

## Dr.B.R. Ambedkar and Labour Law in Country

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### Abstract:

Labour law is a branch of law that governs the relationship between employers, employees, trade unions, and the state. Its primary objective is to protect workers' rights, ensure fair treatment in employment, and regulate working conditions, while balancing the interests of employers and fostering economic efficiency. Labour law encompasses both individual and collective aspects. The evolution of labour law reflects societal changes, addressing issues of workplace safety, non-discrimination, equality, and social security. It provides a framework for resolving conflicts, whether through negotiation, arbitration, or legal adjudication. In modern times, labour law is also adapting to new challenges posed by globalization, technological advancements, and the gig economy, ensuring that workers' rights are preserved in evolving employment models.

**Key Words:** Labour Law, Employees, Workers, economic.

### Introduction:

Labour laws are the one dealing with employment laws in any organization—whether it is a manufacturing organization or trading organization or shops and establishments. The labour laws address the various administrative rulings (Such as employment standing orders) and procedure to be followed, compliance to be made and it addresses the legal right of, and restriction on, working people and their organization. As such, the labour laws mediate in many aspects of the relationship between trade unions, employers and employees. In other words, Labour law defines the rights and obligations of employees, union members and employees in the workplace. The history of law links closely to the development of civilization. Ancient Egyptian law, dating as far back as 3000 BC, was based on the concept of Ma'at and characterized by tradition, rhetorical speech, social equality and impartiality. By the 22<sup>nd</sup> Century BC, the ancient Sumerian ruler Urnammu had formulated the first law code, which consisted of casuistic statements (“if...then...”) Around 1760 BC, King Hammurabi further developed Babylonian law, by codifying and inscribing it in stone. Hammurabi placed several copies of his law code throughout the kingdom of Babylon as stelae, for the entire public to see; this became known as the codex Hammurabi. The most intact copy of these stelae was discovered in the 19<sup>th</sup> century by British Astrologists, and has since been fully transliterated and translated into various languages, including English, Italian, German, and French.

The Old Testament dates back to 1280 BC and takes the form of moral imperatives as a recommendation for a good society. The small Greek city-state, ancient Athens, from about the 8<sup>th</sup> century BC was the first society to be based on broad inclusion of its citizenry, excluding women and enslaved people. However, Athens had no legal science or single word for “law”, relying instead on the three-way distinction between divine law (themis), human decree (nomos) and custom (dike). Yet Ancient Greek law contained major constitutional innovation in the development of democracy.

Roman law was heavily influenced by Greek philosophy, but its detailed rules were developed by professional jurists and were highly sophisticated. Over the centuries between the rise and decline of the Roman Empire, law was adapted to cope with the changing social situations and underwent major codification under Theodosius II and Justinian. Although codes were replaced by custom and case law during the Early Middle Ages, Roman law was rediscovered around the 11<sup>th</sup> century when medieval legal scholars began to research Roman codes and adapt their concepts to the canon law, giving birth to the *jus commune*. Latin legal maxims (called *brocards*) were compiled for guidance. In medieval England, royal courts developed a body of precedent which later became the common law. A Europe-wide Law Merchant was formed so that merchants could trade with common standards of practice rather than with the many

splintered facets of local laws. The Law Merchant, a precursor to modern commercial law, emphasized the freedom to contract and alienability of property. As nationalism grew in the 18<sup>th</sup> and 19<sup>th</sup> centuries, the Law Merchant was incorporated into countries' local Law under new civil codes. The Napoleonic and German codes became the most influential.

**Definition-** Labor law, also known as employment law, refers to the body of laws, regulations, and rules governing the relationships between employers, employees, and trade unions.

Ancient India's labor contributions were significant, shaping the economy, society, and culture.

#### **Review of Literature**

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#### **Vedic Period (1500 BCE-500 BCE)**

1. Agricultural labor: Farmers cultivated crops like rice, wheat, and barley.
2. Artisanal labor: Craftsmen produced textiles, pottery, and metalwork.
3. Trade and Commerce: Merchants and traders facilitated exchange of goods.

#### **Mauryan Empire (322 BCE-185 BCE)**

1. Centralized administration: Labor was organized for public works, taxation, and military campaigns.
2. Irrigation systems: Construction of canals, dams and reservoirs for agriculture.
3. Road network: Built and maintained extensive roads for trade and communication.

#### **Gupta Empire (320 CE-550 CE)**

1. Agricultural advancements: Improved irrigation, crop rotation, and farming techniques.
2. Artisanal innovation: Development of new crafts, such as sculpture, painting, and architecture.
3. Trade expansions: Establishment of trade relations with neighboring countries.

#### **Medieval Period (500-1500 CE)**

1. Feudalism: Labor tied to land agricultural labor, and artisanal crafts.
2. Delhi Sultanate: Introduction of Islamic laws, labor regulation, and guilds.
3. Mughal Empire: Expansion of trade, commerce, and labor-intensive industries.

#### **Colonial Period (1500-1947 CE)**

1. British East India Company Exploitation of Indian labor, forced labor, and indentured servitude.
2. Industrialization: Growth of textile, jute, and other industries, with labor-intensive production.
3. Industrial growth: Labor-intensive industries like textiles, steel, and cement.

#### **Modern Period**

Modern India's labor contributions have been significant, shaping the country's economy, society, and global presence.

**Pre-Independence (1858-1947)**

1. Industrialization: Labor drove growth in textiles, jute, and other industries.
2. Railways: Construction and operation of India's vast railway network.
3. Plantation labor: Tea, coffee, and indigo plantation in colonial India.
4. Migration: Laborers migrated to Southeast Asia, Africa, and the Caribbean.

**Before Independence:**

The Indian government passed several labor laws, including the Bombay Factory Act of 1864, the Indian Factories Act of 1878, the Indian Slavery Act of 1843, the Indian Trade Unions Act of 1926, and the Societies Registration Act of 1860

**Post-Independence (1947-1990)**

1. Green Revolution: Agricultural labor contributed to increased food production.
2. Industrial growth: Labor-intensive industries like textiles, steel, and Cement.
3. Public sector employment: Government jobs in administration, education, and healthcare.
4. Trade unions: Emergence of labor movements and trade unions.

**After Independence:**

The Indian government passed many new labor laws, including the Factories Act of 1948, the Mines Act of 1952, the plantation Labour Act of 1951, the ESI Act of 1948, the EPF and Miscellaneous Provisions Act of 1952, the Payment of Gratuity Act of 1972, and the Equal Remuneration Act of 1976. The Indian Constitution also incorporated several worker rights, including equal pay for equal work, abolition of child labor and bonded labor, and the right to work.

**Objectives of the Study-**

1. To understand the old concept of Labor Law.
2. To understand Contribution Dr. B.R. Ambedkar's in the Modern Labor Law.

**Some labor laws in India before and after independence include:**

- \*The Apprentice Act of 1850: This act allowed orphans to find jobs after they turned 18<sup>th</sup> years old.
- \*Bombay Factory Act of 1864 – One of the earliest labor laws in British India.
- \*The Trade Unions Act of 1926 – This act registered trade unions and defined some of the laws that applied to them.
  - The factories Act of 1881 – This act was the first version of the Factories Act in India.
  - The Minimum Wages Act of 1948 – This act was one of the first laws passed after India gained independence, and was intended to protect workers from exploitative conditions.
- \*The payment of Wages Act of 1936 – This act regulated how wages were paid to certain categories of employees, including those in factories and industrial establishments.
- \*The Factories Act of 1948 – This act regulated the health, safety, welfare, and working conditions of industrial workers.
- \*The payment of Bonus Act of 1965 – This act applied to factories and other establishments that employed at least 20 people in a given accounting year.
- \*The Equal Remuneration Act of 1951 – This act regulated the working conditions of plantation labor.
- \*Indian Factory Act of 1878 – A labor law that came after the Bombay Factory Act.
- \*Constitution of India of 1950 – Embedded fundamental labor rights, such as the right to join a trade union, equality at work, and a living wage.
- \*Payment of Bonus Act of 1951 – Regulates working conditions for plantation laborers in India that produce tea, coffee, rubber, and cinchona.

**Dr. B.R. Ambedkar's Contribution to Labor Laws in Country.**

Dr. B.R. Ambedkar, one of the principal architects of the Indian Constitution, made significant Contributions' to labor law and workers 'rights in India. His work in this area was motivated by his broader

goal of social justice and the upliftment of marginalized communities, including laborers and the working class. Here are some key contributions and labor law reforms influenced by Ambedkar.

#### **1. Minimum Wages.**

Dr. Ambedkar was instrumental in advocating for the establishment of a minimum wage system in India. He believed that workers should receive a living wage that is adequate to cover their basic needs. This advocacy was reflected in the formulation of labor policies that later led to the Minimum Wages Act of 1948.

#### **2. Social Security for Workers.**

Dr. Ambedkar strongly supported the idea that workers should have access to social security, including measures like old-age pensions, health insurance, and accident benefits. This laid the groundwork for various social security measures in the future, such as the Employees' State Insurance Act and the Employees' Provident Act.

#### **3.8- Hour Workday**

One of Dr. Ambedkar's key contributions was his role in establishing the 8-hour workday in India. In 1942, as the Labour Member of the viceroy's Executive Council, Ambedkar played a pivotal role in reducing the working hours for laborers from 12 to 8 hours a day, a major achievement for labor rights in India at the time.

#### **4. Trade Union Rights**

Dr. Ambedkar was a strong advocate for the right of workers to organize themselves into trade unions. He saw this as a necessary step for the empowerment of laborers and believed in the importance of collective bargaining to improve working conditions. The Trade Unions Act of 1926 and subsequent amendments were influenced by these principles.

#### **5. Equality and Non-discrimination in Employment**

Dr. Ambedkar's work as the Chairman of the Drafting Committee of the Indian Constitution ensured the inclusion of provisions related to labor rights and protections against discrimination in employment. Article 23 of the Indian Constitution protects against discrimination in employment, and Article 16 also ensures equality of opportunity in public employment, a key part of Ambedkar's broader mission for social justice.

#### **6. Maternity Benefits**

Ambedkar was also a pioneer in advocating for maternity benefits for women workers. The Maternity Benefit Act, which was enacted in 1961, owes some of its principles to his work in ensuring that women laborers receive paid maternity leave and other benefits during pregnancy.

#### **7. The Factories Act**

As the Labour Minister, Ambedkar was involved in the amendments and improvements to the Factories Act, which regulated the conditions of labor in factories, including safety, health, and welfare measures for workers. He emphasized the need for improving the working conditions in factories and other workplaces.

#### **8. Employment Exchanges**

Under Ambedkar's guidance, the Employment Exchanges were set up in India to help facilitate better employment opportunities for job seekers. These exchanges became instrumental in connecting workers with employers, improving labor market efficiency.

#### **9. Focus on Labor welfare**

Throughout his career, Ambedkar worked to ensure that labor policies addressed the welfare of all workers, particularly those in marginalized communities, such as Dalits and other underprivileged groups.

His vision was to create a labor system that was fair and just for everyone, regardless of caste or class.

#### **Summary of Ambedkar's vision for Labor Rights.**

\*Fair wages and social security

**\*Reduction of working hours**-For a better work-life balance.

**\*Right to Organize** -and form unions.

**\*Elimination of discrimination** –in employment based on caste, gender, or class.

**\*Social justice- in Labor laws to improve the lives of marginalized groups.**

Dr.B.R. Ambedkar's Contribution to Labor laws in India continue to have a lasting impact on the rights and protections enjoyed by workers today. His vision of social justice and equality profoundly shaped the country's labor policies and welfare systems.

**Conclusion:** In Conclusion, Dr.B.R. Ambedkar's influence on Indian labour laws is monumental. His reforms significantly improved working conditions,enhanced workr's rights, and contributed to creating a more balanced and human industrial environment. His legacy in labour law continues to shape modern Indias's legal approach to employment, ensuring that the principles of equality and justice remain central to India's labour policies.

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