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WHETHER INDIA'S NEW LABOUR REFORMS SIGNIFY MERE STRUCTURAL REARRANGEMENT OR SUBSTANTIVE LEGISLATIVE REFORM

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Abstract:

India has made a considerable attempt towards consolidating its labour laws with the passing of four Labour Codes in 2020; an attempt which reflects a change in approach from fragmented labour welfare laws to codified ones. While all four Codes have been passed in the year 2020, their application has been slow and is still dependent on the notification of rules by the relevant authorities; a process which is gradually taking place. This move has been viewed as a significant move towards the rationalization and modernization of labour legislation in India.

Against this background, the main purpose of the current paper is to critically analyse if the above-mentioned codification of the labour laws amounts to mere reorganization or legislative reform in substance. The specific aim is to determine whether there are any substantial changes that are being brought about by way of welfare or protection for the workers under the codes, or the codification is a mere restructuring of the previous laws.

The study has been conducted using doctrinal research method based on statutory analysis, secondary sources and judicial interpretation of prior labour laws. Additionally, the study has also involved a comparison between the pre-codified state of affairs and the present one.

It is through such an analysis that the paper assesses the similarities and differences in the laws with a special emphasis on aspects like protection of workers, implementation methods, and regulatory criteria.

The main focus of the study is to find out whether there is true legislative reform in the new labour legislation of India or whether it is just structural in nature.

Keywords: New labour reforms, substantive legislative reform, mere structural rearrangement.

Introduction

The Indian system of labour laws has witnessed one of the most important changes in recent times through the introduction of the Labour Codes, which consist of the following: the Code on Wages, 2019; the Industrial Relations Code, 2020; the Code on Social Security, 2020; and the Occupational Safety, Health, and Working Conditions Code, 2020. This development has led to the consolidation of twenty-nine labour laws at the central level into a single body of codified laws, showing a distinct attempt by lawmakers to ensure simplification, eliminate redundancies, update obsolete provisions, and make labour law consistent with current economic conditions.

Nevertheless, the process of codifying Indian labour law also poses the following normative and doctrinal challenge: Is this initiative merely about changing the structure of pre-existing

legislation or will it result in substantive modifications to labour regulations and the rights of workers? Although the four Codes definitely alter the framework for regulating the labour market, they do implement a number of notable modifications to the terms of definitions, thresholds, regulatory enforcement, dispute resolution, social security provisions, and employer responsibilities. Several of the modifications seem to be positive, including the incorporation of gig workers and platform workers, fixed-term employment with equal entitlements, extended wage protections, and the transition to digital compliance.

Nevertheless, the importance of the above-mentioned measures cannot be measured simply in terms of how many laws have been compiled or simplified. It is necessary to take a deeper look into the matter to understand if the new system actually enhances labour welfare or if it is just a way to make management easier for the employers. Questions can be raised, for example, regarding higher thresholds for retrenchment, layoff, closing, and applicability of factories; greater reliance on delegated legislation; transition from being an enforcing authority to being an enforcer and facilitator; and the dependence of substantive rights on future rules and notifications.

In view of the above discussion, this paper attempts a doctrinal and critical analysis of the recent labour reforms implemented in India through the comparison of the pre-codified legal system against the current system under the Labour Codes. It will be attempted to examine the degree to which the Labour Codes retain existing rights, create changes in the relationship between labour and capital and restructure the function of the State in labour law. In addition, the essay will make considerations on the implications of the said labour reforms in relation to their impact on constitutional principles of dignity, social justice, equality, and humane working conditions as enshrined in Indian labour law.

I. Historical Development of Labour Legislation in India

The development of labour laws in India has been very much associated with the social, economic, and political developments of the country. During the colonial period, labour laws were mainly formulated to regulate industrial discipline and promote production interests as compared to formulating any comprehensive welfare regime for the people. Such early legislations as the Factories Act and others had an extremely limited scope, being aimed mainly at regulating labour in particular sectors of industry. Their main objective was to monitor the work in particular industries, and not to provide workers' universal rights.

After India gained its independence, labour law started developing towards its welfare and constitutional nature. Articles 38, 39, 41, 42, and 43 of the Directive Principles of State Policy provided the basic guidelines for formulating labour laws protecting the workers' interests in respect of their wages, work conditions, social security, health, and collective bargaining. In order to regulate all the above spheres, Parliament adopted a large amount of central labour laws.

1. Major Characteristics of the Pre-2020 Labour Regime

Prior to the implementation of the Labour Codes, the labour law system in India comprised a vast body of scattered central and state legislation. Such acts regulated various aspects of employment relations including remuneration, industrial disputes, standing orders, social security, contract labour, occupational safety and health, welfare measures, and migration. Some significant labour legislations include the Industrial Disputes Act, 1947, the Minimum Wages Act, 1948, the Factories Act, 1948, the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the Employees' State Insurance Act, 1948, the Payment of Bonus Act, 1965, the Contract Labour (Regulation and Abolition) Act, 1970, the Payment of Gratuity Act, 1972, and many more.

One characteristic of the previous regime that needs mention is the sectoral and threshold-based approach. The laws were applicable to certain sectors of workers and industries based on the type of industry, number of employees, salary cap, or territorial notifications. Thus, minimum wage laws did not provide uniform protection to all workers while social security benefits depended upon the coverage criteria or notified sectors.

The previous regime was also dependent on administration control through the use of inspectors, registers, licenses, and returns. Requirements for compliance were provided under various enactments, each having its own set of documents, agencies, and process of filing. Although this mechanism was supposed to control employers and protect the interests of the workers, sometimes it could generate redundancy and formality instead of proper service delivery.

2. Structural Weaknesses in the Previous Regime

A very fundamental weakness in the labour regime before 2020 was that of fragmentation. Laws related to the field of labour had evolved gradually during many decades, and had been made in response to various social and industrial needs. Consequently, there emerged provisions which overlapped one another and used varied terminology as well as definition of terms like "worker", "employee", "wages", "appropriate government" and "establishment".

A second challenge was one of complexity and compliance costs. Because various legislations had different requirements of registration, licensing, filing returns, record-keeping, etc., employers were required to adhere to several laws simultaneously. This posed a challenge especially to micro, small, and medium businesses, who may lack departments responsible for regulatory issues. This would lead to labour legislation being technically difficult and cumbersome, with a resulting reduction in legal certainty and room for errors.

Thirdly, there was a failure in enforcement. Despite being comprehensive, the system would be rendered less effective due to poor inspection, understaffing of labour authorities, and poor collaboration among concerned parties. In such scenarios, there would exist a huge gap between law and reality because while the former may be adequate, the latter is not necessarily guaranteed. For example, labour laws from the previous period may have been too outdated to handle new forms of employment like informal employment, contract work, migration work, or gig work.

There was also the problem of out-of-date legislative thinking in this respect. Much of the legislation in question had been enacted during an industrial period characterised by static workplaces, permanent jobs, and traditional master-and-servant relationships. These pieces of legislation were no longer adequate to address issues surrounding current forms of employment, such as short-term engagements, platform employment, diffused employment, sub-contracting arrangements, and virtual workplaces.

3. The Case for Consolidation and Reform

It is within this context that the case for labour reform came about. The Second National Commission on Labour has long called for the consolidation of labour laws into larger groups to gain simplicity and comprehensiveness. It was held that a new system of labour legislation should not be one that preserves all previous legislation in fragmented fashion but rather that it should be organised in such a way as to be relevant to the current economic environment while preserving its social orientation.

In this way, the pre-2020 system is the crucial backdrop against which the new Labour Codes must be understood. The old system had many positive qualities, being reflective of the evolution of social justice within Indian labour law. However, it was becoming increasingly cumbersome to implement and adjust. The new system of codes can thus be regarded as an attempt to remedy some of these problems. It is

a matter of dispute whether the new Labour Codes constitute real reform or are simply more of the same.

II. Overview of Labour Reform, 2020

The 2020 labour reforms in India can be characterized by the shift from the disintegrated law-based regime to the unified codified approach. In total, four Labour Codes have been introduced during the reform process to bring together twenty-nine central labour laws into one compact code. Not only did the reform aim to organize the legal framework more effectively, but it focused on simplification, expansion of the covered aspects, elimination of redundancies in procedures, and labour regulation in accordance with contemporary employment practices.

In addition to improving the efficiency of labour regulations, the reform took into account the tension between the effectiveness and protective nature of the labour policy that had been observed prior to the reform. While the initial labour laws were seen as too complex and inefficient, the representatives of workers' associations were afraid that the simplification would entail the reduction of existing worker protection measures. Thus, the Labour Codes should be viewed as a solution to both problems.

a. Background of the Reform of 2020

Prior to the reform of 2020, the Indian labour law framework had developed in a fragmented manner over many decades. Different legislations dealt with topics such as wages, industrial disputes, social security, contract labour, factories, migrant workers, and occupational safety. This led to overlaps in definitions and authorities. In addition, the Second National Commission on Labour had proposed classification according to functional areas, and the new laws came into force based on this principle.

The codification was also meant to reflect the changes in the work environment. The increase in the number of contractual employees, migrants, platform workers, and novel modes of work rendered the old labour laws insufficient. An attempt was made to integrate these categories under one framework of legislation.

b. Objectives of Codification

There were multiple objectives behind the process of codification of the labour laws. Simplification of the complicated legislative regime constituted one of the main purposes of the codification. Prior to this reform, there were a large number of laws, returns, and registers that needed to be complied with, making the task arduous.

The second goal was consistency. Various labour statutes had different definitions for identical terminology like "worker", "employer", "wages", and "establishment". Codification was supposed to provide uniformity.

Third was extended coverage. The previous set of labour laws only covered particular establishments, sectors, or wage classes. Coverage in the new scheme was to be extended to cover unorganised workers, contract workers, gig workers, platform workers, and migrants, among others.

Fourth was ease of doing business. The idea was that the compliance requirements for employers would be made easier through single registration, single licensing, single reporting, electronic filing, and easy inspection.

Fifth was modernisation. Many of the old laws were framed in the pre-independence or post-independence era. The Labour Codes were expected to ensure that labour legislation kept pace with modern industrial conditions, digital governance, and modern employment practices.

Code on Wages, 2019

Code on Wages is the cornerstone of the newly proposed wage regime in India. The Code on Wages, 2019 amalgamates the provisions of four Acts, namely the Payment of Wages Act, 1936; the Minimum Wages Act, 1948; the Payment of Bonus Act, 1965; and the Equal Remuneration Act, 1976. The primary purpose of

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the Code is to ensure equity in wage payments and promote legal homogeneity across all industries.

a. Universal Minimum Wages

One of the most significant provisions under this Code is that the provision relating to minimum wages will apply to all employees irrespective of whether they belong to scheduled employments or not. In simpler terms, this means that the provision will now apply universally and not be limited only to select sectors or individuals. Moreover, this Code also introduces the notion of floor wages, which serve as a guideline for states when fixing their minimum wages.

b. Common Definition of Wages

The Code aims to provide a common definition of wages for determining salaries, deductions, bonuses, and other benefits. Previously, there was no single definition of wages under various laws. As such, there were multiple definitions, making it difficult to structure one's salary.

c. Equality and Prompt Payments

In matters related to wages, the Code bars any discrimination based on gender and enhances the principle of equal pay for equal work. Moreover, the provisions concerning prompt payments and deductions have been extended to ensure that wage protection is not limited merely to employees receiving meagre salaries. Overtime wages will be paid at double the normal rates.

d. Compliance-Based Enforcement System

The conventional "Inspector" system is replaced by an "Inspector-cum-Facilitator" system, which is an indication of the compliance-based orientation of the legislation. Minor offences committed for the first time may lead to compoundable offences while some offences are no longer criminal in nature.

Industrial Relations Code, 2020

The Industrial Relations Code brings together the Trade Unions Act, 1926, the Industrial Employment (Standing Orders) Act, 1946, and the Industrial Disputes Act, 1947. The objective of the legislation is regulation of trade union recognition, industrial disputes, conditions of employment, retrenchment, and closures.

a. Fixed-Term Employment

Recognition of fixed-term employment constitutes one of the significant features of the Code. The fixed-term employees get equal status with permanent workers in terms of wages and other benefits in case they do similar jobs as their counterparts.

b. Threshold for Retrenchment and Closure

The threshold for requiring prior government approval before undertaking retrenchments, layoffs, and closures has been increased from 100 to 300 workers, depending on state variations. This reform is one of the most controversial due to its impact on both managerial flexibility and employee job security.

c. Trade Union Recognition

A trade union whose membership constitutes 51% of the total members is recognized as a negotiating union. Other provisions are made in cases where no single trade union achieves this percentage mark. This provision is intended to ease negotiations and minimize inter-union rivalry.

d. Dispute Settlement and Strikes

Stricter procedures for declaring strikes and lockouts have been introduced. Advance notification has been made compulsory. Furthermore, grievance redressal will be expedited through industrial tribunals. Conciliation failure will pave the way for arbitration.

Code on Social Security, 2020

The Code on Social Security is the largest welfare-related reform among the four codes. Nine social security laws have been amalgamated into the Code on Social Security, and it attempts to provide protection to an expanded class of workers that includes unorganised, gig, and platform workers.

a. Expansion of Scope of Protection

One of the greatest achievements of this Code is the creation of a category of workers that were not present before. Gig and platform workers can now enjoy social security provisions, which is essential considering the evolving nature of labour markets. The Code also intends to improve protection to migrant and unorganised workers using digital technology.

b. Uniform and Portable Welfare Benefits

This Code introduces the concept of uniform and portable welfare benefits. For example, the provisions for provident fund, insurance, maternity benefit, and gratuity are made available and are expected to be portable. This is especially beneficial for migrant workers who need to work in different locations for employment.

c. Fixed-Term and Gratuity Provisions

Gratuity is now provided to fixed-term employees after completing one year of continuous service instead of the previous five years.

d. Digital Social Security Administration

Registration, record-keeping, and digital compliance play key roles in this Code. It also makes mention of an inspector-cum-facilitator approach, timely investigations, and lower appeal deposits, which are aimed at increasing efficiency in social security administration.

Occupational Safety, Health and Working Conditions Code, 2020

The Occupational Safety, Health and Working Conditions Code is made up of thirteen different Acts relating to occupational safety, welfare, and working conditions. Its objective is to ensure that there is a standardized legal requirement with regard to the health, safety, and welfare of establishments.

a. Consolidated Registration and Licensing

The Code has introduced certain terms such as single registration, single licence, and single returns. These changes will ensure less duplication and simplification in the process. The centralization of record keeping and compliance for multi-jurisdictional establishments will also be facilitated by these changes.

b. Expanded Rights and Protections

Protection of migrants, women, and hazardous occupations workers has been expanded under this code. In addition to this, women are permitted to perform work in any establishment as well as night shift work. This is a huge move in ensuring equal treatment at the workplace.

c. Contract Labour and Occupational Safety

The Code increases the threshold for contract labour employment and simplifies licence requirements for this employment. However, it becomes stricter concerning safety requirements and imposes greater responsibility on principal employers to look after the welfare of contract labourers.

d. Health, Welfare, and Compliances

The Code includes provision for periodic health examinations, appointments, formation of safety committees, and establishment of a national advisory body for occupational safety and health. Moreover, it encourages electronic inspection of businesses and decriminalises small infringements, making way for imposition of monetary fines instead.

III. Comparison of the Pre-2020 Regime and Labour Codes

1. Structural Consolidation and Legislative Architecture

The most conspicuous alteration introduced by the labour reforms of 2020 is the aspect of structural consolidation. In the absence of the codification process, the labour regime in India included a complex and fragmented system of legislations at both the centre and states that covered the subjects of wages, industrial disputes, social security, contract labour, factories, migratory labour, and occupational safety separately. However, the current scheme integrates twenty-nine laws concerning labour into four Labour Codes: namely, Wages,

Industrial Relations, Social Security, and Occupational Safety.

It is important to mention that the consolidation of labour legislation does not merely involve an arrangement of laws. On the contrary, it rationalizes the legislative architecture by minimizing the total number of laws and providing a common language for all labour matters. According to PRS, there were mutual inconsistencies of definition and multiple layers of compliance under the former system, whereas the Codes attempt to streamline and upgrade labour regulation through concepts like single registration, single license, single return, and consolidated digital compliance.

While the codification of laws is by no means an outright replacement of all labour regulations, certain aspects of law continue to be dealt with through delegated legislation, and much of the operation is contingent upon central and state rules and notifications. Codification thus results in structural consolidation of labour laws, though their effective implementation largely depends on subordinate legislations. In this context, codification results in the creation of a new framework for the legal regulation of labour, though the old system of labour regulation is not entirely superseded.

2. Wage Regulation and Labour Protection

Of all the reforms introduced by the newly enacted Codes, the most significant in terms of the subject matter of wage protection pertains to the code on wages of 2019. Under the old regime, minimum wage laws only applied to scheduled employments that covered a limited section of the work force. The code on wages replaces the previous scheme with one under which minimum wage laws apply to all employees, and a statutory minimum floor wage is established.

Also, the definition of wages has been rationalised by introducing greater consistency in defining wages across different Acts. This has been done in light of inconsistencies in the definition of wages under different labour legislation, such as the Payment of Wages Act, the Minimum Wages Act, the Payment of Bonus Act, and the Equal Remuneration Act, among others, that have allowed employers to classify their payments in such a manner as to reduce the burden on statutory provisions. In other words, the introduction of a common wage concept is an important objective here, which may affect minimum wages, bonuses, overtime pay, and social security contributions.

Furthermore, this Code introduces a significant change in relation to the prohibition of workplace discrimination, which now explicitly applies to gender and even transgender people with regard to the criteria of employment, wages, and conditions of service of equal work. Thus, there has indeed been a change in substantive equality law by expanding the scope of its operation.

3. Industrial Relations and Employment Security

The Industrial Relations Code, 2020 integrates the Trade Unions Act, 1926, the Industrial Employment (Standing Orders) Act, 1946, and the Industrial Disputes Act, 1947. The declared purpose of this legislation is to streamline trade union regulations, employment policies, and industrial disputes resolution, while simultaneously maintaining industrial peace. Structurally speaking, this represents a consolidation process; pragmatically, however, it also involves a shift in the balance between managerial discretion and employee protection.

One of the major changes introduced by the new Act is that the requirement for advance governmental clearance for laying off, retrenching, or closing down has been raised from 100 workers to 300 workers, with scope for future increases by individual states. Previously, this limit was far lower, and large employers had to seek advance approval from the government before undertaking these actions. It is obvious that this move gives more discretion to business organizations, but it also reduces the extent of government oversight for protecting employees.

Additionally, the Code ensures fixed-term employment with parity in terms of remuneration and benefits and a gratuity on completion of one year of employment. This move will be significant on two fronts: one is that this is an extension of labour protection laws to fixed-term employment, while another is that this also formalizes a particular form of employment which might weaken the security associated with permanent employment. Thus, the Code not only protects labour but also reshapes its markets.

There is yet another change in trade union laws under the Code. The Code envisages the institution of a negotiating union with a 51% membership or negotiating council. There has been a problem with earlier laws because there has been no coherent principle of recognition. However, this move might favour majority representation, and this might not leave much scope for pluralistic bargaining where there are many trade unions at a workplace.

4. Expansion of Social Security

Code of Social Security, 2020 is the best example of substantive expansion under the new labour regime. It amalgamates nine different existing social security laws and endeavours to ensure coverage for organised as well as unorganised, gig, and platform workers. It represents a paradigm shift in terms of the fact that the earlier model focused on traditional forms of employment, but the contemporary one has taken platform based employment into account.

The provision pertaining to gig and platform workers is an explicit example of a normative leap forward. Under this code, these new categories have been introduced, thus empowering the Government to introduce special schemes for them. In addition, the aggregators are mandated to make contributions as per the defined guidelines. In a similar way, the portability of benefits and database for unorganised workers have been expanded.

On the other hand, the Code is heavily dependent on future regulations and schemes. According to PRS, there are important areas such as applicability thresholds, scheme design, and contributions that have been left to delegated legislation, making the whole process rather uncertain. The substantive worth of the Code is seen in terms of what it covers but the real impact will be dependent on the delegation framework being enforced.

5. Safety, Health, and Workplace Regulations

The Occupational Safety, Health and Working Conditions Code, 2020 has integrated thirteen laws that regulate occupational safety, health, and working conditions. The pre-2020 scenario had several Acts dealing with factory workers, mine workers, contract workers, migrant workers, beedi and cigar workers, dock workers, among others. These laws were fragmented along sectoral lines and the threshold levels varied across them.

Its structural innovations include 'single registration, single license, and single return' – simplifying employer compliance. The Code also increases the number of workers required for applying safety rules to factories to 20 with power, and 40 without power. Obviously, it is a step towards formality and ease of business; however, it simultaneously decreases the scope of immediate application of safety regulations in relation to small factories.

As for the substance, the Code introduces greater protection of migrant workers, female workers, and workers who are engaged in hazardous occupations. The Code allows the employment of women workers at night provided that there are their agreement and adequate measures of safety are ensured. The employer must issue appointment letters to employees and provide for health examinations and formation of safety committees. It further imposes obligations on the principal employer in regard to the welfare of contract labourers.

6. Thresholds, Compliance, and Flexibility

The other common thread running through all four Codes is the modification of threshold levels. The previous labour system made use of various thresholds based on firm size, and this led to differential coverage and fragmented implementation. While the current system maintains some thresholds, it increases them in other cases, particularly when it comes to industrial relations and safety regulations. Such a change will limit the level of compliance among smaller enterprises while ensuring that fundamental rights remain intact in certain sectors.

Compliance itself experiences a paradigm shift from the previous inspection system to the more recent inspector-cum-facilitator model, which relies heavily on advice, digitization, and risk-based inspections. While this may minimize the level of arbitrary action and corruption that has plagued the old system, it may also undermine the power of labour compliance when not supported by sufficient institutional capability. From a legal perspective, it is important not just to determine whether these rights are included in the Code, but also whether they will be implemented successfully.

The reforms are also more flexible for management. They include fixed-term employment, retrenchment ceilings, greater reliance on contractual labour, and compliance through digital methods. While not necessarily anti-labour, these aspects are clearly pro-enterprise, and their regulatory focus is less on job security and more on flexibility, formalization, and the portability of rights. Ultimately, these are positive developments for workers and employers alike.

7. Comparative Analysis

In comparing the old Acts to the new Codes, it becomes clear that these reforms are neither superficial nor revolutionary in all regards. In terms of structure, the difference is obvious. The scattered legislation has been merged, terminology clarified, processes modernized, and compliance made easier. In terms of substance, the reforms broaden protections in significant ways, particularly with respect to wages, social security, equal opportunity, and recognition of new employment classifications.

While these gains are present, there has been a clear gain in flexibility in terms of employer benefits and increased delegation to secondary rules. While some rights have been reinforced, others have actually been weakened via higher barriers, executive latitude, and non-punitive enforcement. In conclusion, one can say that the Labour Codes represent a combination reform.

IV. Critical Analysis

Labour Codes could thus be described as a hybrid reform rather than a cosmetic consolidation or a radical reform that transforms the legal architecture around a set of rights. On the one hand, it cannot be denied that these Codes are much more than an exercise in simple re-enumeration of labour laws. The rationalisation of twenty-nine central labour laws into four Labour Codes, simplification of regulatory procedures using tools such as single registration, single license, and single returns, standardising core terminologies, making enforcement digitised, and covering newer types of employment such as gig, platform, and contractual employment indicate that a step forward has been taken. On the other hand, it cannot be argued that this is a completely positive reform. The substantive reforms in some areas have led to improvements; for example, minimum wage provisions, social security, equal wage provisions in case of women workers, and recognising new categories of workers. However, at the same time, some other provisions have raised the threshold for certain processes.

This is because the tension between welfare and flexibility lies at the crux of the Codes. The previous labour regime has been accused of being fractured, duplicative, and poorly enforced, but its underlying structure provided considerable protection for workers and

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employers, particularly regarding job security and government supervision. The Codes maintain the rhetoric of welfare while transforming the structure into one of efficiency, formality, and employer-friendly administration. On one hand, this suggests that workers may stand to gain through increased formality and portability of rights, while the actual realization of such rights depends largely on the capacity for regulation, administration, and enforcement of the provisions across all states. In essence, the Codes do not replace previous labour laws with new laws but rather reform the labour market system itself. This is because it creates an equilibrium between social and economic priorities that needs to be maintained with fidelity and consistency of the provisions.

V. Conclusion

From the discussion presented above, it can be concluded that labour reforms in India are not merely a redrafting exercise of existing laws, nor do they mark an unconditional revolution. Instead, they constitute a measured effort to streamline the regulatory framework for labour law and simultaneously broaden protections within certain realms that respond to the changing nature of work, such as social security, wages, and new categories of employment. However, the Codes also contain higher standards, increase executive discretion, and adopt an enabling approach to enforcement; therefore, the key to their success will not lie simply in codification, but in their effective translation into enforceable rights.

Firstly, uniformity and timeliness in state regulation must now become key aspects to avoid fragmentation and confusion among states. Secondly, the model of enforcement must preserve the aspect of deterrence. While facilitation can be added to inspection, it cannot replace it since many worker rights can easily be evaded. Thirdly, wage and social security laws must have formulas to operationalise their benefits, especially for fixed-term, gig, platform and contractual workers whose entitlements cannot depend on vague interpretations. Lastly, threshold exemptions must be reviewed from time to time to prevent smaller establishments from being exempted from protection under labour laws.

In conclusion, these New Labour Codes represent a combination of structural rearrangement and limited substantive reform rather than a complete transformation of India's labour law framework. While they successfully consolidate and simplify the previously fragmented system, bringing in certain progressive changes such as broader coverage of workers and modernised compliance mechanisms, they do not uniformly strengthen worker protection across all areas. Instead, the reforms reflect a balanced approach that also increases flexibility for employers and relies significantly on delegated legislation and implementation processes. Therefore, the Labour Codes can be seen as a step forward in modernising labour regulation, but their true impact on workers will ultimately depend on how effectively and consistently they are implemented in practice.

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