

Article 43 of Indian Constitution, Case Laws, Significance

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Article 43 of the Constitution of India forms part of the Directive Principles of State Policy under Part IV and reflects the vision of economic democracy envisioned by the framers. It was adopted in 1950 after detailed debate in the Constituent Assembly on 23 November 1948 as Draft Article 34. It directs the State to secure a living wage, decent working conditions, leisure, and social and cultural opportunities for workers. It also specifically mandates the promotion of cottage industries in rural areas on an individual or cooperative basis.

Article 43 of Indian Constitution

Article 43 of Indian Constitution states that the State shall endeavour, through legislation, economic organisation, or other measures, to secure for all workers, whether agricultural, industrial, or otherwise, employment, a living wage, decent working conditions, and full enjoyment of leisure and social and cultural opportunities, while promoting cottage industries in rural regions. The final text expanded Draft Article 34 of 1948 by explicitly including agricultural workers and adding emphasis on rural cottage industries. This modification reflected concerns about rural distress, migration to cities, and imbalance between urban growth and village economies.

Article 43 of Indian Constitution Case Laws

Article 43 of **Indian Constitution** has guided judicial interpretation linking wages, dignity, and livelihood with constitutional values.

- **Bijay Cotton Mills vs. State of Ajmer:** The Court upheld the Minimum Wages Act, 1948, affirming that securing fair wages aligns with Article 43's directive of ensuring living wages for workers.
- **Sanjit Roy vs. State of Rajasthan:** The **Supreme Court** ruled that payment below minimum wage in relief work violates dignity, reinforcing Article 43's goal of decent living standards.
- **People's Union for Democratic Rights v. Union of India:** The Court held that non-payment of statutory minimum wages breaches constitutional principles protecting workers' humane conditions.
- **Olga Tellis v. Bombay Municipal Corporation:** Recognised livelihood as part of the right to life, strengthening Article 43's employment and wage protection objectives.
- **M. C. Mehta v. State of Tamil Nadu:** Emphasised humane working conditions and protection of vulnerable labourers, echoing Article 43's concern for dignity and welfare.

Article 43 of Indian Constitution Significance

Article 43 of Indian Constitution shapes India's labour welfare vision by integrating economic justice with social dignity.

- **Living Wage Principle:** It distinguishes living wage from bare subsistence, ensuring workers can afford health, education, comfort, and future security beyond minimum survival needs.
- **Coverage of All Workers:** By including agricultural, industrial, and other workers, it expands protection across rural and urban sectors, covering formal and informal employment categories.
- **Leisure and Culture:** It uniquely recognises recreation and cultural participation as part of human dignity, linking economic welfare with overall quality of life.
- **Rural Economic Balance:** The explicit reference to cottage industries addresses rural-urban disparity and discourages distress migration by strengthening village economies.
- **Cooperative Approach:** Constituent Assembly debates favoured cooperative societies over capitalist dominance in rural industries, promoting collective ownership and equitable distribution.
- **Economic Democracy Vision:** Members argued that political democracy cannot survive without economic security, stating that patriotism and political awareness grow when citizens are economically content.
- **Directive Nature:** Though non-justiciable, it is fundamental in governance, guiding legislative and policy frameworks for labour welfare and rural development.

Initiatives related to Article 43 of Indian Constitution

Various laws, commissions, and programmes operationalise objectives of Article 43 of Indian Constitution in practice as highlighted below:

- **Minimum Wages Act, 1948:** Establishes statutory wage floors across scheduled employments, directly reflecting the constitutional aim of securing living wages for workers.

- **Payment of Wages Act, 1936:** Ensures timely disbursement of wages, protecting labourers from arbitrary deductions and delayed payments.
- **Industrial Disputes Act, 1947:** Regulates employer employee relations, providing mechanisms for dispute resolution and industrial peace consistent with decent work conditions.
- **Factories Act, 1948:** Mandates health, safety, and welfare standards in factories, strengthening humane working conditions envisioned in Article 43.
- **Employees' State Insurance Act, 1948:** Introduces social security through medical benefits and insurance coverage, supporting a decent standard of life for workers.
- **Code on Wages, 2019:** Consolidates wage related laws and extends coverage to the unorganised sector, broadening protection beyond traditional industries.
- **National Commission on Labour, 1969:** Recommended reforms to secure fair wages and improve service conditions, reinforcing the constitutional directive.
- **Second National Commission on Labour, 2002:** Proposed rationalisation of labour laws to enhance economic security and simplify compliance frameworks.
- **Report on Conditions of Work and Promotion of Livelihoods in the Unorganised Sector, 2007:** Highlighted vulnerabilities in informal employment and recommended comprehensive wage and welfare measures.
- **Mahatma Gandhi National Rural Employment Guarantee Act, 2005:** Provides guaranteed rural employment and wage security, strengthening livelihood assurance in villages.
- **Khadi and Village Industries Commission initiatives:** Promote rural cottage industries, preserving traditional crafts and generating employment at the village level.
- **Scheme of Fund for Regeneration of Traditional Industries (SFURTI):** Supports cluster based development of traditional industries to improve productivity and income in rural areas.
- **Deendayal Antyodaya Yojana National Rural Livelihoods Mission:** Encourages self help groups and cooperative enterprises, aligning with the cooperative model highlighted during constitutional debates.

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