

LABOUR LAW INSIGHTS

Decoding Labour Discourse: Insights, Updates, and Analysis

Labour Law Insights (ISSN: 2584-1831)

VOLUME II

ISSUE VIII March 2025



JUDGMENTS | POLICY UPDATES | NEWS | ARTICLES | OPPORTUNITIES

CENTRE FOR LABOUR LAW RESEARCH AND ADVOCACY



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CENTRE FOR LABOUR LAW RESEARCH AND ADVOCACY



ABOUT CLLRA

The Centre for Labour Law Research and Advocacy (CLLRA) was established in August 2022 at the National Law University Delhi (NLUD) to revitalize Labour Law research in the context of evolving work structures and legal frameworks. The Centre focuses on a 'bottom-up' approach to address livelihood issues and aims to bring about social change and improve the quality of life for the most neglected sections of working people in India through the Rule of Law. The three-tiered team of CLLRA contains Institutional Patrons, an Advisory Board and a Centre Management team under the supervision of Dr. Sophy K.J., Director of CLLRA. The Centre's pedagogy is the use of "Praxis" i.e., the use of "Theory' and "Practice", always ensuring that one informs the other. Hence there will always be special efforts to listen to problems and insights that emerge from the grassroots and to specialised scholars from relevant social sciences with a critical mind. The Centre is open to learning and using lessons derived from International standards, Comparative jurisprudence, Constitutional law, Statutory law, case law and experiential learning. CLLRA remains particularly sensitive to deriving insights from the 'feminist movement' in the struggle against patriarchy, the movement of 'persons with disabilities', the 'child rights movement', and especially the social movements of the excluded and marginalised people, to seriously internalise different perspectives and contribute substantially to the realisation of an inclusive society.



EDITOR'S NOTE

'Labour Law Insights', started as there is a need for renewed thinking to reinvigorate Labour Law in the context of debates on new work, new employment relations and new legal frameworks. The lack of exchange and sharing of information on labour law and policy updates through a consistent medium has created a vacuum in the assimilation of knowledge around the discipline. It attempts to fill in this gap by bringing forth important judicial discourse, legislative updates, scholarly discussions and information on labour to the readers. It aims to reach a wider audience, inclusive of both students and researchers and therefore, opportunities for career/future learning are also included in the Labour Law Insights. At the very outset, it is necessary to clarify that in today's context when we say 'labour', we must take it to mean the entire 'workforce' in our society. The Centre will strive to study conditions in which all working people can live with dignity. There is an increasing need to study various anti-poverty and social justice measures with labour-related entitlements so that the workforce can access a package of measures which contributes to their enhanced quality of life. The 'Labour Law Insights' has four primary objectives:

(i) disseminating legal knowledge by conveying developments in Indian labour laws,

- (ii) elucidating precedent through curated case laws,
- (iii) cultivating awareness about legal rights and safety among the workforce, and
- (iv) fostering scholarly discourse on labour law topics.

Labour Law Insights commits to providing an informative platform that enhances understanding of labour laws and their profound impact on the Indian labour landscape. Hope you will read and write to us at <u>cllra@nludelhi.ac.in</u> with your feedback.

Best regards, **Sophy**

>>> MARCH 2025 <<<



Decoding Labour Discourse: Insights, Updates, and Analysis

LANDMARK LABOUR JUDGEMENTS

Supreme Court

Qualification for Factory

THE STATE OF GOA & ANR. V. NAMITA TRIPATHI, SLP (CRL.) NO. 1959 OF 2022

WASHING AND DRY-CLEANING OF CLOTHES USING INDUSTRIAL PROCESSES QUALIFY AS A "MANUFACTURING PROCESS"

Facts: The case involved the question of whether washing and dry-cleaning clothes qualified as a "manufacturing process" under the Factories Act, 1948. The appellant was a commercial laundry service that challenged regulatory provisions applicable to factories, arguing that its operations did not fall within the scope of the "manufacturing process" as defined under the Act.

Judgment: The Supreme Court ruled that washing and dry-cleaning of clothes using industrial processes qualify as a "manufacturing process" under the Factories Act, even though it did not result in creating a new tangible product. The Court added that the laundry business constitutes a "factory" as they employ 10 or more workers and laundry work is carried out with the aid of power-operated machines used for cleaning and washing clothes.

Right to Life

MAATR SPARSH, AN INITIATIVE BY AVYAAN FOUNDATION V. UNION OF INDIA & OTHERS, WP (CIVIL) NO.950 OF 2022

BREASTFEEDING IS A FUNDAMENTAL COMPONENT OF A CHILD'S RIGHT TO LIFE AND DEVELOPMENT AND BREASTFEEDING IN PUBLIC PLACES AND WORKPLACES SHOULD NOT BE STIGMATIZED

Facts: In this case, the Supreme Court considered an advisory issued by the Secretary, Ministry of Women and Child Development with the Ministry of Labour and Employment, dated February 27, 2024, to States/UTs to allocate space for feeding/nursing rooms, creches, etc. in public buildings. The petitioner sought directions for the construction of feeding and childcare rooms, as well as creches in public spaces and buildings.

Judgment: The Supreme Court emphasized that breastfeeding is a fundamental component of a child's right to life and development, and an integral part of a woman's reproductive process, which are essential for the health and well-being of both mother and child and in consonance with Articles 14 and 15(3) of the Constitution. The Court observed that breastfeeding in public places and workplaces should not be stigmatized and highlighted the citizens' duty under Article 51A(e) of the Constitution to renounce practices derogatory to the dignity of women. Furthermore, the Court directed the Union Government to remind all States and UTs to implement an advisory for creating feeding and childcare rooms in already existing public buildings, as far as practicable. The Court also mandated that new public buildings under construction should allocate sufficient space for childcare and nursing rooms and asked the Government to issue advisories to all Public Sector Undertakings to set apart separate rooms for childcare and nursing purposes.



SELECTION PROCESS BASED ENTIRELY ON INTERVIEW MARKS IS SUSCEPTIBLE TO ARBITRARINESS AND FAVOURITISM

Facts: In 2014, the Assam government initiated a recruitment process for Constable positions in the Assam Forest Protection Force (AFPF), which included a Physical Efficiency Test and interviews. Following a change in government in 2016, anomalies were identified in the selection process, such as over-representation from certain districts and violations of the reservation policy including that meritorious reserved-category candidates were wrongly counted under their categories instead of the general category. Further, the selection was based entirely on interviews. Consequently, the selection list was cancelled, and a fresh recruitment process was announced. This cancellation was then challenged, and was overturned by a decision of the Gauhati High Court.

Judgment: The Supreme Court upheld the cancellation, noting that a selection process based entirely on interview marks is susceptible to arbitrariness and favouritism. The Supreme Court noted that the High Court failed to apply the proportionality test to determine whether this decision was reasonable, given the available options. The Court also observed that while selection does not guarantee appointment, a decision not to appoint must be based on justifiable reasons and not taken arbitrarily. The Court emphasized that policy decisions to cancel a selection process must be taken in good faith, avoiding arbitrariness. The Court thus directed the State to initiate a fresh recruitment process.

Proper Affidavits DR. BALRAM SINGH V. UNION OF INDIA, WP (C) NO. 324 OF 2020

FAILURE TO SUBMIT PROPER AFFIDAVITS COULD LEAD TO SUO-MOTO CONTEMPT PROCEEDINGS

Facts: Following its previous order that had summoned officials from the major cities over the persistence of manual scavenging despite the existing legislation, the Court looked into reports indicating ongoing incidents resulting in deaths, particularly in metropolitan areas like Delhi, Kolkata, Hyderabad, and Bengaluru.

Judgment: The Court expressed strong disapproval of the continued practice and the misleading and unsatisfactory affidavits submitted by city officials that had been cleverly worded to create a false impression of compliance. Further, the Court also directed metropolitan authorities to pay ₹30 lakh compensation within four weeks to the next of kin of individuals who died due to manual scavenging in the past three months. The Court warned that failure to submit proper affidavits in subsequent hearings would lead to suo-motu contempt proceedings.

Discrimination

IN RE: RECRUITMENT OF VISUALLY IMPAIRED IN JUDICIAL SERVICES V. THE REGISTRAR GENERAL, THE HIGH COURT OF MADHYA PRADESH, SMW(C) NO. 2 OF 2024

PUBLIC EMPLOYMENT CRITERIA MUST NOT ARBITRARILY DISCRIMINATE AGAINST PERSONS WITH DISABILITIES

Facts: The case challenged a rule of the judicial services of Madhya Pradesh that excluded visually impaired candidates from being appointed to judicial services. The petitioners contended that such a rule was discriminatory under Articles 14 and 21. They argued that excluding candidates on the basis of visual impairment lacked a compelling justification and impeded the right to equal opportunity in public employment.

Judgment: The Supreme Court ruled that the rule excluding visually impaired and low-vision candidates from judicial services was unconstitutional. The Court emphasized that public employment criteria must not arbitrarily discriminate against persons with disabilities unless there is a compelling state interest, which was not demonstrated in this case. Consequently, the state was directed to remove the exclusionary provision and ensure that visually impaired candidates receive equal consideration for judicial appointments.



THE STATE OF JHARKHAND & ORS. V. RUKMA KESH MISHRA, 2025 INSC 412

CHARGE SHEETS OR THE DISCIPLINARY PROCEEDINGS AGAINST A CIVIL SERVANT NEED NOT BE ISSUED BY THE APPOINTING AUTHORITY

Facts: The respondent, a civil service officer in Jharkhand, was accused of financial irregularities and forgery. In 2014, the Chief Minister approved the initiation of disciplinary proceedings, including a draft charge sheet. Subsequently, the respondent was found guilty on several charges and dismissed from service. The respondent challenged the dismissal, arguing that the charge sheet lacked separate approval from the Chief Minister at the time of its issuance. The Jharkhand High Court quashed the dismissal on this ground, leading the State to appeal to the Supreme Court.

Judgment: The Supreme Court held that Article 311(1) of the Constitution does not require that disciplinary proceedings against a civil servant be initiated solely by the appointing authority. The Court noted that the Article only ensures that dismissal is by an appointing authority, not that charge sheets must be issued by the appointing authority or the disciplinary proceedings be initiated by them. The Court clarified that, unless specific service rules mandate otherwise, the initiation of disciplinary proceedings does not require separate approval from the appointing authority for each procedural step. Consequently, the Court set aside the High Court's decision and upheld the respondent's dismissal from service.

Employment Relationship

JOINT SECRETARY, CENTRAL BOARD OF SECONDARY EDUCATION V. RAJ KUMAR MISHRA, SLP (CIVIL) NO. 19648 OF 2023

SIMPLY PROVING SUPERVISORY AND JURISDICTIONAL CONTROL WOULD NOT MEAN THAT THEY WOULD BECOME EMPLOYEES

Facts: The respondent was engaged as a Junior Assistant by the appellant-employer, and alleged that his services were illegally terminated through an oral order in 1999. The Central Industrial Tribunal, Kanpur, found that he was engaged with the appellants and worked as an employee, awarding him Rs. 1 lakh in compensation for his illegal termination. The appellants challenged this decision, asserting that he was engaged through a contractor and not directly employed by them.

Judgment: The Supreme Court held that for a person to claim employment in an organization, a direct master-servant relationship must be established through documentation. Simply proving that there was supervisory and jurisdictional control over the employees by the employer would not mean that they would become employees. In the present matter, since the same could not substantiated to a standard of proof, the appeal was allowed.

Employment Practices MADRAS BAR ASSOCIATION V. UNION OF INDIA, WP(C) NO. 1018 OF 2021

COURT EMPHASIZED THE NEED FOR A COMPREHENSIVE REVIEW OF THESE EMPLOYMENT PRACTICES

Facts: The Supreme Court was hearing a batch of petitions which broadly raised various issues regarding pendency of cases, vacancies, infrastructure and service conditions as regards the tribunals across India. It noted that tribunals often engage contract staff through private agencies, a practice that results in irregular work conditions, a lack of job security, and insufficient benefits. These factors could undermine the accountability and efficiency of tribunal operations.

Judgment: The Court emphasized the need for a comprehensive review of these employment practices. The Court noted in terms of transfer and positing, the institutions need "internal inner-strengthening" of all tribunals. The Bench stated that the Court expects the Union to come out with some regulations on this issue.

THE SECRETARY TO GOVERNMENT DEPARTMENT OF HEALTH & FAMILY WELFARE & ANR. V. K.C. DEVAKI, 2025 INSC 389

AN EMPLOYEE CANNOT CLAIM SENIORITY BASED ON THEIR PREVIOUS POSITION, AS SENIORITY RESETS UPON A REQUEST-BASED TRANSFER

Facts: The respondent, initially appointed as a Staff Nurse in 1979, sought a transfer to the position of First Division Assistant in 1985 due to medical reasons. The Medical Board confirmed her incapacity to continue nursing duties, leading her to request the transfer. She provided written consent to be placed at the bottom of the seniority list in the new cadre. The Karnataka Government approved her transfer in 1989, assigning her seniority from that year. In 2007, she challenged this, claiming her seniority should date back to her original appointment in 1979. The Karnataka Administrative Tribunal and the High Court ruled in her favor, prompting the State to appeal to the Supreme Court.

Judgment: The Supreme Court held that the transfer of a government employee upon their request cannot be classified as a transfer in public interest, and therefore an employee cannot claim seniority based on their previous position, as seniority resets upon a request-based transfer. The Supreme Court thus allowed the appeal and overruled the High Court's decision.

High Court

Allahabad High Court

- 1. Shivakar Singh v. State Of U.P., WRIT A No. 10045 of 2020 Missed work due to confinement in jail does not entitle the employee to get back wages for the said period as the principle of 'no work no pay' applies.
- 2. Smt. Maimuna Begum v. State Of U.P. & Ors., WRIT A No. 122 of 2025 Heirs of deceased employees should not be denied incidental benefits like reimbursement of medical bills on grounds of delay or limitation in law.
- 3. Smt Chandani Pandey v. State Of UP & Ors., WRIT A No. 3371 of 2025 There is no requirement of graduation or postgraduation for the post of Anganbadi Karyakartis.
- 4. Sanjay Kumar Sengar v. State of U.P. & Ors., WRIT A No. 63857 of 2007 An order of termination of a probationer is neither an order of dismissal nor removal unless there is something against his character or integrity, which would make it an order of punishment.

Bombay High Court

- Pushpa W/O Virendra Ganediwala v. High Court Of Judicature Of Bombay Through Registrar General, WP No. 15018 of 2023 - The 'resignation' of an HC Judge constitutes 'retirement' under the High Court Judges (Salaries and Conditions of Services) Act, 1954 and thus a judge who resigned from services would also be entitled to the same pensionary benefits as a judge who retired by superannuation.
- 2. Rajani Rajan Dixit v. State of Maharashtra, 2025:BHC-AS:11831-DB Part-time service in a night junior college does not qualify for pension as per the Maharashtra Civil Services (Pension) Rules, 1982 and the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977.
- 3.J Fibre Corporation v. Maruti Harishchandra Amrute & Ors., 2025:BHC-AS:10312 An employee who had already crossed retirement age could not be reinstated, but was entitled to lumpsum compensation for the period between illegal termination and retirement.
- 4. High Court on Its Own Motion v. State of Maharashtra & Ors., SMWP No. 1 of 2023 In relation to a suo motu PIL on the conditions of sugarcane workers, the State government accepted the Bombay High Court's suggestions to improve the conditions of the sugarcane workers and cutters, including fixed wages and providing pakka houses.

Chhattisgarh High Court

1. Ramsagar Sinha V. State of Chhattisgarh, 2025:CGHC:11939-DB - A dismissal from service should be a last resort and should not be inflicted until all other means have failed.



Calcutta High Court

- 1. Indian Oil Corporation Limited v. Union of India & Anr., WPA 27693 of 2024 Long-term casual workers performing essential duties are entitled to regularization, and a reduction in workload is not a valid ground to deny it.
- 2. Indian Institute of Management Calcutta (IMC) v. Union of India & Ors., WPA 28424 of 2024 An employer-employee relationship is a mixed question of law and fact, and must be adjudicated by the Tribunal when reference to the ID Act is in question.
- 3. Hooghly Infrastructure Pvt. Ltd. v. Sk. Alam Ismail & Ors., WPA 28770 of 2024 An employer's failure to produce the best evidence leads to an adverse inference against the employer, and the burden of proving otherwise lies with the employer.

Delhi High Court

- 1. Aabi Binju v. Union of India, 2025:DH:1314-DB Courts cannot interfere with the assessment by the reporting officer in the absence of bias or prejudice against an employee.
- 2. Rajbir Singh Sihmar & Ors. v. Union of India & Ors., WP(C) 8085 of 2022 The benefits of the Modified Assured Career Progression Scheme (MACP) must be granted along with pension benefits to employees whose service is deemed to extend until 60 years.
- Hoshiar Singh v. Union Of India & Ors., 2025:DHC:2071-DB The termination of service of Central Armed Police Forces (CAPF) personnel on the grounds of them being detected as HIV positive is discriminatory and prohibited under the HIV
 Act.
- 5. Union of India V. Ex Sub Gawas Anil Madso, 2025:DHC:2021-DB The High Court reaffirmed the importance of timely disability pension for soldiers, emphasizing that military personnel endure immense physical and mental stress in service to the nation.

Himachal Pradesh High Court

1. Bhima Ram v. State of H.P. & Ors., 2025:HHC:6748-DB - Daily wage service, when followed by regularization, might be eligible for pension even without completing the full number of years of service to qualify.

Jammu and Kashmir High Court

- 1. General Officer Commanding Corps & Ors. V. Aijaz Ahmad Mir & Ors., LPA No.119 of 2024 The Army does not fall within the definition of an "industry" as its core function is national security, which is a sovereign function.
- 2. Mohammad Jamal Sheikh v. UT Of J&K, 2025:JKLHC-SGR:38 The Court restrained the J&K Government from making reservations until candidates from the SC and ST categories were duly considered, observing that reservations in promotions as under Article 16(4A) are now applicable to J&K.
- 3. Punjab National Bank v. V. K. Gandotra, CFA No. 09 of 2009 A suit for damages due to wrongful dismissal is not maintainable unless the termination is first challenged and declared wrongful.
- 4. Damni Rajrah & Ors V. UT of J&K, WP(C) No. 1151 of 2023 Once a contract of employment has been mutually agreed upon without any objection or reservation, courts lack the jurisdiction to compel an employer to maintain the contract or alter the terms of employment.
- 5. Farooq Ahmad Janda v. Union of India, WP (C) No. 1493 of 2023 Serving in a department for more than twenty years without following the due process of recruitment does not give the right to said employee to seek the regularization of services.
- 6.Rattan Lal v. Union of India, SWP No. 1441 of 2007 Repeated disciplinary infractions can be grounds for compulsory retirement under the BSF Rules.
- 7. Dr. Majid Farooq v. Dr. Mushtaq Ahmad, LPA No. 244 of 2023 It is not mandatory for a medical institution to fill up 30% of the total number of posts in a discipline or in the department with non-medical students or teachers, under the Minimum Qualification for Teachers in Medical Institutions Regulations, 1998.



Karnataka High Court

- 1. Karnataka Hire Purchase Association v. State of Karnataka, WP 6962 of 2025 The Court upheld the validity of the Karnataka Micro Loan and Small Loan (Prevention of Coercive Actions) Ordinance, 2025, which provides credit to marginalized groups of farmers and workers, due to the fact that it was for the purpose of social justice and was not arbitrary.
- 2.G. Linganagouda v. General Manager, Karnataka Gramina Bank, 2025:KHC-D:3366 Leave encashment is a Constitutional property right under Art. 300A and cannot be withheld arbitrarily by the employer.
- 3. Vijaya Bank v. Abhimanyu Kumar, WP No 138 of 2024 (GM-RES) Banks are obligated to refund the indemnity bond of former employees, even if they leave their employment before completing the mandatory service period.

Kerala High Court

- 1. Thomas Antony v. State of Kerala, 2025:KER:22497 The Court directed the State government to formulate guidelines for anonymising details of the complainant under the POSH Act.
- 2. PN Uma Shanker, Secretary, Kerala Electrical Wiremen and Supervisors Association vs The Deputy Director (In Charge) ESI Corporation & Ors., Insurance Appeal No.12 of 2023 and No. 2 of 2024 An entity will not be entitled to coverage under the Employees State Insurance Act, 1948 solely on the basis of its registration under the Kerala Shops and Commercial Establishments Act.
- 3. Kerala Tourism Development Corporation Limited v. Benny Mathew, 2025:KER:18636 An Appellate Authority must properly consider prior judicial observations when reconsidering disciplinary action and cannot simply adopt a judicial review approach.

Madhya Pradesh High Court

1. Pradeep Singh Tomar v. Madhya Pradesh Karmchaari Chayan Mandal Bhopal WP 1967/2023 - SC, ST, and OBC are different classes as compared to EWS. Thus EWS can not be granted age and attempt relaxation like SC, ST and OBC.

Madras High Court

- 1.B Kavitha v. The Registrar General, WP No. 6195 of 2025 When there was no dispute regarding the legality of marriage, the employer should not seek proof to the standard of beyond reasonable doubt for granting maternity benefits.
- 2. Prof. Dr. R. Manonmani & Ors. v. The State of Tamil Nadu & Ors., WP Nos. 26560, 31048, 31109 & 31335 of 2024 Administrative delays and orders of Courts should not come in the way of promotions.
- 3. The Principal & Secretary, Women's Christian College v. State of Tamil Nadu, 2025 SCC OnLine Mad 2079,- UGC Regulations on teachers' appointments infringe Article 30 of the Constitution; not applicable to Minority Institutions:

Orissa High Court

- 1. Dr. Snigdha Prava Mishra v. State of Odisha & Ors., WP(C) No. 27920 of 2024 The Court suggested the Dept. of Health and Family Welfare bring in new rules to put a bar on the large-scale exit of government doctors through the voluntary retirement scheme and provide for better working conditions.
- 2. Deepak Kumar v. Union of India & Ors., WP(C) No. 7349 of 2025 Criminal prosecution and disciplinary proceedings can go on simultaneously against a delinquent employee and there is no need to keep the disciplinary actions in standby until the conclusion of the criminal trial.
- 3. Odisha State Public Housing v. State Of Odisha, WP(C) No. 2846 of 2023 The High Court stayed the promotion of SCs and STs to unreserved posts in the State's Works department as vacancies in the reserved lists were left unfilled.

Punjab and Haryana High Court

1. Computer Teachers Welfare Society (Regd.) v. State Of Punjab & Ors., 2025:PHHC:027363-DB - Computer teachers recruited under the Punjab Information and Technology Education Society (PICTES) are required to be governed by the Punjab Civil Service (PCS) Rules.



Rajasthan High Court

- 1. Prahlad Sahai Meena v. Chief Executive Officer, Admn. Khadi and Village Industries Commission, 2025:RJ-JP:11751 -The Court quashed an order withdrawing regularization of a government employee due to a new requirement of nonfulfilment of educational qualifications, after the Court had already ordered his regularization.
- 2. Management Committee & Anr. v. Rameshwar Lal Meena & Anr., S.B. Civil Writ Petition No.19107/2023 The termination of an employee of a recognized institution has to be authorized by the Director of Education or an officer authorized by him.





Caste

SUNIL KUMAR, PH.D., PRAVEEN SINHA PH.D V. DR. JOLENE KOESTER, NO. 23-4363

CASTE IS NOT EXCLUSIVELY A RELIGIOUS CONCEPT AND IF CASTE DISCRIMINATION WAS NOT ACTUALLY A PART OF HINDUISM, THEN IT COULD NOT BE SAID THEIR RELIGIOUS PRACTICES WERE BEING VIOLATED BY THIS CLAUSE

Court: United States Court of Appeals for the Ninth Circuit (USA)

Facts: The California State University included the category of "caste" into its non-discrimination policy. This was challenged by two Indian-origin professors who contended that it singled out Hindu and Indian-origin students and employees in its discrimination policy, stating that it was unconstitutional and the term caste was not to be "understood by people of ordinary intelligence." The petition further stated that this would open the Hindu religion to ridicule by ascribing to tenets that are not part of it.

Judgment: The Ninth Circuit Court used a Supreme Court dissenting opinion in Plessy v. Ferguson to determine that "caste" was not exclusively a religious concept. Furthermore, the Court opined that if caste discrimination was not actually a part of Hinduism, then it could not be said their religious practices were being violated by this clause. The Court held that discriminatory practices should not merely be theoretically possible but be reasonable and imminent. Thus, they concluded that the appellants hfave demonstrated no injury to their ability to exercise their religion.

Disability

F V. J, [2025] EAT 34

THE CLAIMANT HAS TO MEET THE RELATIVELY LOW EVIDENTIAL THRESHOLD OF PROVING THAT HE HAD A REASONABLE FOUNDATION FOR HIS BELIEF THAT DISCLOSING HIS DISABILITY WOULD HARM HIS FUTURE CAREER

Court: Employment Appellate Tribunal (UK)

Facts: The claimant was an academic who had disclosed his disability to his employer but who had otherwise kept his disability hidden and did not wish for it to be disclosed publicly. He had brought a claim alleging multiple claims of disability discrimination when he was employed, and requested his disability be kept anonymised in the proceedings. In applying for an anonymity order, the claimant argued that disclosure of his disability would considerably reduce his chances of future employment and, if employed as a teacher, knowledge of his disability among pupils would result in considerable disorder.

Judgment: The Tribunal held that the claimant had to meet the relatively low evidential threshold of proving that he had a reasonable foundation for his belief that disclosing his disability would harm his future career, which in this case was met. The Tribunal also noted that all of the facts in the case would be set out in any judgment and considered that the identity of the parties was not critical to the public understanding of the judgment. In such a scenario, the interference with the principles of open justice in a trial was outweighed by the claimant's genuine and reasonably held fears. Thus, the Court ordered both parties to be anonymised throughout the proceedings.





Dismissal

WALKER V. ROBSONS (RICKMANSWORTH) LTD., 3311699/2023

EMPLOYEE IS ENTITLED TO RESIGN AND CLAIM CONSTRUCTIVE DISMISSAL IN WHERE THEIR EMPLOYER HAS BREACHED THE IMPLIED TERM OF TRUST AND CONFIDENCE

Court: Employment Tribunal (UK)

Facts: The claimant was a 54-year old branch manager who had been transferred to a new branch. Here, he was told that he would be sat in the middle of the office, rather than the back. The claimant contested this move, stating that this amounted to a constructive unfair dismissal and direct age discrimination.

Judgment: The Tribunal held that the employer had breached their implied term of trust and confidence to the employee. The Tribunal noted that the desk at the back of the office had a "symbolic significance" as it was where the branch manager would traditionally sit, and that an employee is entitled to resign and claim constructive dismissal in circumstances where their employer has breached the implied term of trust and confidence.

Compensation

LE FRANSCHHOEK HOTEL V. COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION AND OTHERS (C238/2022) [2025] ZALCJHB 84

THE EMPLOYEE SUFFERING A WORK-RELATED INJURY, WHICH WAS BEYOND HIS CAPACITY TO CONTROL, BE AWARDED A COMPENSATION AWARD

Court: Labour Court of South Africa, Johannesburg

Facts: The employee was a chef who had taken control of fire-fighting due to kitchen fire. He later experienced panic attacks, difficulty sleeping, anxiety and poor mental health. He was subsequently dismissed for absences resulting from these factors. The employee challenged this dismissal.

Judgment: The Court held that the employee had suffered a work-related injury, which was beyond his capacity to control. Further, medical evidence pointed to and were consistent about the employee's diagnosis and illness. Moreover, at the time when the incapacity hearing was conducted, it was evident that the employee was at that point ready to assume his position. He could not be dismissed subsequent to this point. Therefore, the Court held in favour of the employee and upheld an award compensating him to 6-months salary.

Gross Misconduct

NATIONAL ASSOCIATION OF DIVERSITY OFFICERS IN HIGHER EDUCATION ET AL. V. TRUMP ET AL., CASE NO. 1:25-CV-00333-ABA

NEED TO ISSUE A NATIONWIDE PRELIMINARY INJUNCTION ON THE EXECUTIVE ORDER DISCOURAGING DIVERSITY FROM BEING ENFORCED

Court: US District Court, Maryland

Facts: On January 21, 2025, President Donald Trump issued Executive Order 14173 titled "Ending Illegal Discrimination and Restoring Merit-Based Opportunity." In the Order, the president ordered all executive departments and agencies "to terminate all discriminatory and illegal preferences and mandates" which gave reservation or provided for affirmative action to certain communities, called DEI hires in the US. The Order also directed the Attorney General to "take all appropriate action with respect to the operations of their agencies to advance in the private sector the policy of individual initiative, excellence, and hard work." This Order was challenged by plaintiffs.

Judgment: Parts of this order were blocked by the US District Court in Maryland for being unconstitutionally vague in how it defined illegal DEI hires, as well as an overreach fo Presidential authority. The Court held that there was a provision for adverse action to be taken against institutional members in case they dissented from the Order, which violated the right to free speech and expression. Further, the Court observed that this order would discourage businesses and public entities from openly supporting diversity, equity and inclusion. Accordingly, District Court has issued a nationwide preliminary injunction on the executive order from being enforced while litigation is pending.



POLICY AND LEGISLATIVE UPDATES

ENFORCEMENT OF CHHATTISGARH SHOPS AND ESTABLISHMENTS ACT, 2017

The Government of Chhattisgarh has formally enforced the Shops and Establishments (Regulation of Employment and Conditions of Service) Act, 2017. This legislative measure governs the employment conditions in establishments employing ten or more workers. It mandates compliance with standardized regulations on working hours, leave policies, and workplace conditions, ensuring enhanced protection of employee rights. The Act also requires proper record-keeping and periodic submission of returns by employers, thereby promoting transparency and accountability in the sector. This enforcement is anticipated to significantly improve labour standards and operational compliance in the state.

REVISION OF WORKING HOURS IN RESPONSE TO HEATWAVE CONDITIONS IN KERALA

In response to the severe heatwave conditions, the Kerala government has issued revised working hour guidelines to safeguard worker health and safety. These modifications aim to mitigate the adverse effects of extreme temperatures on labourers, particularly those engaged in outdoor and industrial work. Employers have been instructed to adjust work schedules, provide sufficient hydration facilities, and ensure access to shaded or cooled environments during peak heat periods. The policy reflects a proactive approach to occupational health and safety, emphasizing the critical importance of adapting work conditions in response to climatic challenges. Such measures are expected to reduce heat-related illnesses and enhance overall worker productivity.

LAUNCH OF MEGHALAYA'S ONLINE LABOUR LAW COMPLIANCE PORTAL

As part of its Ease of Doing Business initiative, the Government of Meghalaya launched an online labour law compliance portal. The digital platform is designed to streamline regulatory processes, facilitate real-time tracking of compliance, and promote transparency in labour law administration. Businesses can now submit applications, track their status, and access various regulatory services online, thereby reducing bureaucratic delays and improving efficiency. This initiative aims to modernize the regulatory framework by integrating digital solutions, ultimately contributing to a more accountable and responsive governance structure. The move is anticipated to boost investor confidence and foster a more conducive business environment.

SUPREME COURT OF INDIA RULING ON FORFEITURE OF GRATUITY FOR MISCONDUCT

In a landmark decision, Supreme Court ruled that gratuity may be forfeited if an employee is terminated for misconduct involving moral turpitude. The judgment clarifies that a criminal conviction is not a prerequisite; rather, the determination can be made through internal disciplinary proceedings based on a preponderance of probabilities. This ruling underscores the recognition of employer's prerogative in cases of severe misconduct and sets a precedent for similar cases. The decision is expected to influence employment policies by reinforcing strict accountability measures and ensuring that serious breaches of conduct lead to appropriate financial consequences for employee.

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DELHI NOTIFIES APPELLATE AUTHORITY UNDER THE RPWD ACT, 2016

The Government of the National Capital Territory of Delhi has issued a notification designating the Director General Health Services as the Appellate Authority under the Right of Persons with Disabilities Act, 2016. This initiative is intended to streamline the process for appealing decisions related to the issuance of disability certificates. The move aims to enhance transparency and accountability in the administrative procedures, ensuring that the rights of persons with disabilities are adequately safeguarded. By providing a clear appellate mechanism, the government intends to address grievances effectively and foster a more inclusive environment that supports the social and economic integration of individuals with disabilities.

REVISION OF VARIABLE DEARNESS ALLOWANCES AND MINIMUM WAGES IN MAHARASHTRA

The Government of Maharashtra has revised the variable dearness allowances and minimum wages for the Mumbai and Thane Security Guard Board, with the updated allowances effective from February. The revised special allowance of INR 3,614 per month aims to better reflect the current cost-of-living conditions and ensure fair remuneration for security personnel. This adjustment is part of a broader effort to recalibrate wage structures in response to evolving economic indicators and labour market dynamics. The policy revision seeks to enhance the financial security of workers while promoting a more equitable distribution of earnings within the security services sector. It is anticipated to improve overall job satisfaction and productivity among employees.

NOTIFICATION OF KARNATAKA FACTORIES (SAFETY AUDIT) RULES, 2024

The Government of Karnataka has issued a notification introducing the Karnataka Factories (Safety Audit) Rules, 2024. These rules set forth comprehensive safety audit procedures that factories must adhere to, including detailed standards for safety equipment, audit qualifications, and certification processes. The primary objective is to strengthen workplace safety protocols and ensure that industrial operations meet stringent regulatory requirements. By mandating regular audits and systematic reporting, the government aims to reduce workplace hazards and improve overall safety standards. The new rules are expected to facilitate a proactive approach toward industrial safety, thereby protecting workers and minimizing the risk of occupational accidents.

EPFO EXTENDS UAN ACTIVATION DEADLINE TO MARCH 15, 2025

In an effort to enhance access to social security benefits, the Employees' Provident Fund Organization (EPFO) has extended the deadline for Universal Account Number (UAN) activation and seeding of bank accounts with Aadhaar until March 15, 2025. This policy revision is aimed at facilitating the seamless availing of benefits under the ELI scheme by ensuring that more employees can comply with the activation requirements. The extension acknowledges the challenges faced by certain sectors in meeting the original deadline and provides additional time to align administrative processes. This measure is expected to improve the overall efficiency of the provident fund system and increase participation among the workforce, thereby strengthening the social security framework.

EXTENDED DEADLINE FOR DEMAT COMPLIANCE FOR PRIVATE COMPANIES

Under the Companies Prospectus and Allotment of Securities Amendment Rules, 2025, the mandatory DEMAT requirement for private companies has been extended until June 30, 2025. This regulatory amendment, announced in the March 2025 update, exempts producers and small companies as of March 31, 2023, from this obligation. The extension is designed to provide additional time for private entities to comply with digital dematerialization standards, thereby ensuring a smoother transition to a fully digitized securities framework. This measure aims to reduce administrative burdens and facilitate a gradual adaptation process for companies while maintaining investor protection and market integrity. The regulatory update is expected to contribute to the modernization of corporate governance practices in India.



CONDITIONAL EXTENSION FOR SCHEDULE M COMPLIANCE FOR PHARMACEUTICAL MANUFACTURERS

The Ministry of Health & Family Welfare has conditionally extended the timeline for small and medium pharmaceutical manufacturers to comply with the revised Schedule M (Good Manufacturing Practices) notification until December 31, 2025. This policy update, issued in March 2025, recognizes the unique challenges faced by smaller enterprises in upgrading their manufacturing processes. The extension is intended to allow adequate time for the implementation of necessary quality control measures without compromising product safety standards. By easing the compliance burden, the government aims to support the continued growth and competitiveness of the domestic pharmaceutical sector while ensuring adherence to internationally accepted manufacturing practices. This initiative reflects a balanced approach between regulatory rigor and industrial sustainability.

REVISION OF REGISTRATION FEE FOR BOCW ESTABLISHMENTS IN TELANGANA

The Telangana Government has revised registration fee for establishments under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Rules, 1999. The fee has been increased to reflect the enhanced administrative and regulatory requirements for maintaining compliance within the construction sector. The change aims to ensure that adequate resources are available for the effective monitoring and enforcement of labour standards in the industry. Employers are now required to remit the updated fee during registration and subsequent renewals, thereby promoting a more robust regulatory framework that seeks to protect the welfare and rights of construction workers.





DESK DISPATCHES

LABOUR LAW REFORMS IN INDIA: ARE INFORMAL WOMEN WORKERS LEFT BEHIND?

Shreya Mahajan, NLSIU, Intern CLLRA

I. Introduction

The Indian government has introduced new labour codes to streamline and simplify labour laws while promoting the ease of doing business, marking the most significant reform in labour legislation in the past three decades. These reforms were based on the recommendations of the Second National Commission on Labour's 2002 report and have led to the consolidation of 44 pre-existing labour laws into four codes: the Industrial Relations Code, 2020; the Code on Occupational Safety, Health, and Working Conditions Code, 2020; the Social Security Code, 2020; and the Code on Wages, 2019.[1] The primary objective of these reforms is to foster industrial and economic growth by eliminating the rigidities imposed by multiple labour laws.[2]

However, critics argue that merely consolidating existing laws does not sufficiently address crucial concerns, such as bringing all workers across various sectors under the regulatory framework.[3] This shortcoming is particularly evident in the codes' inadequate provisions for women in the informal sector, which is the subject of this blog piece.

II. Impact of New Labour Codes on Women Workers

a. Code on Wages, 2019:

The Code on Wages 2019 aims to consolidate and simplify wage and bonus payment laws.[4] While it eliminates employment schedules per the Second National Labour Commission's recommendation, it remains ambiguous regarding the inclusion of informal women workers. The Code neither explicitly states its intent to include these workers nor defines them within its provisions.[5] In discussions on the Social Security Bill, the Ministry of Labour and Employment clarified that the verbatim definition of establishment does not cover agricultural holdings or household workers.[6] This excludes a significant segment of informal women workers who have long fought to be recognized as workers and have minimum wages extended to them. Additionally, home-based workers- predominantly women- are not acknowledged under the Code.

The Code mandates a national floor wage, below which no state can set minimum wages.[7] However, wage-setting criteria in the Code remain gender-biased, as women's work is traditionally undervalued. The Code fails to incorporate the Supreme Court's rulings in Hydro (Engineers) Pvt. Ltd. v. Workmen[8] and Workmen Represented by Secretary v. Management of Raptakos Brett[9], which emphasized that minimum wages should be based on needs, including nutrition, clothing and housing. The appropriate governments must take cognizance of gendered norms associated with work when setting wages.[10]

Furthermore, the Code prohibits discrimination based on gender in matters related to wages, as well as during recruitment and in the conditions of employment.[11] While the Code refers to gender, which can be seen to include transgender employees, it does not specifically address protections for transgender workers despite the Supreme Court's ruling in National Legal Services Authority v. Union of India.[12] Instead of referring to "same work or work of similar nature", the Code should have used "work of equal value" to address structural discrimination that women face at work.[13]

b. The Code on Industrial Relations, 2020:

The Code on Industrial Relations 2020 consolidates laws on industrial relations, trade unions, and dispute resolution. [14] Although its provisions on trade unions apply to informal women workers, the Code fails to address the challenges they face in union registration. By imposing stringent requirements, it further marginalizes informal women workers, such as domestic and home-based workers, making it difficult for them to organize. Additionally, the Code severely restricts the right to strike by requiring 60 days' notice and prohibiting strikes within 14 days of such notice.[15] These restrictions have been widely opposed by trade unions as they hinder collective bargaining rights, particularly for



informal women workers.

c. The Code on Social Security, 2020:

The Code on Social Security 2020 aims to extend social security benefits to all employees, including those in the informal sector.[16] However, registration- requiring an Aadhaar-linked process- is mandatory for eligibility.[17] This requirement contradicts the Supreme Court's ruling in Justice K.S. Puttaswamy (Retd) v. Union of India[18] and is impractical for many informal workers due to the lack of mobile-Aadhaar linkages. The lengthy registration process creates obstacles for daily wage workers.[19] The changes in the procedure of registering workers from all the sectors for availing benefits would take time, and therefore, what the provisions would be in the interim period is not clear from the given Code.

The Code's provisions for maternity benefits are also inadequate. To qualify, a woman must be employed in an establishment with at least ten employees and have worked for at least 80 days before delivery- criteria that exclude many informal workers.[20] The Chapter on Maternity Benefits in the Code suffers from all the issues that the amended Maternity Benefits Act 1961 suffers from. For instance, maternity benefits are restricted to only the first two children, with reduced benefits for subsequent pregnancies. The Code also lacks criteria for maternity benefits for unorganized sector workers.[21]

Furthermore, while the Code offers various social security schemes, it fails to establish mechanisms ensuring informal women workers' enrollment, mobility, and comprehensive coverage. [22] Further, there is no clear sense of what each scheme will provide, whether there will be further eligibility requirements, and what those will be. This is a far cry from a system that realizes a justifiable right to social security for unorganized workers.

d. The Code on Occupational Safety, Health, and Working Conditions, 2020:

The Code on Occupational Safety, Health, and Working Conditions 2020 consolidates various laws related to occupational safety, health, and working conditions but remains largely irrelevant for informal women workers.[23] This is because its applicability is restricted to establishments with ten or more workers, effectively excluding a vast majority of women in informal employment. [24]

While the Code prohibits employing women within six weeks of delivery, miscarriage, or medical termination of pregnancy, it does not provide immediate financial support, worsening economic hardships for affected women. [25] Additionally, provisions on health, working conditions, overtime wages, annual leave, and creches do not extend to informal women workers. The Code fails to incorporate past policy research on occupational health and safety, especially concerning informal sectors.[26] There is insufficient understanding of occupational hazards in informal employment, making it difficult to implement worker protections. The Code missed an opportunity to address the issues of occupational health and safety and working conditions specific to informal women workers.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013 is a crucial law governing unorganized women workers, including domestic workers. [27] It has revolutionized the understanding of workplaces by including households as places of employment. However, it has not been integrated into the new labour codes, reflecting a disregard for gender-sensitive reforms. Additionally, the Code lacks provisions to address worker trafficking for exploitative employment, bondage, and sex work and the rehabilitation of exploited women and children. [28]

I. Conclusion and Way Forward for the Rights of Women Workers

A significant portion of India's female workforce is engaged in informal employment, characterized by insecure job conditions, low bargaining power, and minimal legal protection. [29] These women migrate in search of work, endure poor working conditions, and face occupational segregation and wage discrimination due to gender biases.

Given this context, the labour law reform process presented an opportunity to formalize women's informal work and improve their employment conditions. Instead, the new Codes fail to provide comprehensive protections, continuing a piecemeal approach that inadequately includes informal workers. With only the Code on Wages implemented so far, the government still has the opportunity to revise the remaining codes to better address the needs of informal women workers.



One potential solution is to enact a separate law for unorganized workers, as the Second National Law Commission recommends. Such a law could establish broad worker rights while incorporating sector-specific provisions to address the unique challenges faced by informal women workers. This approach would help bridge the gap between formal and informal employment, ensuring greater protection, fair wages, and improved working conditions for women in India's informal sector.

References

[1] Tanya Chaudhary & Babu Ramesh, 'Changing Scenario of Indian Labour and New Labour Codes: A Critical Analysis' (2021) 10 Christ U LJ 1, 2.

[2] ibid.

[3] ibid, 3.

[4] The Code on Wages 2019.

[5] Shraddha Chigateri, 'Labour Law Reforms and Women's Work in India: Assessing the New Labour Codes from a Gender Lens' (2021) ISST 5, 31.

[6] ibid.

[7] The Code on Wages 2019, s 5.

[8] Hydro (Engineers) Pvt. Ltd. v Workmen (1969) AIR 182.

[9] Workmen Represented by Secretary v Management of Raptakos Brett (1992) AIR 504.

[10] Shraddha Chigateri, 'Labour Law Reforms and Women's Work in India: Assessing the New Labour Codes from a Gender Lens' (2021) ISST 5, 33.

[11] The Code on Wages, s 3.

[12] National Legal Services Authority (NALSA) v Union of India (2014) 5 SCC 438.

[13] Shraddha Chigateri, 'Labour Law Reforms and Women's Work in India: Assessing the New Labour Codes from a Gender Lens' (2021) ISST 5, 33.

[14] The Industrial Relations Code 2020.

[15] ibid, s 62.

[16] The Code on Social Security 2020.

[17] ibid, s 113.

[18] Justice K.S. Puttaswamy v Union of India (2017) 10 SCC 1.

[19] Tanya Chaudhary & Babu Ramesh, 'Changing Scenario of Indian Labour and New Labour Codes: A Critical Analysis' (2021) 10 Christ U LJ 1, 6.

[20] ibid, 9.

[21] Shraddha Chigateri, 'Labour Law Reforms and Women's Work in India: Assessing the New Labour Codes from a Gender Lens' (2021) ISST 5, 39.

[22] ibid.

[23] The Occupational Safety, Health, and Working Conditions Code 2020.

[24] ibid, s 2(u).

[25] Tanya Chaudhary & Babu Ramesh, 'Changing Scenario of Indian Labour and New Labour Codes: A Critical Analysis' (2021) 10 Christ U LJ 1, 9.

[26] Shraddha Chigateri, 'Labour Law Reforms and Women's Work in India: Assessing the New Labour Codes from a Gender Lens' (2021) ISST 5, 40.

[27] The Sexual Harassment of Women at Workplace (Prevention, Prohibition, and Redressal) Act 2013.

[28] Tanya Chaudhary & Babu Ramesh, 'Changing Scenario of Indian Labour and New Labour Codes: A Critical Analysis' (2021) 10 Christ U LJ 1, 17.

[29] Shraddha Chigateri, 'Labour Law Reforms and Women's Work in India: Assessing the New Labour Codes fom a Gender Lens' (2021) ISST 5, 44.



INDIA'S SOCIAL PROTECTION: A GLASS HALF FULL OR STILL MOSTLY EMPTY? ILO REPORT OFFERS INSIGHTS

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A new report from the International Labour Organization (ILO) for 2024-26 was released focussing on the social protection appreciating India's ongoing efforts. They have also collaborated with Ministry of Labour and Employment for data pooling and acknowledges the Central schemes that were not considered earlier. Reports finding is that India's coverage has been doubled from 24.4 to 48.8%. While the report highlights that more than half of the world's population now has some form of social protection, a closer look at the data and the report's underlying principles compels a critical evaluation of claims of "rising social protection" in India.

The study highlights the importance of universal social protection to support climate action and a just transition, as well as to build resilient systems against life-cycle risks and climate-related challenges. In a populous nation like India, which is particularly vulnerable to the consequences of climate change and has a substantial population that suffers several life-cycle hazards, the need for universal social protection is more obvious and relevant.

While the 2024-26 report provides global and regional statistics, specific data points for India require careful examination. The report notes that in Asia and the Pacific, the percentage of the population group covered by some form of social protection varies significantly. Furthermore, the increase in global coverage is partly attributed to temporary policy responses to the COVID-19 pandemic, raising questions about the sustainability and permanence of these expansions in various national contexts, including India.

It is important to appreciate any genuine efforts undertaken by India to expand its social protection programs. The report acknowledges that globally, coverage has increased from 26.7 per cent to 37.3 per cent of vulnerable persons since 2015. If India has contributed to this upward trend, these efforts should be recognized. However, the report also starkly reminds us that 3.8 billion people are still entirely unprotected. The most important question remains that 'how inclusive has India's progress been, and who are the ones still being left behind?'

The celebration of the rising social protection without a more thorough look into the kind and adequacy of the protection offered, an honest review shows possible limits. Coverage can only be genuinely significant and effective if adequate levels of benefits are offered, which can address the issue of old-age poverty, lessen the vulnerability, and preserve standard of living. In order to overcome suffering and ensure dignified life, a social protection floor should ensure a minimum degree of financial security and access to healthcare. Do really India's social protection policies and schemes now in place satisfy these important requirements for being adequate for all of its citizens?

The report highlights the importance of moving from simply reducing poverty to preventing poverty. This requires robust mechanisms that deliver adequate protection throughout people's lives in a way that is anchored in rights and is sustainably and equitably financed. Although India offers a number of social assistance programs, some raise concerns about whether they are sufficiently extensive, well-funded, and successful in reaching everyone in need and keeping them from ever sliding into poverty. Nearly 17.3% of people worldwide, according to the research, rely only on non-contributory benefits, frequently receiving little assistance; this scenario may be similar in India.

For India to genuinely attain "rising social protection" in line with the ILO's goal of universal social protection, universal benefits for everyone—especially the elderly and those with disabilities—must be given first priority. The report specifically addresses the importance of providing income security in old age as a basic component of the human right to social security and the vital role that social protection benefits and services play in helping people with disabilities make the transition to a more equitable green economy and in empowering them to participate in social, political, cultural, and economic life.

Ensuring universal old-age pensions, which include both contributory and non-contributory plans, is essential for reducing vulnerabilities in old age and offering complete security. As observed by the worldwide data for the area, current coverage in India has to be greatly increased in order to guarantee that all elderly people live dignified lives. Social protection programs must guarantee access to both mainstream and disability-specific programs in order to accomplish essential tasks like providing income security, efficient access to healthcare (including assistive technology and rehabilitation), paying for expenses associated with disabilities, and facilitating access to education and economic empowerment.



To sum up, while acknowledging any progress India may have made in expanding social protection coverage, a critical lens informed by the ILO's 2024-26 report suggests that the journey towards truly "rising social protection" requires a fundamental shift towards rights-based universal benefits. A resilient and equitable future for India in the face of a changing climate and shifting socioeconomic landscape depends on concentrating on providing sufficient protection for vulnerable groups, such as the elderly and people with disabilities, through comprehensive and sustainably financed systems. This is not just a social justice issue. The study is a welcome reminder that the objective is to guarantee that everyone has access to sufficient social protection that genuinely leaves no one behind, not only to increase the number of people covered.

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DOMESTIC LABOUR LAW NEWS

DISPROPORTIONATE TARGETING OF DALIT TEACHERS OVER REET TEST CENTRE CHECKING ROW

MASSIVE NATIONAL STRIKES IN JUNE 2025 TO PROTEST POWER SECTOR PRIVATIZATION

ANGANWADI WORKERS IN KERALA CONTINUE THEIR STRIKE

Kerala ASHA workers began an indefinite hunger strike in front of the Thiruvananthapuram Secretariat after two rounds of failed talks with National Health Mission authorities and Health Minister Veena George. Three Kerala ASHA Health Workers' Association leaders - M.A. Bindu, Thankamani, and R. Sheeja - launched the hunger strike at 11 a.m., intensifying their 38-day agitation for fair remuneration. Senior political leaders, including Ramesh Chennithala, V.M. Sudheeran, C.P. John, and Joseph M. Puthussery, supported the protesters. Meanwhile, Health Minister George flew to New Delhi seeking an appointment with Union Health Minister J.P. Nadda. She planned to discuss Kerala's demand for an AIIMS-like institution, approval for new medical colleges, and the ASHA workers' agitation. George emphasized the Centre's key role in resolving the stalemate since the ASHA scheme was a Central government program.....

KARNATAKA FREE TRAVEL SCHEME ENCHANCES WOMEN IN LABOUR FORCE



MANUAL SCAVENGING- SANITATION WORKER DIES AT NEW FRIEND'S COLONY, 2 MORE INJURED

TELANGANA TUNNEL COLLAPSE: TRAPPED FOR 32 DAYS, SEARCH CONTINUES TO SAVE 7 WORKERS

CASE AGAINST BRICK KILN OWNER FOR FORCING COUPLE TO WORK AS BONDED LABOURERS

Police registered an FIR against Pandit Mhatre under Bharatiya Nyaya Sanhita sections and provisions of the SC/ST (Prevention of Atrocities) Act and Bonded Labour System (Abolition) Act. A 30-year-old Katkari community woman filed the complaint at the Bhiwandi Taluka police station. She and her husband worked at Mhatre's brick kiln at Kharbaon. In May 2024, she borrowed Rs. 12,000 from Mhatre while five months pregnant and returned to her village Satpati. Her husband took a fishing boat job. In October 2024, Mhatre forced the couple to resume working at his kiln despite her post-childbirth recovery. They lived on temple premises and received only Rs. 20 daily. On February 23-24, 2025, when she fell ill, Mhatre hurled caste-based abuse and assaulted her husband. Police have made no arrests yet.

DAYS AFTER RESCUING TEEN FROM BONDED LABOUR, DELHI POLICE STILL HAVEN'T FILED FIR



SEVEN VICTIM FAMILIES RESCUED IN ANDHRA PRADESH FROM BONDED LABOUR

BANK EMPLOYEES UNION HAS CALLED FOR A STRIKE, FROM MARCH 23 TO 25

TRADE UNIONS TO STAGE STRIKE ON MAY 20 AGAINST LABOUR CODES

TEA GARDEN WORKERS ON STRIKE FOR DUE WAGES

HOUSE PANEL ASKS GOVT. TO HAVE A LABOUR CONFERENCE



INTERNATIONAL LABOUR LAW NEWS

ILO PROMOTES DIGITAL CASE MANAGEMENT FOR LABOUR DISPUTES

The ILO hosted a workshop under the Advancing Decent Work in Bangladesh project to address delays in labour dispute resolution. The event funded by the Team Europe Initiative, focused on developing a digital case management system. Experts and stakeholders collaborated to design a prototype system tailored for dispute resolution bodies. The initiative aims to enhance efficiency and ensure quicker access to justice for workers and employers.

BARBADOS RATIFIES SEAFARERS' IDENTITY DOCUMENTS CONVENTION

On 3 March 2025, Barbados ratified the Seafarers' Identity Documents Convention (No. 185), becoming the 40th country to do so. This will enable seafarers to receive secure electronic identity documents similar to e-passports. The move facilitates easier shore leave, transit, and security at ports. It enhances the global mobility of seafarers while ensuring better protection for their rights.

CYPRUS RATIFIES ILO VIOLENCE AND HARASSMENT CONVENTION

Cyprus ratified the Violence and Harassment Convention (No. 190) on 4 March 2025, reaffirming its commitment to safer workplaces. The ratification took place at the ILO headquarters in Geneva, attended by Cyprus' Permanent Representative, Ambassador Olympia Neocleous. This convention is the first international labour standard addressing violence and harassment at work. It ensures dignity and respect for all workers, particularly women and vulnerable groups.

GHANA LAUNCHES NATIONAL PRODUCTIVITY STATISTICS REPORT

On 24 February 2025, Ghana released its first-ever National Productivity Statistics Report, providing insights into productivity trends over two decades. The report, supported by the ILO, will serve as a key tool for policy formulation and economic planning. The launch event gathered 81 senior representatives from 21 institutions, including government agencies and international partners. The data aims to enhance economic growth and improve employment policies.

SOLOMON ISLANDS VALIDATES NATIONAL EMPLOYMENT POLICY

The Solomon Islands is finalizing its first National Employment Policy (NEP) after a two-day validation workshop in Honiara on 4-5 March 2025. Supported by the ILO, the policy aims to create decent jobs and improve working conditions. Over 50 stakeholders, including government representatives, employers, trade unions, and civil society, participated. Discussions focused on employment challenges, job creation, and an action plan for implementation.





STRATEGY LAUNCHED TO EXTEND SOCIAL PROTECTION FOR MIGRANT WORKERS AND REFUGEES

A global webinar co-hosted by the ILO and ISSA highlighted the urgent need to extend social protection to migrant workers and refugees. Over 1,000 policymakers and experts participated in discussions on integrating migrants into national social security frameworks. The ILO estimates that 3.8 billion people worldwide lack access to social protection. The initiative aims to reduce inequalities and ensure economic security for vulnerable workers.

ILO HIGHLIGHTS ROLE OF SOCIAL PROTECTION IN REDUCING INEQUALITY

The ILO launched its working paper, Combating Inequalities: What Role for Universal Social Protection? at a global event. The report highlights rising income disparities, with the bottom 50% holding only 25% of the total income. Experts from the ILO, WHO, and UNRISD discussed strategies to finance universal social protection. The paper emphasizes the need for inclusive policies to reverse global inequality trends.

PAKISTAN RATIFIES THREE KEY ILO CONVENTIONS

Pakistan ratified three ILO conventions on 14 March 2025 to strengthen workers' rights and labour protections. The ratifications include the Forced Labour Protocol, the Maritime Labour Convention, and the Labour Statistics Convention. The move enhances data collection, protects maritime workers, and strengthens forced labour regulations. The formal handover took place at the ILO Governing Body's 353rd session in Geneva.

GENDER PERSPECTIVE NEEDED IN OCCUPATIONAL SAFETY AND HEALTH

A joint ILO and OISS report highlights gender disparities in occupational safety and health (OSH) policies. Many OSH frameworks are designed around male workers, overlooking risks in female-dominated sectors like healthcare and domestic work. The report calls for gender-sensitive safety measures, including protective equipment tailored for women. Addressing these gaps will ensure safer workplaces and better health outcomes for female workers.

DUE TO SHORTAGE OF DOMESTIC LABOUR FLORIDA CONSIDERS RELAXING CHILD LABOUR LAWS

Under Florida's SB 918, child labour laws would be loosened, enabling 16 and 17-year-olds to work more on school evenings and lifting the ban on overnight work for some 14 and 15-year-olds. Critics point to possible exploitation, sleep deprivation, and detrimental effects on pupils' education and well-being, while supporters contend that this is in line with federal requirements and provides families more control. Concerns about striking a balance between protecting young workers and economic opportunity persist as lawmakers discuss the bill.





PUBLICATIONS: ARTICLES

EU MIGRANT WORKERS AND THE RIGHT TO HEALTH IN THE NETHERLANDS DURING AND BEYOND THE COVID-19 PANDEMIC- BY SANDRA MANTU & LISA BERNTSEN, OTHERS

CORPORATE SOCIAL RESPONSIBILITY IN SPANISH ACCOMMODATION COMPANIES: ANALYSIS OF OCCUPATIONAL HEALTH AND SAFETY - BY VANESSA SUAREZ-PORTO, MARÍA MONTSERRAT AND OTHERS

RETURN TO WORK OR LEAVING WORK? DIFFERENCES OF RETURN TO WORK BETWEEN BREAST CANCER PATIENTS AND THE GENERAL POPULATION AND DETERMINANTS OF RETURN TO WORK - BY SIEGFRIED GEYER, AND OTHERS

PATTERNS OF LABOUR UNREST AMONG APP-BASED FOOD DELIVERY WORKERS IN EUROPE: THE SURPRISING PERSISTENCE OF INDUSTRIAL RELATIONS REGIMES- BY MARK STUART, VERA TRAPPMANN AND OTHERS

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BREAKING THE CYCLE: HOW SPAIN'S DEPENDENCY CARE SYSTEM CREATES OCCUPATIONAL INEQUALITIES IN GERIATRIC NURSING ASSISTANTS AND THE NEED FOR REFORM - BY MIREIA CAMPOY-VILA, ALBERT ESPELT AND OTHERS

LOW-PAY WORK AND THE RISK OF POVERTY: A DYNAMIC ANALYSIS FOR EUROPEAN COUNTRIES - BY CHIARA MUSSIDA & DARIO SCIULLI



EARLY RETIREMENTS: EXPLORING THE CAUSES IN THE SOUTH AFRICAN PUBLIC SERVICE - BY KELFILWE MABORE TJALEI, WILFRED ISIOMA UKPERE AND OTHERS

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CONTEMPORARY FORMS OF SLAVERY, ITS CAUSES AND CONSEQUENCES: THE CASE OF CROATIA - BY SANDRA LALETA, MARISSABELL ŠKORIĆ AND OTHERS

ENDING BUSINESS IMPUNITY FOR WAGE THEFT AMONG MIGRANT WORKERS IN AUSTRALIA: A PROPOSAL FOR MIGRATION REFORMS TO PROVIDE ACCESS TO REMEDY - BY LAURIE BERG & BASSINA FARBENBLUM



PROTECTION FOR VULNERABLE WORKERS IN THE RECENT INDUSTRIAL TRANSITIONS - BY CATALINA SMINTINICA AND GIULIA MARCHI

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Researchers reviewed articles from International Association of Labour Law Journals from 2021-2023, identifying key research trends. They discovered a growing scholarly focus on workplace transformations driven by digital, green, and just transitions. The analysis revealed a consistent theme of worker protection in evolving employment landscapes. Journals extensively explored vulnerabilities emerging from technological and environmental changes, examining how labour law could address these challenges. The study highlighted researchers' critical examination of how labour law might respond to and mitigate risks associated with workplace transitions. Scholars emphasized the need to develop robust legal frameworks that could protect workers' rights amid rapid technological, environmental, and economic changes.

STILL BUBBLING AWAY: IRELAND FAILS TO RESOLVE COCA-COLA TRADE UNION RECOGNITION DISPUTE UNDER OECD GUIDELINES - BY ALAN EUSTACE





PUBLICATIONS: REPORTS AND BOOKS

THE ELGAR COMPANION TO REGULATING PLATFORM WORK INSIGHTS FROM THE FOOD DELIVERY SECTOR – EDITED BY KURT VANDAELE AND SILVIA RAINONE

The Elgar Companion to Regulating Platform Work explored the dynamics and trends of the app-based food delivery sector within the platform economy. Using a multidisciplinary approach, it analyzed regulatory developments at the EU level and beyond. The book adopted a comparative perspective, assessing how different jurisdictions responded to the challenges posed by platform work. It examined key legal, economic, and social aspects that shaped regulatory frameworks. The authors investigated worker rights, algorithmic management, and evolving business models, highlighting their impact on labor conditions. The study also reviewed policy initiatives and legislative measures aimed at improving platform work governance. By addressing these critical issues, the book provided valuable insights into the future of regulation in the gig economy.

GLOBAL FLAGSHIP PROGRAMME ON BUILDING SOCIAL PROTECTION FLOORS FOR ALL: 2024 REPORT - ILO

The ILO's Global Flagship Programme on Building Social Protection Floors for All achieved remarkable progress in 2024, surpassing its initial targets. The Programme contributed to 148 institutional changes across its 50 priority countries, exceeding the original goal of 80 changes. These improvements included crucial adoption of new social protection laws and implementation of comprehensive systems. The Programme extended social protection coverage to over 50 million people, approaching its target of 60 million beneficiaries. Launched in 2016, the initiative aligned with UN Sustainable Development Goals, particularly targets 1.3 and 3.8, by supporting ILO member States in developing sustainable social protection systems. The Programme employed a coherent structure to mobilize necessary resources and maximize impact. The 2024 report detailed these accomplishments and demonstrated how the Programme strengthened social protection frameworks globally through systematic institutional improvements and expanded coverage.



OPPORTUNITIES

Call for Abstracts – XV ADAPT International Conference

This year's edition will explore the concept of work and what we call 'non-work'*, which is constantly evolving, making it difficult to define the boundaries between its many forms – formal, informal, productive, reproductive, voluntary, and free. The Conference aims to foster interdisciplinary dialogue and innovative perspectives.

Deadline: 18 May 2025

CALL FOR ABSTRACTS promoted by the International Association of Labour Law Journals (IALLJ)

Title: Sustainable Enterprise and Labour Law: A Comparative Perspective

The International Association of Labour Law Journals is promoting a Call for Abstracts in connection with a seminar on May 5th, 2025, at the University of Florence (Italy). The all-day workshop will start at 11.00 a.m., and the selected papers will be presented in person or online, according to the speakers' choices and needs. Abstract submission: Mar 15, 2025. Maximum 10000 characters (spaces included). The abstract should focus on one or more of the abovementioned topics, clearly describing the research objectives, the methodology and (if necessary) an essential bibliography.

Languages: The abstracts (and papers) can be drafted in English, French or Spanish. However, the Florence seminar will be held only in English.

CALL FOR PAPERS Facing Inequalities - Strategies for Change November 6-7, 2025, Graz, Austria

We invite you to submit abstracts for the upcoming international conference "Facing Inequalities - Strategies for Change", which will take place on November 6-7, 2025 in Graz, Austria. It is organized by the Cluster In/Equalities in the Context of Social Transformation Processes within the Field of Excellence Dimensions of Europe at the University of Graz.

Abstract Deadline: Please submit a 300-word abstract along with a short biographical note (max. 150 words) to europe@uni-graz.at by April 30, 2025. Notification of acceptance: June 30, 2025 Paper submission deadline: September 30, 2025 Conference Dates: November 6-7, 2025



EDITORIAL TEAM



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Editor in Chief

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Editor

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Editor

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Editor

Tejas Misra is a Law Student at National Law University, Delhi. Areas of interest include socio-legal research, activism and advocacy. Passionate about history, philosophy and society's intersection with the law. Currently working on research topics relating to labour rights and legal news.



Editor

Vidushi is a fourth year student at National Law University, Delhi. She has been engaged with the Centre since its inception. Her research interests include wide set of sociological issues and their intersection with law.

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