

JUDICIAL ACTIVISM IN ADVANCING LABOUR WELFARE: A STUDY OF BENEFICIAL INTERPRETATION IN INDIAN LABOUR LAWS

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Abstract:

This study examines the role of judicial activism in advancing labour welfare in India through the doctrine of beneficial interpretation. Rooted in the constitutional vision of a welfare state, Indian labour laws are designed to protect workers from exploitation and ensure dignity, equality, and social justice. The paper highlights how the judiciary has played a transformative role by interpreting welfare legislation liberally, ensuring that the objectives of such laws are effectively realized. It explores the doctrinal foundations of beneficial interpretation and demonstrates how courts have expanded the scope of Fundamental Rights by harmonizing them with the Directive Principles of State Policy. Through landmark judicial decisions, the study illustrates how labour rights have evolved from mere statutory protections into enforceable constitutional guarantees. While acknowledging concerns of judicial overreach, the paper concludes that judicial activism has largely acted as a progressive force in addressing legislative gaps and socio-economic inequalities, thereby strengthening labour jurisprudence in India.

Keywords: Judicial Activism, Labour Welfare, Beneficial Interpretation, Welfare Legislation, Indian Labour Laws, Fundamental Rights, Directive Principles of State Policy (DPSP), Social Justice, Constitutional Interpretation

INTRODUCTION:

Labour law in India is fundamentally anchored in the ideals of social justice and the constitutional vision of a welfare state. It seeks to mitigate the structural imbalance of power between employers and employees by ensuring fair wages, safe working conditions, and social security. Unlike ordinary commercial legislation, labour laws are remedial and beneficial in nature, designed to protect vulnerable sections of society from economic exploitation. However, the realization of these objectives depends not only on legislative enactments but also on the interpretative approach adopted by the judiciary. A central doctrinal tool employed by the courts is the principle of beneficial interpretation. This principle mandates that

welfare legislations must be interpreted liberally in favour of the class of persons they are intended to benefit.¹⁵ According to G.P. Singh, statutes dealing with social welfare are to be construed so as to advance the remedy and suppress the mischief, thereby justifying a departure from rigid interpretative rules.¹⁶ The Supreme Court has consistently reaffirmed this approach, emphasizing that labour laws must be interpreted in a manner that furthers their underlying objectives rather than frustrates them. Judicial activism in labour law is also deeply influenced by constitutional principles. The expansion of Article 21 of the Constitution

¹⁵ Upendra Baxi, *The Indian Supreme Court and Politics* (Eastern Book Company 1980).

¹⁶ G.P. Singh, *Principles of Statutory Interpretation* (14th edn, LexisNexis 2016).

has significantly broadened the scope of labour rights. Furthermore, the Directive Principles of State Policy particularly Articles 39, 41, 42, 43, 43A & 54 have served as interpretative guides, encouraging courts to adopt a welfare-oriented approach.¹⁷ However, judicial activism is not without its critics. Some scholars argue that excessive judicial intervention may lead to uncertainty and encroach upon the legislative domain.¹⁸ Nevertheless, in the context of labour welfare, judicial activism has largely been viewed as a necessary response to socio-economic realities and legislative inadequacies. This study seeks to critically examine the role of judicial activism in advancing labour welfare through beneficial interpretation in Indian labour laws. It analyses judicial trends, explores doctrinal developments, and evaluates the broader implications of such activism for the future of labour jurisprudence in India.

DOCTRINE OF BENEFICIAL INTERPRETATION IN WELFARE LEGISLATION

As a general principle of statutory interpretation, when the language of a provision is clear, unambiguous, and capable of only one meaning, that meaning must be given full effect. There is no scope for applying alternative rules of interpretation in such circumstances. It is only when the words of a statute are open to more than one interpretation that the need for interpretative tools arises. In such cases, where multiple meanings are possible, the interpretation that avoids absurdity and ensures the effective operation of the provision is to be preferred. This approach is guided by the maxim *ut res magis valeat quam pereat*, which emphasizes that a statute should be construed in a manner that makes it workable and operative rather than ineffective or futile.

When two or more views are possible, then it is duty of court to interpret a provision, especially a beneficial legislation, liberally so as to give it

wide meaning rather than a restrictive meaning.¹⁹

In the case of *Lalappa Lingappa v. L.V. Textiles Mills*²⁰ the Hon'ble Supreme Court observed: "...If a provision is capable of two constructions, that constructions should be preferred which fulfils the policy of the Act and is more beneficial to the persons in whose interest the act has been passed. When, however, the language is plain and unambiguous, effect must be given to it whatever may be the consequences, for, in that case, the words of the statute speak the intention of the legislature. When the languages are explicit. Its consequences are for the legislature and not for the courts to consider.

In the case of *Hindustan Level Ltd v Ashok Vishnu Kate*²¹, the court held that during interpreting social welfare legislation, a construction should be placed on the relevant provisions which furthers the purpose for which such legislation was enacted.

Socio-economic legislation which are aimed at social or economic policy changes, the interpretation should not be narrow. Justice Krishna Iyer in a case relating to agrarian reforms observed that "the judiciary is not a mere umpire but also an active catalyst in the constitutional scheme". In the case of *Sant Ram v Rajinderlal*²², the Supreme Court said that a welfare legislation must be interpreted in a third World perspective favouring the weaker and poor class. It has also been laid down in the case of labour legislation that courts should not stick to grammatical constructions but also have regard to 'teleological purpose and protective intendment' of the legislation²³.

Also the Delhi High Court in *Prafulla Samantra v. Ministry of Environment & Forests*,²⁴ held that 'A well-established rule of interpretation is that a beneficial statute be given a purposive

¹⁹ Bindra, N.S., "Interpretation of Statute", (2017) at pg. 797

²⁰ *Lalappa Lingappa v. L.V. Textiles Mills* AIR 1981 SC 852

²¹ *Hindustan Level Ltd v Ashok Vishnu Kate* (1995) SCC 1385

²² *Sant Ram v Rajinderlal* AIR 1978 SC 1601

²³ *State Bank of India v MS Money* AIR 1976 SC 1111

²⁴ *Prafulla Samantra v. Ministry of Environment & Forests* 159 (2009) DLT 604

¹⁷ The Constitution of India, 1950.

¹⁸ A.K. Koul, 'Judicial Activism and Overreach in India' (2008) 50 JILI 321.

construction, to further legislative intention, if literal interpretation thwarts’.

While deciding the case of *Kala v. Union of India*²⁵ on matter related to compensation for a railway accident the Court held that the word ‘Untoward incident’ include the accidental falling while trying to board a train, and was not limited to situations where a person got inside and fell off thereafter. In this case the court held the Railways Act as beneficial legislation and thus it should be given liberal and not literal or strict interpretation.

In taxing Statutes as in *CIT v. Trans Co. Pvt. Ltd.*²⁶ it was held that if two views are possible in taxing statute the view which is favorable to assessee must be accepted. So in simple words all these can be termed as case, that, when beneficent objectives found or beneficial consequences requires, the interpretation bends towards beneficial construction.

All these rulings signifies the judiciary’s role on applying the rule of beneficial construction also explaining as to the extent of such interpretations.

FUNDAMENTAL RIGHTS AND LABOUR PROTECTION

The relationship between Fundamental Rights and labour protection in India reflects a profound constitutional transformation driven largely by judicial interpretation. While the Constitution of India does not explicitly enumerate a comprehensive catalogue of labour rights within Part III, the judiciary has over time read labour protections into Fundamental Rights, thereby elevating them from mere statutory entitlements to enforceable constitutional guarantees.

At the core of this transformation lies the recognition that labour is not merely an economic factor of production but an embodiment of human dignity, livelihood, and social justice. The Indian Constitution, through its Preamble, envisions a socio-economic order

based on justice social, economic, and political. This vision is operationalized through a dynamic interaction between Fundamental Rights (Part III) and the Directive Principles of State Policy (Part IV). Although the Directive Principles are non-justiciable, they have significantly influenced the interpretation of Fundamental Rights particularly in the domain of labour welfare.

In *Air India v. Nargesh Meerza*²⁷ the SC ruled that service regulations forcing air hostesses to retire upon marriage (within 4 years of joining), first pregnancy, or at age 35 were unconstitutional, discriminatory, and arbitrary. The judgment upheld equality under Article 14, invalidating gender-biased termination policies while upholding different, reasonable retirement ages for flight purser roles.

*Randhir Singh v. Union of India & Ors.*²⁸, is a landmark Supreme Court of India case that elevated the principle of “equal pay for equal work” from a mere Directive Principle Article 39(d) to a substantive enforceable right when read with Articles 14 and 16. The Court ruled that drivers in the Delhi Police Force were entitled to pay parity with other central administration drivers, recognizing that equal work deserves equal pay. The court opined:- “Construing Articles 14 and 16 in the light of the Preamble and Art. 39(d) we are of the view that the principle ‘Equal pay for Equal work is deducible from those Article and may be properly applied to cases of unequal scales of pay based on no classification or irrational classification though these drawing the different scales of pay do identical work under the same employer.”

In *People's Union for Democratic Rights v. Union of India*,²⁹ popularly known as the *Asiad Labour* case, case dealt with the issue as to workers were not getting the minimum wages, a writ petition was filed. The Court successfully transformed the constitutional guarantee of equality and the Labour law provision from

²⁷ *Air India v. Nargesh Meerza*

²⁸ *Randhir Singh vs Union Of India & Ors.* 1982 AIR 879

²⁹ *People's Union for Democratic Rights v. Union of India* AIR 1982 SC 1473

²⁵ *Kala v. Union of India* ILR (2011) III Del 266

²⁶ *CIT v. Trans Co. Pvt. Ltd.* 1970 2SCC 192

sloganeering to materialization by giving multi-dimensional meanings to the expression 'forced labour' as used in Article 23 of the Constitution which paved the way for the Court in future to interpret the Bonded Labour System (Abolition) Act, 1976 and the bonded labour system as a crude form of forced labour.

In the case of *M.C. Mehta v. State of Tamil Nadu*³⁰, the petitioner, Shri M.C. Mehta, approached the Supreme Court of India by invoking its writ jurisdiction under Article 32 of the Constitution. The petition was filed to address the grave violation of the fundamental rights of children, particularly under Article 24, which prohibits the employment of children below the age of fourteen years in hazardous industries. The case brought to light the widespread exploitation of child labourers in the town of Sivakasi, Tamil Nadu. The court opined:-

"Now, if employment of child below that age of 14 is a constitutional indication insofar as work in any factory or mine or engagement in other hazardous work, and if it has to be seen that all children are given education till the age of 14 years in view of this being a fundamental right now, and if the wish embodied in Article 39(e) that the tender age of children is not abused and citizens are not forced by economic necessity to enter avocation unsuited to their age, and if children are to be given opportunities and facilities to develop in a healthy manner and childhood is to be protected against exploitation as visualised by Article 39(f), it seems to us that the least we ought to do is see to the fulfillment of legislative intent behind enactment of the Child Labour (Prohibition and Regulation) Act, 1986."

In *Bandhua Mukti Morcha v. Union of India*³¹ The petitioner, Bandhua Mukti Morcha, an organization working for the eradication of bonded labour, filed a writ petition under Article 32 of the Constitution. The petition was based on a letter addressed to the Court, highlighting the inhuman and exploitative conditions of

bonded labourers working in stone quarries in Faridabad, Haryana. The court observed:-

"This right to live with human dignity, enshrined in Article 21 derives its life breath from the Directive Principles of State Policy and particularly clauses (e) and (f) of Article 39 and Article 41 and 42 and at the least, therefore, it must include protection of the health and strength of workers men and women, and of the tender age of children against abuse, opportunities and facilities for children to develop in healthy manner and in conditions of freedom and dignity, educational facilities, just and humane conditions of work and maternity relief. These are the minimum requirements which must exist in order to enable a person to live with human dignity and no State neither the Central Government nor any State Government has the right to take any action which will deprive a person of the enjoyment of these basic essentials."

In *Neeraja Chaudhary v. State of MP*³², the Supreme Court entertained a letter petition in which a complaint about the non-implementation of the Bonded Labour System (Abolition) Act, 1976 was made. The court observed that it is the plainest requirement of Articles 21 and 23 that bonded labourers must be identified and released and on release, they must be suitably rehabilitated. The Bonded Labour System (Abolition) Act, 1976 has been enacted pursuant to the Directive Principles of State Policy with a view to ensuring basic human dignity to the bonded labourers and any failure of action on the part of the State Government in implanting the provisions of this legislation would be the clearest violation of Article 21 apart from Article 23.

DIRECTIVE PRINCIPLES OF STATE POLICY AND THEIR INTERPRETATIVE ROLE

The Directive Principles of State Policy articulate the fundamental ideals of social and economic justice that underpin India's constitutional framework. While they are non-enforceable in a

³⁰ *M.C. Mehta v. State of Tamil Nadu* AIR 1997 SC 699

³¹ *Bandhua Mukti Morcha v. Union of India* (1991) 4 SCC 177

³² *Neeraja Chaudhary v. State of MP*. AIR 1984 SC 1099

court of law, their significance lies in their role as interpretative guides in determining the scope and content of Fundamental Rights. The judiciary has progressively relied on these principles to give a broader and more meaningful interpretation to constitutional guarantees, ensuring that the ideals of equality, welfare, and dignity are effectively realized within the legal system.

*Hindustan Antibiotic Ltd. v. The Workmen & Ors.*³³, the Supreme Court of India has held that where the labour is engaged in any sector or any region or any industry whichever may be the application of labour laws would common to every factor

*Municipal Corporation of Delhi v. Female Workers*³⁴ is a landmark Supreme Court of India case establishing that daily wage or contractual female employees are entitled to maternity benefits

Whatever is needed to facilitate the birth of child to a woman who is in service, the employer has to be considerate and sympathetic towards her and must realise the physical difficulties which a working woman would face in performing her duties at the work place while carrying a baby in the womb or while rearing up the child after birth. The Maternity Benefit Act, 1961 aims to provide all these facilities to a working woman in a dignified manner so that she may overcome the state of motherhood honourably, peaceably, undeterred by the fear of being victimised for forced absence during the pre or post-natal period.

Directive Principles of State Policy (DPSP) in Part IV of the Indian Constitution³⁵, while non-justiciable, act as foundational guidelines for a welfare state, significantly shaping Indian labour law. Courts use DPSP as an interpretation tool to expand labour rights, ensuring statutory laws align with worker welfare.

The Supreme Court in *Case of B. Shah v. Presiding officer, Labour Court*,³⁶ had to decide whether the female employee would get the wages for six days or for week during maternity leave (considering that Sunday as holiday) under Maternity Benefit Act, 1961. The Court removed such technicalities on ground of object of Social justice and held: "In interpreting provisions of beneficial pieces of legislation intended to achieve the object of doing social justice to women workers employed in the plantations and which squarely fall within the purview of Article 42 of the constitution, the beneficent rule of construction, which would enable the women worker not only to subsist but also to make up for her dissipated energy, nurse her child, preserves her efficiency as a worker and maintain the level of her provision efficiency and output, has to be adopted by the court."

CONCLUSION

The evolution of labour protection through the prism of Fundamental Rights represents one of the most significant achievements of Indian constitutional jurisprudence. The judiciary, by adopting a purposive and welfare-oriented approach, has successfully transformed labour rights from mere statutory safeguards into enforceable constitutional guarantees, thereby strengthening the position of workers within the legal framework. Through expansive interpretations of Articles 14, 16, 21, 23, and 24, the courts have ensured that issues such as wage equality, forced labour, child labour, and dignified working conditions are addressed not only as policy concerns but as matters of fundamental human rights. Landmark decisions illustrate as to how the judiciary has harmonized Fundamental Rights with Directive Principles to advance the cause of labour welfare. This judicial approach reflects a broader commitment to substantive equality and social justice, ensuring that constitutional promises are not confined to theoretical ideals but translated into meaningful protections for

³³ *Hindustan Antibiotic Ltd. v. The Workmen & Ors.* 1967 AIR 948

³⁴ *Municipal Corporation of Delhi v. Female Workers* AIR 2000 SUPREME COURT 1274

³⁵ The Constitution of India, 1950

³⁶ *B. Shah v. Presiding officer, Labour Court* AIR 1978 SC 12



vulnerable sections of society. At the same time, while concerns regarding judicial overreach persist, in the realm of labour law, such activism has largely functioned as a progressive force, addressing legislative gaps and responding to socio economic realities. Ultimately, the integration of labour rights within the framework of Fundamental Rights underscores the dynamic and evolving nature of the Constitution. It reaffirms that the protection of labour is not merely an economic necessity but a constitutional imperative, essential for upholding human dignity, equality and the vision of a just and welfare-oriented society.

