as smartphones, computers, and vehicles for work-related activities, they often install platform-provided applications that essentially track them in real time and also monitors their performance. These applications collect vast amounts of data, including geolocation, communication records, and biometric information, often without adequate transparency or worker consent. Monitoring often extends beyond work hours, encroaching on workers' private lives and leaving them with little control over how their data is used, stored, or shared, this intrusive nature of such surveillance not only compromises personal privacy but also creates an environment of constant oversight that can feel oppressive and invasive.

Although the existing legal frameworks in India, such as the Information Technology Act, 2000, and the Digital Personal Data Protection Act, 2023, provide some safeguards but they fall short of addressing the unique challenges posed by the of gig work. These laws primarily cater to traditional employment structures, leaving gig workers vulnerable to unchecked data collection and misuse.

The lack of robust protections tailored to platform-based work creates a critical gap in the legal landscape. As a result, gig workers often have no means to contest or rectify potential

abuses, amplifying their sense of powerlessness. It is paramount that legislation governing privacy protections is strengthened for them through targeted legislation. It will also play an important role in restoring the balance and further empower the gig workers in regaining control over their personal information.

In this research paper the second problem which is analysed is lack of autonomy of the worker especially workers like app based cab driver, food delivery agent etc. As AI surveillance in the gig economy has transformed how workers are monitored and managed. Algorithmic management systems dictate work processes, setting rigid performance standards and automating decision-making in ways that reduce workers' autonomy. This centralized control limits workers' ability to make independent decisions about tasks, schedules, and working conditions, effectively turning them into passive participants within an automated system. The implications of such control extend beyond immediate workplace dynamics, shaping the broader socio-economic landscape of gig work.

The lack of transparency around these systems exacerbates the problem, as workers are often unaware of the criteria used to evaluate their performance or the data collected about them. This opacity fosters mistrust and leaves workers vulnerable to arbitrary penalizations. For instance, workers may be penalized for circumstances beyond their control, such as technical glitches or unrealistic performance metrics imposed by algorithms. The absence of mechanisms to challenge these decisions further entrenches inequalities and creates an environment where workers have little recourse against perceived injustices. Despite some state-level initiatives, such as the Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023, and the Karnataka Platform-Based Gig Workers (Social Security and Welfare) Bill, 2024, there is a pressing need to align India's legal framework with international standards like the General Data Protection Regulation (GDPR) and recent European directives on platform work. Such alignment could help ensure that workers are not subjected to intrusive monitoring practices without adequate safeguards.

In addition to privacy and surveillance concerns, the gig economy's use of algorithmic management raises significant ethical dilemmas. Algorithmic systems are prone to bias, often reflecting the limitations and prejudices embedded in their training data. This can result in discriminatory practices, with workers unfairly penalized based on flawed performance metrics or contextual oversights. For example, algorithms trained on historical data may inadvertently

reinforce systemic biases, disproportionately affecting certain demographics or regions. These biases can manifest in various ways, such as unequal access to high-paying tasks or disproportionate penalties for perceived inefficiencies. Addressing these biases requires a critical examination of the underlying data and the methodologies used to train these algorithms.

The opacity of these systems further compounds these issues, denying workers the ability to challenge unfair decisions or understand the basis of their evaluations. Continuous monitoring contributes to heightened stress and anxiety, as workers feel perpetually scrutinized by impersonal systems that prioritize efficiency over human well-being. The psychological toll of constant evaluation cannot be understated, as it undermines workers' confidence and erodes their sense of autonomy. Moreover, the ethical challenges extend beyond individual workers, reflecting broader societal concerns about the normalization of intrusive surveillance and the erosion of worker agency. The societal acceptance of such practices risks creating a precedent where invasive monitoring becomes a standard feature of employment, with far-reaching implications for labor rights and personal freedoms.

Addressing these dilemmas requires a shift towards ethical AI governance, incorporating transparency, fairness, and worker participation in the design and implementation of surveillance systems. Ensuring that workers have a voice in how these systems are developed and implemented is crucial to fostering trust and accountability. Ethical governance also involves establishing clear guidelines on the acceptable use of AI surveillance, emphasizing the importance of consent, transparency, and fairness. Mechanisms for redress and dispute resolution must be integral to these frameworks, empowering workers to challenge decisions and seek remedies for grievances.

This paper underscores the urgent need for comprehensive legal and ethical frameworks to address the challenges posed by privacy violations, AI surveillance, and ethical dilemmas in the gig economy. Integrating gig workers' rights into emerging data protection laws and labor codes is essential to ensure transparency, accountability, and fairness in platform-based work. By aligning national laws with international standards, such as the Universal Declaration of Human Rights (UDHR) and the European Convention on Human Rights (ECHR), India can create a more equitable gig economy that respects the dignity and rights of all workers. A combination of robust legal protections, ethical practices, and public awareness is necessary to

balance technological innovation with human rights, fostering a gig economy that is both efficient and humane.

Additionally, fostering collaborations between policymakers, technology developers, and worker representatives can help bridge the gap between technological advancements and human rights considerations. Such collaborations can lead to the development of innovative solutions that enhance productivity while safeguarding workers' rights. Public awareness campaigns and educational initiatives can further empower gig workers, equipping them with the knowledge and tools to navigate the complexities of AI-driven surveillance. By taking a holistic approach that combines legal, ethical, and practical measures, India can set a precedent for creating a gig economy that values human dignity as much as technological progress. This vision of a balanced and fair gig economy can serve as a model for other nations grappling with similar challenges, reinforcing the universal principles of justice, equity, and human rights.

Keywords: Artificial Intelligence, AI Surveillance, labour laws, Gig Worker, Privacy Laws

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India's New Labour Code: Bridging Gaps in the Unorganized Sector

Dr. Prerna Gulati and Khanak Jain

India's unorganized labour sector is the backbone of the nation's economy, employing approximately 90% of the workforce and significantly contributing to economic output. However, this workforce works mostly in informal conditions, without legal protections, social security, and workplace dignity enjoyed by their counterparts in the organized sector. India's New Labour Codes, which represent the most critical watersheds in the history of labour laws, aim at the simplification, consolidation, and modernization of its presently fragmentary legal structure. The article critically assesses the impact of these changes from the viewpoint of the unorganized sector—the everyday wage earners, agricultural labourers, gig economy earners, and many other informal sector workers. The historical evolution of labour legislation in India reflects a complex interplay of socio-economic and political factors.

Colonial-era regulations were primarily geared toward safeguarding industrial workers in limited sectors, leaving vast swathes of informal workers without legal protection. Post-independence labour laws expanded in scope but remained fragmented across over 40 statutes, leading to challenges in enforcement and compliance. This increased legislative complexity made the vulnerabilities of the unorganized sector even more vulnerable as they had least access to social security, wage standardization, or grievance redressal mechanisms.

It is against this backdrop that the government brought in four consolidated labour codes: the Code on Wages, the Industrial Relations Code, the Social Security Code, and the Occupational Safety, Health, and Working Conditions Code. These reforms intend to simplify regulatory processes, ease doing business, and extend protection to previously excluded segments, including unorganized workers. This paper assesses the effectiveness of these codes in addressing the challenges unique to the unorganized labour sector.

A central theme of this paper is the alignment of India's labour reforms with global benchmarks. Robust social security networks and high standards of employment are some other ways in which long-established countries such as Germany and Sweden include informal workers within their formal systems. Innovative policies that are aimed at providing legal coverage to informal workers are adopted in the emerging economies, including Brazil and

South Africa. The current work contrasts India's new labour codes with these best practices and their implications for reducing inequities in favour of inclusiveness of the unorganized sector.

One of the key provisions that this paper examines is the inclusion of gig and platform workers under the Social Security Code. Gig workers are an increasingly important demographic in a rapidly digitalizing economy, having been historically excluded from traditional labour protections. The new labour codes attempt to bridge this gap by mandating social security benefits such as provident funds, health insurance, and maternity leave. However, challenges exist in implementing these provisions. There is a widespread phenomenon of the fringes in the formal contractual boundaries of the majority of the gig workers. Lack of information at both worker and employer ends hinders take-off. An area of immediate concern is also the digital divide affecting the unorganized sector in disproportionate measure.

The labour codes emphasize digitized systems for registration, compliance, and benefit disbursement. A large proportion of unorganized workers lack access to the necessary technology and digital literacy. This digital gap not only limits their ability to claim benefits but also aggravates existing inequalities, particularly for women and marginalized communities. The gap between the two requires targeted interventions, digital literacy programmes, and grievance redressal mechanisms that are accessible for these workers.

This integration of the unorganized sector into the formal labour ecosystem impacts micro, small, and medium enterprises (MSMEs) who predominantly engage a significant chunk of informal workers. Their approach is different compared to the other companies because of various issues in the adaptation process under the new labour codes. Compliance costs, administrative burdens, and limited resources are significant barriers for MSMEs, which may affect their competitiveness and sustainability. This paper explores how policy measures, such as financial incentives and streamlined processes, can facilitate the implementation of labour reforms by MSMEs while ensuring worker protections.

Enforcement mechanisms are another critical area of concern. Labour law enforcement in India has been historically plagued by inadequate administrative capacity, corruption, and bureaucratic inefficiencies. For the unorganized sector, the challenges are more severe because the workers operate in dispersed and informal settings that are not easy to monitor. The new labour codes have proposed simpler procedures and more reliance on self-regulation. It is yet

to be seen whether these measures will work. This study underlines the need for building enforcement mechanisms by improving inspectorate capacities, community-based monitoring, and innovative use of technology.

In addition, the paper uses the empirical evidence from case studies of the impact of the New Labour Codes on workers in the unorganized sector. For example, most of the workforce in agriculture and construction labourers suffer from prevalent issues related to wage theft, unsafe working conditions, and lack of social security protection. The labour codes for universal minimum wages and occupational safety standards are the right steps in the right direction but require stronger enforcement to become meaningful. Similarly, in urban centres, gig workers also have mixed opinions regarding the changes, complaining of job insecurity with no benefits whatsoever and questioning whether the social security measures are appropriate and accessible enough.

Stakeholder collaboration forms a recurring theme from this research. Policymakers, employers, worker collectives, and civil society organizations must be brought together in order to surmount the problems of implementation. This paper puts emphasis on the need for a participatory process of policymaking in which the voice of unorganized workers is brought into the debate, as well as continuous dialogue between the government and industry stakeholders. The research defines a strategic roadmap to bring inclusivity and economic efficiency to reforming India's labour landscape.

It points to the necessity of broad-based awareness programs aimed at educating unorganized workers and employers about the various provisions in the labour codes. Simplifying the processes of the administrative machinery has been underlined as the first crucial step to address compliance challenges in the MSME sector and other informal enterprises. The study further advocates for the use of technology to create accessible platforms for worker registration, benefit distribution, and grievance resolution. Strengthening monitoring and enforcement mechanisms is considered crucial for compliance with the new frameworks. Moreover, social dialogue among stakeholders is suggested to address emerging challenges and build consensus for effective implementation.

This means that India's new labour codes offer a very big opportunity for transforming the lives of unorganized sector workers, who will have access to legal protections, social security, and workplace dignity. But success would depend on proper implementation,

cooperation among stakeholders, and the commitment of the government to bridge the gaps in access and awareness. By aligning these reforms with global standards and addressing the unique challenges of the unorganized sector, India can pave the way for a more inclusive and equitable labour framework that supports both economic growth and social justice.

Keywords: Unorganized Sector, Labour Codes, Informal Workforce, Social Security, Labour Reforms.

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Domestic Helpers and Their Recognition: Strategies, Challenges, and Future Guidelines

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Indian society has been such which has had since ages been engaged in performing a variety of household tasks. We are a society that believed in ‘*apna haath jagannath*’, which can be understood to mean ‘self-reliance is the best reliance’ or ‘one’s own hands are one’s god’ or that ‘there is no support better than one’s own hands’. Most of these tasks and chores were done by the women members of the house. There were very rare cases where ordinary households would appoint domestic helpers. But with the passage of times, and with the status of women having changed from mere housewives or homemakers to working women, there have been a huge demand of domestic helpers in all parts of the nation.

Domestic Helpers:

Many essential tasks such as cleaning, cooking, laundry, and even childcare is being performed by hired individuals. The kind of responsibilities and liabilities that domestic helpers have depend upon the preferences and requirements of the employer. Since these tasks relate to domestic work, these helpers are termed as domestic helpers. They help in performing crucial household works and play a pivotal role in the overall upkeep and maintenance of the household. What is important is that domestic work is a huge source of employment and earning livelihood. Domestic work is a unique trye of employment, because it sometimes carries with it, the existence of a homely setting, thus over-shadowing the legal and professional boundaries.

Unorganised Labour Force:

Domestic workers are also a kind of labour class, the only difference being that where in the traditional industries labour works for generation of profits, herein, the labour works for bringing in direct benefit to the employer, which is not profit oriented. This gives it the shape of an unorganised labour force, bring with it the implications of vaguely discussed and agreed wages, working conditions, hours of employment, compensations, and even leaves, etc. All these matters are discussed personally and informally, without entering into formal documents and guidelines.

Problems Faced by Domestic Helpers:

It is often seen that the lack of supervisory outlines worsens their problems, thus making them another section of people, vulnerable to economic exploitations like insufficient pay, delayed pay, non-paid monthly leaves, insecure working conditions, absence of job security, etc. The living conditions, especially of domestic women workers are very susceptible, like living in slums, lack of necessary medical and maternity aid, sexual harassment, etc. Migrant domestic labourers are even more affected as they often lack proper documents and proofs. They are poor, uneducated, unrepresented masses, hence also have poor bargaining power. Because of the social conditions, they are even socially insecure, often scared of loss of job, etc. They are not adequately represented, because is no concept of labour unions of domestic workers.

Labour Laws Protecting Domestic Helpers:

There are many international and national instruments that have been dealing with labour and its rights, and some of these also include provisions that may be made applicable to domestic workers. These instruments include many documents, the most important ones amongst them being the guidelines and provisions laid down by the International Labour Organisation, the holiday with pay convention, the equal remuneration convention, the minimum wage fixation convention, the maternity protection conventions, domestic workers convention, the UN Women Convention, and even the sustainable development goals (SDGs). In India also, the ministry of labour in the year 2008 introduced the Domestic Workers Bill, and the Domestic Workers Welfare Bill, 2016, for their protection, including grant of fair wages and prevention from exploitation. Laws like Sexual Harassment of Women at Workplace Act, 2013, the Unorganised Workers Social Security Act, 2008. The four new Labour codes of 2020, shall be referred to find out if and what protections have been afforded to domestic labourers under these new laws. These all laws shall be discussed in detail, also outlining the challenges in their implementation, the lacunas and policy implications.

Judicial Decisions:

Various judicial pronouncements shall be studied either directly or indirectly deal with domestic labour and their issues, such as:

Vishakha v. State of Rajasthan, AIR 1997 SC 3011

Bachpan Bachao Andolan and Other v. Union of India, AIR 2011 SC 3361

Vandana Prasad v. Ministry of Labour & Employment (2018)

Objectives of the Study:

The purpose of this research is to study the working conditions of domestic workers, to find out and classify the various types of problems faced by them, the study the existing laws for their protection and to find out the gaps in the laws, either in terms of enactment or in terms of implementation. Lastly, attempt shall be made to make appropriate suggestions and recommendations, both a personal and government level, that may benefit the class of domestic workers as a whole. The paper shall strive to study if there is a need for a dedicated code protecting domestic labourers, especially for safeguarding the interests of child labours, which are very rampantly connected with human trafficking.

Research Methodology:

The whole research shall be doctrinal in nature, and shall be based upon the interpretation of various existing national, foreign and international laws, previous studies done at national and state level, research articles, and adherence shall be made to the debate of the Lok Sabha and the Rajya Sabha on the issue at hand.

Probable outcome:

After analysing the various guidelines that have been issue by International Labour Organisation for the designing of a relevant code for protecting the rights of domestic workers, an attempt shall be made to lay down key provisions, with a view of law down a path for the hon'ble legislature to draft an appropriate and sufficient code for protecting the rights of this vulnerable section of people. Adherence shall also be laid on the laws enacted by various other Asian countries like Malaysia, Hong-Kong, Singapore and Thailand.

Keywords: Domestic Helpers, Exploitation, International Labour Organisation, New Labour Code 2020, Vulnerability

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Impact of Intersection of Caste and Gender in Labour Economy

Gowtham S

All labour that uplifts humanity has dignity - Martin Luther King Jr.

Labour's creed is internationalism. Labour is interested in nationalism only because of the wheels of democracy—such as representative Parliaments, responsible Executive, constitutional conventions, etc.—work better in a community united by national sentiments. Labour is the source of all wealth, the political economists assert. In Asia and the Pacific, where the labor productivity growth rate has fallen from 4.3% to 3.9% in just one year (2018–19), overall unemployment trends and work inaccessibility have gotten worse. India and a few other Association of Southeast Asian Nations (ASEAN) members have experienced a slowdown in their GDP, which is mostly to blame for the fall. The statistics show that those who are most at risk of relapsing into poverty, becoming entangled in the web of informal labor, and being subjected to exploitative working conditions.

If we consider the informal workforce of Indian labourers, it constitutes around 90% of total workforce. But, the legislation which was concerned majorly on the formal labour sector. The labourers employed in the unorganized or informal sector don't have such employment and social security. The absence of legislation and lacuna in the existing legislation results in exploitation of labourers which not only affects their livelihood and socio-economic development of the individual and the nation. We are the nation in the process of building. So, it is the constitutional obligation of the state to inspect the working conditions and protect the livelihood of the labourers. According to the 2011 census, 51% of SC's and 56% of ST's are staggering below the poverty line and it is due to discrimination in the workplace and education institutions which affects their social well-being.

The concepts of caste, class, and gender are important for understanding social inequality and power dynamics in India. A critical analysis of these concepts can help identify areas of social and economic deprivation and inform policies and interventions aimed at promoting social justice and equality. Despite being distinct concepts, caste, class, and gender are deeply interrelated in Indian society. For instance, women from lower castes and lower

classes face multiple forms of discrimination and inequality, and upper-caste and upper-class women have greater access to resources and opportunities compared to their lower-caste and lower-class counterparts. Among other things, the caste system influences marriage patterns, occupations, and social order. Inequality and prejudice have resulted, with the lowest classes experiencing both social and financial hardship. Many people have criticized the caste system for being repressive and contributing to social inequality.

Due to their economic and social backwardness, tribes are forced to be migrant workers and bonded labourers across India. This social stigma of caste restricts them to certain employment where the group of lower caste members were not allowed to work as agricultural labourers in Haryana and it acts as an institutional structure to exclude people from entitlements. Although reservations were provided to SC's and ST's in employment and education, there are a lot of social issues which prevent them from accessing it. But, workers from scheduled castes are outsourced into manual scavenging works as it is considered as impure & degrading work and proper occupational safety was not provided to them which resulted in death. It not only violates their fundamental rights but also the government fails to accomplish their constitutional obligation which is their foremost duty. Until the government fills these gaps and inequalities, the nation cannot achieve social justice. Here, the government fails to break the social hierarchy. For instance, women from Dalit communities are only allowed to play the job of the traditional midwife, or Dai.

In reality, women employed in the unorganised sector are denied with social security's such as Maternity Leave, Provident fund and etc.,. The social stigma prevailing in India restricts the women in accessing education and due to denial of these such social security's results in unemployment among women employed in unorganised sector. The State wants to be ideal and wants to develop the nation and economy. But, it does not care or bother about labourers. Caste is an inherited identity; in economic terms, castes were formed on the basis of different groups specializing in particular occupations, but over time, society has associated lower castes with established ideas of purity and impurity. In modern society, caste falls under the contemporary class system, with corresponding hierarchical social standings. The caste system in India is a significant factor that appears to influence choices in work uptake. Indian society follows deeply ingrained social hierarchies based on caste, class, religion, etc. Many social groups, particularly those tasked with performing the lowest types of human labor,

such as manual scavenging, disposing of human waste, and burning corpses, have been trapped by the long history of caste-based discrimination in access to social and physical infrastructure, with significant barriers to upward social mobility.

Therefore, women may experience prejudice on two levels: first, based on their gender, and second, based on their caste. The unacknowledged caste bias that persists in the labor market is another issue that affects the female worker in addition to the widely recognized gender disparities. The social hierarchy (caste) has been found to be a determining element in the labor market's compensation (wage), and over the investigation period, wage discrimination between upper-caste and Dalit women has considerably increased. Women who pursue employment frequently face resistance from their families and society due to the traditional standards around women's roles as caregivers and housekeepers, which lowers participation. This paper will critically examine and analyze the impact of intersectionality of caste and gender in employment and identify the causes for the inequality in the workplace and gaps in wages.

Keywords: Social Exclusion, Discrimination, Social justice, Poverty, Humanity

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Transnational Migration and the Juridical Crisis: A Comprehensive Analysis of Cross-Border Infiltration, Identity Erosion, and Legal Imperatives in Assam's Bangladeshi Migrant Conundrum

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Migration is a phenomenon that has been in existence since the beginning of human civilization and represents a complex interplay of voluntary and involuntary movements that significantly influence both societies and landscapes. India, with its vast cultural and geographical variety, has been deeply affected by migration, especially since the Partition of 1947, which witnessed one of the most significant and traumatic migratory events in recorded history. Besides this dramatic dislocation, India has consistently faced international migration coming from the neighbouring countries including Nepal, Bhutan, Bangladesh, Sri Lanka, and Pakistan, all with different demographic and socio-political issues. Of all the states affected by these migratory streams, Assam in the northeast has received the large influx of the immigrants, mainly from Bangladesh. This ongoing situation, intricately linked to historical colonial land-use policies, has transformed into a contemporary issue that poses significant challenges to Assam's socio-cultural framework, economic viability, and political coherence. The origins of this migration crisis can be traced back to the strategies employed by the British colonial administration regarding Assam's fertile but inadequately utilized "wastelands."

During the 19th and early 20th centuries, colonial authorities aimed to enhance the economic prospects of Assam's landscape by promoting the settlement and agricultural practices of peasant cultivators from Eastern Bengal (present-day Bangladesh). The people of deltaic Bengal, used to the uncertainty of shifting river courses and economic instability over time, were forced to undertake massive migrations to take advantage of these opportunities. Assam, therefore, became a focal point in the migration structure of Bengali migrants, and this is something that can be seen even today. Early migration, spurred by economic motivations and colonialist interest, laid down a demographic basis for the current problem. The concept of illegal immigration, which is imbued with legal, ethical, and socio-political implications, refers to the unauthorized transnational movement of people, which may occur via covert entry, use of falsified documents, or exceeding the duration of valid permits. In Assam, this occurrence has emerged as a long-standing and complex challenge, characterized by secretive entries made

possible by a leaky international boundary.

The conditions that define illegal immigration include crossing the border without permission, using forged documents, and exploiting family or marital ties for the purpose of obtaining residency. This has soared over the years, leading to significant demographic change while creating stress within native populations and immigrant groups. The demographic implications of this migration are loud and clear: indigenous Assamese populations speak with a great voice about existential peril, as they seem to approach the threshold of minority status in their ancestral territory. Migrants often share linguistic and cultural affinities with the local communities, having effectively assimilated, especially in the lower districts of Assam. This integration, though seemingly beneficial, has heightened concerns about cultural degradation and territorial dislocation, especially as certain areas appear vulnerable to unofficial annexation by Bangladesh. Adding to this demographic angst is the socio-economic pressure exerted by the influx of migrants, which has overstretched public resources, inflated crime rates, and fostered socio-political instability.

The Assam Movement of 1979-1985 best exemplifies the state's problematic relationship with migration, as indigenous Assamese communities rallied against what they perceived as an existential crisis. The movement also culminated in the Assam Accord of 1985, which sought definitive cut-off dates to determine citizenship, defined disenfranchisement periods for those entering after 1966, and promised deportation for those arriving after 1971. However, while these provisions were enunciated, their operationalization has varied to an extent, rendering the accord a contentious and semi-complied-with directive. Legal structures such as the Illegal Migrants (Determination by Tribunals) Act of 1983 were ineffective, have failed to tackle the problems within the intricacies of the migratory environment in Assam and have been attacked by critics. Equally important are the socio-cultural implications of migration in Assam. The sensitive ethnic composition of the state, characterized by a mix of indigenous communities, has been thrown into disarray by the entry of immigrants who, in search of stability, have formed marital and social bonds with the indigenous population. Such assimilation, which is normal in most immigration scenarios, has raised issues on cultural dilution and even religious desecration. The vandalism, like the desecration of the Ugratara Dwalaya temple, has further heightened tensions, symbolizing an assault on Assam's spiritual and cultural heritage. Such incidents have left deep psychological scars, fostering resentment

and alienation among the indigenous populace. Economically, the unchecked influx of migrants has compounded challenges in an already resource-constrained state. Overcrowding, environmental degradation, and the proliferation of slums have strained Assam's infrastructure and natural resources. Migrants contribute to the economy but aggravate competition for limited opportunities. That deepens socio-economic disparities. It has become a very polarized political issue. Parties stress the issue to consolidate electoral gains but are not successful in finding sustainable solutions. What makes it urgent is that it is multifaceted. It has legal, socio-cultural, and economic dimensions. The current legal structure, encompassing Citizenship Act 1955 and subsequent amendments, was ineffective in controlling illegal migrations or protecting the rights of the indigenous people. Religious, cultural, and historical factors would add more complicated dimensions to frame all-inclusive remedies. At this point, it is clear from the ongoing inquiry that there is an immediate need for a unique legislative framework specific to the distinctive problems of Assam because of illegal migration. This legislation is necessary to balance the fundamental necessities of national security, human rights, and social integration, and this can be done by using the national and international legal framework. The study contains a detailed analysis of the historical, socio-economic, and legal backdrop of migration in Assam, especially focusing on the migrants from Bangladesh. It uses doctrinal and empirical research approaches and seeks to explain the complexities surrounding unauthorized migration and proffer workable solutions. Examining historical contexts offers insight into colonial origins, whereas actual research and statistical analyses offer an insight into modern-day implications. Methodologically, this study combines exploratory and case study approaches through unstructured questionnaires and non-probability sampling techniques to obtain understandings on the topic. The findings are to be used as a guide by policymakers and legislators who are to develop legislation on the issue of comprehensive laws regarding illegal migration.

Keywords: Transnational Migration, Illegal Immigration, Socio-Political Disruptions, Juridical Framework, Demographic Transformation.

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Labour Rights in a Green Economy: Legal Pathways for Sustainability and Inclusivity

Kanwaljeet Singh and Trishraj Singh

The global economy is undergoing a lot of transformations regarding the climate, resources, and shifting societal values. Green economy means to prioritize low carbon, resource efficient and development with society. To achieve all these goals labour rights are essential as it ensures fair and equal treatment as workers get impacted by all these changes in the economy. Protecting labour rights in green industries is essential to prevent exploitation, unsafe working conditions, and providing equal wages. Global trends in sustainability are trying to reshape the economy and improvise the labour markets by providing resources to workers. The international committees are trying to implement the SDGs to protect the climate and it also lead to growth of the growing green industries. It also poses challenges regarding job displacement, skill issues and precarious employment in emerging industries. Achieving a truly sustainable economy requires addressing the needs of workers and ensuring that they are not marginalized in this transition process. This paper aims to achieve the research objective that how labour laws intersect with environmental sustainability and the role of urbanization and smart cities in shaping worker welfare while ensuring inclusivity in green industries.

The background of labour laws was established in the industrial era when there was a lot of exploitation by workers. The rapid growth of industrial sectors led to harsh working conditions, low wages, child labour led to the formation of the labour laws. It started with basic protection of workers like limited working hours, banning of child labour and improved safety standards all this was done by the factory act (United Kingdom, 1802-1878). Then the labour laws started expanding the protection of workers improved globally, the establishment of International Labour Organization (ILO, 1919) was to promote social justice and to improve the working conditions of the workers as a whole. The labour laws after world war –II were broadly elaborated and classified as human rights, the declaration of Human rights (1948) affirmed the right to work under equitable conditions. Modern labour laws also include Anti-Discrimination laws. It also focused on the safety and health of the workers. The gig economy, digital transformation and urbanization are developing the global labour markets and are presenting

new trends and opportunities for the labour laws. These trends demand protection and safety of the worker's rights while taking care of the economic innovation and resilience. Transformation of workers in digital environment led to a lot of growth in the adoption of advanced technologies like AI.

The gig economy, digital transformation and urbanization highlight the nature of the modern labour market, it will lead to expansion of protection to gig workers, addressing the implications of automaton and digital technologies on workers' rights, ensuring fair and proper safety conditions and proper inclusive policies for urban workers. This transformation can make the labour laws ensure fair, equitable, and resilient workforce in a rapidly changing world. The shift to a green economy is essential for addressing climate change and achieving sustainability but it also leads to some challenges for workers. These challenges are related to economic, social, and some related to policy dimensions to ensure just and equitable transition. As the world is adopting transition goals there is also a policy gap in aligning environmental goals with the protection of workers' rights. These gaps highlight the need for frameworks that promote both sustainability and social equity. The transition to a green economy requires policies that integrate equitable and fair treatment to workers and also provide equal wages and security to workers. Various international, national, and organizational initiatives have come together to achieve this goal. Some international framework includes the ILO's Decent Work Agenda, the ILO guidelines for just transition (2015), the Paris Agreement, the UN Sustainable development goals all these international organizations aim to achieve the same goal of sustainability and provide equal Opportunities to the workers. There are some national policies also which are there to help the workers. These labour laws protect the workers' rights and promote industrial harmony. The key elements of India's labour law framework include the Indian Constitution and the labour rights which include the fundamental rights and the DPSPs. The labour codes which are there to simplify the complexities in the labour laws these include the code on wages, code on social security, industrial relations code and occupational safety, health, and working conditions code these all sum up as the framework to help the workers to achieve equitable treatment. These policies aim to balance the needs of workers and businesses while adapting to the demands of the changing economy.

The paper explores the integration and diversification of green jobs and initiatives with the protection of the rights of the labour in the country, researching with the policies which

promotes and supports the sustainable development and economic growth without compromising on the welfare of workers. The research includes the framework to guide industries to move ahead towards renewable energy, alongside with the urbanization of smart city projects and to generate different employment patterns. It highlights the pathway to ensure the participation of marginalized workers in the green industry addressing challenges for inclusion and to safeguard their rights. By using qualitative analysis, comparative frameworks of different countries, and case studies, in depth study of Denmark, south Africa and German renewable energy transition laws to provide insights of application of codes this research identifies the critical gaps in the ongoing policies and laws which acts as an hurdle to the sustainable development and provides practical recommendations for aligning labour rights with the sustainable development goals and green economy. It would explain the green job initiatives to protect the labour right kike the Green New Deal of USA, India's MNRE programs how it is focusing on creating local job while adhering to the labour standards, and ILO's Green job Programme to protect sustainable development in developing countries. The research paper revolves around that there is no doubt that how the urbanization have a positive impact on the society by providing new opportunity, skill development and public- private partnership towards smart city project. It highlights the challenges like how the unsafe working conditions, basic welfare provisions and delayed payment affects the rights and life of the workers. It casts the example of how to comply with the laws and ensure rights where during the project of Delhi Rail Metro expansion program the workers union fought for minimum wage compliance and general safety standards. It acts as a social duty of the government to ensure good food, clean water and a roof on top, the inter-state migrants lacks with these facilities and at times gets exploits unknowing of their labour rights, the government of Bangladesh has introduced the urban housing initiatives to ensure housing for garment workers in Dhaka to also promote urbanization aligning with the sustainable development of the country, the Brazilian urban legal framework to protect the informal workers during slum redevelopment like in cities Sao Paulo. The research paper further explores the challenges marginalised community faces to access opportunity with in green industry, like the skill gaps due to limited training for the underrepresented group like women and the systematic discrimination which hurdles entry into the high paying green sector like across the sub- Saharan Africa they faces cultural and educational challenges. The Canada's indigenous employment strategy to include workers to

develop the renewable energy projects. And South Korean's green Growth plan to inculcates workforce equity. The intersection of the sustainable goals with the labour laws for the urbanization and inclusivity of the green industry, the paper highlights the critical challenges and practical solutions and a pathway for creating a just and equitable future of work balancing welfare of workers with green transition and urban infrastructure development.

Keywords: Just and equitable transition, social equity, Urbanization, Digital transformation
Inclusivity of green industries and green jobs.

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The Plight of Migrant and Informal Workers: Legal Frameworks and Policy Interventions

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This paper's primary goal is to discuss the difficulties faced by migrant workers as a result of their lack of official recognition, legal protections, and access to social security benefits. It also outlines their rights under the Inter-State Migrant Workers (Regulation of Employment and Conditions of Service) Act, 1979. People who are hired by a contractor in one state and work at an enterprise in another state are considered "inter-state migrant workers," according to Section 2(e) of the Act. The majority of these individuals are working in manufacturing, mining, and construction. This Act protects migrant workers who are hired across state lines by guaranteeing their pay, benefits, and working conditions. The Code on Wages, 2019 and the Code on Social Security, 2020 seek to provide social protections, notably for migratory workers, and to harmonize labour laws.

There is a fairly extensive international legal framework for protecting migrants' human rights. The human rights of every person, regardless of citizenship, are protected by clauses in a number of international treaties. The United Nations' foundation document, the 1948 Universal Declaration of Human Rights, which acted as a framework for the six major human rights treaties the organization approved between 1965 and 1989, is one of these.

These human rights treaties include: The Convention on the Elimination of All Forms of Racial Discrimination (ICERD, adopted in 1965); The International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966; International Covenant on Civil and Political Rights (ICCPR) 1966; The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) 1979; The Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984; and The Convention on the Rights of the Child (CRC) 1989.

The six aforementioned treaties are part of the "seven core human rights treaties" of the United Nations, which also include the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). In order to better address the unique vulnerability that migrants face while they are outside of their state of origin and throughout the entire migration process, it offers a synthesis of their human rights arranged as

a toolkit. Fifteen years after it was adopted, it continues to be a crucial tool for safeguarding the most precious and essential component of the migration phenomenon: people, in the context of migration management and associated talks on an international framework for migration legislation.

During the COVID-19 outbreak, Indian migrant labourers have experienced a number of difficulties. Millions of migrant workers faced food shortages, job loss, and uncertainty about their future when factories and businesses were closed as a result of the nation's lockdown. The Supreme Court suo motu took notice of the migrant workers' issues and sufferings in *Re: Problems and Miseries of Migrant Laborers*. To solve their issues, the federal government and state governments implemented a number of initiatives. States are instructed to put the "One Nation One Ration Card" program into effect. Under Section 9 of the National Food Security Act of 2013, the Central Government may recalculate the total number of people who would be covered by the State's rural and urban areas. The Central Government issued a directive to the Department of Food and Public Distribution (Ministry of Consumer Affairs, Food and Public Distribution) to distribute and distribute foodgrains in accordance with the demand for additional foodgrains from the States for the disbursement of dry foodgrains to migrant labourers. This occurred after the Central Government committed to distributing a greater quantity of foodgrains as requested by the States/Union Territories for distribution to migrant labourers under a scheme framed by the States.

The Central Government has been instructed to collaborate with the National Informatics Centre (NIC) to create a portal for registering migrant and unorganized labourers. Registration is required in order to provide migrant workers access to several State and Central Government schemes. The Central Government, States, and Union Territories are urged to complete and execute the registration portal for the National Database for Unorganised Workers (NDUW) initiative. During this pandemic, the majority of states have been operating community kitchens for migratory workers and other individuals who require two meals per day for a variety of reasons, including losing their jobs. Additionally, we had instructed the States to operate communal kitchens for migrant workers.

Over 60% of the working population worldwide makes their living through informal work. Every nation, regardless of socioeconomic status, has informal employment. It accounts for over 85% of employment in several developing nations (ILO, 2018a). Unorganized

workers are a significant portion of the global workforce and often face poor wages, precarious employment, and limited access to social protections. Despite being vital to economies, these workers typically do not have formal labour rights and protections. This essay discusses the difficulties unorganized workers encounter and the legal safeguards provided to them in India under the Unorganized Workers' Social Security Act of 2008.

It also discusses the government programs and perks offered to unorganized workers, as well as their contribution to India's GDP growth. Additionally, it enacts laws like Building and Other Construction Workers' Welfare Act (1996), Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) 2005, and the Code on Social Security (2020), which provide unorganized workers with wide range of development plans. It also contains the recommendations made by the National Conference on Labour (2001, 2013, etc.), the Second National Labour Commission (2002), the National Consultation on Unorganized Workers (2005), and the ILO Regional Conference in India. These recommendations show India's efforts to meet the needs of unorganized workers, guaranteeing their social and economic well-being as they move towards formal systems.

The terms "informal sector" and "employment in the informal sector" are defined and described in the 15th ICLS Resolution on statistics of employment in the informal sector. The resolution's goal is to enhance national accounts and labour market statistics in nations where the informal sector is a major player (ILO, 1993a, para.1), as well as international conventions established for the welfare of unorganized workers and case laws determining the necessity of increased support and recognition for this vital workforce segment.

The Self Employed Women's Association (SEWA), which falls under the informal sector, is also discussed in this study. Women from different castes and social classes who have experienced labour exploitation come together through SEWA's organizational methodology. According to a poll of SEWA members, its women attain the objectives of self-reliance and full employment through interpersonal recognition, which has also been demonstrated to boost organizational efficiency. Additionally, SEWA links employees in more than 50 cooperatives who work in the same industry. By focusing on an organizational paradigm, SEWA acts as a template for effective bottom-up democratic organizations. Organizing women workers for full employment and independence is one of SEWA's primary objectives. SEWA seeks to help poor, marginalized women in the informal sector become mainstream and escape poverty.

While they can earn money for the family, its members can also care for their old and youngsters. Additionally, they manufacture inexpensive products for both domestic and international markets. As a result, they give those with modest incomes the opportunity to buy inexpensive goods and services.

Keywords: Migrant workers, informal labourers, social security, labour welfare, economic contribution.

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Labour Reforms and Social Justice: A Critical Look at the Industrial Relations Code

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The Industrial Relations Code (IRC), 2020 was part of the four labour codes, introduced by the Government of India. It has raised many debates across the spectrum of society concerning worker rights and social justice. For proponents, it is supposed to "simplify the labour laws for the benefit of the economy." Critics claim that it would deepen an existing evil and make the conditions worse for a historically marginalised community. This paper critically examines the IRC and the impacts of such reforms with regard to marginalised communities. Caste in India has historically determined access to economic opportunities. While Dalits and other marginalised groups have been confined to stigmatised low-paying jobs, access to resources such as land, education, and credit was systematically denied to them. Such exclusions were sustained through violence and ostracism. Even now, after the Right to Equality through the Constitution and affirmative action measures in India, there is caste-based discrimination in employment and related opportunities.

Labour markets in India can be divided into formal and informal sectors, with the latter predominantly comprising precarious unskilled jobs with poor pay and no social security, a realm to which most marginalised groups are confined. Instead, instead of remedying those disadvantages, the IRC further entrenches them by placing the development of the economy ahead of social equity and dilution of labour protections. It is also the looser layoff and retrenchment benefits provided by IRC, under which establishments with up to 300 employees don't require the government's permission for the dismissal of the workers. For socially marginalised groups like Dalits, the fact of already narrow and restricted alternative employment opportunities, due to systemic exclusion, further aggravates job insecurity and economic insecurity just because of these provisions. In addition, the IRC has made the right to strike conditional, with a requirement for giving a 60-day notice before a strike. Thus, this is one more strain on one of the very few rights available to workers in challenging oppressive labour practices. Such ramifications strike most groups historically inclined to collective action toward fair treatment. Hence, throughout these channels of collective action, the IRC takes from

the marginalised the avenues toward achieving decent pay, working conditions, and fair treatment. A second major failure of the IRC is its generalisation of labour laws, thereby excluding their specific provisions to address specific vulnerable situations. The absence of any express measures against caste-based discrimination in hiring, promotions, or conduct at the workplace continues to condone biases that perpetrate systemic denial of opportunities to marginalised workers. They indeed confront inequities in the process of aspiring to equal economic opportunities, as this highly generic code does not even begin to address the intersecting problems that marginal workers face.

This analysis, drawing from theoretical foundations from such works as those of Amartya Sen and Max Weber, discusses how the IRC tends to reinforce such forms of social exclusion, with its emphasis on economic for social equity. Such codes fail to address the issues of occupational segregation and structural barriers to education and skills development, thus performing to ensure that marginalised groups remain restricted to low-paying, menial jobs. Occupational immobility suppresses economic mobility and adds to stigma while sustaining the inferiority of certain identities. The inefficiency of IRC has multiple macroeconomic implications. As already pointed out by Ambedkar and George Akerlof, the caste-inclusion structure, which involves ignorance and sometimes intrinsic hatred against other castes, restricts mobility through the labour market. A particular group of employees lies outside the reach of high-paying, high-productivity sectors, whereas a group stays out of these occupations deemed polluted. This has also led to a situation in which distributional inefficiency-tied human resources lead to lower productivity in economics. The IRC pursues the principle of 'doing business by making it simple,' which is an attitudinal shift in policy thrust from social justice to economic growth. Economic development is necessary, but that should not come at the cost of sacrifice of rights. It should be borne in mind that failure on the part of the IRC in addressing systemic inequities calls for labour laws that would balance economic efficiency and social justice such that none of the groups would be left behind in the construction of economic growth. The paper tries to reveal the wider social consequences of the failure of the IRC. Not only does the code fail to address caste-based exclusion and systematic biases, but it also continues to perpetuate the existing inequalities in the labour market. During recruitment and within organisations, discrimination restricts the full utilisation of human potential; this itself leads to inefficiencies in labour markets. The continued marginalisation of groups from high-

wage sectors limits their contribution to the economy and worsens income inequality. In the absence of specific provisions against caste discrimination in the workplace, the probable outcome is the creation of social cohesion. Further, the relaxation of retrenchment rules makes much of the workforce vulnerable to exploitation or arbitrary dismissal. With job instability like this, socially marginalised face greater difficulty because of their systematic exclusion from other hiring avenues. Further, with the restrictions on the right to strike, people lose one of the few mechanisms that existed by which they may contest exploitative practices in labour and better define their rights over their labour. Having prioritized economic growth above social justice, the IRC throws the structural impediments that sustain inequalities into the labour market. Rather, the code's focus on ease of business would undermine efforts at forming inclusive labour market efforts for equitable access to economic opportunity.

This paper, therefore, urges rethinking labour laws such that they introduce social justice frameworks to address historical disadvantage and promote inclusive development. This would ensure that social justice accompanies economic efficiency when developing a market that upholds the rights and dignity of every worker at all times, especially of the currently marginal communities. The author intends to shed light on such exclusion and other institutional biases. Failure of this, however, creates a more unequal and unjust society. The paper urges that the principles of social justice should be incorporated by the policymakers in labour legislation as a means of addressing historical disadvantages and setting a more inclusive and equitable future for all workers.

Keywords: Industrial Relations Code (IRC), Social Justice, Labour Market, Inclusive Development, Marginalised Communities.

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An Appraisal of the New Labour Codes in India

Dr. Gireesh Kumar J and Lekshmi Shibu

India has been a platform of monarchy, colonialization, capitalism and liberalization over these years. The labourers faced serious oppression and lack of dignity during the time of monarchy and colonization. The establishment of International Labour Organisation (ILO) and its development as the tripartite agency of the United Nations Organisation has been a milestone in the development of the labour rights all over the world. Even though, a few legislations were passed by the Britishers for the protection of the workers in India, namely the Fatal Accidents Act, 1855, Workmen's Breach of Contract Act, 1859, Employer's and Workmen (Disputes) Act, 1860, Island Emigration Act, 1892 and the Indian Mines Act, 1901, the years of colonialisation and the early years of post- independence has been a struggling period for the labour and industrial sectors of the country. Therefore, during the drafting of the Constitution of India, the framers of the constitution including, Dr P.S. Deshmukh, M.R Masani and Alladi Krishnaswami Ayyer. Dr. P.S. Deshmukh considered the needs of the working class and he reminded the makers of the constitution of the cry of the majority of the citizens who are labourers for their protection from the powerful group of the rich¹⁵. According to Alladi Krishnaswami Ayyer, since the judicial vagaries made it difficult for the United States of America to make social legislations to protect workers' interest, the independent India requires few protective social legislations beyond the reach of judicial arbitrariness¹⁶. Therefore, by taking these arguments by the constitutional makers into consideration, the relevance of the dignity of human labour and the need for protecting and safeguarding the interest of labour as human beings had been enshrined in the Constitution of India adhering to the Fundamental Rights and Directive Principles of State Policy. Therefore, articles 21, 23, 24, 38, 39, 39-A, 41, 42, 43, 43-A and 47 gives an idea of the conditions under which labourers can be had for work and also of the responsibility of the Central as well as the State government to secure the workers a social order and living wages keeping with the societal dynamics. Since, labour falls

¹⁵ Murali Karnam, Labour Laws: What Is Being Done in the Name of the National Economy? THE WIRE (May 25, 2020) <https://www.google.com/amp/s/m.thewire.in/article/labour/labour-laws-constituent-assembly-protection-working-class/amp>.

¹⁶ *ibid*

under the Concurrent List in the Seventh Schedule of the Constitution of India, both the Central and State Government has the power to enact legislations in the context of labour as according to Entry No.22 in the Constitution of India which says about trade union, industrial and labour disputes. As a result of this, there are a plethora of enactments made by the Central and State Government from time to time.

The abundance of legislation created complexity and inconsistency in interpreting and administering the laws and also created ambiguity in providing a standard definition such as 'labour', 'employee', 'appropriate government' etc. Therefore, to improve the ease of compliance and to ensure uniformity in labour laws, the Second National Commission on Labour (2002) (NCL, 2002) recommended codification of the Central Labour Laws into five broader groups namely (i) industrial relations, (ii) wages, (iii) social security, (iv) safety and (v) welfare and working conditions. In 2019, the Ministry of Labour and Employment introduced four Bills on labour codes to subsume 29 central laws. These Codes regulate (i) Wages, (ii) Industrial Relations, (iii) Social Security, and (iv) Occupational Safety, Health and Working Conditions. While the Wages Code was passed in 2019, the other three bills were referred to a Standing Committee on Labour. As per the recommendations of the Committee, the government replaced these bills with new ones in September 2020, and these were passed in the same month. The amalgamation has greatly impacted both organised and unorganised sectors in India and has also introduced a few definitions in the Labour Codes. As opposed to providing a single definition for worker, the Social Security Code, 2020 differentiates between different types of workers like the unorganised workers and gig workers by giving them a separate definition. In view of the Industrial Relations Code, 2020, changes are made in the minimum number of workers employed in an establishment to have standing orders and has also introduced new conditions for conducting a legal strike. Moreover, the Industrial Relations Code also proposes the setting up of a re-skilling fund for the training of retrenched workers with the employer's contribution. When it comes to the Code on Occupational Safety, Health and Working Conditions, 2020, there is a re- definition of the term factory and the limit for daily working hours. The Code also defines inter- state migrant workers. Thus, the amalgamation and codification of the Labour Laws has expanded the horizons of the term labour to include migrant worker and gig workers. However, there are debates going on in various parts of the country in regarding the extent to which the dignity of labour is protected and the standard of

their living is expanded.

Therefore, in view of this recent amalgamation of almost 40 Central Laws and over 100 State Laws on labour and employment, it is found very much relevant to examine the purpose and importance of this very crucial codification followed by reformation of labour laws in the country. Therefore, the paper attempts to analyse the five labour codes in comparison with the earlier legislations especially from a labour rights perspective. Further, the paper also attempts to analyse the impact of the Labour Reforms in India in protecting the interest of labour and how far these reforms helped in reducing the ambiguity and inconsistency that existed in the Labour Laws in India before 2019.

Keywords: Dignity, Labour, Industrial Relations, Wages, Social Security, Safety, Health and Working Conditions.

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The Future of Work in Urban India: Adapting Labor Policies to Smart Urbanization

Manisha Sharma

The rapid urbanization of India, fuelled by transformative initiatives such as the Smart Cities Mission and advances in technology, is reshaping the labor market in profound ways. Urban centres are evolving into hubs of innovation, efficiency, and economic activity, but this rapid change brings a complex interplay of opportunities and challenges. Automation, artificial intelligence, and digital platforms are revolutionizing traditional sectors, creating new roles in technology-driven industries such as information technology, fintech, and renewable energy. Simultaneously, this transformation is leading to the displacement of traditional jobs, particularly in labour-intensive and low-skill sectors, disproportionately impacting informal workers, migrant labourers, and unskilled employees. These developments are altering employment patterns, emphasizing the urgent need for targeted interventions to address job security, access to social protections, and skill development.

India's Smart Cities Mission, launched in 2015, aims to integrate technology with urban development to address infrastructure challenges and improve governance and sustainability. While these goals are commendable, the mission's implementation reveals an uneven impact on the labor market. High-skill jobs in project management, data analytics, and urban planning are on the rise, while roles dependent on manual labor face significant declines. The gig economy, powered by digital platforms such as Uber, Zomato, and Swiggy, exemplifies this dichotomy by providing flexible work opportunities yet failing to ensure job security, fair wages, or social protections for gig workers. Migrant laborers, who often fill essential yet precarious roles in urban economies, are among the most vulnerable, facing barriers such as a lack of social security portability and inadequate housing.

The informal sector, constituting nearly 90% of India's workforce, is especially impacted by the shift towards automation and technology-driven urban economies. These workers, who typically lack formal contracts, health benefits, or retirement plans, are increasingly excluded from emerging employment opportunities. Migrant workers, a significant subset of this group, often face additional challenges, such as poor access to healthcare and

discriminatory practices. Their inability to compete in skill-intensive job markets exacerbates existing socioeconomic inequalities.

A key focus of this research is identifying and addressing the critical skill gaps that hinder the workforce from transitioning into emerging sectors. India's vocational training programs remain inadequate, with limited reach and alignment with industry demands. Workers, especially those from marginalized backgrounds, require access to affordable, targeted reskilling initiatives to ensure their inclusion in the evolving urban economy. The absence of such programs risks perpetuating cycles of poverty and social exclusion.

Case studies of cities like Pune and Bhubaneswar, which have embraced smart city initiatives, provide valuable insights into these dynamics. Pune's focus on IT infrastructure and digital governance has created significant employment opportunities in the technology sector but has marginalized informal workers in traditional roles such as waste collection. Similarly, Bhubaneswar's emphasis on urban planning and digital services has highlighted the need for tailored reskilling programs to integrate local laborers into its economic growth trajectory. These examples underscore the necessity of inclusive urban planning that prioritizes equitable growth.

In assessing policy readiness, this study finds that existing labor laws are outdated and ill-equipped to address the realities of a technology-driven economy. Current regulations largely cater to formal employment, leaving gig and informal workers without adequate protections. Expanding social security schemes to include these workers is essential. Additionally, implementing portable benefits for migrant laborers can enhance their economic security and mobility. Stakeholder interviews with policymakers, industry leaders, and labor advocates reveal a consensus on the need for a collaborative approach to address these challenges.

The findings of this study highlight several actionable recommendations. First, labor policies must adapt to the changing nature of work by recognizing and protecting gig and informal workers. Second, reskilling and upskilling programs must be developed in partnership with industry stakeholders to align with market demands. These programs should be accessible, affordable, and inclusive, targeting marginalized groups to ensure equitable participation. Third, urban planning must integrate labor considerations to minimize job displacement and promote sustainable growth. Public-private partnerships can play a pivotal role in creating

employment opportunities within smart city projects, particularly in sectors like renewable energy and sustainable infrastructure. Finally, social protection mechanisms must be expanded to cover all categories of workers, including those in the gig economy and informal sector. Portable social benefits, such as health insurance and retirement savings, can provide much-needed security to migrant workers. Collaborative efforts among governments, industries, and labor unions are critical for designing inclusive labor strategies that address the challenges posed by smart urbanization.

In conclusion, the rapid urbanization of India presents both opportunities and challenges for the labor market. While technological advancements and smart city initiatives have the potential to drive economic growth and innovation, they also risk deepening existing inequalities. Addressing these challenges requires a comprehensive approach that includes adaptive labor policies, robust reskilling initiatives, and inclusive urban planning. By prioritizing equity and sustainability, India can harness the potential of smart urbanization to create a resilient and inclusive urban workforce that benefits all segments of society.

Keywords: Smart urbanization, labor policies, informal workforce, skill development, automation, employment trends.

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Technology and AI Generate More Employment Instead of Unemployment

Navya Mishra

This paper aims to critically analyse the impact of technological advancements and Artificial intelligence in creating more employment in the market than unemployment, it will also shed light upon enhancement of labour rights since the development of technology and legal frameworks to ensure such rights along with conducting ethical AI practices, maintaining workplace dignity and data confidentiality and privacy. Two primary ways that technological advancements can impact employment are by directly displacing workers from tasks they were previously performing (the displacement effect) and by raising demand for labour in sectors or occupations that emerge or develop as a result of technological advancements (the productivity effect). This paper points out a number of opposing factors that mitigate the displacement effect and would suggest that automation, artificial intelligence, and robots could raise the need for workers. The economy will grow and raise the demand for labour in non-automated tasks as the cost of producing automated tasks decreases. This is the first productivity effect of replacing human labour with inexpensive machines. The productivity effect may show up as a rise in demand for workers in the same industries that are automating or as a rise in demand for workers in industries that are not automating. Second, the demand for labour will rise in tandem with capital accumulation brought on by greater automation, which in turn enhances the demand for capital. Third, automation works at both the extensive and intense margins, improving machine productivity in previously automated operations while also replacing labour-intensive tasks. This tendency, which we call the "deepening of automation," raises labour demand by increasing productivity without displacing workers. We contend that the development of new jobs, functions, and activities where labour has a comparative advantage over machines is a more potent countervailing force that raises both the demand for labour and the proportion of labour in national income. The displacement effect is directly offset by the reinstatement effect that results from the development of new tasks. In the nineteenth and twentieth centuries, when jobs in textiles, metallurgy, agriculture, and other industries were mechanised, demand for displaced workers increased due to a new variety of jobs in engineering, factory work, repair, back-office, management, and finance. Over the past 200

years, employment and earnings have significantly expanded despite significant technological advancements and the replacement of human labour by machines in almost every area. Since only a portion of a human job bundle is automated, the complementarity between automated and human tasks will return. To replicate an underlying manufacturing process, tasks still need to be grouped and integrated at a more aggregate level. For instance, when someone approaches a complaints desk with a question, a face recognition algorithm might identify them and register them immediately. However, resolving the complaint calls for subject-matter expertise as well as social and emotional intelligence, which may be difficult to automate. Complementarity returns when the registration procedure is automated, increasing the efficiency of these human operations.

The ethical ramifications of integrating artificial intelligence (AI) into workplaces are the main subject of this article's critical analysis. By examining how AI's transformational potential may be reconciled with the fundamental principles of human rights, it aims to highlight the necessity of striking a balance between technology progress and the preservation of human dignity and justice. Among other things, AI's transformational impact comes from its capacity to automate difficult jobs, augment sensor technologies, and improve decision-making processes. Significant gains in productivity, efficiency, and workplace safety are anticipated as a result of these developments. But they also bring up significant issues regarding the moral implications and possible dangers of their use. AI has the potential to be utilised in the production of advanced sensor devices for the workplace. An extra degree of safety and health monitoring is offered by these cutting-edge sensors, which can be surgically implanted in the body (implantables), worn on the body or integrated into protective clothing (wearables), or fastened to objects in the workplace (placeables). With the aid of these gadgets, the Internet of Things makes it possible to collect, combine, and analyse data from a dispersed network of sensors, enhancing the assessment and management of occupational hazards.

The topic of workplace safety and health could undergo a radical transformation because of technological advancements. They can accomplish this by improving the monitoring of artificial intelligence's effects on safety and health and by enabling early responses to reduce hazardous exposures. Additionally, AI-enabled virtual reality training offers a novel way to replicate dangerous scenarios, enhancing employees' capacity to recognise hazards. Furthermore, establishing trust with stakeholders and customers depends critically on making

sure AI algorithms are developed in an ethical and responsible manner. Beyond privacy issues, artificial intelligence is having an impact on a number of areas, including the legal sector and healthcare. The explosive proliferation of AI businesses in India highlights the technology's revolutionary potential in tackling societal issues and promoting economic expansion, But in addition to these advantages, the ethical and legal ramifications of AI deployment must be addressed immediately. People's rights to privacy and data protection are protected by laws like the General Data Protection Regulation (GDPR). We can fully utilise artificial intelligence (AI) while preserving individual liberties and social norms by finding a balance between ethical issues and technological progress.

The paper also foreshadows the critical examination of how changes in technology have altered the nature of labour legislation. It raises questions about the moral and legal ramifications of integrating AI, surveillance technology, and the effects on worker productivity and privacy. To accommodate the intricacies of modern workplaces, labour law—the set of rules and legal concepts controlling the interaction between employers and employees—has experienced substantial changes. Globalisation, technological advancements, and shifts in the nature of work have made it necessary to update labour laws in order to handle new issues and safeguard workers' rights. With an emphasis on topics like employment contracts, worker rights, collective bargaining, and the gig economy, this paper also examines the main components of contemporary labour law. The emergence of the gig economy, which is defined by independent and temporary work made possible by internet platforms, has led to a review of labour categories. Legal systems are having trouble deciding whether gig workers should be regarded as independent contractors with more flexibility but possibly fewer safeguards or as employees with full rights.

Lastly, in this paper, various statutes, precedents and regulations will be discussed like the Information and technology act, Digital Personal Data Protection Act, Personal Protection Bill etc. in order to provide a holistic outlook towards the employment generated via AI, automation and technology.

Keywords: Technological advancement, Artificial intelligence (AI), Employment creation, Unemployment displacement, Labour rights, Ethical AI practices, Workplace dignity, Data confidentiality and privacy.

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Historical Evolution and Emerging Frameworks in Labour Laws

Manchala Navya Sri and Santhosh G

This study carries out a comprehensive examination of the origins of labour laws, their historical development, and a comparative review of labour law reforms around the world. "A nation may do without its millionaires and without its capitalists but a nation can never do without its labour" - **Mahatma Gandhi**. One must have seen the legendary Amitabh Bachchan in the film *Kaala* Patthar, in which the contractors took advantage of the coal workers and no one stepped in to help them until Bachchan rebelled. Thankfully, there is a perception that we have created safety valves for our employees in the twenty-first century to shield them against oppression. The history of labour law and its final development will be covered in this article.

The foundation that controls how a country operates and determines whether it develops or fails is its legal system. All of this progress in the industrial sector may be attributed to the substantial human force—that is, the labourers who are working and advancing the concept. Thus, the nation's progress is linked to the diligent labourers' hands. workers law has developed in all contexts and aspects, supporting workers and its repressed voice against capitalists who have consistently attempted to exploit the labour force that powers the actual operations. Thus, this essay has emphasised the legislative changes that have improved the working conditions of Indian workers today.

The unrelenting battle that slaves at their master's workplace endured is where labour laws got their start. Inequality existed between two social classes. It was impossible to reach an equitable agreement between labour and capital. The necessity to change such practices served as the impetus for the creation of labour legislation.

An event that changed the course of history was the Industrial Revolution. It changed the agrarian civilisation into a materialistic and industrial one. It provided the masters with an excellent chance to achieve the best output from their employees. They overused them in order to increase their earnings and achieve better results.

The workers were not helped by the laws at the time. The majority of the agreements were verbal, and those who broke them faced harsh penalties, including jail time. Large-scale exploitation included extended workdays, pitifully low pay, mistreatment, and a lack of safety

or welfare measures. Because the State never got involved in these issues, the employers took full advantage of the situation and actively exploited the workers.

Although the Industrial Revolution brought about significant changes in society, it also left political and economic voids that society had to fill. Social mechanisms were used to fill in the gaps, which led to the creation of labour regulations. One could argue that labour laws are the inevitable offspring of the Industrial Revolution.

The Industrial Revolution is responsible for the creation of employment laws. It was designed to stabilise the irregularity brought on by certain situations. They are specific rather than universal in their direction, philosophy, and concept since, in contrast to other laws, they were created to address particular labour conditions.

Two points of view to make atonement for the future arose at the close of World War I. The International Federation of Trade Unions (IFTU) called a summit in Berne, where they examined previous developments and promoted reforms for the future. The Americans abstained from this meeting, but some agreement was reached on certain demands, including the establishment of socialism and the abolition of wage labour. In addition to these demands, the IFTU promoted the creation of an international organisation affiliated with the League of Nations that would enforce labour laws globally.

The Commission filed its final report on March 4th, and on April 11th, it was adopted. The study was a crucial component of the Versailles Treaty. The first international labour conference took place in Washington, DC, on October 29, 1919, and adopted international labour conventions that addressed the following topics: limiting working hours for young people; providing benefits to women during pregnancy; prohibiting women from working at night; and establishing maximum working hours.

Albert Thomas, a socialist from France, was appointed Director-General. Following the dissolution of the League of Nations, the ILO was incorporated into the United Nations. In order to look into the working conditions on Indian plantations, the Royal Commission on Labour—also known as the Whitley Commission on Labour—was established in 1929. John Henry Whitley served as the Commission's chairman. In 1931, the commission turned in its report. The necessity of collecting labour data in a systematic manner was highlighted by

the Royal Commission on Labour in 1931. It noted that the policy must be based on facts since a lack of clarity in the facts would cause misunderstandings and disagreements about its purpose. The Commission suggested that appropriate laws be passed to give the Competent Authority the authority to gather data on the living, working, and socioeconomic circumstances of industrial workers.

Colonialism, independence, socioeconomic shifts, and globalisation have all influenced the rich fabric of Indian labour regulations. Through a Historical analysis of The Workmen's Breach of Contract Act, 1859, The Fatal Accidents Act, 1855, Factories Act, 1881 (amended in 1891), Indian Mines Act, 1901, Trade Disputes Act, 1929, The Apprentices Act, 1961, The Contract Labour (Regulation and Abolition) Act, 1970, The Employees' Provident Funds and Misc. Provision Act, 1952, The Factories Act, 1948, The Minimum wages Act, 1948, The Trade Union Act, 1926, we will try to understand evolution of Labour law in India.

Comparative research on changes to labour laws around the world shows clear patterns impacted by political, cultural, historical, and economic variables. Changes in labour laws around the world reflect distinct socioeconomic situations, but they also face similar issues including informality, the pressures of globalisation, and the growth of non-traditional work. Formalisation and enforcement are given priority in developing countries, while industrialised economies concentrate on modifying laws to accommodate new technologies and work styles. The foundation of contemporary labour law evolution around the world continues to be striking a balance between economic progress and worker welfare.

The fundamental idea behind labour law is that businesses are growth engines and that it is better for countries to allow them to operate in a friendly environment. On the other hand, governments alone are responsible for safeguarding their workforces. In the event that workers' rights are violated, labour rules must also guarantee that their interests will be safeguarded.

Keywords: Labour law, History, Evolution, Industrial Revolution

Greening the Workplace: Integrating Environmental Sustainability into Labor Laws

Ojeshvi Sengar

The increase rapidly challenges of climate change and environmental degradation where it requires a fundamental transformative approach to governance, with a specific emphasis in applying sustainability for all sectors within all domain of its legal framework. Among the most important domains for this framework or application is the workplace that is the labor laws thereof offering strong tools to enforce environmental management. This paper analyzes the notion of “greening the workplace” through integrating environmental sustainability into labor law frameworks and the possible outcome where the role of labor law may play as a obligations to meet with the international community’s sustainable development objectives.

It is a rather deep and historically embedded research into the intersection of labor rights and environmental responsibility, looking into a comprehensive analytical approach for how to operate workplace policies and practices in consonance with ecological objectives. The alignment was done with a focus on maintaining strong protections for workers while keeping up economic stability. The paper focuses on key dimensions, such as the integration of green clauses in employment contracts, which binds both employers and employees to give priority sustainability in their professional activities. It also assesses the integration of particular sustainability objectives within collective bargaining agreements, demonstrating hoe labor unions and employers negotiate environmental goals along with traditional labor rights.

Furthermore, the paper critically analyzes the legal and ethical duties of employers and employees to encourage the implementation of eco-friendly practices at the workplace. it reveals the loopholes and inconsistencies in current labor legislation that create a barrier to implementing these practices. Where it brings into sharp focus the issues that such gaps create and recommends creative, workable with possible solutions to fill those gaps. Such solutions help harmonize and make international environment standards apply through labor laws on domestic territory and contribute towards responsible environmental activities compromising any strict legal standards at a workplace to fulfill sustainable developmental needs at both local and international levels. Intertwining labor rights and ecological responsibility helps to identify possible paths that achieve balanced, long-term policies with respect to corporate governance.

This paper lays a great deal of emphasis on the complex dilemmas that relate to balancing the rights and protection of workers with the urgent environmental steps to be taken of our times. This is more so in industries that are considered energy- intensive and are in a process of undergoing radical change in the context of the new greener global economy. The paper explores the impacts of DE carbonization and sustainable transitions on employment system, workforce dynamics, and the nature of work itself. It examines the way in which these transitions impact the employment and displacement, skill development and retraining, and the overall context of job security within the industries most affected climate policies.

One of the most significant elements of this research paper is how it has explored the role of social dialogue in fostering just and balanced transitions. Tripartite negotiations involving workers, employers and governments are deemed necessary in terms of designing policies and strategies in in such a manner that inclusivity and fairness is guaranteed throughout the transition process. These dialogues are examined as essential mechanisms for addressing potential inequalities and ensuring that the benefits and burdens of transitioning to a greener economy are distributed evenly with just.

This paper draws from a wide international set of case studies to demonstrate a robust, all- inclusive perspective of hoe labor and environmental goals have been conflated in the real world. This is done by way of comparative legal analysis of differences and similarities across jurisdictions to shed insight into how law can be designed to support both sustainability and the rights of the workers. It also showcases emerging best practices from around world, depicting innovative approaches that have successfully integrated labor protections with ecological goals.

This paper also aims to provide actionable recommendations that would help in evolving labor laws so that they remain prepared and equipped to meet the needs of sustainability while promoting the principles of equity, fairness, and economic stability in an era of rapid environmental change.

Lastly, this paper shows that environmental sustainability integrated into labor law represents much more than a regulatory obligation where it emerges as a strategic and transformative pathway toward equitable and sustainable development on a worldwide level. This means labor laws and workplace policies have to evolve to better respond to climate change without abandoning the rights and protections of the worker. Thus, the approach should

strike a balance between sustainability and equity and provide a strong platform for an enabling framework for all parts of society, the economy, and the environment.

This paper goes further with providing detailed and effective policy recommendations where drafted for a broad range of stakeholders, including governments, employers, labor unions, and other organizations involved in constructing workplace practices with ecological objectives. It encourages a forward looking approach that should be implemented to encourage collaboration between stakeholders in terms of implementing green workplace policies, incentivizing green practices, and supporting workers through the transition process to sustainable industries.

The paper in conclusion presents a strong case for the creation of green workplaces not only as a practical result to the global climate crisis but also as a critical strategy for promoting long duration of resilience. This can be achieved by embedding sustainability into the core of labor law and workplace governance, making societies better able to withstand environmental and economic shocks while advancing social-equity and inclusivity. Moreover, it demonstrates how reforms of this sort contribute to sustainable growth by facilitating innovation, mitigating environmental degradation, and providing an opportunity for industries to be viable in an increasingly interconnected, yet ecological fragile world.

In writing paper which is based on the dynamics and interconnected aspects of labor rights and environmental responsibility, it serves to position itself as one key resource guiding policymakers and stakeholders toward solutions that aim more effectively to achieve both human and ecological well-being.

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Occupational Health and Safety

Pinninti Suraj Patel and Raneeta Pal

Occupational Health and Safety (OHS) is the foundation of labor and industrial law; because it is concerned about the welfare of workers at their physical, mental, social levels. It goes beyond workplace safety to include issues touching on human rights, entitlements in the constitution and SDGs. This implies that there is a substantial contribution OHS makes towards sustainable development through ensuring safe and healthy working conditions that are fair and inclusive. In this regard, this research examines how OHS has evolved over time in India, its alignment with global standards as well as ways to foster better inclusiveness and efficiency.

The origins of OHS in India may be traced back to colonialism whereby industrialization led to exploitative employment practices, unhealthy work environments, and long hours of work. The Factories Act of 1881 was a primary legislative step that focused on regulation of conditions under which women worked. Further developments were made by the Factories Act of 1934 which introduced provisions for safety measures for employees as well as welfare facilities. Thereafter independence came another significant legislation called Factories Act 1948 which laid down a broad framework on occupational safety including hazardous processes control as well its relationship with labor welfare. It was then followed by Mines Act 1952 which dealt with specific hazards related to mining operations. Hence these laws provided a systematic approach for managing OHS in India.

The Indian Constitution has made provisions to ensure that there are humane working conditions. The article 42 in the directive principles of state policy ensures that the government secures just and human working condition as well as maternity benefits. Equally, Article 21, which gives everyone the right to life and personal liberty, has been given an extended interpretation by the judiciary to include safe and healthy work environments. These constitutional principles are translated into laws such as Factories Act of 1948, Mines Act of 1952 and Employees Compensation Act (ECA) of 1923. Employers must comply with these rules; they have to make sure that regular checks for safety purposes are conducted, preclude their workers from getting occupational diseases and ensure sanitary as well as accident-free workplaces which form the legal basis of India's OHS framework.

India's occupational health and safety (OHS) regulations adhere to global standards, specifically those of the International Labor Organization (ILO). One of the United Nations' Sustainable Development Goals 8 noting that safe and secure working environments are taken for granted highlights which ones. In this regard, India has brought together work place safety and sustainable development through policy measures calling for amendments or new legislations aligned with international benchmarks. The focus on SDGs has driven Indian industries towards structured OHS systems thus shifting from conventional medical models to approaches incorporating Environmental, Social and Corporate Governance (ESG) principles. These strides signify India's commitment to protecting workers as well as fostering inclusive growth.

In recent times, OHS has gone beyond physical safety by extending its concern to psychological wellness and work-life balance. Besides this, modern workplaces expose employees to stress, burnout etc., necessitating an overhaul of OHS policies. The link between mental health, productivity and employee satisfaction is increasingly recognized by employers. It is in this context that the Occupational Safety Health & Working Conditions Code 2020 consolidating several labour laws into one legislation also provisions mental welfare. This expanded standpoint is shown through initiatives like counselling services, awareness programs about mental illness and flexibility at work signaling that there is a shift toward total worker well-being.

There are numerous challenges that hinder the implementation of OHS in India notwithstanding a lot of progress made. In India, a large proportion of employees work in the informal sector which does not adhere to health standards. Workplace rights awareness is limited and poor enforcement measures are aggravated by inadequate funding for inspections and monitoring. Changes in technology and patterns of working have brought new threats such as automation and off-site work. The challenges faced must be approached dynamically and flexibly, recognizing that workplaces today are complex ones.

In order to bolster OHS systems, proactive and inclusive approaches need to be implemented. Collaborating with communities can help in fostering safety culture through extending safety programs into societies beyond workplaces. Worker training and sensitization programs empower staff to advocate for safe conditions. Compliance and risk mitigation can be improved by having strong inspection mechanisms that include regular audits, transparency

reporting, and accountability systems. Therefore, coming up with the inclusive policies such as gender equity strategies is highly required.

Technological integration has a significant potential towards enhancing workplace safety. For example, Internet of Things (IoT) devices together with Artificial Intelligence (AI) technologies are capable of monitoring workers' health status and detecting any dangers so that they provide real-time alerts to them. To be precise wearable gadgets are able to monitor physical parameters thus helping to avoid accidents by pointing out threats on time. Moreover adapting sustainable practices such as green industrial operations and environmental risk reduction aligns workplace safety with broader sustainability goals. These measures will create healthier work environments while contributing to larger sustainability objectives.

Investing in OHS has benefits for organizations as well as the whole economy. By cutting workplace accidents, absenteeism is reduced and employee productivity increased, making workers feel safe. Organizations with strong OHS systems have fewer legal battles or reputational harm that can be translated into competitive edge. At the macro level improved OHS systems help lower healthcare costs, enhance efficiency of human resources and contribute to economic stability.

OHS is not just a duty but also a driver of economic growth, social justice and sustainable development. As much as India has made significant strides toward building a robust OHS framework, challenges such as informal sector inclusion persist along with technological hazards and mental health considerations. The safety culture must be promoted through aligning to global standards and implementing comprehensive proactive methods in India so that its workforce is ensured of their welfare. In addition, this can also lead to wider objectives of economic and social progress which underscores the need for an equitable approach towards occupational health and safety being adopted by countries like India.

Keywords: Occupational Health and Safety, Indian constitution, Humane working conditions, International labour organization, Sustainable development.

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Labour Rights in the Age of AI and Automation

Pooja Lakshmi

As artificial intelligence and automation reshape industries, the evolution of labor rights becomes a fundamental question of our time, one that demands a balance between technological advancement and the protection of workers' dignity, security, and access to opportunities. AI's influence on employment includes job displacement in manual and repetitive tasks, as well as the creation of new roles in technology-driven sectors. It has become increasingly integrated into industries like manufacturing, healthcare, and retail, leading to robotic systems replacing human workers. This trend raises various ethical concerns, particularly regarding the value of human labor in society. The worth of human labor versus machine-produced goods and services is one such example. This paper will analyze the impact of AI and automation on employment and the economy, focusing on issues like worker displacement, legal protections, and the need for retraining programs.

The research will explore the legal framework that governs labor laws, automation, and AI. Nationally, India has several key labor laws, such as the Industrial Disputes Act, 1947, which governs layoffs, retrenchment, and disputes between employers and employees. This paper will discuss the modifications needed in this law to address displacement caused by automation. The Factories Act, 1948 regulates labor conditions in factories and requires updating to address safety and employment issues arising from AI and robotics. The Trade Unions Act, 1926 governs the formation of trade unions and should be revised to address automation-related challenges in industries. The researcher would like to analyze the Payment of Gratuity Act, 1972, which provides gratuity for employees who have worked for five continuous years or more and should be updated for workers impacted by automation and retrenchment.

Internationally, the International Labour Organization (ILO) is working to shape global labor policies for automation. This paper will delve into ILO Convention No. 158, which addresses workers' rights in termination cases, including those impacted by automation. ILO Recommendation No. 198 deals with job security and the legal definition of an employment relationship disrupted by AI and automation. The ILO Declaration on Fundamental Principles

and Rights at Work is also relevant to automated work environments and needs to be revised to reflect the current work culture. The General Data Protection Regulation (GDPR) governs data protection and privacy, especially regarding employee surveillance and personal data in AI-driven workplaces. AI monitoring could pose a risk if data is hacked or misused. The researcher will examine the ILO's 2018 report, which examined AI's impact on job quality and emphasized the need for regulations. The 2023 report suggested that AI will augment jobs rather than fully automate them but highlighted risks in clerical and low-income occupations. The researcher will explore how the ILO stresses the importance of a smooth transition for workers through adequate policies and skill development.

In India, the government has implemented several policies to address AI's impact on employment. This paper will analyze the National Policy on Skills Development and Entrepreneurship, 2015, which focuses on reskilling and upskilling the workforce to align with AI and automation advancements. The Draft National Strategy on Artificial Intelligence, 2018 emphasizes AI research and development, promoting a balance between technological advancement and job creation. The "Make in India" and "Atmanirbhar Bharat" initiatives encourage automation while safeguarding employment.

This research will examine how courts have addressed several issues related to AI and automation. In the case of *K.S. Puttaswamy v. Union of India*, the Supreme Court affirmed the right to privacy as a fundamental right, which may influence regulations around AI and automation in the workplace. In *National Coal Workers' Federation v. Union of India*, the Supreme Court ruled to enhance worker protections amidst automation in the coal mines. The paper will delve into the case of *Soma Mondal v. Union of India*, which raised concerns about AI's use in public sector recruitment, arguing that AI systems could perpetuate discrimination against rural and underprivileged candidates by unintentionally amplifying biases. Similarly, in *K.K. Gautam v. State of UP*, AI facial recognition for attendance was challenged for violating workers' privacy.

Other case studies include the use of robots in warehousing and logistics by Amazon and labor union resistance due to automation in the Indian automobile industry. While automation offers efficiency and can be used in dangerous situations, there are significant concerns about the erosion of human dignity as automation replaces human labor. The researcher will explore the ethical dilemmas surrounding the treatment of AI entities and human workers in society,

especially with robots being granted citizenship. AI systems trained on biased data could perpetuate discrimination based on gender, race, or caste, leading to unfair judgments in various sectors and marginalizing certain communities. The paper will discuss the importance of implementing AI systems that ensure transparency and prevent discrimination in hiring, wage setting, and working conditions.

National labor laws must evolve to balance the benefits of AI and automation with the protection of workers' rights. This paper will analyze how access to retraining programs should be a worker's right, especially for those below the poverty line. Both the government and the private sector must ensure worker upskilling, with free programs for marginalized groups. The researcher would like to explore the importance of developing regulations that protect workers' privacy in AI-driven workspaces. Currently, no statutory provisions prevent AI from infringing on privacy, and systems like OpenAI's ChatGPT can use publicly available data without legal consequences. Even, Prime Minister Narendra Modi has expressed concerns about AI's impact. The paper will explore Modi's vision for India as an AI hub, which aligns with the Digital India initiative, emphasizing AI's potential for economic growth and technological advancement. However, Modi has also voiced concerns over the misuse of AI in creating "DeepFake" content, which can manipulate media and spread misinformation, highlighting the potential risks AI poses to society, including the political realm.

Despite the potential job displacement AI may cause, particularly in transportation, manufacturing, and customer service, it is also expected to create new job roles. Workers must be reskilled to fill these emerging positions. The paper will examine the role of the government in ensuring that policies facilitate AI-driven economic growth while safeguarding jobs and human rights. Companies, especially in the tech industry, have an ethical obligation to retrain displaced workers and mitigate the negative effects of automation on employees. Workers in AI-managed environments should have the right to collective bargaining and protection against exploitative practices. This paper will discuss the importance of integrating AI-related clauses into employment contracts to safeguard workers' rights in an automated economy.

Keywords: Labour rights, artificial intelligence, automation, legal challenges, global job market.

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International Financial Institutions: Advocating Universal Labour Rights

Prof. (Dr.) Srigouri Kosuri

The policies of international financial institutions like the World Bank and IMF have often been criticized for their impact on labor standards, particularly in developing countries. The World Bank, which is tasked with providing financial and technical assistance for development projects, and the IMF, which focuses on macroeconomic stability and the management of monetary and fiscal policies, frequently implement structural adjustment programs (SAPs) as part of their economic interventions. These programs often prioritize fiscal austerity, market liberalization, and trade liberalization as mechanisms for stimulating economic growth. While these measures may yield short-term economic benefits, their long-term impact on labor rights has been controversial.

One of the main criticisms levelled against SAPs is that they often lead to the erosion of labor protections. Structural adjustment programs typically involve reducing government spending, including cuts to social welfare programs such as education, healthcare, and unemployment benefits, which disproportionately affect the most vulnerable workers in society. Furthermore, SAPs have been associated with labor market deregulation, weakening of labor unions, and the erosion of workers' rights to collective bargaining. This has led to greater precariousness in employment, exploitation, and a widening inequality gap. In many instances, SAPs have encouraged privatization and deregulation of industries, which can undermine labor standards and lead to job losses, wage stagnation, and a reduction in workplace protections.

The ILO has consistently voiced concerns about the negative impacts of these economic policies on labor rights. In response to the growing recognition of the need to address the social dimensions of economic reform, the ILO has called for a more balanced approach that considers the protection of workers' rights as integral to sustainable development. It has advocated for the integration of labor standards into the policies and operations of IFIs. The ILO has also emphasized that economic growth should be inclusive and equitable, ensuring that the benefits of development are shared by all segments of society, including workers. In this context, the ILO Declaration on Fundamental Principles and Rights at Work serves as a crucial tool for urging IFIs to align their policies with international labor standards. While the

World Bank and IMF have made some progress in acknowledging the importance of labor rights in their development agendas, the implementation of these standards remains inconsistent. The ILO has played a critical role in engaging with IFIs to promote the inclusion of labor considerations in their policy frameworks and lending practices. For instance, the ILO has provided technical assistance and policy advice to member states on the implementation of labor standards in the context of IMF and World Bank-supported programs.

The evolving relationship between labor rights and the policies of international financial institutions also raises questions about the role of international law in shaping global economic governance. The ILO is a specialized agency of the United Nations with the mandate to promote social justice and fair labor standards. However, the influence of the ILO is often limited by the broader economic policies pursued by the World Bank and IMF, which are primarily focused on achieving macroeconomic stability and market efficiency. The tension between economic imperatives and labor rights has thus become a critical issue in international development debates. The ongoing challenge is to find a way to reconcile the goals of economic growth with the need for labor protection and decent work conditions.

The role of the ILO in influencing the policies of the World Bank and IMF is further complicated by the increasing prominence of neoliberal economic theories, which prioritize free-market principles and limited government intervention. These policies have often been at odds with the ILO's emphasis on social protection and workers' rights. The rise of globalization and the liberalization of trade and investment have also created new challenges for labor rights, as multinational corporations and foreign investors increasingly influence labor markets in developing countries. In many cases, the pursuit of global competitiveness has led to a race to the bottom in terms of labor standards, with countries being pressured to lower wages and weaken labor protections in order to attract foreign investment.

Despite these challenges, there is growing recognition of the need to integrate labor rights into the broader framework of sustainable development. The United Nations Sustainable Development Goals (SDGs), adopted in 2015, provide a roadmap for achieving economic, social, and environmental sustainability, with a particular emphasis on decent work and the protection of labor rights. Goal 8 of the SDGs specifically calls for the promotion of sustained, inclusive, and sustainable economic growth, full and productive employment, and decent work for all. This goal highlights the importance of ensuring that economic development policies are

aligned with international labor standards and contribute to the protection of workers' rights.

The ILO, the World Bank, and the IMF all have roles to play in achieving this goal. The ILO's expertise in labor standards and its mandate to promote social justice make it a key partner in shaping policies that ensure the protection of workers in the context of economic reforms. The World Bank and IMF, on the other hand, have the financial resources and influence to shape national policies and economic programs. By working together, these institutions can contribute to a more balanced and inclusive approach to development, one that prioritizes both economic growth and the protection of labor rights.

In conclusion, the relationship between labor rights, the ILO Declaration, and the policies of international financial institutions like the World Bank and IMF is complex and multifaceted. While the ILO has been a strong advocate for labor rights and social protection, the economic policies promoted by the World Bank and IMF have often been at odds with these principles. As global development continues to evolve, it is essential for IFIs to recognize the importance of labor standards in achieving sustainable and inclusive growth. By aligning their policies with the ILO's core labor principles, these institutions can contribute to the creation of a more just and equitable global economy.

Keywords: ILO Declaration, World Bank, International Monetary Fund, Labour Rights. Rights at Work

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An Analytical Study of Gig Platforms for Women Workers: Barriers, Challenges, and Working Conditions in India

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The platform economy, characterized by digital platforms that connect workers and customers, has gained significant momentum in recent years. The platform economy has emerged as a significant source of employment in India, especially for women. This research paper has aimed to understand the concept of Gig Economy and the role of women workers in it. It has also studied the challenges and future scope of Gig economy in India. This is a conceptual paper which has reviewed various research papers as well as articles. However, women's participation in this sector is often constrained by structural barriers and challenges, such as limited access to resources, skills, and technology. This paper aims to shed light on these issues and their impact on women's working conditions in the platform economy. Many women face harassment and abuse while working on platforms, and there is a lack of mechanisms to address these issues. Moreover, women are often subject to gender-based discrimination and biases, which limit their opportunities for growth and advancement.

This paper examines the participation of women in the platform economy in India, focusing on the structural barriers and challenges they face as gig workers. The study highlights the lack of provisions for privacy, safety, and security for women in this sector. It has been reported by various research studies that the greater participation of women workers in gig works is due to the flexibility in managing their domestic and work life together and social insecurity has been considered as one of the major challenges which can be removed through implementation of proper legislation. The proliferation of app-based technologies in the past five years has further accelerated this growth trajectory. India's booming gig economy is drawing millennials, including women, with its promise of alternative employment avenues. For women workers, the gig economy holds particular significance as digital platforms are seen as potential vehicles for increasing their participation in the labour market. India has long grappled with the issue of low and declining female labour force participation, with rates among the lowest in South Asia. Against this backdrop, the rapid expansion of India's gig economy could help alleviate some of the barriers women face by offering flexibility to balance

care obligations while engaging in work. Despite the increasing participation of women in the gig economy, many of the available jobs remain concentrated in traditionally female-dominated and low-wage sectors such as domestic work, caregiving, beauty, and wellness. Gig work presents a multitude of challenges for women, including limited access to the digital economy and concerns regarding security and safety, which hinder their full engagement in this sector. Addressing these challenges is essential to ensure that women can fully benefit from and contribute to the opportunities presented by the gig economy. The present study suggests greater support of government and people at large in providing adequate measures for the women workers to make it a better economy. This study is confined to only women workers who face issues and challenges while working in the gig type of environment to earn and support their family life. This study has discussed the need to understand the role of women workers with the hurdles they face while working in the gig economy and in providing relative measures for its future scope in India. Despite the unprecedented growth of India's gig economy and possible benefits to women service providers, little attention has been paid to the hurdles faced by women in pursuing gig work. Indeed, gig work has witnessed similar gendered division as has been evident in traditional work, and has not led to a direct increase in Female Labour Force Participation (FLPR) in India.

This brief examines the existing literature on the problems faced by women gig workers and analyses the terms of use and privacy policy for a few platforms in India that cater to women gig workers. Additionally, it explores the working conditions of women in the platform economy and how they are affected by gender-based discrimination and biases. By scrutinising the platforms from a gender lens, this study outlines the gaps that bar women's inclusion in gig work and provides helpful recommendations. By scrutinising the platforms from a gender lens, this brief outlines the gaps that bar women's inclusion in gig work and provides helpful recommendations. The report also explores a larger question of changing modalities of gig platforms in India in the context of its increasingly informalized economy, its gendered structures and practices and working conditions, by juxtaposing these ideas with worker rights. The study takes the lens of gender and labour on a gig platform and explores this framework through various aspects of gig economy shaping up in India. The report highlights the precarious nature of gig work and dismantles the idea of 'flexibility' which has often been touted as the reason for popularity of the gig economy for workers across the globe and

especially considered suitable for women workers. The study also found that the gig economy in India is not one-size-fits-all. The popular 'on-demand' models exist alongside a 'hybrid' model, which borrows from both the traditional as well as platform economy. While, freelancing model was preferred by most women workers, domestic workers, who were the most vulnerable group, preferred a regular income model. The report also highlights that the gig economy is under-regulated in India which allows for further exploitation of gig and platform workers. The fact that they are defined by platforms as 'independent contractors' or 'partners' and not as 'workers', devalues their labour and keeps them outside the gambit of any protective measure such as pension, maternity benefits, insurance, etc. It was only recently that the Code on Social Security 2020 included gig workers in its ambit which was the first legal recognition of gig workers as a category of workers. From women's perspective, the code does not include domestic workers, a sector in which large numbers of poor women work. Such overlapping of roles is one of the concerns related to how the code will be implemented and this would impact the lives of many such workers. Based on the findings, my research has provided some overall recommendations in order to make the gig economy a lucrative and inclusive opportunity for women workers in India. The emerging new economy is vast and full of potential but continues to suffer due to the lack of protective measures for workers and the recommendations put forward herewith aim towards both policy-building as well as correcting market responses in order to make it a worker-friendly model.

Keywords: Platform economy, Privacy, Safety, Gig workers, Working conditions, Challenges of Gig economy.

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Online Dispute Resolution in Labour Law Disputes: Advancing Efficient Justice in India

Ravikrishnan EM and Dr. Ruchir Singh

Online Dispute Resolution (ODR) is rapidly emerging as a transformative mechanism for resolving labour law disputes in India, offering a technology-driven alternative to traditional litigation and conciliation processes. With the rapid digitization of the Indian economy and the increasing complexity of employment-related conflicts, ODR presents a viable and efficient solution to address disputes arising in the workplace, including wage disagreements, wrongful terminations, workplace harassment cases, and collective bargaining challenges. This study critically examines the potential of ODR in the Indian labour law context, with a particular focus on its applicability, efficiency, and alignment with the nation's legal framework, especially under the Industrial Disputes Act, 1947, and the newly enacted labour codes.

The Industrial Disputes Act, 1947, has long served as the cornerstone of labour law in India, providing mechanisms for dispute resolution through conciliation, arbitration, and adjudication. However, these processes are often plagued by procedural delays, lack of accessibility, and high litigation costs, which hinder the timely and fair resolution of employment disputes. The introduction of ODR, which integrates advanced technologies such as artificial intelligence (AI), machine learning, blockchain, and digital mediation platforms, offers a paradigm shift in dispute resolution. These tools are designed to streamline processes, ensure confidentiality, and promote impartiality while reducing costs and delays. This study evaluates the feasibility of incorporating these technologies into India's existing legal framework, identifying their strengths and weaknesses in addressing labour law disputes.

One of the significant advantages of ODR is its ability to democratize access to justice. In a country as diverse and populous as India, where access to formal legal mechanisms can be challenging, particularly for workers in informal sectors, ODR provides a scalable and accessible alternative. By utilizing digital platforms, ODR removes geographical barriers and enables stakeholders to participate in the dispute resolution process from any location, ensuring inclusivity and equity. Additionally, ODR platforms can provide multilingual support, which is crucial in a linguistically diverse nation like India. This study explores how such features

can empower workers and employers alike, enabling them to resolve disputes efficiently without navigating the complexities of traditional legal procedures.

The study also examines the role of artificial intelligence in ODR, particularly in the context of labour law disputes. AI algorithms can assist in various aspects of dispute resolution, including case management, evidence analysis, and decision-making. For instance, AI-driven tools can analyze large volumes of data to identify patterns and precedents, enabling quicker and more informed resolutions. Furthermore, AI can facilitate automated negotiation and mediation processes, providing stakeholders with tailored solutions based on the specifics of their disputes. However, the use of AI in ODR also raises concerns about transparency, accountability, and bias. This study critically evaluates these challenges and proposes solutions to ensure that AI-driven ODR systems operate fairly and ethically.

Mediation and arbitration are integral components of ODR, offering alternative pathways to resolve disputes outside the traditional courtroom setting. Digital mediation platforms enable parties to engage in discussions facilitated by a neutral third party, while arbitration mechanisms allow for binding resolutions delivered by arbitrators. These processes can be particularly effective in addressing labour law disputes, which often require a nuanced understanding of workplace dynamics and legal frameworks. This study delves into the legislative underpinnings of mediation and arbitration in India, analyzing how they can be integrated into ODR platforms to enhance their effectiveness in resolving employment-related conflicts.

Despite its numerous advantages, the implementation of ODR in India faces several challenges. One of the primary barriers is the digital divide, which limits access to technology for a significant portion of the population. Workers in rural and remote areas, as well as those in lower-income groups, may lack the digital literacy and resources needed to participate in ODR processes. Additionally, infrastructural inadequacies, such as limited internet connectivity and the lack of reliable digital platforms, further hinder the adoption of ODR. This study highlights these challenges and proposes practical solutions, such as government initiatives to improve digital infrastructure and awareness campaigns to promote digital literacy among workers and employers.

Another critical challenge is the absence of a robust regulatory framework for ODR in India. While the Information Technology Act, 2000, and the Arbitration and Conciliation Act,

1996, provide a legal foundation for electronic transactions and arbitration, respectively, they do not explicitly address the nuances of ODR. This study advocates for the development of comprehensive regulations tailored to the unique requirements of ODR, ensuring its compatibility with India's labour law framework. The proposed regulations should address issues such as data privacy, cybersecurity, and the enforceability of digital awards, providing stakeholders with the confidence to adopt ODR for resolving labour law disputes.

The study also draws insights from global best practices in ODR, analysing successful implementations in countries such as the United States, the United Kingdom, and Singapore. In the United States, ODR platforms have been widely used for resolving consumer disputes and employment conflicts, with organizations like the American Arbitration Association offering digital arbitration services. Similarly, the United Kingdom has leveraged ODR to streamline small claims processes, while Singapore has established a dedicated ODR framework for cross-border disputes. By examining these examples, this study identifies strategies that can be adapted to the Indian context, such as the use of public-private partnerships to develop and promote ODR platforms.

Furthermore, this study explores the socio-economic implications of integrating ODR into India's labour law ecosystem. By reducing judicial backlogs and fostering harmonious employer-employee relations, ODR can contribute to a more efficient and equitable labour market. The findings suggest that ODR can play a pivotal role in addressing the unique challenges of India's informal sector, which accounts for a significant portion of the workforce and is often excluded from formal legal protections. By providing accessible and cost-effective dispute resolution mechanisms, ODR can empower workers in the informal sector and promote compliance with labour laws among employers.

The study concludes with policy recommendations to enhance the adoption and effectiveness of ODR in resolving labour law disputes in India. These recommendations include the establishment of a dedicated ODR regulatory body, the integration of ODR into labour codes, and the development of training programs for mediators, arbitrators, and legal professionals. Additionally, the study emphasizes the importance of public awareness campaigns to promote ODR among workers and employers, highlighting its benefits and addressing misconceptions about its reliability and fairness.

In conclusion, ODR represents a transformative opportunity to modernize labour law dispute resolution in India, aligning with the nation's vision of a digital economy. By addressing the challenges of access, efficiency, and equity, ODR has the potential to revolutionize the way employment conflicts are resolved, fostering a more inclusive and technology-driven framework for workplace justice. This study underscores the need for collaborative efforts among policymakers, legal professionals, and technology developers to realize the full potential of ODR in India's labour law ecosystem.

Keywords: Online Dispute Resolution, Labour Law, Industrial Disputes Act, Artificial Intelligence, Mediation, Arbitration, Digital Justice, Workplace Disputes, Access to Justice, Indian Legal Framework.

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Analysing the Effectiveness of Dispute Resolution Mechanisms under the Tamil Nadu Shops and Establishments Act, 1947

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The Tamil Nadu Shops and Establishments Act, 1947, serves as a foundation in regulating working conditions across a variety of establishments, including shops, commercial establishments, restaurants, theatres, and other establishments as prescribed by the appropriate government. This legislation defines the rights and obligations of both employees and employers, ensuring a balanced framework to maintain order and fairness in workplace relationships. Central to the effectiveness of this act is the presence of strong dispute resolution mechanisms, which are essential for addressing grievances and developing harmony within the establishment. This study undertakes a critical analysis of the efficacy of these dispute resolution mechanisms, focusing on their accessibility, efficiency, and relevance to contemporary labour challenges. The dispute resolution mechanism framework under the Tamil Nadu Shops and Establishments Act, 1947, provide avenues for addressing conflicts through processes such as conciliation, arbitration, and adjudication. These mechanisms are designed to resolve issues arising from wages, working hours, working conditions, termination, and other labour-related matters. The effectiveness of these processes, however, depends heavily on their implementation in real-world scenarios. By examining statutory provisions and practical applications, this research aims to observe on their operational strengths and weaknesses. Employing a doctrinal research methodology, this study primarily relies on the analysis of statutory provisions and judicial precedents.

The importance is on labour judgments that offer insights into how dispute resolution mechanisms are implemented and interpreted by courts. Through an in-depth examination of case studies and legal rulings, this research seeks to evaluate the capacity of these frameworks to address and resolve workplace disputes effectively. Additionally, it aims to identify any systemic gaps that hinder the smooth functioning of these mechanisms. One of the critical areas of focus in this study is the accessibility of dispute resolution mechanisms. Even in organized sectors or establishments, employees may face challenges in understanding their rights and the formal processes available for resolving grievances. A lack of awareness about these

mechanisms can lead to unresolved issues or reliance on informal conflict resolution methods, which may not always be fair or effective. Additionally, logistical barriers, such as centralized labour offices and resource constraints, can hinder accessibility, particularly for employees working in various branch offices located far from head office.

Efficiency is another vital aspect of dispute resolution under the act. Delays in resolving disputes can lead to prolonged uncertainty and financial hardship for employees. Similarly, employers may face operational disruptions and legal costs due to unresolved conflicts. Factors contributing to delays include procedural complexities, resource constraints within labour departments, and the tendency for cases to escalate to formal adjudication instead of being resolved through conciliation or arbitration. This research explores these inefficiencies and their impact on both employees and employers. The alignment of dispute resolution mechanisms with contemporary labour issues is also examined in this study. As workplaces evolve due to technological advancements, globalization, and changing employment patterns, new challenges arise that may not have been envisaged when the act was originally framed. Issues such as gig work, remote employment, and flexible work arrangements necessitate a re-evaluation of existing legal frameworks to ensure they remain relevant and effective. This research investigates whether the dispute resolution mechanisms under the Tamil Nadu Shops and Establishments Act, 1947, are adequately equipped to address such emerging issues. Case studies and judicial precedents play a pivotal role in this research. They provide practical examples of how disputes are resolved under the act and highlight the strengths and limitations of the existing mechanisms. For instance, cases involving disputes over wages or termination often reveal inconsistencies in the interpretation of legal provisions or delays in delivering judgments. By analysing such cases, this study aims to uncover patterns and trends that can inform recommendations for improvement. The findings of this research aim to highlight gaps in the existing system and propose actionable recommendations to enhance the efficiency and fairness of dispute resolution mechanisms under the Tamil Nadu Shops and Establishments Act, 1947. These recommendations may include simplifying procedural requirements, increasing awareness among employees about their rights, and strengthening enforcement mechanisms to ensure compliance by employers. Additionally, the research emphasizes the importance of alternative dispute resolution (ADR) methods, such as mediation and arbitration, which can provide quicker and less combative means of resolving conflicts. Another critical

aspect of the findings is the need to align dispute resolution mechanisms with international labour standards, such as those prescribed by the International Labour Organization (ILO). Ensuring compliance with these standards can enhance the credibility and effectiveness of the mechanisms, promote greater confidence among stakeholders. The research explores how the act's provisions can be harmonized with global best practices to address both traditional and emerging labour issues.

This study contributes significantly addresses on labour law and workplace governance in Tamil Nadu. By identifying and addressing shortcomings in dispute resolution mechanisms, it seeks to strengthen labour protections and promote equitable relationships between employees and employers. The understandings gained from this research have the potential to inform policy reforms and enhance the overall effectiveness of the Tamil Nadu Shops and Establishments Act, 1947. In conclusion, the Tamil Nadu Shops and Establishments Act, 1947, is essential for ensuring fair workplace conditions and protecting the rights of both employees and employers. However, the success of its dispute resolution mechanisms depends on how accessible, efficient, and adaptable they are to current labour challenges. This study's analysis of laws and court decisions highlights the need to address weaknesses in the system and introduce reforms to make these mechanisms more effective. Improving the process can help resolve disputes faster and more fairly, creating better harmony between employers and employees. Ultimately, these improvements will support the growth of Tamil Nadu's retail and service sectors while promoting a fair and equitable work environment.

Keywords: The Tamil Nadu Shops and Establishments Act, 1947, dispute resolution mechanisms, employee-employer relationships, labour protections, labour issues.

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Labour Rights, Sustainability, and the Green Economy: Protecting Construction and Informal Sector Workers in Large-Scale Infrastructure Projects with Special Reference to Newtown, Kolkata

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The transition toward a green economy, driven by the global agenda for sustainable development, has increasingly emphasized the need for environment ally friendly infrastructure. However, the shift must also prioritize the protection of labour rights, particularly for construction and informal sector workers who form the backbone of such projects. The global push for a green economy has necessitated a paradigm shift in urban development, prioritizing environmentally sustainable infrastructure. This transition, while beneficial for mitigating climate change and fostering long-term sustainability, often overlooks the socio-economic dimensions, particularly labour rights. Construction and informal sector workers, who constitute a significant portion of the workforce in large-scale infrastructure projects, are frequently exposed to precarious working conditions, wage disparities, and inadequate social protections. This paper examines the intersection of labour rights, sustainability, and the green economy, focusing on large-scale infrastructure projects in Newtown, a rapidly urbanizing hub in Kolkata, West Bengal, India.

The construction sector, a significant contributor to economic growth, is pivotal in addressing urbanization demands. Yet, it is notorious for precarious working conditions, wage disparities, and inadequate social protections, especially for informal workers. With Newtown emerging as a model for sustainable urbanization, the interplay of labour rights and environmental sustainability becomes a critical subject of inquiry. This paper explores how large-scale infrastructure projects in Newtown impact the working conditions of construction and informal sector workers and proposes frameworks to ensure their rights are safeguarded. The construction sector in India is predominantly informal, with workers often employed on a temporary basis and deprived of basic rights like fair wages, safe working conditions, and social security benefits. These issues are compounded in large-scale infrastructure projects, where strict deadlines and cost-cutting measures exacerbate worker exploitation. The paper highlights the challenges faced by construction workers in Newtown, including:

- Absence of collective bargaining mechanisms.
- Lack of access to health and safety measures.
- Gender-based discrimination in wages and job roles.
- Vulnerabilities of migrant workers who dominate the labour force.

The green economy emphasizes sustainable development through resource efficiency, low- carbon technologies, and environmental protection. While the shift toward green infrastructure projects in Newtown aligns with sustainability goals, the social dimension of sustainability— ensuring equity and fair treatment of workers—often remains neglected. This paper critically examines:

- Whether the push for green infrastructure compromises labour rights.
- The environmental and social trade-offs in project implementation.
- The impact of green certification processes on worker welfare.

The study uses Newtown as a case study to analyse the nexus of sustainability and labour rights. It reviews ongoing and completed projects, assessing their compliance with labour laws and sustainability standards. Key findings reveal:

- A disconnect between policy frameworks and ground realities in enforcing labour protections.
- The role of public-private partnerships in shaping labour dynamics.
- Best practices from successful projects that integrate labour welfare with sustainability goals.

Newtown provides a unique lens to analyse the interplay between labour rights and sustainability. While national labour laws exist, their implementation at the local level is inconsistent. For instance, compliance with the Building and Other Construction Workers Act (BOCW) often remains superficial. Many projects involve public-private collaborations, which can either enhance or undermine worker protections depending on the commitment of stakeholders. Certain projects have successfully integrated labour welfare measures, such as providing on-site childcare facilities and ensuring timely wage payments.

India’s labour laws and policies, including the Code on Wages, 2019, and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, provide a framework for worker protections. However, implementation gaps often

undermine these safeguards. The paper evaluates the adequacy of these laws in the context of Newtown and offers suggestions for:

- Strengthening regulatory oversight.
- Incorporating sustainability metrics that address labour rights.
- Enhancing grievance redressal mechanisms for informal workers.

To bridge the gap between labour rights and sustainability in the construction sector, the paper proposes a multi-stakeholder approach by amending labour laws to address challenges unique to green infrastructure projects, such as skill development for green jobs. Establishment of local monitoring committees to ensure compliance with labour standards. Providing training and education for workers to adapt to green technologies and practices. Fostering dialogue between workers, employers, and policymakers to promote inclusive decision-making. Using digital platforms for real-time monitoring of worker safety, wage disbursement, and grievance redressal.

Comparative Analysis with Selection of Regions/Countries for Comparison:

Amsterdam, Netherlands: Known for its sustainable urban planning and strong labour protections, Amsterdam offers insights into integrating green policies with worker rights.

Singapore: As a rapidly developing smart city with a focus on technology and innovation, Singapore provides a model for balancing economic growth with labour and environmental considerations.

Curitiba, Brazil: Renowned for its pioneering sustainability initiatives and urban planning, Curitiba offers a perspective from a developing economy focusing on green urban development.

Chandigarh, India: As one of India's well-planned cities with ongoing infrastructure projects, Chandigarh provides a domestic comparison within the same legal and cultural framework.

Comparative Analysis of Labour Rights, Sustainability Practices, and Their Integration into the Green Economy:

Labour Rights: Evaluate the legal frameworks and enforcement mechanisms in each region, focusing on how labour rights are protected in the construction and informal sectors. This includes examining wage standards, working conditions, health and safety regulations, and social security provisions.

Sustainability Practices: Compare how each region incorporates sustainability into

infrastructure projects, such as the use of eco-friendly materials, waste management practices, energy efficiency, and green certifications.

Integration into the Green Economy: Analysing how each region balances economic development with environmental sustainability and social equity. This includes looking at job creation in green sectors, retraining programs for workers displaced by technological advancements or sustainability shifts, and the overall impact on local economies. This comparative analysis can highlight the diverse approaches to balancing labour rights and sustainability in the green economy, providing valuable lessons for Newtown, Kolkata, and similar regions undertaking large-scale infrastructure projects. As the world transitions toward a green economy, it is imperative to balance environmental goals with social equity. Newtown, with its ambitious infrastructure projects, has the potential to serve as a model for sustainable urbanization that respects and protects labour rights. By addressing the vulnerabilities of construction and informal sector workers, policymakers can ensure that the benefits of sustainable development are equitably distributed. This paper underscores the importance of an integrated approach that combines legal protections, capacity building, and community engagement to create a truly inclusive and sustainable green economy. The pursuit of a green economy must not come at the expense of social justice. As Newtown positions itself as a hub of sustainable development, it has the potential to set a benchmark for integrating labour rights into green infrastructure projects. By safeguarding the interests of construction and informal sector workers, policymakers can ensure that sustainability initiatives contribute to equitable economic growth. This paper underscores the need for a holistic approach that aligns environmental goals with the socio-economic well-being of the workforce, paving the way for truly sustainable urbanization.

Keywords: Labour Rights, Green Economy, Sustainability, Construction sector & Informal worker.

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Workers' Rights in India: Constitutional Provisions, Judicial Insights and Pathways for Reform

Sakshi Bhanvra

The body of legislation, judicial and administrative judgments that govern the rights, duties and restrictions enjoyed by employers and workers is collectively referred to as labor law or industrial law. There is a close relationship between the evolution of India's labor laws and the period of British colonialism. At that time, prima facie goal of the British labor regulations was to safeguard the interests of British corporations.

This paper explores the constitutional framework safeguarding workers' rights in India, emphasizing the interplay between “fundamental rights, directive principles of state policy, and labor legislations”. The labor law deals with a number of facets of the interaction between companies, workers, and trade unions. It outlines the rights and duties that employers, union members, and workers have at workplace.

Workers, in contrast, contribute far more to the company's success when they form close bonds with their supervisors. When employers establish a firm (or expand a branch of an existing business), workers are needed to do things like create, manage, arrange, publicise, sell, transport, maintain, and repair. Consequently, the company gets managed by its workers. The best thing a person can do for their career is to learn as much as they can before, during, and after a job. Management and workers alike will reap the benefits of this as it clarifies workers' rights and gives them a clearer view of their alternatives. Management has an obligation to create a culture that values and upholds these rights once they are communicated to workers.

The outcome is that everyone understands their role and how to contribute, which boosts efficiency across the company. Workers' rights include a wide range of protections granted to workers by law. The company's industry and business model determine the specific worker's rights that apply. Having said that, there are certain basic rights to which every worker, regardless of employer, is entitled. Right to eat, right to be safe, right to be paid for work, right to join unions, and right to gather - including privacy, fair compensation, freedom from discrimination, and access to justice - are all fundamental workplace rights that all workers have.

Knowing the rights and responsibilities is crucial for not acting contradictory with the

law. Employment contracts outline the responsibilities of both the employer and the worker to one another. In addition to a safe working environment, all employees have legal rights to a reasonable work schedule, minimum wage, and other benefits. Statutes such as the “Equal Remuneration Act, the Payment of Gratuity Act, the Employees Provident Fund and Miscellaneous Provisions Act, the Employees' State Insurance Act, the Maternity Benefit Act, and countless more regulate the employment of workers in the organized private sector”. When it comes to matters of rights and conduct, the Constitution as the supreme law is given preference. It is the bedrock of Indian law, including rules pertaining to work, and its primary function is to safeguard workers' rights.

Legislation pertaining to employment and labor is included in the Concurrent List of the Constitution, which means that both the Union Parliament and the state legislatures in India have equal power to enact laws on any and all employment and labor issues. A plethora of safeguards for employees are included in the Indian Constitution. These rights are protected by certain Articles of the Indian Constitution. If a civilization wants to be considered civilized, it must recognize the inherent worth and dignity of its working class and ensure that they may live in safety and dignity. This line of thought finds voice in the preambles of the United Nations and the League of Nations, as well as the Universal Declaration of Human Rights.

On April 26, 1949, when India gained its independence, the country passed its constitution. The Constitution of India is one of a kind—a fundamental law of the land. In addition to outlining fundamental concepts for government, it depicts the hopes and dreams of the most vulnerable members of society, particularly the working class. The fact that our leaders battled for the liberation of India and the improvement of working class conditions at the same time is a peculiarity of history, as is the fact that these two causes occurred simultaneously. They promised the working classes certain things during this time that would be fulfilled after they gained freedom. It is in our Constitution that the redemption of all those vows and commitments is expressed.

The Constitution is the guiding document for all laws passed by a country. As a revolutionary document, the Constitution mandates that all branches of government, including the judiciary, must work together to bring a new social, economic, and political order in which everyone enjoys equal rights and opportunities and where justice permeates every aspect of national life. All laws in India, including those pertaining to employment, are based on the

three pillars of the constitution: the preamble, the basic rights, and the DPSPs. This constitutional trinity guarantees its inhabitants a "Socialistic Pattern of Society" and establishes a "Welfare State"; and all labor laws, are profoundly affected by them.

Laws pertaining to workers may be passed or changed by either the Union or the State governments in India since this is considered a concurrent subject under the country's constitution. In addition to providing detailed safeguards for workers' rights, the Indian Constitution also sets out the DPSP for the governments. By examining gaps between constitutional ideals and practical realities, the study underscores the need for reforms to ensure holistic protection of workers' rights, fostering a balance between economic growth and social justice.

In accordance with the fundamental rights and "Directive Principles of State Policy (DPSPs)", "Chapter III (Articles 16, 19, 23, & 24) and Chapter IV (Articles 39, 41, 42, 43, 43A, & 54)" enshrined under Indian Constitution uphold the importance of the worker's rights and the necessity of defending and preserving their interests as human beings. The paper examines key provisions such as the right to equality, prohibition of forced labor, and the right to livelihood, highlighting their role in promoting workplace equity and dignity. The paper also analyzes judicial interpretations that have strengthened labor protections, alongside challenges in implementation.

Keywords- rights, workers, Constitution, State, companies.

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Vulnerable Abroad: Implications of Exporting Indian Labourers to Israel

Samra Noor

With the recent decision to export labourers to Israel, India has set out to ignite the spark of hope in the hearts of many of its rather underprivileged youth. With the Israel-Palestine conflict engulfing the region in destruction and turmoil, the Israeli government sought its Indian counterpart to send in labourers to replace the banned Palestinians. However, it is pertinent to mention, that the ongoing war in the region imposes extreme danger upon the workers being deployed, increasing in numbers progressively. On March 4th, 2024, a migrant worker from Kerala, 31-year-old Nibin Maxwell lost his life to the war, a war he had no involvement in. Reportedly, 2 other workers were injured by the Hezbollah's missile attack.

In an unstarred Rajya Sabha question's response, Shri Kirti Vardhan Singh discloses "During the ongoing conflict, two Indian nationals have lost their lives - one Indian national in an attack from Lebanon in March 2024 and another Indian national in Gaza in May 2024. In addition, three Indian nationals were injured, one in rocket fire from Gaza on 7 October 2023 and two more in an attack from Lebanon in March 2024." However, he fails to elucidate on what measures the government has taken to provide relief to the families of the deceased, or even why Indian workers are being sent to an active warzone.

The question of whether a country should let its citizens enter or stay in a region battling an active war is not a novel one, and implicit answers to the question have been given time and time again. When the Ukrainian-Russian war escalated and Russia aggressively invaded Ukraine, the Indian government was, rightfully so, immensely concerned about its citizens living in Ukraine. One Indian student had been killed and another had been injured already. Operation Ganga, an evacuation mission was immediately put into action and the Indian Prime Minister effectively liaised with his Ukrainian and Russian counterparts; over 25,000 Indian nationals were evacuated as a result, out of which 18,000 were students. No Indian was left behind. While it would be fair to assume that the Israel-Palestine conflict is more localized whereas the Ukraine-Russia war was widespread, it is pertinent to mention that the former involves attacks by a literal terrorist organization; Hamas, on the classification of which the Indian government disagrees, calling it a 'party to the conflict'. Moreover, in both situations,

at least one civilian was killed, and in Israel, several were severely injured too.

As for why the workers India sends to Israel through B2B and G2G even agreed to work in a literal war zone, there are several speculations that can be analyzed further. The first and foremost is the wages; the estimates vary but it is safe to assume that the monthly income of a labourer in India is around Rs. 14,000/- to Rs.16,000/- per month, while the same labourer can earn up to Rs.1,92,000 per month in Israel. The minimum wage in Israel is set at Rs. 1,29,293 per month, a staggering figure 8 times more than the Indian average.

But the question if the workers who agree to undertake the task understand the risks of doing so, yet remains. At face value, the entire situation seems highly coercive since it is obvious that anyone living in near poverty would agree to work for such a wage just to provide for themselves and their family. Thus, making it all the more a reason for the Indian government to protect them by providing better opportunities at home or directing them to work in other countries where they can be safe. This is not the first time Indian workers have been subject to unsafe or unscrupulous working conditions. It is a common fact that many Indian workers who work in the United Arab Emirates have reported being mistreated in several ways. They have often had their passports withheld, are forced to live in cramped living areas, are overworked, and are even tortured unforgivingly for minute errors.

While the Indian government does sign comprehensive MOUs with a country before sending labourers there to ensure their safety, more often than not the labourers are not aware of their rights and remedies, or are unable to access those remedies despite having full knowledge of them. But all these workers agree to work in such situations just because they 'need the money'.

However, in the case of the workers in Israel, the government has a different burden of constitutional duty. Sending workers through G2G programs and allowing such B2B initiatives to a war zone is a blatant violation of human rights and is contradictory to Article 21 of the Indian Constitution; Right to Life. The government knows better than the workers of the danger of being in a war zone, and it clearly shows that they do not want Indians to travel to Israel. The Ministry of External Affairs has issued a travel advisory, dated 12th April 2024, requesting Indian citizens to not travel to Israel until further notice and immediately register themselves with the Indian Embassy if they are already there. On the same website, the Ministry says in an answer to a Lok Sabha question "As of October 2024, there were around 32,000 Indian

workers in Israel, out of which approximately 12,000 Indians arrived in Israel after October 2023, both under the Government-to-Government (G2G) route and through private channels.” While The Hindu reports more than 6,000 workers were to enter Israel during April and May of 2024.

This issue is gravely understated and it is essential to investigate the implications of the incumbent government's decisions. This paper will attempt to: identify the motivations for workers who agree to work in such conditions, understand why the government of India sends said workers to Israel despite the ongoing war and highlight key legal principles being violated by the government in doing so. It is also an attempt to highlight the constitutional and humanitarian contradictions in the decisions made by the Indian government. The paper will further attempt to present solutions to redirect the deployment of said workers by increasing domestic opportunities and redirecting deployment to other nations not engulfed actively in the war, especially by attempting to sign MOUs with countries where Indians are often found migrating illegally to engage in agricultural, service, and other understaffed occupations.

Keywords: Labour Export, Migrant Workers, Worker Casualties, War Zone, Government Accountability.

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Industrial Jurisprudence and the Gig Economy- Bridging Legal Gaps for Worker Protections

Sarmad Ali Multani

“The law must be stable, but it must not stand still.” Roscoe Pound’s observation underlines the necessity for labour laws to adapt to the dynamic realities of the gig economy. Laws are not static artifacts of justice; they are the scaffolding upon which societies build equity amidst change. Platforms such as Ola, Uber, Zomato, Swiggy, and UrbanClap have disrupted traditional employment models, creating flexibility and economic opportunities but leaving gig workers vulnerable to inadequate protections. Categorized as “independent contractors,” gig workers are excluded from basic rights such as social security, minimum wages, and grievance mechanisms. Existing frameworks, including the Code on Social Security, 2020, fail to address these challenges, requiring a transformative approach grounded in industrial jurisprudence.

Industrial jurisprudence, rooted in equity and justice, provides the foundation for reimagining legal frameworks for the gig economy. Ronald Dworkin’s Rights-Based Jurisprudence highlights the primacy of fairness and dignity in labour law. The Flexicurity Model from European labour policy emphasizes balancing employer flexibility with worker security. Legal Pluralism explains the coexistence of multiple governance systems—state laws, platform regulations, and informal norms—that shape the gig economy. The Power Resource Theory focuses on collective worker empowerment to counter the asymmetries between platforms and gig workers. Together, these theories inform a nuanced regulatory framework. Additionally, Professor John Howe’s Labour Market Regulations Perspective critiques the rigidities of current laws and advocates for redefining labour relationships to reflect the interdependence between gig workers and platforms. Guy Davidov’s Employee Status Theory further reinforces the need for hybrid classifications that go beyond the binary employee-contractor divide to better align with the realities of modern work.

The Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023, marks a historic step in Indian labour law. By legislating protections for gig workers, Rajasthan has pioneered a welfare board model funded by platform and state contributions, providing benefits such as accident insurance, maternity leave, and emergency financial aid. Karnataka’s

initiatives to create a gig worker database and explore minimum wage guarantees reflect growing state-level momentum. Kerala and Tamil Nadu have initiated discussions on extending social security and fair wages to gig workers. These regional developments highlight the potential for localized solutions to inform broader national reforms.

Globally, the UK Supreme Court's ruling in *Uber BV v. Aslam* (2021), California's Assembly Bill 5 (AB5), Spain's Rider Law (2021), Australia's Menulog Initiative, Canada's dependent contractor model, and Singapore's Advisory Guidelines for Gig Workers (2022) provide benchmarks for balancing flexibility with worker protections. The Taylor Review of Modern Working Practices (2017), commissioned by the United Kingdom government, recommended expanding the definition of "worker" to include "dependent contractors" who, while not employees in the traditional sense, rely economically on platforms and deserve statutory protections. These global examples, coupled with India's state-level innovations, demonstrate the feasibility of hybrid worker classifications that extend statutory benefits while preserving platform flexibility.

India's state-level initiatives further illustrate the potential for localized solutions to address gig worker vulnerabilities. The Rajasthan Platform-Based Gig Workers (Registration and Welfare) Act, 2023, represents a landmark development, positioning Rajasthan as the first Indian state to legislate protections for gig workers. The Act establishes a welfare board funded by contributions from platforms and the government, offering benefits such as accident insurance, maternity leave, and financial assistance during emergencies. Karnataka has complemented this effort by proposing a centralized database of gig workers to monitor their employment conditions and exploring policies around minimum wage guarantees.

A recent report by the International Labour Organization (ILO) emphasized the importance of contributory social protection models that combine employer, worker, and government contributions to fund benefits for gig workers. This aligns with recommendations from the OECD, which advocates for innovative tax systems to integrate gig workers into formal social security mechanisms. Further, the Institute of Development Studies (IDS) highlights the value of participatory mechanisms, ensuring gig workers' voices are central to policy design.

This paper proposes the creation of "platform-dependent workers," a classification that aligns with industrial jurisprudence and addresses the semi-autonomous yet dependent nature of

gig work. This model ensures access to minimum wages, social security, collective bargaining rights, and structured grievance mechanisms, while preserving platform flexibility.

The Code on Social Security, 2020, is critiqued for its limited scope and reliance on voluntary contributions, which place undue responsibility on workers. The paper advocates for mandatory platform contributions to a centralized fund, enabling gig workers to access health insurance, maternity leave, and pensions. Sector-specific regulations tailored to industries like transportation, delivery, and freelancing are essential for addressing diverse challenges.

Operationalizing these reforms requires innovative compliance mechanisms that leverage technology. Algorithmic audits can monitor wage fairness and detect exploitative practices, ensuring transparency and accountability in platform operations. Digital grievance systems can provide gig workers with accessible and efficient means of resolving disputes, empowering them to assert their rights. Additionally, tripartite collaboration between platforms, policymakers, and worker unions is critical for creating inclusive regulatory frameworks. Integrating Rajasthan's welfare board model into a unified national framework could harmonize fragmented state-level efforts while preserving room for localized adaptations.

Theoretical contributions further inform these proposals. Professor John Howe's Labour Market Regulations Perspective critiques the rigidity of existing labour laws and advocates for redefining labour relationships to reflect the interdependence inherent in gig work. Guy Davidov's Employee Status Theory reinforces the argument for a more flexible and inclusive classification system, moving beyond the binary distinction between employees and independent contractors. Together, these theories support the creation of a hybrid category that aligns with the realities of modern labour markets.

Additionally, New Zealand's Task Force on Modern Work Practices has called for clearer employment standards to ensure gig workers are treated equitably, emphasizing enforceable rights and transparent contract terms. South Korea's Platform Worker Protection Plan focuses on sector-specific regulations to enhance safety and wage equity. Research from Harvard's Labor and Work life Program further highlights the importance of collective bargaining frameworks tailored to platform-based employment, ensuring that workers retain a voice in shaping their conditions.

Ultimately, industrial jurisprudence must evolve to meet the demands of platform-based work. By integrating global lessons, theoretical frameworks, and state-led innovations, this

paper envisions a future where gig work transitions from precariousness to dignity and security. The proposed framework addresses immediate vulnerabilities while establishing a foundation for long-term resilience in the platform-driven economy. As Roscoe Pound aptly noted, the law must evolve to meet the changing needs of society. By placing industrial jurisprudence at the heart of this evolution, this paper ensures the rights and well-being of gig workers in the 21st century.

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Evaluating the Gig Economy: A Labour Law Analysis of its Benefits and Challenges

Sarthak Arya and Himanshu Pathak

The gig economy has become a new phenomenon in the global labour market, providing new opportunities through disrupting standard employment practices. This paper, titled "*Evaluating the Gig Economy: A Labour Law Analysis of Its Benefits and Challenges*," offers a critical assessment of this phenomenon with regard to both its positive effects alongside the problems and pitfalls associated with it. On the place one could see that the gig economy is promoting flexibility and independence, as well as economic development. At the same, it provokes a lot of concerns about job insecurity and lack of other staples of employment like health and other benefits, and the vulnerability of the workers due to legal uncertainties.

Recently, gig working has been a recent trend across the globe and in India particularly. This research takes its focus to look at features and gaps of Indian Labor Laws and other recognized global labour laws as they apply to gig workers. It aims at the importance of reforms to address ethical, legal and social concerns, including what was happening to workers, minorities or to employers.

The paper presents the positive features of the gig platform business model but also looks into possible ways in which gig economy workers can be protected through a favourable legal environment and policy regulation. This research aims to shed light on the issues of developing a fair and justified labour regulation strategy for the future through a discussion of cases, prospects, and reform activities.

The gig economy has significantly transformed the global labour market, introducing both opportunities and challenges that have prompted extensive analysis and debate.

Benefits of the Gig Economy:

The most significant benefit of the gig economy is flexibility. Workers are allowed to choose their working hours and select assignments according to their skills and interests, fostering a sense of independence and control over their careers. This flexibility factor is one of the primary reasons people opt for gig employment.

The gig economy is where cost efficiency applies for enterprises. Organizations can expand or reduce labour forces based on demand, sidestepping significant long-term cost liabilities that attach to traditional forms of employment, for example, offering benefits and having pension plans on the books in favour of quicker responses to emerging market and operation needs.

Challenges in the Gig Economy:

Despite all these benefits, the gig economy poses some critical challenges, mainly regarding workers' rights and protection. People involved in gig work do not receive various benefits from their employers, including health insurance, retirement plans, and paid leaves, which most regular employees benefit from. This leads to economic uncertainty and scarce provision of vital services.

In addition, the income instability emanates from the variable demand and lack of a guaranteed wage. The tax, insurance, and retirement savings burden is solely on the worker, although this may become too much for those lacking financial literacy and planning.

It is known that freelancers in the gig economy have problems maintaining work-life balance. This is because the profession is very demanding and flexible; for instance, they work on given projects with deadlines that are usually tight. In a way, the individuals work even more, leaving little time for personal interests or leisure time. Freelancers do not have a standard workforce due to defined working hours that separate professional and personal life. Such ambiguity forces many freelancers to work at odd hours - late nights or over weekends - with a perceived necessity to maximize income or meet client expectations.

Most people find it highly stressful to manage multiple projects mentally and physically simultaneously. The very nature of the solitary aspects of a freelancer's occupation prevents him from interacting more freely with his colleagues or professional networks. This lack of interaction heightens the sense of exhaustion and burnout since freelancers miss the camaraderie and peer support often experienced in more traditional workplaces. Without clear boundaries and adequate support systems, the gig economy freelancers risk long-term detriments to their health and quality of life.

Legal and Regulatory Landscape:

This classification of gig workers as independent contractors rather than employees has significant legal implications. The distinction often excludes gig workers from laws that guarantee workplace protections, creating fears of exploitation and unfair treatment. Recent legal developments have addressed these issues.

The gig economy in India has witnessed tremendous growth with the emergence of digital platforms such as Ola, Uber, Swiggy, and Zomato, which are employing millions. However, this rapid growth has brought into focus the need for legislative frameworks that address the specific challenges of gig workers, who are otherwise excluded from the protections of traditional labour laws. In reaction to this, the Indian government came up with labour law reforms in the form of the Code on Social Security 2020. This code is an all-inclusive effort to integrate gig and platform workers within the ambit of social security systems.

For instance, a federal judge in New Mexico has agreed with the Biden administration on its rule that makes it more difficult for businesses to classify workers as independent contractors. In this rule, financially dependent workers of the company should be classified as employees and hence entitled to receive minimum wage and overtime pay.

There have been several landmark legal decisions regarding gig economy workers across the globe. For instance New Zealand passed legislation that had a 'gateway test' to clearly differentiate between contractors and employees on certain grounds, thereby clarifying and reducing the legal obscurity. Such a swift legislative step is in sharp contrast to other countries like Australia, where the courts' decisions are relied upon and the issues remain ambiguous.

Recommendations for Reform:

Many recommendations have been proposed in response to the challenges that gig workers face:

- **Enhanced Legal Safeguards:** Such a clear demarcation of the kinds of workers would enable the right types of benefits and protections to be given to the gig economy participants. Legislative steps, such as in New Zealand's 'gateway test', provide a defined approach to differentiate employees from independent contractors.
- **Portable Benefits Models:** Benefits systems based on the unique nature of gig work

may make essential services available to workers while retaining the flexibility that attracts people to gig work. That includes studying portable benefits that are not tied to a particular employer.

- **Facilitating Stakeholder Collaboration:** Discuss this with employees, platform enterprises, and policymakers to find a solution that balances all stakeholders' interests in the gig economy. Cooperative approaches lead to policies that protect workers but still enable businesses to maintain operational flexibility.

In brief, though the gig economy provides various advantages concerning flexibility and economic opportunities, equal challenges have been posed, which can be surmounted only by proper legal and policy deliberations. This balance of interests between employees and employers will determine a just and equitable labour relations framework within this altered economic space.

Keywords: Freelancing, labour laws, worker rights, flexibility, legal reforms, employment rights.

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Advancing Labour Rights: Legal Reforms for Migrant Labourers, and the Eradications of Exploitative Practices

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Migrant labourers form an essential component of the world's workforce and, in significant proportions, add to the revenues of both host and home countries. Yet they have had to put up with the precariousness of work conditions, legal vulnerability, and systematic exploitation. Being simultaneously a country of origin and destination for migrant labourers, India uniquely forms a space from which one could study these vulnerabilities and appraise the effectiveness of extant law regimes. This research paper explores in some depth the pressing need for legal reforms to promote the rights of migrant labourers in India and bring an end to exploitative practices, which is situated within both national and international regulatory contexts.

This part of the paper covers socio-economic factors forcing people to migrate since it is focused on the relationship between poverty and unemployment with the presence of better opportunities. This discussion brings light to the innate vulnerabilities of the process of migration concerning access to formal employment, appropriate housing, and exposure to health hazards. This is then especially focused on Indian inter-state migrants and international immigrants who work inside the country, on the one hand, and India's expatriates outside. The paper subsequently elaborates on various socio-cultural impediments encountered during migration by which migrants often deal with the problematic issues of linguistic, social integration, and poor access to minimal services including healthcare and education facilities.

Migrant workers receive virtually nil representation within the governance systems of the areas in which they labour, further tightening the chains around their marginalization and limiting their capacity to demand rights. The paper critically reviews India's current legal framework for migrant labour. Among those are the main statutes: The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act 1979; the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996; and finally, the new Code on Social Security, 2020. The analysis throws up significant shortcomings in the existing law. These include weaknesses in enforcement, limited scope of coverage, and absence of comprehensive social security measures.

State governments have been critically evaluated about inter-state cooperation and the need for standardized policies. The paper also critiques legal recognition for informal workers. Informal workers make up a majority of the migrant workforce. The discussion further shifts to the international legal scenario, examining the relevance of conventions and treaties created by the International Labour Organization (ILO) and the United Nations (UN). For instance, the ILO Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143), and International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990, ICMW can be consulted. India's interaction with these frameworks would be analysed and assessed for ratification status and compliance with international obligations.

Comparative analysis is undertaken using best practices from other countries that have been able to implement policies for the protection of migrant workers. These are best practices found in the Overseas Workers Welfare Administration of the Philippines and Qatar's labour reforms before the 2022 FIFA World Cup. On this basis, the paper outlines a multi-faceted approach to legal reform. Recommendations include harmonizing existing labour laws to ensure uniform protection for all workers, regardless of their migration status. It advocates for the establishment of a centralized database to track migrant workers and facilitate the delivery of benefits such as health insurance, skill development programs, and legal aid. A number of migrant resource centres at the origin and destination points are suggested that could provide information, counselling, and emergency support.

The paper has also recommended that pre-departure orientation programs for migrant workers be made compulsory, equipping them with knowledge of rights and responsibilities. The paper further emphasizes the importance of bilateral agreements between India and major destination countries to protect the rights of Indian expatriates. These agreements should include provisions for minimum wage guarantees, safe working conditions, and mechanisms for resolving disputes. Regional cooperation through forums such as the South Asian Association for Regional Cooperation (SAARC) and the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMSTEC) is highlighted as a means to address cross-border migration challenges.

The dedicated section deals with the abolition of exploitative practices such as bonded labour, wage theft, and unsafe working conditions. It addresses issues of technology-based

solutions such as blockchain to ensure wage transparency and mobile applications for reporting grievances. It discusses the role of civil society organizations, trade unions, and the judiciary in fighting exploitation and empowering migrant labourers. Some case studies of successful grassroots initiatives and legal interventions are presented, which hold potential for change.

The paper further posits the need to make checks more severe and penalize the employers who break their labour laws. Further, the paper also deals with the gender aspect of migration, stating that it is a plus point for women migrant workers wherein they face certain challenges including sexual harassment, less remuneration, and no maternity benefit. It advocates gender-sensitive reform and inclusion of the voices of women in the decision-making process. This paper discusses the plight of domestic workers, most of whom are female, and the pressing need to bring them within the orbit of labour laws. It also tries to illustrate the intersectionality of castes and gender, as lower-caste women form a reproduced circle of vulnerability in the labour market.

The paper considers the impact of the COVID-19 pandemic on migrant workers, which exposed the systemic vulnerabilities and lack of preparedness in addressing their needs. Sudden lockdowns and a cessation of economic activity during the pandemic led to mass unemployment, leaving millions of migrants to undertake perilous journeys back to their native places. The lessons learned during the pandemic period are incorporated in the proposed reforms, focusing more on the element of resilience and adaptability when designing policies. The paper is underlined as an urgent requirement for emergency response systems and contingency plans to mitigate further adverse effects in the future, especially on the migrant workers concerned.

Finally, the concluding section discusses the greater implications of moving labour rights forward for migrants at work and urges that such reforms are not only morally compelling but also socio-economically indispensable. If India's polity wants to lay a foundation of inclusive growth with conditions of work and resources bettered into dignified ways, it could better its bargaining power in the global economies. This paper thus calls for concerted efforts on the part of government, the private sector, and the international community in formulating a sound legal framework that supports the rights of migrant labourers while doing away with exploitative tendencies. Last, the article will highlight how protection of the rights of migrants

working in countries worldwide would lead the nations toward, the achievement of goals envisioned in SDGs related to decent work, gender equality, and reduced inequality. It ends with an appeal to all stakeholders not to consider the migrant labourers as mere contributors to the economy but people with dignity, respect, and justice.

Keywords: Migrant, Socio-economic, SAARC, reforms, gender, COVID, International.

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Enhancing Social Security and Labour Protections for Workers in the Unorganized Sector: A Comparative Analysis

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The unorganized sector represents a vital component of global economies, encompassing a diverse range of workers such as street vendors, domestic helpers, construction laborers, agricultural workers, and gig economy participants. Despite their substantial contribution to national GDPs, workers in this sector often face precarious employment conditions, lack access to fundamental social security, and are excluded from comprehensive labour protections. This study critically examines the urgent need for enhanced social security measures and labour protections for unorganized sector workers through a comparative analysis of policies across developed and developing nations. By evaluating global practices and drawing insights from various jurisdictions, the paper aims to offer actionable solutions for bridging the stark inequities between organized and unorganized employment.

The unorganized sector is marked by informal employment arrangements that often escape regulatory oversight, leaving workers vulnerable to exploitation, unsafe working conditions, wage disparities, and job insecurity. The absence of robust social security systems exacerbates their plight, as many are denied access to health insurance, pensions, maternity benefits, and unemployment assistance. This lack of a safety net perpetuates cycles of poverty and inequality, posing challenges to both economic stability and social justice.

This research employs a comparative methodology to analyze how different countries address the challenges faced by unorganized sector workers. It focuses on three core dimensions: (1) the legislative and institutional frameworks governing labour protections, (2) integration of unorganized workers into social security systems, and (3) innovative mechanisms to address specific vulnerabilities within this workforce.

The paper begins with an exploration of international labour standards set by the International Labour Organization (ILO). These standards, which emphasize the principles of decent work and universal social protection, serve as a benchmark for assessing national policies. The study then examines the implementation of these standards in countries with robust welfare systems, such as Sweden, Germany, and South Korea, comparing them with the

approaches taken by developing nations like India, South Africa, and Brazil. For instance, India's legislative framework, including the Unorganized Worker's Social Security Act, 2008, and the Code on Social Security, 2020, attempts to extend benefits to informal workers. However, practical challenges such as limited awareness, inadequate funding, and ineffective enforcement hinder these efforts. Similarly, South Africa has implemented social grants to alleviate poverty, yet struggles with sustainability and equitable coverage. On the other hand, Brazil's Bolsa Família program exemplifies how targeted interventions and conditional cash transfers can successfully integrate informal workers into social welfare systems. The study also examines technological innovations that have the potential to transform the administration of social security and labour protections. Digital platforms for worker registration, mobile-based benefit delivery systems, and portable social security accounts are highlighted as effective tools for enhancing access and transparency. These innovations are particularly relevant for gig economy workers, whose employment arrangements require flexibility and portability in benefit schemes. A critical aspect of the analysis is the role of collective action, such as trade unions and workers' associations, in securing better protections for unorganized sector workers. The study underscores the importance of empowering workers to negotiate fair wages, safe working conditions, and equitable treatment through collective bargaining. However, it also notes the structural barriers to unionization in the unorganized sector, including fragmented workforces and employer resistance. Gender disparities within the unorganized sector are another focal point of this study. Women, who constitute a significant proportion of the informal workforce, often face compounded vulnerabilities due to gender-based discrimination, wage gaps, and the dual burden of paid work and unpaid care responsibilities. Policies that address these specific challenges, such as maternity benefits and childcare support, are examined for their efficacy. The paper further explores the gig economy as a subset of the unorganized sector. While it offers flexibility and income opportunities, it also raises concerns about the lack of formal employer-employee relationships, resulting in limited job security, absence of benefits, and exploitative practices. Comparative case studies of countries that have implemented gig-specific regulations, such as California's Assembly Bill 5 (AB5) in the United States, are analyzed to identify potential solutions.

The paper proposes a multi-pronged strategy to enhance social security and labour protections for unorganized sector workers based on comparative analysis:

- **Strengthening Legal Frameworks:** Introducing and enforcing comprehensive legislation that explicitly includes unorganized sector workers, with clear definitions and accountability mechanisms.
- **Adopting Flexible Social Security Schemes:** Designing contributory and non-contributory schemes tailored to the income variability and mobility of informal workers.
- **Leveraging Technology:** Utilizing digital tools for worker identification, benefit distribution, and grievance redressal, ensuring inclusivity and ease of access.
- **Promoting Awareness and Capacity Building:** Conducting widespread campaigns to educate workers about their rights and available benefits, while engaging employers and stakeholders in policy implementation.
- **Fostering Public-Private Partnerships:** Encouraging collaborations between governments, non-governmental organizations, and private entities to expand the reach and efficiency of social protection programs.

The study concludes that addressing the challenges of the unorganized sector requires a paradigm shift in the way informal work is perceived and valued. Policymakers must recognize that unorganized sector workers are integral to the formal economy and deserve equitable access to social security and labour protections. The comparative analysis underscores the interconnectedness of economic, social, and political dimensions in crafting effective solutions. Enhancing social security and labour protections for workers in the unorganized sector is not just an ethical imperative; it is a strategic necessity for sustainable development and inclusive growth. By fostering an environment of dignity, equity, and opportunity for all workers, nations can ensure not only the well-being of their citizens but also the resilience of their economies.

Keywords: Unorganized Sector, Social Security, Labour Protections, Informal Employment, Comparative Analysis.

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Navigating the Role of Men in Achieving Gender Equality in the Workplace: Engaging Men as Allies

Dr. Surabhi Singh

The discourse surrounding gender equality in the workplace is gaining prominence, with a significant focus on empowering women and creating an ecological niche for their growth and development. However, contemporary labour and industrial laws are increasingly emphasizing the role of men, as achieving gender equality is challenging without their involvement. Given that men constitute the dominant segment of society, they hold the majority of power and hierarchical positions in the workplace. Therefore, their role is essential in challenging existing institutional structures and advocating for systematic reforms. This study explores the interconnectedness of men's roles in promoting gender equality in the workplace and emphasizes the urgent need for men to be involved as partners in the ongoing fight against gender prejudice and bias.

The primary theme of this study is that to achieve gender equality in the workplace, men need to be actively involved rather than act as passive bystanders. Men should take a vocal stance and engage in dismantling patriarchy while reshaping organizational structures, breaking away from stereotypical roles, and introducing innovative ideas to challenge the system of privilege. Specifically, men in leadership positions have a significant influence on workplace culture. Their involvement in gender equality initiatives is not only crucial for implementing legal and institutional changes but also vital for fostering an inclusive and non-discriminatory environment. This study emphasizes that gender equality can only be realized if men take a proactive role in pursuing this important goal.

The research examines contemporary labor and industrial laws, analyzing how these laws both facilitate and hinder men's active involvement in promoting gender equality. While there are substantial legal frameworks, such as anti-discrimination and equal pay laws, they often fail to recognize the importance of men's active participation in dismantling patriarchy. These laws primarily focus on injustices faced by women and ensuring equal treatment, but they overlook the responsibilities of men in this equation. The study aims to address this gap in the legal framework and its incomplete progress toward achieving gender equality in the workplace.

The study's main focus is on involving men as partners, not merely offering equal opportunities for women. The study also addresses the traditional gender norms and prejudices that are deeply ingrained in organizational structures, which often favour men. In this context, men should actively participate in combating this bias. This shift requires a fundamental rethinking and restructuring of workplace power dynamics, which includes important aspects such as leadership roles, mentoring, and equitable pay practices. The research also explores the underlying reasons why men do not actively engage in promoting gender equality. Additionally, it examines how men can act as allies in supporting women's career progression by ensuring an equal distribution of household and caregiving responsibilities, as well as advocating for inclusive policies.

The study emphasizes that men must understand the concept of allyship to combat gender inequality. Allyship involves actively participating in the fight against injustice for marginalized groups. The research also highlights the importance of education and awareness initiatives that can help men become more sensitive to women's issues in the workplace. This can be achieved through training sessions, mentorship programs, and leadership opportunities within institutions, which will enable men to actively support women.

Additionally, this research will focus on the issues of patriarchy and toxic masculinity, particularly how they intersect in the workplace, creating an environment that is unfavorable for women. Toxic masculinity encompasses male dominance, emotional and mental suppression, and perpetuates harmful discriminatory practices and stereotypes. There is an urgent need to redefine masculinity to embrace collaboration and sensitivity. The research emphasizes that engaging men in this conversation can serve as a catalyst for important cultural shifts within organizations. This revised understanding of masculinity will contribute to a healthier work environment for women.

The main focus of the study is to emphasize the concept of intersectionality. It is essential to recognize how factors such as race, class, and sexual orientation interrelate. By understanding that women's experiences are shaped by these factors, individuals can gain a better insight into the structural complexities of bias and advocate for equality regardless of background. This understanding will also contribute to combating racism, classism, and homophobia, which are significant obstacles to social justice.

The methodology used in this research is based on secondary data from various government organizations, including industry surveys and labor statistics. We will utilize data from the International Labour Organization, the U.S. Bureau of Labor Statistics from 2024, the European Commission's Gender Equality Index, and other reports on gender equality from 2024 to analyze gender disparities in the workplace. According to findings from the ILO (2024), despite legal reforms, the gender pays gap remains significant at 20%, and the representation of women in senior management positions worldwide is still low, at around 29%. Additionally, we will consult academic literature related to governmental publications on gender equality to gain insights into workplace dynamics. The guiding theoretical framework will be based on theories such as allyship, masculinity, and intersectionality, which help identify overlapping identities that impact individuals' experiences of gender.

The study advocates for legal reforms and cultural changes that are essential for creating an environment where men are not only motivated but also held accountable for their actions. It goes beyond a simple approach to gender balance by focusing on cultivating an environment that sustains male allyship, ensuring that men are responsible for contributing to gender equality in the workplace.

The study concludes by advocating for a multidimensional approach to involve men as co- partners in the fight for gender equality in the workplace. In this context, legal reforms, organizational restructuring, cultural shifts, and the role of education and sensitization are essential tools. By implementing legal mandates, and policy reforms, and promoting societal and cultural changes, we can improve the workplace environment. This will create a setting where men can take on supportive, equitable, and dynamic roles. The research emphasizes that involving men in this mission as partners will not only benefit women but society as a whole. Gender equality will evolve into a collaborative effort with a shared goal, allowing men and women to grow together respectfully and equitably.

Keywords: Gender Equality, Male Allyship, Workplace Diversity, Labor Laws, Organizational Culture.

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Navigating the AI Revolution: Legal and Ethical Dimensions of AI in the Labour Market

Tanvi Tyagi and Shrishti Goel

Various laws have been drafted for the labor class in India as well as around the world to protect workers from exploitation and illegal practices. These laws ensure that the rights of workers are safeguarded and that they are treated with dignity and respect in their workplaces. We're on the verge of a new technological revolution, one driven by artificial intelligence (AI), which has the potential to once again transform the world of work. This shift is expected to happen faster than previous technological revolutions, thanks to the rapid pace at which technology is being adopted and the swift progress of AI itself. Policymakers must start preparing now to ensure that workers and job markets are equipped to thrive in this evolving landscape. With the new era of globalization, AI and technology have become integral to the labor market, emphasizing the urgent need for appropriate legal frameworks to address emerging challenges. This research paper explores the transformative impact of technology, particularly artificial intelligence (AI) and automation, on labor markets. It examines how automation is reshaping employment through job displacement, redefinition of roles, and the emergence of new opportunities. Furthermore, the research delves into the jurisprudential aspects of AI's impact on labor markets, focusing on the evolving relationship between technology, innovation, and legal frameworks. The paper addresses critical issues such as fairness, accountability, and transparency in AI deployment while assessing the need for legal reforms to ensure that technological advancements do not undermine social justice, economic equity, or workers' fundamental rights. It also evaluates the regulatory role of governments in managing AI's societal impact, particularly regarding labor markets and employment.

The constitutional essence of AI's impact on labor markets is another focal point of this paper. It explores how emerging technologies intersect with fundamental rights enshrined in constitutions, such as the right to work, equality, and protection from exploitation. AI-driven automation presents significant challenges to constitutional principles related to job security, economic participation, and social justice. For instance, the right to privacy is increasingly at risk due to AI surveillance in workplaces, while the duty of the state to protect workers from displacement remains a pressing concern. Inclusive policies are needed to address these constitutional dilemmas, ensuring that technological innovation does not come at the cost of

fundamental rights and freedoms. Moreover, the research evaluates the socio-economic implications of AI on workers, particularly those in vulnerable sectors, and offers policy recommendations for mitigating job displacement and fostering inclusive growth. Potential policy interventions include reskilling programs, labor protections, and the development of ethical AI regulations. These measures aim to equip workers with the skills needed to thrive in an AI-driven economy while ensuring that their rights and welfare are not compromised.

This study also highlights the dual nature of AI. While it displaces certain repetitive and predictable tasks, it simultaneously creates avenues for innovation and higher productivity. Ethical considerations and the necessity of robust legal frameworks are emphasized, focusing on workplace dignity, data privacy, and transparency in algorithmic decision-making. As AI continues to evolve, it is crucial to ensure that its deployment is guided by ethical principles that prioritize the well-being of workers. The paper further investigates the role of technology in enforcing labor rights. For example, digital platforms can enhance education and training opportunities for workers, while predictive analytics can aid regulatory bodies in monitoring compliance with labor laws. Technology can also play a crucial role in addressing workplace issues, such as discrimination and exploitation, by providing tools for better oversight and accountability. To understand the global implications of AI on labor markets, the research conducts a comparative analysis of AI-related legal frameworks in major economies such as the European Union, the United States, China, India, and Japan. This analysis provides a comprehensive perspective on how different countries are integrating technology into their labor markets and addressing the associated challenges. Case studies and landmark rulings, such as *Lopez v. Uber Technologies* and *Schrems II*, are also examined to illustrate the legal and ethical complexities of incorporating AI into the workforce.

The research underscores the importance of balanced policies to harness the potential of AI while safeguarding worker rights. For example, reskilling initiatives can help workers transition to new roles created by AI, while labor protections can ensure fair treatment and equitable opportunities. Ethical AI regulations are also critical for preventing discrimination and bias in algorithmic decision-making. One of the significant challenges in assessing AI's impact on the economy is determining when its effects will become evident in overall economic data. Predicting the exact moment when a new technology gains widespread adoption is always tricky. To address this uncertainty, the research explores various possible timelines using a

combination of quantitative analysis, case studies, and expert interviews. This approach provides a nuanced understanding of the sectoral and demographic variations in AI's effects on employment. This paper also examines the impact of generative AI tools like ChatGPT on various occupations. It provides a detailed analysis of the immediate and long-term effects of these technologies on the labor market, offering insights into how they are shaping different job roles over time. By breaking down the impact of such tools, the research aims to provide actionable insights for stakeholders, including policymakers, employers, and workers, to better prepare for the labor market shifts caused by AI integration. Furthermore, the study emphasizes the need for inclusive policies that address the unique challenges faced by workers in vulnerable sectors. For instance, targeted reskilling programs can help workers transition to new roles, while social safety nets can provide support during periods of economic disruption. Governments also have a crucial role to play in regulating AI to ensure fair labor market outcomes. This includes setting standards for ethical AI deployment, monitoring compliance with labor laws, and promoting transparency and accountability in algorithmic decision-making.

The paper concludes by highlighting the transformative potential of AI to drive equitable and sustainable labor markets. While AI poses significant challenges, it also offers opportunities for innovation and growth. By advocating for balanced policies that prioritize worker welfare, the research underscores the importance of harnessing AI's potential to create a more inclusive and equitable future. Policymakers, businesses, and workers must collaborate to navigate the complexities of AI-driven transformation and ensure that the benefits of technology are shared broadly across society. In summary, this research contributes to the understanding of technological disruption in labor markets by developing a new framework for assessing AI's dual role in job creation and destruction. It highlights the importance of ethical considerations, robust legal frameworks, and proactive policymaking in managing AI's impact on employment. By providing a comprehensive analysis of AI's effects on labor markets, the paper aims to inform stakeholders and guide efforts to build a more inclusive and sustainable future of work.

Keywords: artificial intelligence, data privacy, automation, job displacement, globalization.

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Emergence and Impact of Gig Economy on the Primitive Structures

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The gig economy and digital transformation are playing a significant role in reshaping and changing the traditional employment structures of the employment industry in India and creating new opportunities for flexibility and innovation through many more platforms like Swiggy, Zomato, Flipkart, or Amazon. This study takes stock of the impact of various gig economy platforms on employment opportunities and income generation in both urban and rural India. The study reviews and analyses empirical data based on the findings of an extensive review of literature with respect to how platforms of gig economies like Uber, Ola, Swiggy, and many others are responsible for improving employment opportunities and earning capability, thereby reconfiguring work flexibility in different geographical contexts. Major findings have to do with digital structure, nonsupervisory fabrics, and the socioeconomic environment with respect to how these major rudiments shape gig work participation and issues.

Digital metamorphosis has significantly increased global trade volumes. streamlined technology is no longer banning people from exercising it, which has had a significant impact on the traditional employment geographies as well. Especially in India, it helped in arising a new class of employment occasion called as gig workers. India is regarded as one of the world's swift- growing husbandry with further than 1.4 billion individualities, which paves the way for further online gigs and several platforms for its pool to snare the openings. Hence India has 8 million workers working in the gig frugality right now, and this number is anticipated to increase by 8 to 10 times, bringing the figure close to 90 million jobs in the non- ranch sector and exceeding the sale value of USD 250 billion or 1.25 of India's GDP Michael & Susan, 2021). The presence of 23.5 million gig frugality workers in the Indian request is yet another expectation for the time 2029- 2030. also, for this period, gig workers are likely to be behind 4.1 of India's earning, and 6.7 of on-farming employment Helms & et al, 2020). This exploration aims to examine the influence that the gig frugality has on the job request in civic and pastoral areas of India. still, the information concerning the fact that it has earned for the Indian people the maximum quantum of earning and has misperceived the poverty line and the

overall standard of living of the citizens.

The gig frugality, which is defined as flash and adaptable work arrangements eased by digital platforms, has endured unknown growth in recent times due to technology development, profoundly altering labor request dynamics. This profound metamorphosis has introduced a multitude of impacts for workers, contemporaneously offering both openings and challenges.

In one aspect, it entails furnishing individualities with heightened autonomy, the occasion to cultivate multiple income sources, and an advanced balance between work and particular life, thereby enabling them to autonomously shape their career paths. It eased in enhancement of their standard of living, income situations as well as job mobility. Again, adding enterprises on job security, workers' rights and protection, and employment benefits arouse conversations of profitable weal of gig workers due to prevailing morals of primitive societies.

NITI Aayog had estimated around 47 of the gig work is in medium professed jobs, about 22 in high professed and about 31 in low professed jobs on a study "India's roaring Gig and Platform Frugality" the trending illustration of the gig workers are the startups like Swiggy, Zomato, Ola and Uber. These startups are the main source of furnishing gig workers in Indian frugality. In exploration studies by Boston Consulting Group (BCG) have indicated that participation in the gig frugality is advanced in developing countries (5- 12) versus developed husbandry (1- 4 percent). These include rideshare jobs, delivery, healthcare, care work, and micro-tasking jobs.

The gig frugality has surfaced with a veritably positive impact and response from both employers and gig workers. It's a transformative force for businesses they have got access to low- cost, on- demand labour, but must concoct visionary operation approaches toward a decentralized pool, using colourful flexible work arrangements. In the gig frugality, we witness a new chapter of elaboration in labor request dynamics- a profound challenge for not only this pool but also the conventional forms of employment for generations to come. In the face of similar critical challenges, we need policymakers to initiate a interior approach in guarding workers' rights and fiscal security vis-a-vis the prospects of growth and substance. The study understands that different impacts that the gig frugality has are consummate to framing programs that further this transformative transition of erecting a labour request that embraces both openings and challenges, therefore enabling a unborn work of lesser equity and inflexibility.

The employers in gig frugality give inflexibility in work life, balance in work and life and freedom to choose the gigs and biographies they're interested in where one after the other the gig workers are handed with little or no health or withdrawal benefits, duty complications and non-remunerated business charges also it saves company coffers like office space, training programme and company benefits. It acts as cost effective on the part of employers. The paper discusses colourful notion relating to social rights and protection related to gig workers. Also, in this paper we will punctuate the legal frame around the globe handed for the protection of interests of gig workers. The rise in change of traditional workers to the gig workers produce the need for proper legislative rights and authority to hear the problems and give the result for the gig workers with the dynamic change in the world. On one side the employers of online platform companies like Amazone, Flipkart, Swiggy and Zomato are in benefits, as they can fluently appoint, transfer or dismiss the gig workers as per to their want; on the other hand, gig workers are in debit as they aren't considered endless workers like any other workers under Indian contract act nor they're handed with any benefits like any other endless workers in a company. Hence this paper discusses colourful variability of the gig workers in moment's world in reference to colourful countries.

The study concludes with policy recommendations aimed at maximizing the benefits of gig frugality platforms for inclusive growth, especially in digital period, addressing walls to participation, and for businesses, the gig frugality represents a transformative force, promoting cost-effective, on- demand labour while challenging responsive strategies to manage a decentralized and flexible pool.

Keywords: Gig economy, Transformative force, labour market dynamics, rights, inclusive growth.

Modern Challenges and Legal Frameworks: Addressing Exploitative Labour Practices in India

Wahengbamcha Nganchoiba Luwang and Nongthombam Guneshwar Singh

In this contemporary world, India continues to have serious human rights breaches related to child labour, forced labour, and human trafficking, regardless of massive efforts to address these issues. Millions of vulnerable people nationwide are still impacted by these persuasive kinds of abuse and exploitation, which are embedded in some businesses. The Indian government has passed several laws to address these problems, such as the Child Labor (Prohibition and Regulation) Amendment Act of 2016, the Bonded Labour System (Abolition) Act of 1976, and the Trafficking of Persons (Prevention, Protection, and Rehabilitation) Bill of 2018 focus on various forms of exploitation, addressing critical issues such as the regulation of child labour, the complete abolition of bonded labour, and the prevention of human trafficking with a perspective of combating the precise challenges for the welfare of the survivors. This paper studies how laws are implemented in various industries and geographical locations, identifying benefits and scenarios for improvement. It also identifies areas where laws are eradicating and approaches necessary changes, such as targeted enforcement procedures, improved victim support provisions, and more public awareness. The study discovers novel strategies and best practices that can be extended by observing accomplishment case studies. It marks local initiatives that enhance vulnerable people by providing them with awareness and requirements they need to protect themselves from exploitation, as well as other community-based initiatives to prevent child labour, bonded labour, and human trafficking. The finding highlights community-based initiatives crucial to preventing child labour, grassroots movements to empower under-represented groups, educational awareness, and financial assistance. It focuses on local initiatives that empower vulnerable people by giving them the tools and resources they need to defend themselves from exploitation, as well as other community-based activities to avoid child labour, forced labour, and human trafficking. The report also examines community-based initiatives crucial to preventing child labor, grassroots movements to empower under-represented groups, educational programs, and networks of economic assistance. By witnessing successful case studies, the study finds innovative approaches and best practices that can be replicated or expanded. Modification of current

frameworks must be ratified to tackle these emerging and contemporary challenges such as the emergence of new-age threats brought by digital and informal economies.

The study essentially makes the detrimental effects of child labour, forced labour, and human trafficking. These vulnerable behaviors violate fundamental rights, prolong cycles of poverty and inequality, and economic opportunities, and cause pain physically and psychologically. Child who works are usually deprived of their childhood life, has an impact on their development and prospects. Forced labour and human trafficking not only violate fundamental rights and exploit the most vulnerable, but they also cause lifelong suffering. The main theme of the study is to enhance the effectiveness of interventions to give legislators, law enforcement agencies, and civil society organizations informing them that will enable them to carry out more effective and successful interventions. The study has the power to amend laws and legislation that are not concise but also severely enforced and considerate of the needs of disadvantaged and vulnerable groups. The outbreak of forced labor in digital and informal economies emphasizes the optimistic need for stronger intervention. The emergence of gig and platform-based work in these matters is still challenging for the enhancement and establishment of legal frameworks and leading to unexpected, unusual forms of vulnerabilities and exploitation. The loopholes in administration and regulation in digital and informal economies have impacted on the growth of abusive labour practices. A nation can become safer and more egalitarian exclusively by fostering socioeconomic enhancement and implementing legislative changes with a general awareness of these dynamics. The finding's impact extends beyond merely amending the legislative approach that takes socio and economic perspectives into account. It highlights the importance of local solutions and community empowerment by highlighting successful community-based initiatives. In these circumstances, educational awareness, raising campaigns, and financial assistance are all vital for preventing and addressing different forms of exploitative labour practices.

Through an interdisciplinary methodology of academic research, legal research analysis and fieldwork, and explaining general issues, literature, and study theories contribute to academic research discourse. The research in legal studies has components of a strong theoretical study foundation through a dedicated review of an examination of national relevant laws and international treaties, their effectiveness, enforcement, and relevance in combating child labour, forced labour, and human trafficking. The fieldwork involves collapsing case studies, discussions with law enforcement agencies, civil society organizations, and local

officials, and engaging with individuals affected by these issues providing critical firsthand accounts and grassroots insights. And these diverse methods target a precise approach to the challenges and possible outcomes in combating labour vulnerability and exploitation. The conclusions drawn from the study reveal that more efficient enforcement systems are required, more capacity building of law enforcement agencies, enhanced interagency cooperation, and expansion of effective community-based interventions. The legal provisions related to labour exploitation should be strong, sufficient, and capable of addressing the sophistication of the problem. Capacity-building programs for law enforcement agencies; training and resources are crucial for the effectiveness of the implementation. This is because inter-agency cooperation is vital in the fight against labour exploitation, which has multiple factors, and which different government agencies and other organizations must fight collectively. The study also suggests measures to address such contemporary challenges as digital literacy awareness, strengthening legislation, and good business conduct. Workers get empowered through such programs not to be exploited in the digital economy. Strengthened regulatory frameworks assist in addressing the specific issues that arise from platform work and informal types of work. Combating labor exploitation is achieved through encouraging responsible business practices such as corporate social responsibility and transparency in the supply chain. These are measures that, if taken by stakeholders, will go a long way in the eradication of child labor, forced labor, and human trafficking in India. In this case, the all-encompassing study will provide actionable recommendations as a blueprint for coordinated action to safeguard vulnerable populations and enhance human rights. This research calls for an approach of multi-dimensional interventions legally, social, and economically because in all sectors of society, individuals must make combined and sustained efforts toward the elimination of labor exploitation. These recommendations will help India progress to a point where all citizens can enjoy their fundamental rights and freedoms without exploitation and abuse.

Keywords: Child Labour , Forced Labour , Human Trafficking, Legislative Effectiveness, Community-Based Initiatives.

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A Study on Issues and Challenges on Manual Scavenging: A Persistent Social Stigma

Ms. Neha Khanna

Manual scavenging is basically a caste-based occupation which involves manually carrying, cleaning and handling human wastes from dry sewers, toilets and septic tanks. This occupational practice is deeply entrenched in India, where the age-old caste discrimination forces marginalized sections like Dalits, in these degrading jobs. From ancient time, when the people left the nomadic life and started living in towns, they want to create a proper defecation practice, therefore they hired a particular class of people i.e. the Scheduled Castes (SC) to be assigned with the menial tasks or jobs, namely, cleaning, sweeping, disposing, carrying human wastes and dead animals, or other like jobs which are deemed to be filthy and no upper castes will dream of doing them ever. The brief history on the onset of human scavenging is traced back to Mauryan empire. During the Mughal empire, the women with *Burkhas* were not allowed to defecate in open and for that purpose a bucket like equipment was used by them to defecate indoors. The captives of the Mughal reign were asked to clean those buckets with human wastes. But when these captives were set free, they were not allowed to rehabilitate in the normal society, and thus they formed their separate colonies and a separate group of *Bhangis* and continued doing the same work. The colonial period marked another benchmark period for the proliferation of these practices when the municipalities and municipal corporations were introduced. The concept of public and community toilets came into operation. At that time, wastes from the washroom containers have to be disposed of on daily basis. This was the time when the Britishers, instead of abolishing this inhumane practice, proliferated it across the country at large scale.

Despite being called as undignified and outlawed by various legislations, the practice still continues because of inefficiency in the enforcements of laws, the lack of livelihood and increasing poverty. It can clearly be stated that on one hand Manual Scavenging is a type of social evil perpetuating social inequality. It is one of the most inhumane and undignified forms of labour practices in India in which the people come in direct contact with the human faeces without any safety gear or support measures, in order to clean, carry and dispose of from the sewers, dry washrooms, septic tanks or railway tracks. On the other hand, it also exposes

workers to high unimaginable health risks, like respiratory diseases, infections, these health hazards also include exposure to harmful gases such as methane and hydrogen sulphide which cause cardiovascular degeneration, musculoskeletal disorders like osteoarthritic changes and intervertebral disc herniation, and infections like hepatitis, leptospirosis and helicobacter, skin problems, respiratory system problems and altered pulmonary function and gaseous poisoning. Many of them die, while working for cleaning and sewer line repairing without any preventive measures and technologies.

The data on manual scavengers and their condition in the country has many discrepancies. The figures given by the various individual organisations like Safai Karamchari Andolan has also been said to be manipulated by the government. Even the data provided by the government in the parliamentary sessions is also proved to be contradictory at several points. It is to be noted here that if the government is unaware about who the manual scavengers are, what practices they are indulged in, under what conditions they work or what health risks they are most vulnerable to, then their evaluative rehabilitation becomes a distant reality. Even there are lot of categories under manual scavenging that are not even acknowledged by the government like the workers engaged in domestic manual scavenging activities, hazardous waste of hospitals handled by sanitation workers, etc. Despite having direct contact with human faeces or excreta cleaning, workers engaged in treatment plant, cleaning of drains and gutters, public or community toilet cleaning, house-hold washrooms cleaning and school toilet cleaning are not recognized under the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 Act.

So, how will the problem can be curbed from grass root level if some of the workers are not even categorised as manual scavengers? The grass root level of this problem is not only because of the caste-based notions built by the society but also with the administrative agencies who are not willing to deal with this menace with the power which they hold. there are multiple legislations passed which clearly states that manual scavenging is banned in India and hence, the government thinks that it is non-existent. Therefore, at the very first place denying the existence of such practices and not acknowledging the gravity and magnitude of the problem by the government is so unfortunate. The 2016 census done to check the number of dry latrines or washrooms in India portrays around more than 3.9 million dry latrines in India. Another question posed here is that how these large number of washrooms are being

maintained, if not manually? The census done on number of manual scavengers in India is not even accurate and government used to manipulate it during various times. Now, the question is in the absence of any systematic census done how the government will be able to know the exact numbers of people involved in the hazardous activity. The paper aims to explore various types of manual scavenging practicing in India in order to understand more clearly the categories included and excluded by the Act of 2013. The paper will delve into the socio-legal concern of Manual Scavenging and the conditions of manual scavengers in India. The key highlights on the steps taken by the Indian legislature, the judiciary and non- governmental organisations to address this menace. Various International Instruments will also be explored to have a better understanding of such practice in developed and developing nations. India as a developing country is undergoing in its digital age with many new technological innovations, the paper will finally argue that what is lagging India to have a better technological equipment to treat the wastes and protect the innocent lives at the same time.

Keywords: Manual Scavengers, Sanitation Workers, Human Dignity, Rehabilitation, hazardous.

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Beyond the Beedi: Analyzing the Labor Laws and Livelihood Prospects of Women Workers in Tamil Nadu

Saujanya J K.

A resilient American writer and activist Matilda Joslyn Gage once said, “Woman is learning for herself that self-development, not self-sacrifice, is her primary goal in life; and this, not simply for the sake of others, but in order to become certainly herself.” This powerful statement resonates strongly with the realities of countless women across the world, particularly those working in the beedi industries in Tamil Nadu. While their hard work contributes significantly to the state's economy, resulting Rs. 3.6 billion in Gross Value Added (GVA) annually, their own dreams for self-development often remain unfulfilled. This research delves into the uncertain working circumstances and limited prospects for livelihood of women beedi workers in Tamil Nadu, despite the industry's substantial economic significance. This paper aims to critically examine the existing labor laws and their implementation in safeguarding the rights and improving the livelihoods of these marginalized workers. Furthermore, the research seeks to understand the multifaceted challenges faced by women beedi workers, including low wages, long working hours, hazardous working conditions, limited access to social security benefits such as healthcare and pensions, and restricted opportunities for skill development and alternative livelihoods.

Introduction

The beedi industry in Tamil Nadu can be traced back to the colonial era, when it emerged as a renowned cottage-based industry. Beedis, which are hand-rolled cigarettes made from tendu leaves, have grown in popularity as an alternative to factory-made cigarettes due to their affordable price tag and cultural acceptance. Over time, the industry evolved into a labor-intensive sector that relied heavily on women and children as its workforce. Economic necessity and patriarchal social norms made women an easily accessible and inexpensive labor pool, and many began beedi-making to supplement household incomes. Children were frequently involved, either to help their mothers or as independent workers, fueling intergenerational cycles of poverty and exploitation. Despite its role in employment, beedi-

making is characterized by challenging working conditions, salary disparities, and significant health risks from prolonged tobacco exposure. The industry's decentralized nature, which frequently involves middlemen, worsens workers' vulnerability, making labor laws difficult to enforce. While several legislative measures, including the Beedi and Cigar Workers Act of 1966, have attempted to improve conditions, gaps in implementation remain.

Statement of Problem

Despite the long-standing reliance on women workers in Tamil Nadu's beedi industry, significant gaps exist in addressing their socio-economic vulnerabilities. Existing labor laws, such as the Beedi and Cigar Workers Act of 1966, have little impact due to poor enforcement and systemic exploitation. Furthermore, research into viable livelihood alternatives for women transitioning out of this sector is limited. This study aims to close this gap by critically examining the efficacy of labor laws and exploring long-term opportunities to empower women workers outside of the beedi industry.

Research Objective

The main objective of this study is to critically examine the socioeconomic challenges that women workers in Tamil Nadu's beedi industry face, and additionally to assess the effectiveness of existing labor laws, particularly the Beedi and Cigar Workers (Conditions of Employment) Act of 1966, in accomplishing their needs. It aims to identify structural and systemic barriers to the enforcement of labor rights and social protections for these employees. Furthermore, the study investigates alternative livelihood opportunities for women transitioning out of the beedi sector, with a focus on government schemes, self-help groups, and skill development programs. The research aims to economically empower women by putting forward directed policy interventions and inclusive frameworks that move beyond the beedi industry.

Research Questions

1. Whether existing labor laws, such as the Beedi and Cigar Workers (Conditions of Employment) Act, 1966, are effective in addressing the socio-economic challenges faced by women workers in Tamil Nadu's beedi industry?

2. Whether key structural and systemic barriers prevent the enforcement of labor rights and social protections for women in the beedi sector?
3. Whether alternative livelihood opportunities are accessible to women workers transitioning from the beedi industry in rural and semi-urban Tamil Nadu?
4. Whether policy interventions and skill development initiatives can be designed to enhance economic empowerment and long-term sustainability for these women?

Literature Review

1. Sharma, R evaluates the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 and highlights its limited implementation due to the informal and decentralized nature of the industry. Sharma recommends enforcing stricter mechanisms and conducting grassroots awareness campaigns to empower workers to claim their rights under the law (Sharma, 2018)
2. Rajan, K. and Thomas, P investigate government initiatives and skill development programs targeting women in rural India. They find that, while self-help groups and micro-enterprises show promise, challenges such as limited access to credit and entrenched gender norms hinder progress. (Rajan and Thomas, 2020)
3. Kaveri, M and Rao, S emphasize that women constitute most of the workforce, often earning meager wages and working in poor conditions. These studies highlight the lack of adequate social security measures and call for better enforcement of existing labor laws to safeguard women workers. (Kaveri and Rao, 2016)

Methodology

The study employs a mixed-methods approach, combining qualitative and quantitative research techniques. Secondary data sources, such as government reports, policy documents, academic research papers, and industry statistics, were extensively analyzed to build an effective basis for the study. Comparative analyses of labor laws in different states were carried out to identify best practices and potential policy gaps in Tamil Nadu. In addition, the study used statistical methods to analyze quantitative data from available records, such as wage distributions, employment figures, and worker health statistics. This approach established a thorough understanding of the relationship between labor laws and the livelihoods of women in the beedi

industry.

Conclusion

The findings of this study shed light on the harsh realities faced by women workers in Tamil Nadu's beedi industry, emphasizing the critical need for systemic reforms and innovative interventions. Despite the existence of labor laws, their weak enforcement exposes these women to exploitation and inadequate working conditions. The drop in demand for beedis exacerbates their dire circumstances, posing significant challenges to livelihood security. However, this transition period provides an opportunity for these workers to reimagine their economic paths. It is possible to create a supportive environment that enables these women to overcome systemic constraints by strengthening enforcement mechanisms, promoting skill development, and fostering alternative livelihoods that are relevant to local contexts. Furthermore, leveraging government programs and forming alliances with non-governmental organizations can catalyze this transformation, ensuring holistic development and long-term sustainability. This study advocates for a collaborative effort among policymakers, civil society, and industry stakeholders to address these multifaceted issues and pave the way for a more inclusive and equitable future for women workers in Tamil Nadu.

References

1. Kaveri, M., & Rao, S. (2016). Socio-Economic Challenges in the Beedi Industry: A Focus on Women Workers. *Journal of Rural Studies*, 32(4), 123-137.
2. Sharma, R. (2018). An Analysis of Labor Laws in India's Informal Sector: The Case of Beedi Workers. *Indian Journal of Labor Economics*, 54(2), 89-102.
3. Rajan, K., & Thomas, P. (2020). Alternative Livelihoods for Rural Women: Insights from Tamil Nadu. *Economic and Political Weekly*, 55(8), 44-51.
4. Chatterjee, R., & Khan, N. (2017). Women Workers in Informal Sectors: A Study of the Beedi Industry in West Bengal. *Indian Journal of Gender Studies*, 24(1), 56-70.
5. Dutta, A., & Mehta, A. (2019). Labor Laws and Their Impact on the Informal Sector: A Case Study of Beedi Workers in Tamil Nadu. *South Asian Studies*, 36(3), 135-152.
6. Kapoor, P., & Singh, G. (2018). Beedi Workers in India: Exploitation and Economic Empowerment. *Journal of Labor Rights*, 22(2), 45-60.

7. Nair, R., & Sivaraman, S. (2015). Health Risks and Working Conditions of Beedi Workers in Rural Tamil Nadu. *Public Health Journal*, 128(4), 297-302.
8. Menon, R., & George, S. (2017). Women's Economic Empowerment through Self-Help Groups: Lessons from Tamil Nadu. *Indian Journal of Rural Development*, 29(1), 123-136.
9. Patel, V., & Rathi, M. (2021). The Role of Government Schemes in Supporting Women Workers in India's Informal Economy. *Journal of Development Economics*, 59(3), 182-195.
10. Thakur, V., & Kapoor, R. (2019). Policy Gaps and Legal Challenges in the Beedi Industry: A Review of the Beedi and Cigar Workers Act. *Journal of Law and Social Policy*, 43(2), 205-222.

Keywords: Women Workers, Beedi Industry, Livelihood Prospects, Skill Development, Policy Enforcement

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Protecting the Vulnerable: Social Security Initiatives for India's Informal Sector

S.Divya and Dr. S.Jenifer Stella

The Indian labour market has historically been defined by its overwhelming informality, with around 90% of workers engaged in informal employment as of 2023-24. Informal employment is characterized by work arrangements that are generally unregulated and devoid of essential protections available to formal workers. These workers, primarily in the unorganized sector, encounter numerous obstacles, including limited access to labor laws, social security provisions, and employment benefits. This lack of safeguards leaves them exposed to precarious and exploitative working conditions, perpetuating cycles of poverty and socio-economic disparity. Despite forming a vital part of the workforce and making significant contributions to the nation's economy, informal workers often remain excluded from comprehensive social protection systems. Consequently, India is ranked among the worst-performing nations globally regarding worker rights, highlighting the urgent need for reforms in the labor market.

Social security plays a pivotal role in social policy frameworks, aiming to alleviate poverty, reduce vulnerability, and foster socio-economic stability. It includes measures such as unemployment benefits, health insurance, pensions, and maternity benefits designed to shield individuals and families from economic shocks and ensure a basic standard of living. However, in developing countries like India, implementing effective social security systems is a significant challenge due to limited financial resources, systemic inefficiencies, and administrative hurdles. The intersection of widespread informality and inadequate social protection systems has far-reaching implications for India's socio-economic progress and its ability to achieve inclusive development.

This paper examines the state of social security for India's informal workers, particularly those in the unorganized sector. It begins by defining key concepts integral to the analysis. Social security is understood as institutional mechanisms aimed at protecting individuals from poverty, vulnerability, and socio-economic exclusion. Informality, meanwhile, refers to economic activities that operate outside formal regulatory frameworks, often characterized by low wages, insecure jobs, and hazardous working conditions.

Despite the critical importance of social security, a large portion of India's informal workforce remains excluded from existing provisions. Over the years, the Government of India (GOI) has introduced various policy measures to address these gaps. Prominent among these are the Unorganised Workers' Social Security Act (2008), which provides a legal framework for extending social security benefits to informal workers; the National Social Security Fund for Unorganised Workers, which supports welfare schemes; and the Rashtriya Swasthya Bima Yojana (RSBY), a health insurance initiative for below-poverty-line families. However, these schemes have had limited coverage and impact. Challenges such as fragmented implementation, inadequate funding, and the absence of comprehensive data on informal workers have constrained their effectiveness.

The limited reach of social security schemes significantly affects the well-being of informal workers and their families. Workers in the unorganized sector often live in chronic poverty, have restricted access to healthcare, and lack adequate retirement savings, leaving them vulnerable to economic shocks. The COVID-19 pandemic underscored the importance of robust social security systems, as millions of informal workers faced job losses, wage cuts, and livelihood disruptions. The pandemic served as a stark reminder of the need for comprehensive social protection frameworks to enhance resilience, reduce vulnerability, and ensure socio-economic stability.

This paper emphasizes the critical role of social security in tackling chronic poverty and wealth inequality in India. Social security measures not only offer a safety net for vulnerable populations but also contribute to broader socio-economic objectives. For instance, health insurance can enhance workforce productivity, while pension schemes can alleviate financial burdens on families. Social security also promotes labor market efficiency by reducing economic uncertainty for workers, encouraging greater participation in the formal economy. Moreover, social protection can stimulate economic growth by boosting household consumption and investment, especially among low-income groups.

Drawing on international research and recommendations from the National Commission for Enterprises in the Unorganised Sector (NCEUS), the paper argues that social security should be viewed not as an economic burden but as a foundational investment for sustainable development. The benefits of social protection extend beyond individual workers, contributing to broader socio-economic stability and progress. Countries with robust social security systems

have shown greater resilience to economic shocks and achieved better outcomes in areas such as health, education, and labor market participation. Expanding social security for informal workers aligns with international goals like the Sustainable Development Goals (SDGs), emphasizing its importance in India's developmental agenda.

Despite the potential benefits, implementing social security schemes in India faces considerable obstacles. Key challenges include administrative inefficiencies, fragmented execution, and the exclusion of significant portions of informal workers. The absence of comprehensive data on informal workers hampers effective policymaking, making it difficult for the government to identify beneficiaries, design targeted interventions, and monitor the impact of social security measures. Insufficient budgetary allocations further constrain the scope and reach of social protection initiatives. Additionally, informal workers often face difficulties accessing social security benefits due to a lack of awareness, bureaucratic challenges, and regional disparities in service delivery.

This paper identifies these systemic barriers in India's labor policies and advocates for a multi-dimensional approach to overcome them. Strengthening the implementation and reach of existing social security schemes is a critical starting point. This requires increased funding, enhanced administrative capacity, and greater accountability in the delivery of social protection programs. Technology can play a transformative role in overcoming challenges related to data collection and service delivery. For example, digital platforms can enable the registration of informal workers, provide real-time monitoring of schemes, and streamline benefit delivery. Collaborations with civil society organizations, trade unions, and the private sector can further improve outreach and community engagement in social protection efforts.

In addition to enhancing current schemes, the paper calls for innovative approaches to social security. This includes developing universal social security systems that offer basic benefits to all workers, regardless of their employment status. Universal systems can reduce administrative complexities, promote equity, and strengthen social cohesion. The paper also stresses integrating social security with broader development policies, such as education, healthcare, and housing, to address the multi-dimensional aspects of poverty and vulnerability. In conclusion, ensuring social security for informal workers in India is vital for fostering inclusive growth and addressing systemic inequalities. While notable progress has been made, significant work remains to achieve comprehensive social protection for all. This paper argues

that a holistic and integrated strategy is essential to overcome the structural barriers impeding social security in India. By prioritizing social protection as a fundamental investment, India can enhance socio-economic stability, improve labour market efficiency, and achieve its long-term development objectives. Realizing these goals demands strong political commitment, coordinated efforts among stakeholders, and a resolute focus on building an inclusive and equitable society.

Keywords: Informal Sector, Labour Laws, Social Protection, Decent Work, Formalization, International Instruments, (NCEUS), Unorganised Workers' Social Security.

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Securing the Future: Analyzing Social Security Benefits for Workers in the Oil and Gas Industry

M. Athma Rubavathi and Dr.B.Someswara Rao

Oil and Gas Industry is one of the main industries in one country's economic in worldwide. Without any gender disparities men and women are working in the Oil and Gas Industry in various nature of the work. Indian Labour Laws and International Labour Laws also protecting the workers right. But this worker is not enjoyed their properly. Workers is not aware of their basic labour rights which is mentioned in various labour laws in Indian and in international level. The employees are not getting the compensation or other social security benefits, if any injury or death aroused due to or in the course of employment. Even the female workers are not aware of their Maternity benefits. They didn't aware of their occupational diseases which is arised due to their nature of employment. Periodical health checkup is not properly provided to the workers. Working conditions is not properly regulated for the contract employees and casual employees and the salary is not properly fixed for them. In this paper author analyse the social security benefits of the Oil and Gas Industry.

Keywords: Rights, Workers, Social Security, Accident, Maternity benefit.

Introduction:

In India many Labour Laws enacted for the purpose of protecting the Labour community and also many International Conventions adopted by Indian Government for the purpose of protecting and regulating the workers rights and safety. But even in this time period, many workers are affecting due to their nature of work and their working conditions is not properly regulated by the employer and the laws is not properly applied. Specifically in Oil and Gas Industry, workers are working in a Hazardous places and the social security laws is not properly applied for them. In my research I find out that many workers are not properly enjoyed their right which is assured by the Indian labour legislations and International conventions. So, in this paper author is analysing the Health and Safety of the Oil and Gas Industry workers and the laws relating to protecting their rights.

Objective of the Study:

1. Examine the working conditions of the Oil and Gas Industry Workers
2. Determining the labour laws to protect the Health and Safety of the Oil and Gas Industry Workers
3. Suggest measures to control the Health Hazards of the Oil and Gas Industry workers.

Research Methodology:

The research methodology adopted by the researcher is doctrinal research and non-doctrinal research. List of the study materials and data and their sources, Government Reports are procured by the researcher as the instrument to conduct the research. Doctrinal method is used to analyse and describe the Health and Safety of the oil and gas industry workers and their social security benefits. The researcher will collect samples from the employees working in an oil and gas industry as this study is limited with those employees.

Review of Literature:

1. Health and Safety Hazards Management in Oil and Gas Industry – Sundaram Haridoss – International Journal of Engineering Research & Technology (IJERT) ISSN: 2278-0181 Vol. 6 Issue 06, June – 2017 in this paper author discussed about the Hazards and Safety issues and its management practices in Oil and Gas Industry.
2. Role of Social Security for Industrial workers in India – Dr. Mudita, L.N. Mithila University, in her doctoral thesis author mentioned the importance of the social security benefits of the Oil and Gas Industry workers.
3. Social Security Schemes for Industrial Workers in India – Dr. Ashok Kumar Shukla, Dr. Ram Manohar Lohia Avadh University, Faizabad in doctoral thesis author discussed about the adequacy of the social security benefits and implementation of the social security schemes in the Oil and Gas Industry.
4. Occupational Factors Affecting Women Workers' Sexual and Reproductive Health Outcomes in Oil, Gas, and Mining Industry: A Scoping Review – Rina Hariniaina Razafimahefa, Jerico Franciscus Pardosi and Adem Sav, author conduct the survey and find out the health hazards in oil, gas and mining industry.
5. Thurston SW, Ryan L, Christiani DC, Snow R, Carlson J, You L., et al. Petrochemical

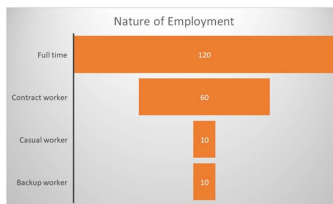
Exposure and Menstrual Disturbances. Am J Ind Med (2000), in this paper author discussed about the irregular menstrual of women's those who are working in the oil and gas industry.

Data Analysis:

Nature of employment Table

No: 1

S. No	Particulars	Respondents
1	Full time	120
2	Contract worker	60
3	Casual worker	10
4	Backup worker	10

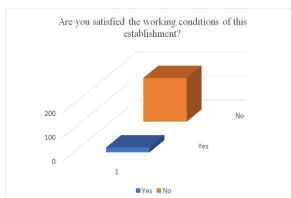


Source: Primary source

Are you satisfied the working conditions of this establishment?

Table No: 2

S. No	Particulars	Respondents
1	Yes	20
2	No	180

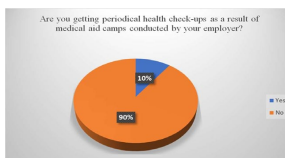


Source: Primary Data

Are you getting periodical health check-ups because of medical aid camps conducted by your employer?

Table No: 3

No	Particulars	Respondents
1	Yes	20
2	No	180

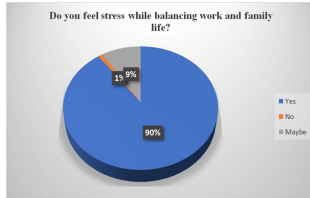


Source: Primary Data

Do you feel stress while balancing work and family life?

Table No: 4

No	Particulars	Respondents
1	Yes	180
2	No	02
3	Maybe	18



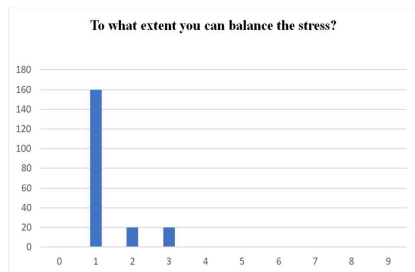
Source: Primary Data

To what extent you can balance the stress?

1. 0 – being I can't manage it all
2. 10 – I can completely manage, no problem at all

Table No: 5

No	Particulars	Respondents
	0	
	1	160
3	2	20
4	3	20
5	4	
6	5	
7	6	
8	7	
9	8	
10	9	
11	10	

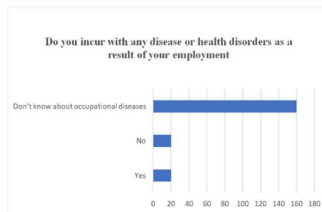


Source: Primary Data

Do you incur with any disease or health disorders as a result of your employment

Table No: 6

S. No	Particulars	Respondents
1	Yes	20
2	No	20
3	Don't know about occupational diseases	160

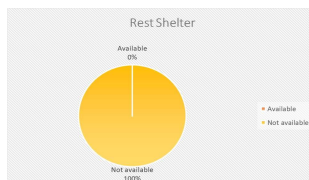


Source: Primary Data

Rest Shelter

Table No: 7

S. No	Particulars	Respondents
1	Available	00
2	Not available	200

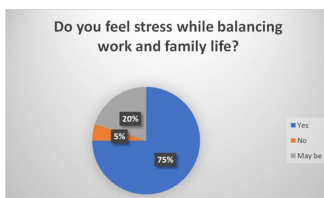


Source: Primary Data

Do you feel stress while balancing work and family life?

Table No: 8

S. No	Particulars	Respondents
1	Yes	150
2	No	10
3	May be	40



Source: Primary Data

Conclusion:

In this research author find out that working conditions is not properly regulated for the Oil and Gas Industry workers. They didn't get the social security benefits properly. Even most of the Oil and Gas Industry workers not having the awareness about the labour legislations and their rights. Many employees having no knowledge about their occupational diseases and the

compensation in case of any accident or injury arises in the course of employment or out of the employment. Employers should regulate working conditions of the employees, and they should apply the labour legislations properly on the workers and provide the social security benefits to the workers.

References:

1. Gold EB, Tomich E. Occupational Hazards to Fertility and Pregnancy Outcome. *Occup Med* (1994) 9 (3):435-69.
2. Thurston SW, Ryan L, Christiani DC, Snow R, Carlson J, You L., et al. Petrochemical Exposure and Menstrual Disturbances. *Am J Ind Med* (2000).
3. Occupational Factors Affecting Women Workers' Sexual and Reproductive Health Outcomes in Oil, Gas, and Mining Industry: A Scoping Review – Rina Hariniaina Razafimahefa, Jerico Franciscus Pardosi and Adem Sav.
4. Health and Safety Hazards Management in Oil and Gas Industry – Sundaram Haridoss – *International Journal of Engineering Research & Technology (IJERT)* ISSN: 2278-0181 Vol. 6 Issue 06, June – 2017
5. Role of Social Security for Industrial workers in India – Dr. Mudita, L.N. Mithila University
6. Social Security Schemes for Industrial Workers in India – Dr. Ashok Kumar Shukla, Dr. Ram Manohar Lohia Avadh University, Faizabad

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From Marginalization to Inclusion: Women, Labor Laws, and Green Growth in India

Akshit Sharma and Disha Mahajan

Most of the labor force in India is found in the agricultural industry, which has formed the very foundation of India's economy. Women and children comprise a major proportion of these workers. But it is a field long suffering structural issues like those of inadequate working conditions, lack of social security, and lack of entitlements to legal labour codes. The primary difficulty with labour reforms has been a reconciliation between two often conflicting objectives of protecting the rights of the worker and creating employment opportunities. Thus, the need to change the labour laws in order to remedy the lacuna in protection available to unorganised labor and accommodate new forms of employment, the urgency for the cause is even more intense. In India, unorganized workers, gig workers, and platform workers are under a lot of pressure, because more than 90% (as per International Monetary Fund's report) of the working population engages in informal sector activities, hence no social security benefits like medical schemes and pensions are available. Employment insecurity makes these workers shift jobs more often than once in 3-6 months, driven by factors such as climate change and location. Despite the protection of Article 23 of the Indian Constitution prohibiting wages below the statutory minimum standards, workers remain vulnerable to exploitation. Although there already exists legislation to deter children from doing labor work, the proposed changes in the law codes that have been set in motion by the government still neglect to provide concrete solutions regarding problems related to child labor. Actually, discouragement prevails to the fact that it has raised as many pessimisms. " Existing labor regulations do not stimulate labour-intensive industries and hence not suitable for incentive mechanism of better absorption of labour". states NITI Aayog. Though laws are already present that prohibit the use of children in labor, the new codes proposed by the government do not address the problems of child labor. The very fact that so many are pessimistic about these reforms is discouraging. According to NITI Aayog, "Existing labor regulations fail to promote the growth of labor-intensive industries because they do not provide incentives for better labor absorption."

The gig economy has emerged in recent decades to a good number, this creates a systems that allow corporations to bypass traditional labor laws and minimize their liabilities.

This is most of the times implemented through a "carrot-stick" technique, where workers are initially lured with incentives but face penalties for non-compliance, leading to increased dependence and resentment. Historically, India's labor legislation did not properly address the unorganized sector, leaving millions of laborers, particularly women and children in agriculture, unprotected. After realizing this, the Government of India enacted four consolidation labor codes between 2019 and 2020: the Code on Wages (2019), the Industrial Relations Code (2020), the Social Security Code (2020), and the Occupational Safety, Health, and Working Conditions Code (2020). These codes aim to simplify and consolidate the existing labor laws, therefore setting a comprehensive legal framework for governance which will eventually benefit employer, employee and the economy. Moving ahead, the notion on which green economy is closely related with that of labor protection, both aiming it by seeking a sustainable and equitable future. Labor protection mainly emphasizes workers' rights, security, and well-being, among other things, especially in agricultural or manufacturing-based industries often characterized by big environmental and economic problems.

In recent years, the growing emphasis on a green economy has led to notable changes in labor policies, particularly in the creation of "green jobs." All these jobs are designed not only to minimize environmental impact but also to offer decent working conditions, fair wages, and social security for workers of their respective field. Green jobs are meant not only to produce less harm on the environment but also to promote decent working conditions, fair wage, and social security for employees. These initiatives aim to inculcate the labor protection measures, ensuring that the shift to environmentally friendly practices does not undermine workers' rights. For instance, renewable energy projects can create a good number of job opportunities in rural regions, by offering a safer and more sustainable alternative to dangerous industries. Likewise, the green policies that encourage to people and industries to opt for sustainable farming practices can enhance the livelihoods of farm workers by ensuring fair wages, better working conditions, and access to social security benefits and many other things. The relationship between labor protection and the green economy is very much crucial for the promoting and the long-term sustainability. An empowered, protected, and fairly compensated workforce is always in the better position to meet the evolving needs of the green industries. Initiatives of green jobs can encourage inclusiveness and equity, which would arise when these jobs reduce child labor, gender imbalances, and dangerous working environments. This would thus offer labor

protection that boosts environmental practices but also supports people who are very important in doing so. The creation of new codes of labor ties in with a global aspiration in that it helps produce a green economy, focusing on sustainable economic development and protecting the environment, thus being social friendly. The agricultural sector which is the one of the most vital sector of the green economy is extremely sensitive to labor well-being. Empowering women and safeguarding children in the this (agricultural) sector, serves to uphold human rights, increase productivity, promote sustainable farming practices, and contribute to ecological balance. Women are also a key player in the agricultural sector as they are also involved in climate-resilient farming and eco-friendly practices which advance the green economy agenda of the nation. Their welfare and addressing the gender disparities in the labor force can contribute to a more sustainable and inclusive agricultural sector. The main concern of this research will be to deal with issues of labor rights, gender equity, and environmental sustainability at their nexus. It intends to delve deep into the in-depth scrutiny of how the Social Security Code and the Occupational Safety Code impact the lives of women and children working in agriculture. It will identify the extent to which these codes address issues like wage gaps, hazardous working conditions, and low access to social security. Additionally, the study will analyze how far these codes help in supporting the transition towards a green economy.

Keywords: Indian Agriculture Labor, Labor Reforms, Women Empowerment, Green Growth, Sustainability.

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Contemporary Social Security Issues and Legal Challenges in Gig Economy

S.Emlin Jobitha and Dr.Geni Philipose

The exponential evolution of digitalization impacts the nature of working process, thus paved way for digitalisation of labour market which led to the emergence of gig economy in this contemporary era. Gig economy provide flexible work opportunities through online platforms. The changing nature of work from the traditional employer employee relationship to modern platform-based working environment enhanced legal challenges and social security issues. This research paper titled “Contemporary social Security Issues and Legal Challenges in Gig Economy” exposed the social security issues and the legal challenges confronted by the workers engaged in gig economy. During uncertain contingencies such as accident, death, diseases, unemployment, old age, unnatural calamities underscore the significant of social security protection to this emerging labour market. The covid pandemic emphasised the vulnerability of gig workforce social security protection because there exist lack of social security measurers pertaining to unemployment, health insurance as like people engaged in formal sectors. For the wellbeing and sustainable development of the society it is crucial to afford social protections to this booming gig workforce. This would promote fair competition and enhance the efficiency of labour market.

The gig economy, faces numerous challenges due to its unorganised nature and uncertainty in categorizing gig work. The rights and social security benefits are not clearly expressed in the Code on Social Security 2020, which lead to potential exploitation of this contemporary booming gig workforce. In this new emerging labour market, there exist very less scope for job security and social security benefits such as financial assistance in old age like pension, medical benefits such as leave, health insurance due to temporary and contractual basis of work process. The workforce engaged in this labour market lack financial security and dignity of labour this would be a significant constraint for sustainable development.

The concept of “social security” encompasses social justice, social equity and human dignity. Every person has a right to lead a dignified life and there by every citizen be protected from hazards encountered like sickness, accident, old age, maternity, unemployment etc. The significant corner stone for securing social justice lies upon two major factor such as human

dignity and social fairness. The predominant aim of social security legislations is to guarantee adequate security during uncertain contingencies. Indian constitution guaranteed right to life. The threshold of all social security legislations is to provide adequate means of sustenance. Indian constitution also imposed duties upon state to secure social order for the well-being of people. Directs state to preserve social security, fair and humane conditions of environment. Through Article 41 constitution directs the state to make provisions to secure work, provide education, give public assistance during unemployment, old age, sickness and during disablement. Article 43 direct the state to secure work for workers, living wages and enable humane condition of work and to lead a decent standard of life to all. Thus, Indian constitution plays a prominent role in securing social security.

Gig workers can be generally categorised into two main categories: platform-based workers and non-platform-based workers. The former group uses digital platforms to find temporary, flexible, on-demand jobs. Platform-based workers are further segmented into location-based platforms. The location based jobs that require their physical presence for example Uber , Swiggy, UrbanClap. The web-based platforms help to complete online tasks for clients worldwide, such as a graphic designer receive projects on Upwork. The non-platform gig workers secure jobs such as freelance writers, photographers, or event planners who are hired directly by clients directly without the influence of app or website.

The workers engaged in this gig economy are not afforded skill upgradation trainings as like permanent staff. The algorithm-based control mechanism determines their pricing and working hours of gig workers. The very low earnings in gig economy force the gig workforce to work for a considerable long period to meet their basic needs. Due to instability in their incomes, they are unable to seek credit from financial institutions during emergencies. In India the Code on Social Security 2020 is the first and only legislation which gave recognition to gig workers for social security coverage and provides directions to state to establish bodies for effective implementation of social security measures.

The Code on Social Security 2020, encompasses provisions for social security coverage for gig and platform-based workers. The code not mandate the enactment of social security schemes, this can be accessed under section 45(1) which states that the central government “may” by notification frame schemes for unorganised workers, gig workers and platform workers. The section 45(1) has not mentioned “shall” instead of it mentioned “may” which

provide discretionary power to enact social security schemes for this vulnerable workforce hence there exist lack of assurance for social security. The definitions of gig worker, platform workers and unorganised workers are not clear, ambiguity existed in this part creates confusion and overlapping. The code mandates the registration to avail social security benefits, it can't come true unless effective administrative body been setup to identify the gig workers and consistent monitorization and aid in registration process been taken place. It is grey in demarcating the difference between self-employed and platform-based work hence determination of rights and obligations becomes complicated.

The Code provides provisions for creation of social security fund but the code fails to give directions for the application of the fund. The code granted discretionary power to state to exempt any establishment from contribution to this social security fund but the code has not suggested conditions for exemptions. The code directed to setup helpline number to provide assistance regarding registration and getting accessed to social security benefits but the code has not framed any timeline or conditions for it. Hence it is the discretion of the state to setup helpline numbers thereby the justice for securing social security for gig workforce ends in the hands of appropriate government.

The research analysed the present legal frame works, regulatory mechanisms and identified the gaps in social security coverage to all gig workforce and provided recommendations to policy makers to fill the gaps in social security coverage. The research recommends the policy makers, platforms, workers engaged works through platforms must take a collaborative effort for securing a fair and sustainable gig economy.

Keywords: gig workers, gig economy, digital labour market, platform-based work, platform workers, social security.

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Is India Doing Enough to Protect Female Workers in Male-Dominated Industries?

Aanchal Mittal

India, which boasts one of the fastest-growing economies in the world, has experienced a lot of growth in women's participation in the workforce. However, this does not exclude issues of gender disparities in most male-dominated sectors, harassment, and cultural constraints. Women remain excluded from some industries like construction, transportation, mining, or manufacturing, though due to mainly traditional patriarchal approaches and lack of safe working and compensation, with very minor participation in leaders. The government has brought various legislative measures like the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, and the Equal Remuneration Act, 1976. However, these laws have been inefficient because of lack of enforcement and prevalent gender biases at the workplace and in society.

The government has brought various legislative measures like the Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act, 2013, and the Equal Remuneration Act, 1976. However, these laws have been inefficient because of lack of enforcement and prevalent gender biases at the workplace and in society. This research also looks at the socio-cultural factors that deny women entry into these industries and perpetuate occupational segregation. This further increases the vulnerabilities of women in unions and decision-making bodies, where they are not given a voice. Emerging trends in diversity and inclusion initiatives, along with some government schemes like Skill India and Beti Bachao Beti Padhao, are trying to surpass the gender gap. CSR programs and public-private collaborations are also helping to create safer and more inclusive workplaces. However, these initiatives usually lack the depth and scale required to be meaningful.

The abstract argues in favour of comprehensive and intersectional approaches to all these challenges. Key recommendations that should be used include strengthening enforcement of policies; gender-sensitization at all organizational levels; mentorship and skill-building programs for women; and encouragement of an accountable environment through constant audits and reporting. Encouraging male allies to support equal representation in leading positions is also critical in dispelling entrenched stereotypes. Finally, the abstract argues that

India is at a critical juncture. Despite the effort to put women workers in sectors traditionally dominated by males, more needs to be done to position many female workers to feel more at ease in their new settings. That might prove the catalyst for releasing all that un-tapped female talent within the country so that long-term growth and expansion is able to trigger integrating society.

Due to the global pressure to equalize the distribution of men and women in the workplace, corporations have embraced diversity and inclusion policies. Organizations offer mentorship programs, gender sensitivity training, and flexible working hours tailored to the specific needs of female employees. Such programs are moves in the right direction but often have a narrow scope and cannot do much to remove the deep-rooted gender biases existing within organizational structures and cultures.

Male allies must be included in the effort to break the barriers that prevent women from joining male-dominated industries. In most instances, the best advocates for change can be men who hold influential positions. The inclusion of male allies will help to bring about a dismantling of gender norms that are seen to limit the participation of women in such fields by actively promoting women's career advancement, ensuring equal pay, and safe working environments. Neither must the roles that trade unions, NGOs, and civil society play be under-emphasized: those very organizations may stand as intermediary advocates, sometimes for legal advice or to host various awareness programmes on how a better place of work, safe and sympathetic, is achievable. Those associations also come as important rallying units while calling out public attention toward problems that beset female workers and nudging change.

A multi-faceted approach with legal reforms, policy enforcement, cultural change, and institutional support will have to be taken by India in order to tackle these issues in a holistic manner. Strict implementation of laws for workplace safety, harassment prevention, and equal remuneration should be done; gender sensitization should be made compulsory in all educational institutions and in industries, and should be motivated at the organization level that promotes women friendly culture in the workplace.

The skill development programs should, therefore, prepare women with a particular technical aspect in male-oriented sectors, while efforts to women's promotion towards leadership positions be more pronounced. There is thus a need for systemic change for a challenge against the traditional notion of gender where women are constrained from entering

an industry, an equal opportunity just like men.

Furthermore, sexual harassment in male-dominated industries continues to be a leading obstacle for women. Even after the Sexual Harassment of Women at Workplace Act of 2013 was passed, mandating Internal Complaints Committees (ICC) in every workplace, many women in these industries are either unaware of their rights or fear reporting harassment because they will face retaliation and possible loss of a job. The likely fear of ostracism or even losing their livelihood turns most women away from coming forward, thereby entrenching the culture of silence around harassment. At most times, such complaints are dismissed, and the woman in question goes silent, suffering psychological trauma and no growth at the professional level. The lack of trust in grievance mechanisms also raises pertinent questions regarding the implementation and effectiveness of such laws in male-dominated sectors wherein reporting harassment would be against one's professional interests.

Another area where most organizations are taking leaps forward is corporate social responsibility (CSR) initiatives. Many companies have now shifted focus towards gender diversity and are initiating policies for female employees' recruitment and retention. Such initiatives are, however, mostly missing supportive structures to facilitate women in the industry. Programs such as female mentorship, gender sensitivity training, and anti-harassment workshops would help build a culture of inclusion. Nevertheless, these should be supported by a strong organizational policy that would offer women equal opportunity for career growth and advancement, as well as support for career growth.

In conclusion, India has made progress in improving women's participation in the workforce, but there is still a long way to go in ensuring that female workers in male-dominated industries are given the support, protection, and opportunities they need to thrive. India can empower its female workforce, foster greater gender equality, and unlock the full economic potential of women in these sectors by addressing the barriers women face through legal reform, social change, and institutional support. Only through multi-front sustained efforts can India hope for genuine gender equality at the workplace, where female workers not only exist in highly male-dominated industries but flourish and lead the fields.

Keywords: Women, Male-dominated, labour welfare, anti-harassment, corporate social responsibility.

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Impact of Contemporary and Labour Law Reforms and its Enforcement Mechanism

Roohani Khanna and Riddhi Garg

Worldwide conversations shape the focus of trade union legal reforms. This is largely prompted by changing workplace standards, globalization, and advancements in technology. This paper undertakes an examination of the current state of labour law reforms and their implementation focusing on The new labour codes of India and their international implications. The look and feel of the simplified frameworks of India' s labour laws are assessed against international standards so as to provide an overview of the special benefits andas well as challenges that are expected in their implementation, particularly among small and medium enterprises(SMEs), unorganized labor, and national competitiveness.

The emphasis with regard to labour law enforcement is targeted at the moderation that should accompany government intervention geared towards protecting labour regimes. It draws attention to the forthcoming challenge of courts within the context of Gig work, workplace surveillance andother transformations in the labour market. The paper also investigates modern methods of alternative dispute resolution aimed at achieving effective resolution of labour disputes.

This paper looking forward notes the labour market reforms needed for the country to be able to compete successfully in international markets. These include changes in the legislative codes to promote sustainability, modernization, and globalization while balancing and upholding essential labour rights. The focus is on modifying modern labor markets to capture cleft constitutional principles like equity, dignity, and social justice so that they are more responsive and creating all-embracing labor markets. In these details, the paper intends to focus on how the labor law systems should be designed to be more robust and respond to changing dynamics while promoting sustainable economic growth.

Key Information Related to the Abstract:

1. Labor codes of India: the new labour codes amalgamate 29 existing laws forming 4 codes.
2. Code on wages: governs wage payment, equal remuneration, and minimum wage

3. Industrial relations code: deals with trade unions, strikes, and industrial disputes.
4. Social security code: provides social security benefits to all including gig and platform workers.
5. Occupational safety, health and working conditions code: covers workplace safety and health regulations.
6. Global benchmarks: Comparison with other legislations like the International Labour Organisation (ILO) conventions, EU labour standards and other developed countries like the USA, Germany and Japan.
7. Implementation Challenges: The most important ones are the following:
 - Encouraging employer autonomy while maintaining the safety net for the workers.
 - Coverage of Non-traditional employment and freelancers to be integrated into the social security framework.
 - The adequate mechanisms for enforcement must exist.
8. Judicial Oversight:
 - Courts help in articulating the rights of gig economy workers, the privacy issues in the employment context, and disputes in the age of digital work.
 - The legal precedents set elsewhere in the world such as the classification of Uber drivers in the United Kingdom will be of assistance in understanding the some of the issues faced in India.
9. Alternative Dispute Resolution(ADR): The concept of arbitration, conciliation, and mediation conflicts for labor disputes need to be exercised as they are easier and less expensive than litigation.
10. Future-Ready Reforms:
 - Adoption of teleworking policies and technology-based forms of employment.
 - Recognition and inclusion of sustainable practices in the protection of labor rights and ESG (Environment, Social, and Governance) considerations.
 - Improvement of employment standards in the country amid increase of international competition.

This abstract and framework serves as a guidelines of how a research paper on orderless approaches of labor law reforms and enforcement can be developed.

Keywords: Reforms, Frame work, Global Benchmarks, Judicial System , Mechanism

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Application of “Four Vedic Purushartha” while Framing Policies for the Inclusivity of Marginalized Workers

Mr. Sanjeev Kumar Baliyan and Dr. Vishal Sharma

This paper explores the application of the “Four Vedic Purusharthas”—Dharma (ethics), Artha (economics), Kama (psychology) and Moksha (spirituality)—as a holistic epistemic framework to address the problems faced by marginalized workers within modern corporate governance structures. This research examines how ancient Indian jurisprudential principles based on Vedic philosophy can influence the creation of an inclusive work policy to ensure equity, social justice and wellbeing in a globalised corporate environment. Corporate globalisation which saw the rise of many multinational corporations and highly complex cross border economic interdependence brought forth unprecedented opportunities. But it has deepened socio economic imbalances and led to the marginalisation of certain sections of the working force mainly in terms of their representation, fair remuneration and justice at work. This paper proposes that the current frameworks of corporate governance though it has advanced on many fronts often fails to address these systemic issues as its primary focus is on economic outputs which means ignoring the ethical, psychological and spiritual aspects. Motivated by the need to develop integrated workers’ policy designed to make alignment amongst organisational goals and ethical integrity, social inclusiveness and sustainable development a reality this paper integrates the use of Four Purusharthas as holistic principles in designing these efforts.

This study demonstrates how these principles can operate on corporate governance and decision making. Dharma provides an ethical lens that affirms ideal of fairness, justice and moral accountability by design of organization behaviour. Artha is the holistic exposition of economic development and wealth creation where financial objectives mesh with the general welfare or workforce-remembered materialism. Kama relates to human level psychological needs for dignity; self-actualisation and emotional well-being which are predictors of engaged and happy workforce. The Moksha imbues a spiritual value in corporate governance, reminding shareholders that concept of bigger purpose rather than material gain which pushes the power of companies to make social positive contributions. Through an integrated methodology that

combines a textual scrutiny of the Vedic principles, comparative analysis on existing governance models, and case studies from different sectors, the study demonstrates the operational reality of application of Four Purusharthas within contemporary business structures.

The paper looks at case studies to illustrate how Purusharthas can be ideal tools to enhance organisational productivity and stakeholder trust; then moves towards a corporate culture. Through them profound framework has enabled many of the traditional problems, worker exploitation underrepresentation and un-sustainability arises under traditional governance. The Four Purusharthas not only address systemic issues but also serve as a conceptual bridge between ancient wisdom and contemporary corporate challenges. This integration gives organisations the possibility to improve their governance frameworks by introducing ethical and sustainable practices into their core strategies. This paper highlights the importance of Four Purusharthas in achieving Sustainable Development Goals and bringing corporate practices in line with international frameworks for promoting equity and inclusiveness. Through this research the paper provides practical insights for development of workers policies in the globalized business world as an enabler for equitable opportunities. Results of this study therefore serve the formulation of corporate policies and governance practices. First, setting an ethical standard in dealing with the basic factors of worker exclusion is important for this purpose. This study offers practical implications for policy development, focusing on workers and non-discrimination policies, where such approaches can lead to positive organisational outcomes such as higher retention rates, higher morale and higher production. Besides, integration of spiritual and psychological dimensions in corporate strategies provides a creative way to address the foundational but intangible aspects of workforce management such as mental wellbeing and purpose-based engagement. This study further elaborates the practical application of the Four Purusharthas through analysis of the comparative nature of the current governance frameworks. This analysis examines the gaps in the existing policies and proposes that integration of Vedic principles would solve these gaps.

This study uses case studies from companies that have implemented inclusive practices based on the vedic principles, showing the concrete benefits of these approaches. The cases suggests that companies focusing on worker inclusivity also fortify the internal culture; they are enhancing their image/social capital or reputation with external value holders (customers,

investors and regulators). Besides, the research connects the Four Purusharthas with contemporary notions of corporate social responsibility (CSR), Environmental, Social and Governance (ESG) standards and stakeholder theory. Integrating these age-old principles in contemporary paradigms, managers have an opportunity to create a commensal model that reconciles both economic and ethical imperatives for business. In other words, we can relate it to the posture that businesses can be of service to society and achieve their business objectives thereby bringing together profit with purpose.

This paper attempts to look into the complications that may come in implementing the Four Purusharthas in a corporate setting: change resistance-culture clash and translating ancient axioms to operational strategies. With the emergence of these challenges, the research provides an enable systematic integration process, participation of stakeholders, training and policy formation that is specific to the organisation. Furthermore, it highlights the significance of leadership in facilitating transformation, drawing attention to the necessity for visionary leaders capable of advocating the principles of Dharma, Artha, Kama, and Moksha within their organisations. This research is a radical call for reinventing organizational governance by pushing the businesses to extract their inclusive worker policies out of the Four Vedic Purusharthas. It suggests a direct way of addressing the root problems — of social exclusion, domination and unfair nature — in tandem with long term sustainability and ethics. The implication of this study is that it proves to be very significant with ancient Indian jurisprudence because the work themes are not just pertinent but also applicable in contemporary corporate issues and offers an integrated comprehensive and unifying framework where economic objectives are integrated with ethical as well as social responsibilities. Ultimately, the integration of the Four Purusharthas into corporate governance represents a significant opportunity to redefine success within the corporate realm. By harmonising organisational practices with timeless ethical principles, corporations can achieve a balance between material wealth and spiritual satisfaction, thus paving the way for a more sustainable and inclusive future. This study promotes the necessity for organisations to adopt a governance framework rooted in values, demonstrating that the enduring principles of the Four Purusharthas continue to be relevant and essential for navigating the intricacies of modern business landscapes. The findings of this study offer a compelling viewpoint on the future of corporate governance, highlighting the significance of employee welfare, advancing social equity, and

guaranteeing the ethical sustainability of enterprises in an increasingly interconnected and diverse global economy. This paper explores the function of corporations through the framework of the Four Purusharthas, suggesting that they have the potential to serve as guardians of ethical responsibility and agents of positive social transformation, thus contributing to the development of a more just and harmonious corporate environment.

Keywords: Four Vedic Purusharthas, Corporate Governance, Worker Policy, Marginalized Workers, Ethical and Sustainable Business Practice

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Corporate Consolidation in India: A Legal Exegesis on Workforce Protections in M&A Transactions under Indian Labour Laws

Devesh and Shubham Ranjan

Mergers and Acquisitions (M&A) are critical tools for corporate growth and market consolidation. While strategically driven business objectives guide these transactions, a broad spectrum of rights and obligations pertinent to the employees is also thrown into focus, especially in the Indian legal setup. The post-M&A transition for employees is mired in apprehensions of exactly job security, continuity of service benefits, or changes in employment terms. Work laws in India due to their convoluted nature need to be examined further in light of existing legal provisions regarding employee protections in M&A transactions. This abstract tries to profoundly analyse the regulatory framework, judicial interpretation, and practical challenges faced by employees and employers in such corporate restructuring.

India provides the most potent feature aimed at protecting employee rights during the corporate transition-a legal framework. The Constitution of India provides the basic right to equality and the right to life and personal liberty under Articles 14 and 21, which are interpreted to include financial security and the right to fair labour practices¹. Statutory provisions corroborate the furtherance of these protections:

1. Industrial Disputes Act, 1947: This act is of great help in the protection of employees during the transfer of business. Section 25FF states that no employee who has been in continuous service for a year is to be retrenched unless the fencing company offers him employment not less favourable than that of the previous employer².
2. Employees' Provident Funds and Miscellaneous Provisions Act, 1952: Guarantees that employees' provident fund balances are transferred to the new employer without any interruption³.
3. Payment of Gratuity Act, 1972: The entity acquiring the business is liable to pay

¹ Constitution of India, Articles 14 and 21

² Industrial Disputes Act, 1947, Section 25FF

³ Employees' Provident Funds and Miscellaneous Provisions Act, 1952

gratuity to employees having five or more years of service, respecting their prior tenures⁴.

Code on Social Security, 2020: A consolidation of diverse labor laws to ensure better coverage of social security benefits, including pensions, maternity benefits, and employee compensation, and to facilitate seamless transitions in mergers and acquisitions⁵. Judicial pronouncements have given credence to a few of these protections. The judgment pronounced in *Bombay Garage Ltd. v. Industrial Tribunal* said that the Bombay High Court would not permit employees to be deprived of calculated benefits under the service tenure period and concluded that job-tenure serving out under the new management's calculation of gratuity and other entitlements would be duly honoured by such managements⁶. Also, in *McLeod Russel India Ltd. v. Regional Provident Fund Commissioner*, the Supreme Court held that the acquiring company continues to be liable for the payment of dues to any employee not received from an earlier employer or company, whatever the agreements to the contrary state in respect of the M&A deal⁷.

Key Employee Concerns in M&A Transactions

1. Continuity of Employment and Benefits

The major employees feared dismissal or any change in the conditions of service after an M&A. Courts have reiterated that an acquiring entity should protect the employee from any change in respect of tenure, social security benefits, and salary structure. The Madras High Court held in *Odeon Cinema v. Workers of Sagar Talkies* that the conditions of service which the employee had under the earlier employer would continue to bind the successor entity⁸.

2. Compensation and Social Security Protections

The Employees' State Insurance Act, 1948, and the Workmen's Compensation Act, 1923, mandate uninterrupted workers' compensation benefits throughout the corporate restructuring⁹. Failure to comply with these provisions can lead to litigation and financial liabilities for the acquiring company.

⁴ Payment of Gratuity Act, 1972

⁵ Code on Social Security, 2020

⁶ *Bombay Garage Ltd v. Industrial Tribunal*, AIR 1972 Bom 15

⁷ *McLeod Russel India Ltd v. Regional Provident Fund Commissioner*, (2014) 3 SCC 456

⁸ *Odeon Cinema v. Workers of Sagar Talkies*, 1996 (2) LLJ 326 (Mad).

⁹ Employees' State Insurance Act, 1948; Workmen's Compensation Act, 1923

3. Employee Stock Options and Retention Policies

Another important issue during M&A transactions is the treatment of employee stock options (ESOPs). In most cases, the employees must exercise and sell their options before the merger, or they must negotiate an accelerated vesting schedule. Discouraging ESOP issues in M&A transactions causes discontent among employees and a high attrition rate.

4. Cultural Integration and Workplace Adaptation

Besides the legal protections, a crucial component is the integration of employees into the culture of the acquiring company. Often, mergers and acquisitions bring about cultural misalignment, adversely affecting employee productivity and retention. Studies show that organizations that provide timely and systematic communication of changes, as well as involve employees in the transition process, have a higher post-merger retention rate¹⁰.

5. Position of the Employers vis-a-vis Due Diligence

Employers must conduct comprehensive due diligence a few days before the date set for an M&A transaction so that they may avoid possible pitfalls that may arise during the transaction. These include:

- Examining existing employment contracts for 'change of control' clauses.
- Reviewing pending employee disputes that could affect financial liabilities.
- Ensuring compliance with social security contributions and statutory benefits.
- Being as transparent as possible communication-wise so that they do not lose the employees.

Proper due diligence is highlighted in *Sunil Kr. Ghosh v. K. Ram Chandran*, where the learned Supreme Court held that all changes to the conditions of work have to be presented to the employees, and that it is impossible for the new management to impose conditions without the consent of the employees concerned¹¹.

Indian courts have laid great stress upon the principle of smooth transition of employee rights in M&As. The interested applicant against any arbitrary changes imposed by the acquiring entity must have this entreaty upheld, for the Supreme Court has affirmed that employee benefits that have already been given and requirements accrued prior to that would

¹⁰ Ibid

¹¹ *Sunil Kr. Ghosh v. K. Ram Chandran*, (2017) 9 SCC 682.

be exclusively preserved¹². The employers are precluded from contravening Section 25FF of the Industrial Disputes Act in compliance on the issue of leaving employment or refusing it, which requires either that the employer gives either reinstatement as the case premises or shall pay compensation¹³.

Conclusion and Recommendations

In the ever-evolving landscape of corporate restructuring, M&A transactions must transcend mere financial and strategic objectives to integrate employee welfare as a core priority. Organizations that proactively address employee concerns, uphold statutory obligations, and implement transparent communication channels foster resilience and long-term sustainability. To truly revolutionize M&A strategies, acquiring firms must adopt a human-centric approach—one that views employees not merely as operational assets but as integral stakeholders in the company’s future. This requires a multi-dimensional integration strategy that includes structured employee onboarding, cultural assimilation initiatives, and ongoing career development programs.

Employers must embrace innovative HR technologies to facilitate seamless transitions, including AI-driven workforce analytics to predict employee concerns, automated compliance tracking, and digital feedback mechanisms to enhance employee engagement. By leveraging these tools, organizations can create a progressive corporate culture that not only ensures compliance but also boosts morale and retention rates.

Ultimately, the success of M&A transactions lies in striking a harmonious balance between business imperatives and workforce stability. Companies that navigate this delicate equilibrium will not only mitigate legal risks but also cultivate a robust, adaptable workforce capable of driving sustained growth in a competitive corporate landscape.

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¹² Supra 10

¹³ Industrial Disputes Act, 1947, Section 25FF.

Workers' Right to Social Security Under the Indian Constitution: The Rise of Artificial Intelligence and Its Implications for Constitutional Protection to Social Security

Malobika Sen

While the artificial intelligence is on the rise, many workers face the wintry bite of the rise of technology in the realm of labour market. The fear of job displacement due to the automation of repeated tasks, redundancy of skills, constant need for up-skilling, suppression of wage, algorithmic bias and exploitation, risks of health and safety, and such other plight, including the erosion of the traditional labour right, especially the ones relating to social security. The Indian constitution enshrines a robust framework for the protection of workers' rights, balancing socio-economic justice with the evolving demands of a globalised economy. Articles 14,19,21,23, and 24 alongside the Directive principles of the State Policy, establish a foundation for fair labour practices, equitable wages, and safe working conditions. However, the rapid proliferation of artificial intelligence in the workplace poses unprecedented challenges to these constitutional safeguards. Moreover, India being a country plagued with inequality, there is a fear that the AI may lead to exacerbation of this inequality leading to disproportionate plight for the already marginalised community.

In a comprehensive study conducted by the International Lawyers Assisting Workers Network titled Labour Rights and Technology: Mapping strategic Opportunities for Workers and Trade Unions dated May 2024 a detailed study of the Labour and Technology interventions in relation to data governance was studied across Africa, Americas, Asia, North America and Europe. The case studies included regulatory interventions carried on in the given jurisdictions. What was interesting is the case studies conducted in areas such as action against permanent monitoring in Germany and areas such as data-driven HR system emulated to calculate the "wage adjustments" in Japan. Not only was algorithmic management, that is, arbitrary deactivation of accounts, access to information about algorithmic decision-making, algorithmic deactivation, was studied but also the understanding regarding fair wages and social security, that is the regulation regarding fair wages, litigation arising if any, organising of labour force, was explored. Working conditions and occupational safety and health in digital work and the

problems of outsourcing and subcontracting have been addressed in the study. The multifaceted study including exploration of digital or tacit collusion, the challenges of contesting jurisdiction, the problems of non-disclosure agreements leaving an awning gap targeting issues in workers and data protection, algorithmic management, the concept of fair wages, the requirements of adequate working conditions and further of the freedom of association and collective bargaining. The intersection of labour rights and technology presents significant challenges that are reshaping traditional employment relationships and the efficacy of the labour laws.

The study elucidated above underscores the profound impact of technological advancements, particularly AI, algorithmic management, and data-driven decision making, on worker's rights. As technology becomes a defining feature of the modern workplaces, its integration often exacerbates vulnerabilities and creates new forms of exploitation. This evolving landscape has left existing labour law jurisprudence struggling to safeguard workers effectively. One of the critical issues identified in the brief is the erosion of traditional employment relationships. Digital platforms and gig economies have blurred the lines between employees and independent contractor. Workers in platform-based jobs often lack formal contracts, job security, and access to benefits such as healthcare, paid leave, or retirement benefits. These changes have created a precarious workforce that existing labour laws, rooted in traditional employment, fail to address comprehensively.

The Indian labour market, which is characterised by a degree of informality, faces unique challenges in this context. A significant portion of Indian workers operates outside the formal economy, with no written contracts or legal protections. As technology-driven work models expand into India, these pre-existing vulnerabilities are amplified. For instance, gig workers in India, such as those in ride-hailing or food delivery platforms, are often classified as independent contractors, leaving them without access to legal safeguards provided to formal employees. The absence of stone regulatory mechanism allows platforms to exploit this workforce while evading accountability. Additionally, the rise of automation and AI poses a long-term threat to job security. Routine and repetitive jobs, particularly manufacturing and services are increasingly being replaced by machines. While technology has the potential to create new job opportunities, the transition often leaves a significant portion off the workforce behind, particularly those lacking access to education and training in emerging fields. This

trend exacerbates income inequality and undermines the socio-economic rights guaranteed by the Indian Constitution. Existing labour law jurisprudence in India and globally has been slow to adapt to these challenges. Labour laws were designed for an industrial age where the nature of work, employment relationships, and workplaces were vastly different from today. Consequently, these laws often fail to account for the complexities introduced by the digital platforms, algorithmic management, and data privacy concerns. The protracted issues faced by labour today highlight the urgent need for a paradigm shift in how labour rights are understood and enforced. Safeguard Indian labour rights and uphold the constitutional objectives of social and economic justice, it is imperative to adopt a proactive and holistic approach to these challenges. This begins with a thorough understanding of the technological impact on labour. Policymakers must engage with workers, trade unions, and technology experts to identify gaps in existing legal frameworks and develop targeted solutions. For instance, extending social security, benefits to gig and platform workers, enacting robust data protection laws, and ensuring transparency in algorithmic decision-making processes are crucial steps. Furthermore, there is a need to invest in education and skill development programmes that prepare the workforce for the demands of a technology-driven economy. Emphasising digital literacy and providing training in emerging technologies can help workers adapt to changing job requirements. Trade unions and worker organisations must also evolve to address the unique challenges posed by technology. By leveraging technology themselves, these organisations can better advocate for workers' rights and engagement through strategic litigation to push for legal reforms. What the researcher would like to understand is how this rapid integration of technology into the workplace has created significant challenges for labour rights at existing Djourou struggles to address. Specifically in the Indian context, the informal nature of the workforce and the lack of regulatory mechanisms whether further exacerbate these issues. The main objective of this doctrinal exploration shall be to understand the existing constitutional guarantees to the right to social security and thereupon the contextual issues that are arising to hinder such guarantees due to the threat posed by the rise of AI. Data shall be analysed from the case law data-bases, the studies such as the one elucidated above and further analysis of the news-reports of the recent time (2022-2024). The researcher would also like to understand whether constitutional labour rights and promotion of social security has still remained a crucial objective of all the labour legislations. Finally, this doctrine study will try

to understand whether a comprehensive solution in this evolving and rapidly changing digital landscape could be brought in by a collaborative effort, involving policy makers, workers, trade unions, and other stakeholders to create a legal and institutional framework that holds a constitutional objectives and goal.

Keywords: labour, constitution, algorithm, artificial intelligence, social security, trade unions, platform workers.

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Empowering the Invisible Workforce: A Call for Inclusive Labor Market Reforms in India

Shubham Sharma

India's economic landscape is held together by the backbone of its workforce—consisting not only of those employed in regulated sectors but significantly by unorganized workers who remain largely invisible within the nation's formal economy. Despite their critical role in sustaining growth, these workers frequently encounter a harsh reality characterized by temporary employment, insufficient social protection, and inadequate access to basic services and rights. This paper endeavours to dissect this complex situation by examining the difficulties faced by unorganized labor and calling for comprehensive reforms to integrate and empower this essential segment of the labor market.

The discourse surrounding unorganized workers often devolves into statistics and generalizations; however, the real challenge is understanding the individual and collective narratives that form the tapestry of their experiences. Lacking the stability and benefits afforded to their counterparts in the formal sector, unorganized workers are often precariously positioned, with little employment security. This instability is compounded by the sparse availability of social safety nets, which leaves these individuals vulnerable to economic shocks and personal crises. Moreover, their limited access to healthcare, education, and workers' rights further exacerbates their marginalization.

The research delves into existing labor laws and social security programs, scrutinizing how these frameworks currently fail to adequately cater to the needs of unorganized workers. A pivotal part of this study involves analysing real-life case studies, which powerfully illustrate the obstacles these workers face daily. These narratives underscore the formidable, often systemic barriers that deny them equitable access to the benefits and protections that are the hallmarks of the formal labor structure.

Historically, India's labor policies have focused disproportionately on the formal sector, thereby neglecting the ever-growing unorganized workforce. This oversight has perpetuated inequities and economic disparities that cannot be resolved without a comprehensive re-evaluation of policy objectives and implementation strategies. There is an urgent need for a

paradigm shift in economic policies that places unorganized workers at the forefront of labor market reforms. The calls for participatory governance are especially pertinent, as they help ensure that policy frameworks are developed with inclusive, ground-level insights that reflect the needs and aspirations of these workers.

Part of the challenge is designing interventions that are both targeted and participatory. By involving unorganized workers in the policy formulation process, not only can reforms be more effectively tailored to address their unique challenges, but they can also empower these workers to advocate for their rights actively. This study presents actionable recommendations in creating strategies that emphasize inclusivity and social justice. Key suggestions include enhancing access to education and vocational training tailored to the distinct sectors within the informal economy, thereby improving skill levels and employment prospects. Additionally, expanding and strengthening social safety nets is paramount to providing a buffer against financial instability and ensuring that workers can maintain a basic standard of living amidst economic turbulence.

Moreover, this research delves into the importance of redefining employment paradigms to incorporate more flexible, fair arrangements that acknowledge the diverse circumstances of unorganized workers. By rethinking traditional notions of employment, India can sustainably integrate these workers into a system that recognizes and values their contributions. Central to this shift is the development of inclusive economic policies that address the systemic injustices faced by unorganized workers.

Another critical component is fostering a culture of social justice within the labor market ecosystem. By promoting inclusivity, equity, and fairness, we can challenge the longstanding power imbalances that perpetuate unorganized workers' marginalization. Advocacy and awareness campaigns play a crucial role in this endeavour, as public support and understanding can drive change at both the grassroots and legislative levels.

This research aims to be a starting point for making the labor market fairer and more inclusive. By highlighting the many challenges faced by unorganized workers, it hopes to encourage action from policymakers, organizations, and the public. It's time to move beyond just acknowledging the issues; we need committed efforts to ensure the labor market benefits everyone, not just a select group.

By emphasizing the need for reform, this study hopes to guide the way toward a future where all workers, regardless of their sector, receive dignity, respect, and security. It advocates for the rights of unorganized workers, demonstrating how inclusive policies can positively affect India's economy. The call for reform is more than just a request for change; it's an appeal for justice, equity, and a sustainable future for all. The call for inclusive labor market reforms is not merely a demand for policy change; it is a rallying cry for justice, equity, and a better, more sustainable future for all.

Keywords: Unorganized workers, Labor market, Participatory governance, Social justice, Informal economy, Worker welfare

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Urbanization, Smart Cities, and Worker Welfare

Shitanshu Gupta and Nishtha Chaudhary

Urbanization is one of the most significant global trends of the 21st century, characterized by the movement of people from rural to urban areas. This shift profoundly impacts individual livelihoods, societal institutions, and economic development. Cities emerge as economic hubs, enhancing living standards, fostering innovation, and generating employment opportunities. However, urbanization also presents challenges, particularly concerning worker welfare. Many urban migrants face precarious employment, inadequate housing, and limited access to essential services. A potential solution to these issues lies in the concept of "smart cities," which leverage data and technology to enhance worker welfare and urban living conditions. This article explores the intricate relationship between urbanization, the evolution of smart cities, and their implications for worker well-being.

Several factors drive urbanization, including better living conditions, social mobility, and economic opportunities. Urban areas attract resources and investment as economies industrialize, leading to job creation in various sectors such as manufacturing, services, technology, and retail. In India, for instance, while only one-third of the population resides in urban areas, these regions contribute over 65% of the country's GDP. This disparity highlights the capacity of cities to absorb surplus labour from rural areas. However, rapid urbanization often outpaces infrastructure development, particularly in emerging economies, resulting in overpopulation, poor housing, and strained public services. Migrant workers, who move to urban centres seeking better job prospects, frequently find themselves in vulnerable positions. Many are employed in the informal sector, lacking job security and access to essential social protections such as health insurance and retirement benefits.

Migrant workers in urban environments face several disadvantages, with job insecurity being a primary concern. Many are engaged in low-wage, labour-intensive occupations with long hours and unfavourable working conditions, such as construction, domestic work, or street vending. The informal nature of these jobs leaves workers with little recourse against exploitation. Housing and transportation challenges further compound their difficulties. The scarcity of affordable housing forces many migrants into slums or informal

settlements lacking basic amenities like sanitation and clean water, affecting their overall well-being and job stability. Lengthy commutes from distant neighbourhoods increase transportation costs and reduce productivity. Social isolation is another issue, as migrants from diverse cultural backgrounds may struggle to integrate into their new communities, limiting their access to crucial information about social assistance programs and employment opportunities.

The concept of smart cities offers a potential solution to some of the challenges posed by rapid urbanization. Smart cities utilize data analytics and technology to enhance urban living through sustainable practices, improved public services, and advanced infrastructure. By integrating innovations such as artificial intelligence (AI), big data analytics, and the Internet of Things (IoT), smart cities aim to create socially inclusive and economically dynamic environments. A key benefit of smart city initiatives is their ability to enhance service accessibility for all residents, including migrant workers. Smart transportation systems, for instance, can optimize public transit routes and schedules based on real-time data, making commuting more efficient and cost-effective. Similarly, data-driven housing initiatives can facilitate the development of affordable housing projects in strategically suitable locations. Digital platforms that connect businesses with job seekers based on skill sets and availability can improve employment prospects for migrant workers, thereby reducing unemployment rates within this demographic.

To effectively enhance worker welfare within smart cities, several strategies must be prioritized. Firstly, affordable housing initiatives should focus on mixed-income developments that integrate residential areas with commercial districts, reducing commuting times and promoting economic activity. By investing in well-planned, sustainable housing projects, cities can alleviate the housing crisis and provide safe, liveable environments for workers. Moreover, incorporating green building standards and energy-efficient designs can contribute to sustainability while lowering living costs for low-income populations.

Secondly, investment in efficient public transportation networks is crucial to connecting workers with job centres, with real-time tracking systems improving commute planning. Governments should prioritize expanding metro, bus, and cycling infrastructure to ensure safe, accessible, and affordable transit options for all citizens. Public transit improvements not only benefit workers but also reduce traffic congestion, air pollution, and overall carbon footprints, making cities more liveable and environmentally sustainable.

Thirdly, skill development programs should be incorporated into smart city initiatives to equip migrant workers with relevant competencies in high-demand industries such as technology and healthcare while also providing language courses for non-native speakers. Vocational training centres and online education platforms can help workers upgrade their skills, increasing employability and enabling career advancement. Collaboration with private sector companies to design industry-specific training programs can further align workforce development with market needs.

Fourthly, smart city frameworks should ensure easy access to essential social services, including healthcare, education, and legal assistance, through digital platforms that offer multilingual information. Telemedicine services, digital literacy programs, and mobile applications that connect workers to healthcare providers can bridge the gap in service delivery. Furthermore, smart city initiatives should incorporate emergency response systems and community outreach programs to enhance social cohesion and provide safety nets for vulnerable populations.

Lastly, public-private partnerships play a crucial role in driving infrastructure investments while embedding worker protections into business operations. Governments, private enterprises, and non-governmental organizations (NGOs) must collaborate to fund and implement sustainable urban solutions. Corporate social responsibility (CSR) initiatives can be leveraged to support affordable housing projects, transportation subsidies, and community development programs. Additionally, policymakers should incentivize businesses to adopt ethical labour practices and provide fair wages, benefits, and safe working conditions for employees.

To fully realize the potential of smart cities in enhancing worker welfare amid urbanization, policymakers must adopt a holistic approach that addresses the needs of all residents, particularly marginalized groups such as migrant workers. Strengthening labour protections is essential to safeguard workers in informal sectors from exploitation and ensure fair wages and working conditions. Inclusive urban planning must involve community stakeholders, including migrant representatives, to create developments that cater to diverse populations. Data-driven decision-making should not only optimize urban operations but also identify areas where targeted interventions are most needed. Continuous monitoring and evaluation of smart city

initiatives are critical to assessing their impact on worker welfare and implementing necessary adjustments based on community feedback.

Urbanization presents both opportunities and challenges for worker welfare in the world's fastest-growing cities. While it drives economic growth and job creation, if left unmanaged, it can exacerbate social inequalities. Smart cities provide a promising framework for addressing these issues through innovative solutions that prioritize sustainability and inclusivity. By focusing on affordable housing, improving public transportation, offering skill development programs, ensuring access to essential services, and fostering public-private partnerships, smart cities can significantly enhance worker welfare, particularly for vulnerable groups such as migrant workers. Ultimately, successful urbanization requires a comprehensive strategy that balances economic expansion with social equity. As cities continue to grow, governments must prioritize policies that ensure all citizens benefit from urbanization while upholding their rights and overall well-being in an ever-evolving landscape.

Keywords: Affordable Housing, Public Transportation, Skill Development, Social Services, Public-Private Partnerships, Labor Protections, Inclusive Urban Planning, Data- Driven Decision Making, Sustainability.

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Labour Laws in India: Addressing the Deficiencies and the Need for Policy Reforms for Gig and Remote workers in Catastrophic Times

Shruti Gupta and Sarvaddhya Sidh Patel

India, with its wide and diversified population, has been in a lengthy struggle of making sure that their vast economy that is now gearing up is also just and equitable in terms of labor along with its profound evolution. The country has one of the largest labor forces in the world. This broad workforce poses a responsibility in terms of the rights that need to be safe-guarded for the workforce particularly in the face of new challenges of economic liberalization, gig and remote work, and the new dimension of harm posed by global crises like the COVID-19 pandemic.

The description also includes the labor law history in India, dating back to the early 20th century, the laws built to protect workers from persistence in industries. It has now become very difficult to implement these laws due to their obsolescence, especially in a rapidly changing technological environment and growing informal sector. In India, most of the working populations are without any law protection with those involved in seasonal or unorganized works, having no guarantees of job security, wages, and social security. This phenomenon further extends into the gig and platform workers, whose exceptional services, essential to the fast-digitalizing economy, come with very little to be protected and for which benefits are claimed on par with full-time employees.

The ongoing pandemic aggravated these vulnerabilities. Lockdowns worsened economic disruptions for disproportionately bearing-down on migrant workers, daily wage earners, and informal economy capitalize on it. That was exactly the perception that impelled the Indian government to try and modernize and codify new labor laws to address these major exclusions.

The Code on Social Security, 2020, was a step forward in the direction of including gig and platform workers under its umbrella. However, the new Code has been criticized for not delivering a comprehensive, rights-based social security system. The Code includes provisions for the unorganised sector, including gig and platform workers, but fails on enforcement, is vague in its implementation, and remains reliant on voluntary compliance by employers. This makes the provisions of the Code nearly ineffective, since the burden of compliance is shifted

to already marginalised and vulnerable workers. While it has exposed India's vulnerabilities with regard to the nature of its workforce, the COVID-19 pandemic presents an opportunity for the country to rethink labor laws. Addressing the deficiencies of the current framework is necessary to make India's labor system inclusive, equitable, and resilient enough to adapt to challenges in the future, ensuring the welfare of all workers, regardless of employment status. These legislative imperfections, ultimately, boil down to the requirements for a paradigm change in labor policies.

Traditional labor law is unable and inadequately equipped to adequately deal with this emerging issue under the banner of gig and remote work. On the other hand, the gig economy refers to growing and increasing numbers of people engaged in short-term or flexible work conditions enabled by internet platforms. The workers in this space, usually categorized as independent contractors, are not allowed access to social security benefits, such as health insurance, unemployment benefits, or retirement savings. In the same vein, remote workers enjoy more flexibility but have issues concerning work-life balance, job security, and equitable pay. Such workers are increasingly being excluded from the protections enjoyed by their full-time, office-based counterparts and create an increasing division within the labor market. Labor laws existing during the time of formal, industrial work are today acting as an impediment to progress in India's dynamic economy.

Whereas some states are liberalizing labor regulations to get back manufacturing going and attract investments, it leaves little scope for the rights of the workers. Take Uttar Pradesh; for instance, this state relaxed a majority of its labor laws to attract industry and particularly at a time when after the COVID-19 pandemic sent millions of migrant workers rushing back to their home states for jobs. Although this action will be able to offer immediate economic relief, it also brings forth crucial issues of long-term welfare for the workers in the state, particularly considering that the suspended labor laws were aimed at protecting them. The rapid growth of the gig economy, led by the likes of Uber, Swiggy, Zomato, and a whole host of digital services, has created a new class of workers, who are usually treated as independent contractors, not employees eligible for the rights and protections labor laws provide.

Gig workers, despite making up a considerable share of the economy, do not enjoy the worker benefits like provident fund, paid leave, or insurance. The issue here is the definition of gig workers in terms of the current labour law structures and integration of the latter with the

social security structure. Labor law enforcement today speaks to gaping loopholes in the approach taken by India toward labour regulation.

India's labor regulation structure fails to bring over 90% of its workforce within the fold of protective labour legislation, who work in the unorganised sector. While the Unorganised Workers Social Security Act, 2008 sought to address these concerns, its reach was limited, and enforcement was weak. The Code on Social Security, 2020, while an improvement in some respects, still fails to provide a universal, rights-based social security system. The lack of a concrete, enforceable mandate for employers to extend social security to gig workers and platform workers continues to leave millions of workers vulnerable to exploitation, especially during catastrophic events like the COVID-19 pandemic. This research paper explores the evolving landscape of labor rights in India, focusing on the challenges posed by economic liberalization, the rise of the gig economy, and the increasing prevalence of remote work.

It critically examines the gaps and loopholes in existing labor laws of India, specifically in protecting the unorganized sector workers and workers engaged in non-traditional employment. The paper highlights the shortcomings of the Code on Social Security, 2020, and appeals for a more comprehensive reform in labor laws to bring equal protection for all workers without any discrimination about their employment. The paper further discusses the need for policy reformation in response to catastrophic events like the COVID-19 pandemic, emphasizing the importance of creating adaptive and resilient labor frameworks that can safeguard workers' rights during crises. The paper argues for the creation of a more inclusive and resilient labor system by adopting a rights-based approach to social security. It further provides relevant case laws and gives a comparative analysis of labor laws in India, the United States, and the United Kingdom to draw lessons from international best practices and propose viable solutions for India's labor reform.

Keywords: Labour Laws, deficiencies, policy reforms, gig and remote workers, Code on Social Security, 2020, catastrophes, COVID 19, employment models, case laws, comparative analysis, USA, UK

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Resolving Industrial Disputes using Appropriate Alternate Dispute Resolution in India: A Critical Study

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In a rising nation like India, industrial peace and amenities are crucial. Workers' financial security and the country's economic growth would be guaranteed by a peaceful and harmonious relationship between the producing partners. However, human interactions are at risk in the industrial dispute. When employer-employee conflicts manifests itself in overt ways, such as through strikes or lockouts, not only do the parties to the disputes suffer, but the community as a whole and the national economy suffers as well. The economic, worker, and employer losses are always higher than any potential gains for either party. In addition, a variety of necessities are denied to the citizens. The nation's economic situation can occasionally be severely disrupted. Given this, it is imperative that real attempts be made to settle disputes amicably as soon as they occur or are about to do so. Establishing a procedure and forum for the examination and settlement of labour disputes is the main objective of the Industrial Disputes Act, 1947. Disputes of an industrial nature have always been a big challenge to the overall economy and society. Litigation is often expensive and protracted, therefore there is a clear need for Alternative Dispute Resolution (ADR) methods to be put in place to deal with these issues. This primary research analyzes the issue of ADR in India, its effectiveness, difficulties, and its supporting legal documents. Industrial disputes encompass conflicts between employers and employees or between employers and trade unions, arising from issues such as wages, working conditions, and employment terms. The protracted nature of traditional litigation has prompted the exploration of ADR mechanisms, including conciliation, arbitration, negotiation, judicial settlement, lok adalat and mediation, as viable alternatives for dispute resolution.

Industrial Disputes Act, 1947, facilitates the appointment of conciliation officers and boards to assist in amicable agreements between the parties. Further, the Act allows the government to refer disputes to arbitration or adjudication where conciliation fails. Furthermore, the resolution of these disputes has been simplified further by the Industrial Relations Code, 2020, which consolidates and modifies the law concerning trade unions, employment terms in industrial establishments, and industrial disputes. The Central Government's 'Make in India'

strategy includes a duty to critically assess how the 1947 Act's dispute resolution mechanism operates in relation to all of these challenges. Prime Minister Narendra Modi introduced the aforementioned effort on September 25, 2014, with the goal of incentivizing enterprises to produce their goods in India. This initiative's primary goal is to create jobs in India, and as a result, many people will find work in various industries. However, for this program to be successful, friendly working relationships between the employees and their employers are necessary. If there is a disagreement, it must be resolved quickly and politely.

Any new case takes a long time to be determined, and until the final decision is made, there is a condition of ambiguity that makes any activity practically impossible. This is due to the fact that the courts in most countries, including India, are overloaded with cases; however, considering the financial situation of workers, the importance of industry to the national economy, and the anticipated rate of production in this globalized world, it is imperative that these matters be resolved as soon as possible, which is not possible in the traditional legal system. Most nations support alternative dispute resolution techniques as a way to escape this labyrinth of litigation.

Industrial disputes can arise in many ways. Like, when the workmen raises the demand to increase the wage, job security, or terms and conditions of their employment and the employer is not ready for it, known as Interest dispute. Secondly, when an employee is not satisfied with the terms of their employment and the employer tries to violate the rights of the employee, a grievance dispute takes place. Generally, when there is some dissatisfaction among the employees, they try to raise a complaint regarding the same. When such a complaint goes unaddressed by an employer, it turns into a grievance. Thirdly, labourers are the working force for employers and they get paid for their work. But sometimes labourers work more than required because of the pressure from their employers, which leads to unfair labour practices. There are a number of unfair labour practices that are prescribed in the Industrial Dispute Act under Schedule V. Furthermore, the act also recognises the unfair practices by the labour, employer, and even trade union and prescribes punishment for the same. And Lastly, most of the time, trade unions represent employees and negotiate with employers or management on behalf of such employees. This is due process, but the problem arises when there are multiple trade unions and all of them claim that they are representing the best interests of their employees. Now, in order to solve the dispute, employers wish to start negotiations, but they

don't know which trade union they should recognize for such negotiations. This recognition of an exact trade union is important because such a trade union gets bargaining rights and the ability to negotiate collective agreements on behalf of employees.

Given this situation, the tools made available by the Industrial Disputes Act, 1947 to resolve industrial disputes take on importance and have significant ramifications. However, if we examine how this machinery actually operates, we will find that it is not very effective in settling disagreements between the parties. The parties' desire for mandatory adjudication is growing. As a result, it is thought that a new perspective on how this machinery operates is necessary. Workers, trade union leaders, employers, their HR managers, Labour Officers, and Assistant Labour Commissioners involved in the conciliation process were all questioned for this study. In addition, the researcher spoke with a small number of advocates who handle business conflicts. It is clear from these interviews and discussions that there are certain barriers to the efficient operation of the equipment made available by the Industrial Disputes Act, 1947. This study aims to identify, the barriers to the Industrial Disputes Act, 1947's Alternate Dispute Resolution system's efficient operation and offer potential suggestions to increase the system's efficacy and utility.

Keywords: Industrial Disputes, Alternative Dispute Resolution, Employer, Employee etc.

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Transition of Labour Rights in the Era of Sustainability and Green Economy

Pawan Kumar Chaudhari and Dr. Abhijit Mishra

The transition towards a sustainable and environment friendly economy offers both remarkable opportunities and considerable impediments for the workforce. The notion of sustainable development and green economy is influencing the path of new concept of development. The challenges of climate change, environmental problems and social disparity make us bound to think that economic growth itself is not sufficient, such an idea of development is necessary that gives equal importance to both environmental balance and social justice. In the context of social justice, the reconstruction and protection of labour rights becomes very important. It is a burning issue which ought to be resolved for the purpose of establishing social justice in the era of sustainability. Labour rights not only aim to protect the physical and mental wellbeing of workers, but also to ensure safety, dignity and human rights of the workforce.

Green economy is an economy in which economic development and environmental protection both are placed at equal footing. Green economy is considered to be an undivided part of sustainable development. The green economy creates job opportunities in several sectors, such as renewable energy, green building organic farming and waste management, etc. In green economy protection and promotion of workers' right must be upheld. This will ensure that along with economic development, social justice will also be maintained. Therefore, it is very important that along with the growth of green economy, strong laws and policies should be made to protect the rights of the underprivileged section of the society.

The green economy, which establishes an ecologically sustainable future, involves job displacement in traditional sectors, emergence of unstable employment, skill deficiency and adverse effect on the marginalised section of the society. That is why strong fundamental labour rights are necessary to facilitate just transition, including social security, protection of wages, right to form trade union, etc. The notion of just transition can be achieved through imparting skill improvement, advocating social justice and integrating labour rights into policy framework relating to sustainability and green economy. Without giving proper importance to the labour rights in this transitional phase, we can't achieve sustainable and equitable future. For this purpose, this paper delves into the relationship between green economy and labour rights. This

paper will examine the main challenges in the era of sustainable development which will directly or indirectly affect the transition of labour rights.

The transformation of the traditional economy into green economy will pave the way for establishment of new job opportunity which will result into the need for new section of workforce particularly in such industries which promotes sustainability. However, this shift towards green economy is not without problems. There are some major industries which will be adversely affected by this transition. Some industries like coal sector will be gradually phased out which will create the problem of job losses of labours who solely depends upon them. The rights of the workers, which may be displaced by this transition, must be protected. The policies should be framed to ensure that the livelihood of the workers engaged in fossil fuel industries must be protected. So, this paper explores the relationship between rights of the workman and sustainable development in the context of green economy. The key areas of research in this paper are employment creation in green industries, the integration of sustainable development in labour laws and problem faced by labour class in this green economy transition. In the context of rights of the labour the emphasis is upon right to get work, fair wages, safe working conditions and right against exploitation.

The green economy must be based upon the fair rights of the workman. In Industries, rights of the labour must be protected so that they could work with dignity and security. The labour laws should be amended in such a way that it could cater the problem of mass displacement of workforce from the sectors which are related to traditional energy generation to green energy sector. The concept of “just transition” plays very important role in this context. A just transition refers to an idea in which workers who are affected by the transformation of green economy should be protected by labour law policies so that they can get social security to protect their basic right to livelihood.

The trade unions also play important role in promoting and protecting labour rights in sustainable development. In the context of green economy labour union can help in insuring that labours are not left behind as economy transforms. They can pressurise the authorities for the protection of labour interests and formulation of new policies which will cater the problems aroused by green transformation.

The integration of sustainability into labour rights needs micro analysis. All factors should be taken care of in this respect. Government must ensure that sustainable development

and green economy policies are just and equitable so that rights of the marginalised section could be protected. Although the green economy attempts to establish a future that is ecologically sustainable and socially just, it simultaneously requires significant changes in the economic structure that affect employment trends, workers' livelihoods, and labour rights as well. Key challenges include job displacement in traditional sectors, the emergence of precarious employment within the green economy, skills mismatch and unequal impacts on marginalized populations. The strengthening and enhancement of fundamental labour rights is mandated to facilitate a just transition, including freedom of association, safe working environment, equal pay and benefits, non-discrimination and social protection. Approaches to achieving just transition include investing in skills enhancement, promoting decent employment, fostering social dialogue, addressing social and environmental justice concerns, and integrating labour rights into environmental policy frameworks. By prioritizing labour rights and ensuring equal benefits for all workers, it is possible to create a just transition that promotes a truly sustainable and equitable future. This paper examines the important relationships between labour rights and the green economy, examines the primary challenges and outlines a framework aimed at ensuring a just transition that emphasizes social equity alongside environmental sustainability.

Keywords: Sustainable development, Labour rights, Environment, Green economy

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The Role of Labour Regulations in India's Manufacturing Growth and Employment Dynamics

Sakhi Chhabra & Suhani

In spite of the growth policies and economic reforms applied, the Indian industry has never been able to manage a stable growth. This paper seeks to analyze the impact of labor regulations on the structure of manufacturing and employment growth in India. Any discussion on industrial growth in India invariably comes to the body of laws, which have become burdened by rigid hiring and firing structures, compliance costs, and regulations. These rules, although aimed towards protecting employees, have greatly reduced the capability of firms to adjust to changing market conditions. This paper tries to assess how flexibility and security on the labor market for workers affects the level of employment and industrial competition.

The paper outlines critical labour laws such as the Industrial Disputes Act of 1947, the Contract Labour (Regulation and Abolition) Act of 1970, and the Trade Unions Act of 1926. The laws impose restrictions on retrenchment, contract labor, and collective bargaining, which constrain firm actions, as well as investment patterns. When looking at India's labour market regulations compared to other emerging and developed economies, the study highlights major gaps that need reform. Most industrialized nations allow for retrenchment, however, it is in conjunction with other policies, such as unemployment insurance, retraining programs, and formal procedures that enable competitiveness alongside worker welfare. The absence of these policies in India has led to an unbalanced fragmented labour market, where large corporations aim to avoid restrictive regulations by not expanding beyond a certain size, while being unproductive and informal.

This paper further examines the impact that these policies had on employment structures in the organized and unorganized sectors. The Annual Survey of Industries ASI and the National Sample Survey Office NSSO data suggest that although employment in the organized manufacturing sector has improved, it is still insufficient to cope with the rising demand of the workforce. The growth of contract labour as a result of rigid employment protection response legislation suggests that there is need for more flexible regulation. "However, contract workers who perform similar tasks as regular workers usually get lower wages and less secure employment, which leads to greater industrial strife and conflict." This along with the dangers of

global supply chains and the threat of automation, gives a strong reason for the current set of labour laws and policies to be completely reconsidered for a more progressive and egalitarian job environment.

The paper also examines the issue of size distribution of firms in case of India manufacturing. The presence of a large number of micro and small firms in India as compared to the large scale manufacturing enterprises in China and South Korea can be attributed to restrictive labour policies. Indian firms self-select to remain small so that the stringent employment regulations do not apply which limits their growth and productivity. Different nations development comparisons suggest that it would be possible to achieve industrial growth jointly with adequate worker protection through a more complex system that includes proportional regulations of employment by firm size, sectoral regulations of the labor market and regulated compliance.

In addition, the research elaborates the case of Indian trade union and its structure which is characterized by fragmentation and relative weakness at the apex level. Under centralised bargaining systems, like in many other countries where industry level agreements are prevalent, the tendency for protracted confrontation and disputes is rare but in India, because of the decentralised trade union system, there is a high chance of prolonged strikes. Proposals reported include having union representation that is predictive, providing specific rules for secrecy during strikes and enhancement of the capacity of social actors in dealing with labour policy legislation.

Another key point in the paper focuses on the lack of unemployment benefits in India. Most developed and even some developing countries have unemployment insurance schemes that provide a safety net for workers impacted by economic crises or industrial restructuring. The absence of such policies in India strengthens the resistance to labor law reforms since workers are greatly concerned about job losses without any social safety cushions. A formal unemployment insurance scheme could be introduced alongside retraining and skills development programs to assist displaced workers while also encouraging companies to expand their workforce.

The paper closes on the basis of policy suggestions for the attainment of a balanced labour market model. Of principal proposals is the streamlining and merging of labour laws, facilitating more flexibility in recruitment and dismissal processes, regularizing the system of contract labour with equal compensation and benefits, implementing unemployment insurance,

and promoting an environment supportive of collective bargaining. By embracing a pragmatic policy that balances worker rights with economic needs, India has the ability to unlock the potential of its manufacturing sector, generate sustainable job opportunities, and become more globally competitive. The research emphasizes that labour reforms should be carried out on a long-term basis, and that businesses' and workers' interests should be balanced to create inclusive economic growth. Furthermore, sweeping reforms must also incorporate digital means for compliance, reduce bureaucratic red tape, and promote public-private collaborations to support skill development programs. A properly formulated reform strategy will not only enhance labour market performance but also bring in more foreign investment, developing a strong and resilient industrial ecosystem.

Keywords: Labour regulations, Labour market flexibility, Manufacturing, Employment

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Navigating the Labyrinth of Labour: The Lives of India's Working Class

Ms. Nupur Kumari and Surbhi Suman

In India, labour law is a complex interplay of historical, economic, and socio-political forces affecting the current legal framework governing the rights of the working class. This study, therefore, looks into an integrated study of the numerous challenges faced by Indian labour: their legal, sociological, economic dimensions. Beginning with the tracing out of historical trends, the analysis of the contemporary king of labour, and an evaluation of cases like the Manesar conflict, it aspires to present a detailed exposition of industrial relations in the country.

This investigation emphasizes the crucial importance of the Indian working class concerning the economic progress of the country. It must be reckoned with, given that they have perforce become children of nature, since they kept faith in providing their obligatory work under threat of relentless exploitation. The contribution of the research will therefore be in showing this entire composition of the labour sector as including, but unlikely limited to, industrial labourers, agricultural workers, skilled workers, and professionals which are all deemed necessary for India to grow. Such vulnerability of the working class is also analyzed, imposed against the background of lack of any strong legal framework in support of their rights in the face of economic liberalization and privatization.

The research critically reflects upon existing labour laws and their enforcement practices, indicating how tough it is to make employers accountable for unfair labour practices. It discusses the role of In line with Marxist theory about alienation, the paper concentrates upon the various manifestations of this alienation in regard to the competing capitalist forces that separate workers from the means and ends of production. Referring mainly to present incidences emerging all over India, alienation is thus pointing out with picture-perfect clarity its implications on workforce morale, labour rights, and economic inequality. The study shall also encompass how process of labor informalization as a result of shifting global economies through neoliberal policies only add salt to the injury in the fight against unorganized labor, denial of job security, deprivation of benefits, and non-payment of basic wage constituting a serious, albeit sad, commentary on present-day India. Increased systemic corruption of work appearing with job contracting makes further a lessening of the collective bargaining power-inevitably with uncontrolled victimization and voicing out of the workers' demands.

This research mainly addresses the Manesar labour dispute-an industrial conflict of supreme importance-in which the manageability of questions concerning law related to rights and interests of workers in India has been highlighted. Through an elaborate legal analysis, this study deals with the origins of the dispute, the consequent legal proceedings, and the impact on labour jurisprudence. This case provides an example of the troubles of balancing corporate interests against worker rights, bringing about all the tensions that characterize contemporary industrial relations. It affirms that legal loopholes and corporate influence thwart any earnest demands for better working conditions, drawing attention to the need for more stringent regulatory checks which should safeguard worker welfare.

The research provides insights into the effect of judicial pronouncements in shaping future labour policies. Labour adjudication in India is sadly marked by a lot of arbitrariness, with many cases taking years to resolve, leading to precarious positions for workers. The paper trade unions and the shrinking significance of unions in contemporary industrial relations, questioning the ability of legislative reforms to empower the workforce further or if a deeper socio-political turnaround is necessary.

The paper also makes some pragmatic recommendations for laws and policies to remedy existing problems in India's labour sector, calling for legislation to enhance worker protections, for strong enforcement of labour laws, and for socio-economic upliftment programs. The paper points out the need to modernize the labour laws according to the new economic realities, while remaining above all convinced that workers' rights need to be at the centre of any policy decision. The paper asserts the need for universal social security measures-including unemployment insurance, health care, and pension schemes-as a critical foundation for creating a more sustainable labour milieu that minimizes exploitation against workers.

Essentially, this paper highlights the need for strengthening trade union rights in several respects, as collective bargaining remains essential for striking a balance in industrial relations. Therefore, any review of contract labour law must ensure the same protections and benefits for contract workers as what is available to permanent workers. There are also gender issues to be addressed since female labourers continue to bear the brunt of wage discrimination, harassment, and inadequate access to leadership roles. Gender-sensitive policies included in the labour law reforms would foster a more equitable and inclusive working environment in India.

Furthermore, the study highlights the necessity of proactive state intervention in the

regulation of corporate practices. Appropriate compliance measures with a transparent means of grievance redressal process are essential to avoid industrial disputes. Measures to enhance access to justice by strengthening the courts constituted under the Labour Act, expediting the processes of dispute resolution, minimizing bureaucratic inefficiencies, etc. must definitely be taken.

This research significantly adds appreciation to a wider discourse of labour law via prolonged academic review tenor on realizations faced by the Indian workers legally and socially, The thus creates a window for grooming out policy debates and legal reform. Therefore, it drives at pressurizing the more judicious and livable arrangements in industrial relations that seek the protection of workers' rights under mandates of variance conditions towards industrialization and globalized developments.

To conclude, the study points out that unless the welfare of workers is given priority, attaining sustainable economic growth is not possible. This study endeavors to contribute to enhanced linkage between academic discussions and applied policy making so as to guarantee that the growth of labour legislation complements the evolving needs of the working class in India. India could build a just and equitable industrial environment if a legal revolution with social upliftment schemes was continually administered by the government, setting a precedent for other developing economies tackling similar issues on industrialization.

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