

Right to Work : An Ingenious Labor Legislation

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Abstract:

The Constitution of India provides very specifically about the right to work. Despite these declarations, we have not been successful in promoting the right to work. The question which is posed before the citizens is what amounts to the failure of these provisions. The legislations are not few nor are judicial pronouncements. There are many executive officers, too, to ensure compliance of these legislations. In a country like India, it is, thus, imperative to take a close look at the plethora of labor legislations provided by the Parliament.

The main purpose of this paper is to analyze all the available legislations in India and to carefully bring to light whether they conform to the required standards. The paper aims to analyze the stand of India and the future prospects for the labor development in India. This paper tries to bring out the best possible labor legislation which is necessary for the development of every citizen. Towards the end, the author tries to bring out a critical analysis of these legislations.

Keywords: Right to work, Constitution, Dignity, Remuneration, Bonded Labour

I. INTRODUCTION

The Principles contained in Articles 39(a) and 41 must be regarded as equally fundamental in the understanding and interpretation of the meaning and content of fundamental rights. If there is an obligation upon the State to secure to the citizens an adequate means of livelihood and the right to work, it would be sheer pedantry to exclude the right to livelihood from the content of the right to life. The State may not, by affirmative action, be compellable to provide adequate means of livelihood or work to the citizens. But, any person, who is deprived of his right to livelihood except according to just and fair procedure established by law, can challenge the deprivation as offending the right to life conferred by Article 21.

In the light of the above view, this chapter shall focus on the legal position in India of the concept of 'Right to Work'. This chapter shall also deal with other elements of the Right to Work such as 'Right to Livelihood', 'Equal Pay for Equal Work' and Termination of Services of an individual.

The right to work is closely related to other basic rights such as the right to life, the right to food and the right to education. In a country where millions of people are deprived of any economic assets, gainful employment is essential for these rights to be fulfilled. Indeed, unemployment is the main cause of widespread poverty and hunger in India. The right to work states that everyone should be given the opportunity to work for a basic living wage.¹

II. RIGHT TO WORK UNDER VARIOUS LEGISLATIONS OF LABOUR LAW

Closely related to the **Right to Work**, are the Rights at Work. This is the set of rights that protects the person who sells his or her labor². These rights include:

- the right to dignified working conditions;
- the right to work that is freely chosen or accepted;

- the right to adequate remuneration;
- the right to a limited workday and remunerated periods of rest;
- the right to equal pay for work of equal value;
- the right to equal treatment; and
- the right to safe and hygienic working conditions.

The concept of right to work does not end with merely finding a source of livelihood. It extends beyond that. It includes equality at workplaces, getting adequate income and a secure work environment. The Indian labour laws have been framed keeping in mind the interest of the labourers and their rights. During the twentieth century this new branch of jurisprudence known as Industrial Jurisprudence developed in our country. This new branch became an extremely important area as with the rise of industrial development in the country, the need to protect the interests and rights of the workers gained immense importance. It modified the traditional law relating to master and servant and it cut down the old theory of *laissez faire* which was based upon freedom of contract in the larger interest of the society because that theory was found wanting for the development of harmonious and amicable relations between employer and employee.³ The concept of Right to Work as is discussed above does not only include the right of a person to earn a livelihood or choose his/her employment, but also it seeks to provide a secure working environment to earn this livelihood. This was achieved by substituting individual contracts by standard form of statutory contract through legislation and judicial interpretation. Labour law also known as employment law is the body of laws, administrative rulings, and precedents which address the legal rights of, and restrictions on, working people and their organizations. As such, it mediates many aspects of the relationship between trade unions, employers and employees. In other words, Labour law defines the rights and obligations as workers,

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There are several legislations under each of these heads and based on these legislations, the judiciary strives to secure the right and the interests of the workers. The following legislations under these heads are hereafter scrutinized.

III. RIGHT TO DIGNIFIED WORKING CONDITION

1. *Factories Act, 1948*

Factories Act provides for the health, safety, welfare, service conditions and other aspects of workers in factories. It applies to all factories employing more than 10 people and working with the aid of power or employing 20 people and working without the aid of power. It covers all workers employed in the factory premises or precincts directly or through an agency including a contractor, involved in any manufacture. The Act lays down detailed standards relating to health, safety and welfare of the workers. It also lays down the maximum working hours to be put in by adults and young persons.

In the *Bandhua Mukti Morcha v. Union of India*[4], the court said: The right to live with human dignity enshrined in Article 21 derives its life breath from the Directive Principles of State Policy and particularly clauses (e) and (f) of Article 39 and Article 41 and 42 and at the least, therefore, it must include protection of the health and strength of workers, men and women, and of the tender age of children against abuse, opportunities and facilities for children to develop in a healthy manner and in conditions of freedom and dignity, educational facilities, just and humane conditions of work and maternity relief. These are the minimum requirements which must exist in order to enable a person to live with human dignity and no State has the right to take any action which will deprive a person of the enjoyment of these basic essentials. Since the Directive Principles of State Policy contained in clauses (e) and (f) of Article 39, Articles 41 and 42 are not enforceable in a court of law, it may not be possible to compel the State through the judicial process to make provision by statutory enactment or executive fiat for ensuring these basic essentials which go to make up a life of human dignity, but where legislation is already enacted by the State providing these basic requirements to the workmen and thus investing their right to live with basic human dignity, with concrete reality and content, the State can certainly be obligated to ensure observance of such legislation, for inaction on the part of the State in securing implementation of such legislation would amount to denial of the right to live with human dignity enshrined in Article 21, more so in the context of Article 256 which provides that the executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State. Thus the court converted what seemed a non-justiciable issue into a justiciable one by invoking the wide sweep of the enforceable article 21.

2. *The Mines Act, 1952*

This Act was enacted to consolidate the law regulation of labour and safety in mind. It seeks to regulate the working conditions in mines by providing for measures required to be taken for the safety and security of the workers employed

therein and certain amenities for them. Detailed provisions relating to safety to the health and safety of mine workers, hours and limitation of employment (with provision for weakly day of rest), leave with wages have been made in the Act. The foremost aim and object of the Act is to make provisions as to health and safety of workers employed in mines such as drinking water, conservancy, medical appliances, and responsibility of the owner or manager to give notice of accidents to the appropriate authority.

IV. THE RIGHT TO ADEQUATE REMUNERATION

1. *Minimum Wages Act, 1948*

The concept of Minimum Wages was first evolved by ILO in 1928 with reference to remuneration of workers in those industries where the, level of wages was substantially low and the labour was vulnerable to exploitation, being not well organized and having less effective bargaining power. The need for a legislation for fixation of minimum wages in India received boost after World War – II when a draft bill was considered by the Indian Labour Conference in 1945. On the recommendation of the 8th Standing Labour Committee, the Minimum Wages Bill was introduced in the Central Legislative assembly on 11.4.1946 to provide for fixation of minimum wages in certain employments.

The Minimum Wages Bill was passed by the Indian Dominion Legislature and came into force on 15th March, 1948. Under the Act both State and Central Government are “Appropriate Governments” for fixation/revision of minimum rates of wages for employments covered by the Schedule to the Act. The minimum rates of wages also include Special Allowance (Variable Dearness Allowance) linked to Consumer Price Index Number which are revised twice a year effective from April and October. The rates of wages once fixed are revised at an interval not exceeding of five years.

The National Minimum Wage has been considered at various for a in the past. However, State/UT Governments are not unanimous on the need of a National Minimum Wage as socioeconomic conditions vary from state to state, region to region and also from industry to industry due to different geographical, topographical and agro-climatic factors. The Six Regional Minimum Wages Advisory Committees set up in 1987 to reduce regional disparities among States have been broadened and renamed as Regional Labour Ministers’ Conferences.⁵

This Act was enacted to secure the welfare of the workers in a competitive market by providing for a minimum limit of wages in certain employments. This Act is in consonance with the 43rd Article of the Indian Constitution⁶ which states that it shall be the duty of the state to secure living wages to the labourers which shall not only meet the needs of their bare physical subsistence, but also the maintenance of their public health and decency.

This legislation was challenged on the ground that it violated the Article 19(1)(g) of the Constitution which guarantees the freedom of trade and business. It was contended that the provisions of the Act affects harshly a particular class of employers who purely due to economic reasons are unable to

pay minimum rate of wages fixed by the authorities and that they have no intension of exploiting their workers. The Supreme Court could not accept this contention and held that the fact that an employer might find it difficult to carry on business on settled principle cannot be a sufficient reason for striking down the law itself as unreasonable, the poverty of the labourers is also a factor to be taken into consideration as it is their right to live and earn a livelihood.⁷ This legislation also guarantees remuneration to workers when the employer is unable to give them work under section 3(2). When a worker is unable to get work on account of the employer, the State has the power to fix a guaranteed remuneration under section 3(2)(c) of the Act.⁸

Thus The Minimum Wages Act clearly leads to the inference that this Act is primarily concerned with laying down rules for fixing rates of minimum wages, overtime rates, rate of payment for work on a day of rest. In order to achieve this objective, the State has the power to take appropriate steps and the Courts have held that any action taken pursuant to welfare legislations, to further the Directive Principles of State Policy cannot be struck down except on most substantial grounds⁹. Thus both the legislature and the judiciary strive to protect the interest of the workers by securing a minimum wage to the workers as this would be the first and foremost step in securing their Right to Livelihood and thereby their right to Work.

2. *Payment of Wages Act, 1936*

The Minimum Wages Act ascertains the minimum wage a worker must get for the work rendered by him. However, a separate legislation was enacted to ensure this payment and to check non-payment of wages and the deductions made by the employer from the wages on account of fines etc. In *Arvind Mills Ltd. v K.R Gadgil*¹⁰, the Bombay High Court observed that the general purpose of the Act is to ensure that the employed persons shall be paid their wages in particular form and at regular intervals and no deductions except according to the provisions of the Act shall be permissible.

V. THE RIGHT TO WORK THAT IS FREELY CHOSEN OR ACCEPTED

Every person has the right to voluntarily accept work. Child labour and forced labour is against the very concept of right to work and also the fundamental rights of the citizens of the country. The problem of child labour continues to pose a challenge before the nation. Government has been taking various pro-active measures to tackle this problem. Way back in 1979, Government formed the first committee called Gurupadswamy Committee to study the issue of child labour and to suggest measures to tackle it. The Committee made some far-reaching recommendations. It observed that as long as poverty continued, it would be difficult to totally eliminate child labour and hence, any attempt to abolish it through legal recourse would not be a practical proposition. The Committee felt that in the circumstances, the only alternative left was to ban child labour in hazardous areas and to regulate and ameliorate the conditions of work in other areas. It recommended that a multiple policy approach was required in dealing with the problems of working children. Based on the recommendations of Gurupadaswamy Committee, the

Child Labour (Prohibition & Regulation) Act was enacted in 1986. The Act prohibits employment of children in certain specified hazardous occupations and processes and regulates the working conditions in others. The list of hazardous occupations and processes is progressively being expanded on the recommendation of Child Labour Technical Advisory Committee constituted under the Act. In consonance with the above approach, a National Policy on Child Labour was formulated in 1987. The Policy seeks to adopt a gradual & sequential approach with a focus on rehabilitation of children working in hazardous occupations & processes in the first instance¹¹.

1. *Child Labour (Prohibition and Regulation) Act, 1986*

A concrete step was taken to protect the interests of children which was essential even for the society at large in consonance with the "Declaration of the Rights of Child in 1959". This Act finds in constitutional validity in the 'Directive Principles of State Policy' which casts a duty on the State to secure the tender age of children and the State is obligated to ensure that these children are not abused and that they are not forced by economic necessity to accept avocations unsuited to their age¹². It is also the duty of the State to ensure appropriate opportunities to the children for proper development of their personality¹³.

In the light of this Act, the Courts have repeatedly held that mere technicalities cannot be a sole ground for justifying child labour. The court in the case of *Raj Homes Pvt. Ltd. v State of M.P & Another*¹⁴, the petitioner was involved in selling of the houses and the labourers were employed by the contractor. The Assistant Labour Commissioner issued a show cause notice and demanded penalty as the labourers appointed were in violation of the Act. As the petitioners did not pay the said penalty, an order was given against them. The Petitioner challenged this order on the ground that there was no proper inquiry against the matter and the order was not passed within 6 months. The Court ruled that the order was in accordance with law.

However, despite such steps taken by the legislature and the judiciary, several child labour cases goes un-checked as proper evidence as per law is not available. One of the most common grounds for an unsuccessful case relating to child labour is that the age proof of the child who is subjected to such labor is not available. In the case of *Ram Chander v State of U.P*¹⁵, the Petitioner was prosecuted for having employed a person below the age of 12 years in his carpet loom. According to the provisions of the Act, for a conviction under the Child Labour Act, the person employed must be proved to be below the age of 14. As the prosecution was unable to discharge the burden of proving the age of the employed, the Court ruled against the prosecution.

2. *The Bonded Labour System (Abolition) Act, 1976*

Even after so many years of Independence, the concept of bonded labour had not come to an end in India. Several generations of descendants had to work under bondage for repayment of the sum borrowed by their remote ancestor without appropriate or no wages. The interest rates in such system of labour were exorbitant and such bondage cannot be considered as a result of any legitimate contract.

In order to abolish this system of bonded labour which was against the very concept and provisions of the Constitution¹⁶, this Act was passed. This Act provides that if there is any agreement or instrument or custom which requires bonded labour, such arrangements shall stand inoperative after the commencement of the Act.

VI. JUDICIAL ACTIVISM IN RELATION TO ERADICATION OF BONDED LABOUR

In *Sanjit Roy v. State of Rajasthan*¹⁷, the SC restricted the state from extracting labour by paying less than the minimum wages in the name of public utility services, considering such amounts to forced labour and is violative of article 23 of the constitution. Therefore, labour must be compensated with wages even when they are under law compelled to render service in the larger public interest.

In *Bandhua Mukti Morcha v. Union of India*¹⁸, the main issue concerned the existence of bonded labour in the Faridabad stone quarries near the city of Delhi. It was alleged that majority of the workers were compelled to migrate from other states, and turned into bonded labourers. The workers were living in sub-human and miserable conditions. A violation of various labour laws and the Bonded Labour System (Abolition) Act 1976 was alleged. The SC stated that before a bonded labour can be regarded as a bonded labourer, he must not only be forced to provide labour to the employer but he must have also received an advance or other economic consideration from the employer, unless he is made to provide forced labour in pursuance of any custom or social obligation or by reason of his birth in any particular caste or community.

Whenever it is shown that a labourer is made to provide forced labour, the court would raise a presumption that he is required to do so in consideration of an advance or other economic consideration received by him and he is, therefore, a bonded labourer. But unless and until satisfactory evidence is produced for rebutting this presumption the court must proceed on the basis that the labourer is a bonded labourer entitle to the benefit under the provision of the Bonded Labour System (Abolition) Act, 1976. The courts also recognized the right of bonded labourers to live with human dignity. It read the Directive Principles of State Policy into article 21 of the constitution to make the right to live with human dignity fruitful to the working class of the country. The stand in the *Asiad case*¹⁹ was reiterated that the state is under a constitutional obligation to see that there is no violation of any fundamental rights of person, particularly when he belongs to the weaker section of the community and is unable to wage a legal battle against a strong and powerful opponent who is exploiting him. The Central government is bound to ensure observance of social welfare and labour laws enacted by the parliament for the purpose of securing to the workmen a life of basic human dignity in compliance with the Directive Principles of State Policy.

In *Neerja Choudhary v. State of MP*²⁰, the main issue in this case related to the effective rehabilitation of the released bonded labourers. The petitioners alleged that even after a lapse of a long time 135 labourers of the Faridabad stone quarries were not rehabilitated. They further alleged that it was the obligation on the part of the state government to

rehabilitate the bonded labourers according to the provisions of the Bonded Labour System (Abolition) Act 1976 and it is the fundamental right of the bonded labourers under article 21 of the constitution. The petitioners therefore prayed for a direction to the state government to take steps for the economic and social rehabilitation of the labourers who were released from the shackles of bondage. The SC said that the plainest requirement of article 21, 23 that the bonded labourers must be identified and released and on release, they must be suitably rehabilitated. The act has been enacted with a view to ensuring human dignity to the bonded laborers and any failure of action on part of the state government, in implementing the provisions of this legislation would be the clearest violation of article 21, 23 of the Constitution. The courts also said that it is not enough merely to identify and release bonded labourers, but it is equally important that after identification and release, they must be rehabilitated, because without rehabilitation, they would be driven by poverty, helplessness and despair into serfdom once again.

In *P. Sivaswamy v. State of A.P.*²¹, the courts found that the rehabilitation money payable under the Bonded Labour System (Abolition) Act, 1976 came down to Rs. 738/- per family. The Court observed that the assistance was certainly inadequate for rehabilitation and unless there was effective rehabilitation the purpose of the Act would not be fulfilled. Up-rooted from one place of bonded labour conditions the persons are likely to be subjected to the same mischief at another place, the net result being that the steps taken by the Supreme Court would be rendered ineffective.

In *Balram and others v. State of M.P.*²², the main issue was to determine whether the state and central governments had given the benefit of the scheme framed under the Bonded Labourers Act (whereby each bonded labourer was to be paid Rs. 6, 250/- as rehabilitation money) to some 3949 labourers in the state. The court directed that the Additional Collector and such, other officers who have been assigned the responsibility of supervising rehabilitation to ensure that the full amount intended for the freed labourers reaches them. Therefore, all such persons who were willing to have an account opened in their respective names for facilitating credit of the amount in such account shall have accounts opened and the money shall be credited in such accounts. The Union of India was also directed to release adequate funds under the Scheme to meet the liability under the Scheme framed under the Bonded Labour System (Abolition) Act, 1976 within four weeks to enable compliance of the directions now made. Similar directions were also issued to the State of Madhya Pradesh.

A Public interest litigation was brought against the inhuman working conditions in the stone quarries in *Bandhua Mukti Morcha v. Union of India and others*²³. This was primarily brought as the various directions given by the Apex Court in the 1984 petition brought by the same appellants had not been implemented by the various state governments. It may be noted that in this case a letter addressed to this Court complaining about prevalence of bonded labour system in Cutton, Anagpur and Lakkaapur areas in Haryana, was treated as a writ petition under Art. 32 of the Constitution. The Court held that what is necessary is provision of a permanent base for residence of the labourers, at or near the work site. This would necessitate reasonable housing, supply of water,

a reasonable provision store at hand, schooling facility, facility of a hospital, recreational facilities and attention to the law and order problem. The court directed the State of Haryana to attend to the needs of the workmen in a well-considered and systematic way and to provide them with the facilities mentioned above.

In *Bandhua Mukti Morcha v. Union of India and others*²⁴, the main issue involved was whether the employment of the children below the age of 14 years was violative of Article 24 and whether the omission on the part of the State to provide welfare facilities and opportunities deprives them of the constitutional mandates contained in Articles 45, 39(e) and (f), 21, 14 etc. The Supreme Court while dealing with the issue held that while exploitation of the child must be progressively banned, other simultaneous alternatives to the child should be evolved including providing education, health care, nutrient food, shelter and other means of livelihood with self-respect and dignity of person. Therefore the Court ordered the Government of India to convene a meeting of the concerned Ministers of the respective State Governments and their Principal Secretaries holding concerned Departments, to evolve the principles and policies for progressive elimination of employment of the children below the age of 14 years in all employments governed by the respective enactments mentioned in *M.C. Mehta's case*²⁵ - To provide (1) compulsory education to all children either by the industries itself or in co-ordination with it by the State Government with such timings as is convenient to impart compulsory education, facilities for secondary, vocational profession and higher education; (2) apart from education, periodical health check-up; (3) nutrient food etc.; (4) entrust the responsibilities for implementation of the principles. Periodical reported of the progress made in that behalf be submitted to the Registry of this Court.

Thus the Supreme Court set a new constitutional standard at a time when state on its part had completely neglected the human values. The court further remarked that the state government is under the constitutional scheme, charged with the mission of bringing about a new socio-economic order where there will be socio-economic justice for everyone and equality of status and opportunity for all.

VII. THE RIGHT TO EQUAL TREATMENT

1. *The Equal Remuneration Act, 1976*

The Spirit of the Indian Constitution is based on the concept of Equality and non-discrimination. The Directive Principle of State Policy has mandated that all persons have the right to get equal pay for the same work done. In furtherance of this provision, the Equal Remuneration Act was passed to check the disparity in salaries or wages paid to people for the same work done in an organization.

The Supreme Court in the case of *State of A.P and others v G. Sreenivasa Rao & others*²⁶, explained the concept of 'Equal pay of Equal work' and the object of the Equal Remuneration Act. The Court held that 'Equal Pay for Equal Work' does not mean that all the members of cadre must receive the same pay packet irrespective of their seniority, source of recruitment, educational qualifications and various other incidents of service. It was further held that ordinary grant of higher pay to

a junior would ex-facie be arbitrary, but the equality doctrine cannot be invoked where there are justifiable grounds in doing so. For example when persons recruited from different sources are given pay protection, when a promotee from a lower cadre or a transferee from another cadre is given pay protection, when a senior is stopped at efficiency bar, when advance increments are given for experience, passing a test, acquiring higher qualification or as incentive for efficiency are some of the eventualities when a junior may be drawing higher pay than his senior without violating the mandate of equal pay for equal work.

The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013

A series of sexual harassments against women forced the Indian Parliament to enact a law to secure the Rights at Work of women. As already discussed, every person has the right to work at a safe and secure environment and have liberty and dignity. These sexual acts against women were clearly against the concept of right to Work as it violates the Rights at Work of women. This Act will ensure that women are protected against sexual harassment at all the work places, be it in public or private. This will contribute to realization of their right to gender equality, life and liberty and equality in working conditions everywhere. The sense of security at the workplace will improve women's participation in work, resulting in their economic empowerment and inclusive growth.

Gender equality includes protection from sexual harassment and right to work with dignity, which is a universally recognized basic human right. The Supreme Court in *Vishaka v. State of Rajasthan*²⁷ for the first time recognized, acknowledged and explicitly defined sexual harassment as an unwelcome sexual gesture or behavior aimed or having a tendency to outrage the modesty of woman directly or indirectly.

Defining sexual harassment as an act aimed towards gender based discrimination that affects women's right to life and livelihood, the Supreme Court developed broad based guidelines for employers. This mandatory guidelines known as Vishaka guidelines are aimed towards resolution and prevention of sexual harassment. These guidelines bring in its purview all employers in organized and unorganized sectors by holding them responsible for providing safe work environment for women. This Act of 2013 has clearly kept in mind the guidelines laid down by the Vishaka case.

VIII. CONCLUSION

The concept of Right to Work in India today clearly does not give the citizen the right to demand work from the government, but the courts have interpreted Article 21 of the Indian Constitution broadly and through a series of cases held that every citizen has the right to earn his/ her livelihood with dignity. Low levels of productive employment generation, poverty and illiteracy are the main reasons for the failure of the State to ensure work for its citizens, despite several legislations being framed of to protect the rights of the workers. However, despite these legislations, Right to Work and the Rights at Work are not very established concepts. Even though there is legislation to secure a minimum wage to

workers, do these wages actually meet the needs of the workers? Are there proper redressal forums of these weaker sections? India has long path ahead to tread in order to achieve a secure, safe work environment.

IX. REFERENCES

1. National Human Rights Commission, *Right to Work*, 2011
2. University of Minnesota Human Rights Resource Center, *Right to Work and Right at Work*,
3. Chapter-2, *Historical background*, Available at http://shodhganga.inflibnet.ac.in/bitstream/10603/36369/8/08_chapter%202.pdf (May 10, 2016)
4. (1984) 3 SCC
5. Report to the National Commission on Farmers, *STRATEGIES FOR EMPLOYMENT GENERATION IN AGRICULTURE* December 9, 2004
6. 43. **Living wage, etc, for workers-** The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co operative basis in rural areas
7. *Hydro (Engineers) P. Ltd. v Workmen* AIR 1969 SC 182
8. *Jyothi Home Industries v State of Karnataka* 2006 II L.L.J. 762 (S.C)
9. *Ministry of Labour and Rehabilitation and another v Tiffin's Barytes Asbestos & Paints Ltd.* (1985) II L.L.J 412(SC)
10. AIR 1941 Bom 26
11. Available at <http://indianlabour.org/index.php/labour-laws-institutes/labour-laws/child-labour-laws/> (visited on May 12, 2016)
12. Article 39(e), Constitution of India, 1950
13. Article 39(f), Constitution of India, 1950
14. (2003) III L.L.J. 626 (M.P)
15. (2002) II L.L.J 907 (All.)
16. Article 23(1), Constitution of India, 1950: Prohibition of 'Begar' and; Article 21 Constitution of India, 1950: Right to life and personal Liberty
17. 1983 SCC (1) 525
18. AIR 1984 S.C. 802
19. AIR 1982 S.C. 1473, 1482
20. AIR 1984 S.C. 1099
21. AIR 1988 S.C. 1863
22. AIR 1990 S.C. 44
23. AIR 1992 S.C. 38
24. AIR 1997 S.C. 2218
25. 1997 AIR S.C.W. 407
26. (1989) 2 SCC 290
27. AIR 1997 SC 3011