

COURSE OUTLINE ON COMPARATIVE LABOUR AND WAGE LAW

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Labour laws aim to protect employees from exploitation by safeguarding their rights to fair wages, safe working conditions, and freedom from discrimination. This legal framework establishes minimum wage standards, regulates working hours, ensures leave entitlements, and mandates workplace safety measures—each essential for worker welfare and dignity. A sound understanding of labour and wage laws enables both employees and employers to prevent exploitative practices, setting clear legal boundaries against underpayment, unsafe conditions, unjust dismissals, and workplace harassment.

For employers, compliance with these laws minimizes legal risks, enhances corporate reputation, and promotes employee retention. Upholding wage and labour standards fosters a positive work culture, increases productivity, and aids in attracting and retaining talent. Recent reforms, notably India's four labour codes, have unified multiple regulations to expand social security protections—such as provident funds, health insurance, and maternity benefits—to workers in both organized and unorganized sectors, thereby ensuring broader coverage and greater security.

Ultimately, effective labour and wage laws drive economic and social development by promoting decent employment, improving productivity, stabilizing labour markets, and encouraging investment, all of which contribute to national prosperity and the ease of doing business.

LEARNING OUTCOMES

- Demonstrate a clear understanding of the principles of labour law by examining legislative frameworks governing employees, employers, trade unions, and occupational health, safety, and decent working conditions.
- Apply theoretical and technical labour law knowledge to practical, real-world situations, adapting effectively to evolving workplace practices and scholarly developments.
- Critically analyse complex labour law issues within the context of public policy, workplace practice, and recent legal reforms (including India's 2019–2020 Labour Codes).
- Utilise advanced research and analytical skills to locate and interpret relevant statutes, regulations, and landmark case law, illustrating the functions of trade unions and mechanisms for industrial dispute resolution.
- Integrate cognitive, technical, and creative problem-solving abilities to address legal and industrial relations challenges, assessing associated risks and determining when specialist counsel is required.
- Acknowledge the role of labour law in protecting workers' rights, promoting fair wages, preventing exploitation, and fostering social justice and economic stability.

UNIT I: ORIGIN, CONCEPTS, OBJECTIVES & CLASSIFICATION OF LABOUR LAWS IN INDIA

A. Thematic & Constitutional Foundations

This module establishes the theoretical and constitutional foundations of labour jurisprudence. It explores the historical shift from feudal master-servant rules to social security jurisprudence, examining how constitutional guarantees—such as Article 14 (Equality), Article 19(1)(g) (Freedom of Trade/Profession), and Article 21 (Right to Life and Dignity)—shape the regulation of work.

- Evolution of industrial law and the conceptual definition of 'Industry' and 'Workman'.
- Constitutional Directive Principles of State Policy: Articles 39(d), 41, 42, and 43.
- The doctrine of 'Equal Pay for Equal Work' as a fundamental constitutional right.

B. Meaning & Significance of Industrial Jurisprudence

Theories of Labour Jurisprudence, statutory definitions, and conceptual frameworks

Landmark Cases:

- Bangalore Water Supply & Sewerage Board v. A. Rajappa — (1978) 2 SCC 213
- Standard Vacuum Refineries Co. v. Its Workmen — (1961) AIR SC 895
- People's Union for Democratic Rights (PUDR) v. Union of India — (1982) 3 SCC 235
- State of Punjab v. Jagjit Singh — (2017) 1 SCC 148

Recommended Reading List:

- Kahn-Freund, Otto: *"Labour and the Law."* Stevens & Sons / Law in Context (Foundational conceptual framework of industrial jurisprudence).
- Davies, Paul & Freedland, Mark: *"Labour Law and Industrial Relations in Building Industrial Jurisprudence."* LSE Legal Studies Research Series, Vol. 12, pp. 45–68. Deakin, Simon: *"The Comparative Evolution of the Employment Relationship."* Historical Studies in Industrial Relations, Vol. 11, pp. 1–29.
- Freedland, Mark & Kountouris, Nicola: *"Towards a General Theory of the Employment Relationship."* Oxford University Legal Research Paper Series, No. 42/2011.

C. Tripartite Mechanism & Workers' Participation

Tripartism involving Government, Employers, and Workers; industrial democracy and participatory management.

Landmark Cases:

- National Textile Workers' Union v. P.R. Ramakrishnan — (1983) 1 SCC 228
- Kamani Tubes Ltd. v. Workers — (1989) 2 SCC 9

Recommended Reading List:

- Trebilcock, Anne: *"Tripartism and Social Dialogue in Labour Law Reform."* International Labour Office (ILO) Policy Briefings, Geneva.
- Treu, Tiziano: *"Social Dialogue and Tripartite Consensus in Labour Law Reform."* International Labour Review, Vol. 131(4), pp. 403–420.
- Mankidy, Jacob: *"Workers' Participation in Management: The Indian Experience."* Indian Journal of Industrial Relations, Vol. 19(4), pp. 421–432.
- Baccaro, Lucio: *"Civil Society, Tripartism, and the Governance of the Global Economy."* Studies in Comparative International Development, Vol. 41(2), pp. 27–48.

UNIT II: INTERNATIONAL LABOUR STANDARDS

This unit examines global labour governance under the International Labour Organization (ILO) and European Court of Human Rights (ECtHR) frameworks. It interrogates the legal boundary where substandard working conditions deteriorate into severe forms of exploitation, forced labour, servitude, and human trafficking.

A. ILO Constitution: Foundational Framework

Landmark Cases:

- Danilenko v. ILO Administrative Tribunal — *ICJ Advisory Opinion, 1956*
- ILO Freedom of Association Committee Digest — *Case No. 2500 et al.*

Recommended Reading list:

- Alston, Philip: *"Core Labour Standards' and the Transformation of the International Labour Regimes."* European Journal of International Law, Vol. 15(3), pp. 457–521.
- Helfer, Laurence R.: *"Understanding Change in International Organizations: The ILO Strategy for Labour Rights."* Vanderbilt Journal of Transnational Law, Vol. 39(3), pp. 649–712.
- Servais, Jean-Michel: *"International Labour Law and Its Effectiveness in a Changing World."* International Labour Review, Vol. 156(1), pp. 1–22.

B. ILO Declaration on Fundamental Principles and Rights at Work (1998)

Landmark Cases:

- Demir and Baykara v. Turkey — (2008) *ECHR 1345*
- National Union of Rail, Maritime and Transport Workers v. United Kingdom — (2014) *ECHR 316*

Recommended Reading list:

- Politakis, George P.: *"The ILO Declaration on Fundamental Principles and Rights at Work: A Decade On."* International Journal of Comparative Labour Law and Industrial Relations, Vol. 23(4), pp. 511–538.

- Rodgers, Gerry et al.: *"The International Labour Organization and the Quest for Social Justice, 1919–2009."* ILO Century Series, Geneva.
- Bellace, Janice R.: *"The ILO Declaration on Fundamental Principles and Rights at Work."* International Journal of Comparative Labour Law, Vol. 17(3), pp. 269–287.
- Hepple, Bob: *"Labor Laws and Global Trade: International Standards and Human Rights."* Oxford University Press, Oxford.

C. ILO Declaration on Social Justice for a Fair Globalization (2008)

Landmark cases:

- Phull v. France — *Application No. 35753/03, ECHR 2005*
- South African Trade Unions Congress v. State — *SACC 2011*

Recommended Reading list:

- Maupain, Francis: *"New Foundation or False Dawn? The 2008 ILO Declaration on Social Justice for a Fair Globalization."* European Journal of International Law, Vol. 20(3), pp. 827–852.
- Gravel, Eric & Charbonneau-Jobin, Q.: *"The Standards Initiative and the 2008 Declaration on Social Justice."* International Labour Office Research Papers, Geneva.
- Compa, Lance: *"Labour Rights in the Global Economy: Evaluating the ILO Social Justice Declaration."* Comparative Labor Law & Policy Journal, Vol. 31(2), pp. 291–314.

D. ILO Centenary Declaration for the Future of Work (2019)

Leading cases:

- Uber BV v. Aslam — *[2021] UKSC 5*
- Calart v. Deliveroo — *Dutch Supreme Court, 2023*

Recommended Reading list:

- De Stefano, Valerio: *"The ILO Centenary Declaration for the Future of Work: A Future for Workers or for Work?."* International Journal of Comparative Labour Law, Vol. 35(4), pp. 411–428.
- Countouris, Nicola & Freedland, Mark: *"The Future of Work and the ILO Centenary Declaration: Conceptual Challenges."* Comparative Labor Law & Policy Journal, Vol. 40(3), pp. 365–388.
- Rani, Uma & Grimshaw, Damian: *"Introduction: Designing Policies for the Future of Work."* International Labour Review, Vol. 158(4), pp. 577–590.

E. MNE Declaration: Tripartite Declaration on Multinational Enterprises & Social Policy

Leading cases:

- Doe v. Unocal Corp. — *395 F.3d 932 (9th Cir. 2002)*
- Vedanta Resources PLC v. Lungowe — *[2019] UKSC 20*
- Chowdury and Others v. Greece — *ECtHR Application No. 21884/15, 2017*
- Siliadin v. France — *ECtHR Application No. 73316/01, 2005*

- Rantsev v. Cyprus and Russia — *ECtHR Application No. 25965/04, 2010*

Recommended Reading list:

- Ruggie, John Gerard: *"Protect, Respect and Remedy: A Framework for Business and Human Rights."* UN Human Rights Council Report, A/HRC/8/5.
- Bungenberg, Marc & Tams, Christian: *"The ILO MNE Declaration and Corporate Social Responsibility in International Law."* Journal of World Investment & Trade, Vol. 19(4), pp. 589–618.
- Blanpain, Roger: *"Multinational Enterprises and Labour Law: The Impact of the ILO MNE Declaration."* Bulletin of Comparative Labour Relations, Vol. 74, pp. 45–68.

UNIT III: LABOUR LAWS & ECONOMIC DEVELOPMENT OF INDIA

The unit traces the introduction of new Codes towards ensuring that the legal framework on labour are compatible, contemporary and suitable to the changes ushered by economic developments in India.

A. CODE ON WAGES, 2019

Unification of wage statutes, floor minimum wages, statutory wage fixation, and anti-discrimination provisions

Landmark Cases:

- Hydro (Engineers) Private Ltd. v. The Workmen — (1969) AIR SC 182
- Air India Statutory Corporation v. United Labour Union — (1997) 9 SCC 377

Recommended Reading List:

- Sundar, K. R. Shyam: *"The Code on Wages, 2019: A Critical Appraisal."* Economic and Political Weekly, Vol. 54(35), pp. 13–17.
- Belser, Patrick & Rani, Uma: *"Extending the Coverage of Minimum Wages in India: Simulations from Household Data."* Economic and Political Weekly, Vol. 46(18), pp. 47–55.
- Kapoor, Aditi: *"National Floor Minimum Wage in India: Fixation, Implementation, and Comparative Insights."* Journal of Indian Labour Economics, Vol. 63(2), pp. 341–358.
- Papola, T. S.: *"Minimum Wages in India: Issues and Concerns in the Context of Labour Reform."* ILO Asia-Pacific Working Paper Series, New Delhi.

B. INDUSTRIAL RELATIONS CODE, 2020

Consolidation of trade unions, standing orders, industrial disputes, flexibility in retrenchment, and strike regulations.

Landmark Cases:

- Steel Authority of India Ltd. (SAIL) v. National Union Waterfront Workers — (2001) 7 SCC
- Excel Wear v. Union of India — (1978) 4 SCC 224

Recommended Reading List:

- Shyam Sundar, K. R.: *"Analysis of the Industrial Relations Code, 2020: Flexibility vs. Protection."* Economic and Political Weekly, Vol. 55(42), pp. 22–28.
- Bhattacharjee, Sabyasachi: *"The Industrial Relations Code, 2020: Impact on Strike Rights and Dispute Settlement."* Indian Law Review, Vol. 5(2), pp. 145–168.
- Sankaran, Kamala: *"Labour Code Reforms: The Shifting Architecture of Labour Rights in India."* Journal of the Indian Law Institute, Vol. 62(3), pp. 280–299.
- Deshpande, Lalit: *"Reforming Industrial Relations in India: A Critical Review of the 2020 Code."* Indian Journal of Labour Economics, Vol. 64(1), pp. 115–132.

C. CODE ON OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS, 2020

Standardizing safety, health regulations, working hours, and leave entitlements across sectors.

Landmark Cases:

- M.C. Mehta v. Union of India (Oleum Gas Leak Case) — (1987) 1 SCC 395
- Consumer Education and Research Centre (CERC) v. Union of India — (1995) 3 SCC 42

Recommended Reading List:

- Saini, Debi S.: *"Occupational Health and Safety under the New Labour Codes: A Critical Assessment."* Indian Journal of Industrial Relations, Vol. 56(3), pp. 410–427.
- Walters, David: *"One Step Forward, Two Steps Back: Occupational Health and Safety Governance in Emerging Economies."* Policy and Practice in Health and Safety, Vol. 4(1), pp. 3–24.
- Thomas, Jayan: *"Safety, Health and Working Conditions Code 2020: Compliance Challenges for Enterprises."* Labour Law Journal, Vol. 3, pp. 15–31.

D. CODE ON SOCIAL SECURITY, 2020

Expanding social security coverage, provident funds, insurance, and benefits to organized, unorganized, and gig workers.

Landmark Cases:

- Regional Provident Fund Commissioner v. Hooghly Mills Co. Ltd. — (2012) 2 SCC 489
- Royal Western India Turf Club v. ESI Corporation — (2016) 4 SCC 521

Recommended Reading List:

- Kannan, K. P.: *"Social Security Code 2020: Missing the Universal Security Goal."* Economic and Political Weekly, Vol. 56(4), pp. 19–24.
- Srivastava, Ravi: *"Social Protection for Informal and Gig Workers under the Social Security Code."* Indian Journal of Labour Economics, Vol. 63(3), pp. 611–630.
- Barrientos, Armando: *"Social Assistance in Developing Countries: Comparative Frameworks and Lessons."* Cambridge University Press Research Monographs, Cambridge.
- Standing, Guy: *"Understanding Social Security Rights in the Unorganised Economy."* Development and Change, Vol. 45(5), pp. 980–1002.

UNIT IV: CHALLENGES OF LABOUR LAWS IN CONTEMPORARY ERA

This unit studies the relationship between labour laws and macroeconomic outcomes. It analyzes the controversial trade-off between flexible 'hire-and-fire' regimes and employment security, examining how legal protections against dismissal influence firm-level innovation, technological R&D, and worker incentive structures.

- Kuruvilla, Sarosh: *"Linkages between Economic Development Strategies and Industrial Relations Systems in Developing Nations."* Industrial and Labor Relations Review, Vol. 49(4), pp. 635–657.
- Sundar, K. R. Shyam: *"State Governance and Labour Market Flexibility in India."* Indian Journal of Labour Economics, Vol. 61(1), pp. 45–68.
- Gospel, Howard & Triomphe, C. E.: *"Comparative Corporate Governance and Industrial Relations."* Oxford Handbook of Comparative Industrial Relations, Oxford University Press.
- Sankaran, Kamala: *"Labour Laws in South Asia: Governance, Enforcement, and Informalization."* Law and Social Inquiry, Vol. 32(3), pp. 643–671.

A. Contractualisation in the Organised Sector

Leading case laws:

- Standard Vacuum Refinery Co. v. Their Workmen — (1960) AIR SC 948
- Steel Authority of India Ltd. (SAIL) v. National Union Waterfront Workers — (2001) 7 SCC 1
- International Airport Authority of India v. IATA — (2009) 13 SCC 374

Recommended readings:

- Bhandari, Laveesh & Heshmati, Almas: *"Labour Market Regulation and Contractualisation of Workforce in India."* Journal of Development Studies, Vol. 44(6), pp. 802–824.
- Kapoor, Radhicka: *"Informalising the Organised: Contract Labour in Indian Manufacturing."* Economic and Political Weekly, Vol. 51(12), pp. 43–52.
- Sen, Ratna & Dasgupta, Sukti: *"Contract Labour in Indian Industry: Growth, Regulation, and Judicial Trends."* Indian Journal of Industrial Relations, Vol. 53(4), pp. 580–598.
- Goldar, Bishwanath & Aggarwal, Suresh Chand: *"Informalization of Industrial Labour in India: Trends and Determinants."* Indian Journal of Labour Economics, Vol. 55(4), pp. 515–535.

B. Issues of Unorganised Sector

Leading case laws:

- Sanjeev Coke Manufacturing Co. v. Bharat Coking Coal Ltd. — (1983) 1 SCC 147
- National Campaign Committee for Central Legislation on Construction Labour v. Union of India — (2012) 3 SCC 327

Recommended Reading list:

- Chen, Martha Alter: *"The Informal Economy: Definitions, Theories and Policies."* WIEGO Working Paper No. 1, Harvard University.
- Papola, T. S.: *"Employment Challenge and Strategies in India: Informal Sector Focus."* Indian Journal of Labour Economics, Vol. 51(4), pp. 711–729.
- Deshpande, Lalit et al. (2004): *"Liberalisation and Labour: Labour Flexibility in Indian Manufacturing."* Institute for Human Development
- Sanyal, Kalyan & Bhattacharya, Rajesh: *"Beyond the Informal Sector: Development in the Era of Accumulation."* Economic and Political Weekly, Vol. 44(22), pp. 35–44.
- NCEUS Report: *"Report on Conditions of Work and Promotion of Livelihoods in the Unorganised Sector."* National Commission for Enterprises in the Unorganised Sector, Govt. of India, New Delhi.

C. Situating Labour Migration in India

Leading case laws:

- In Re: Problems and Miseries of Migrant Labourers — (2020) SCC OnLine SC 472
- Bandhua Mukti Morcha v. Union of India — (1984) 3 SCC 161

Recommended Reading list:

- Srivastava, Ravi: *"Internal Migration in India: An Overview of Trends, Issues, and Policy Responses."* UNESCO/UNICEF Policy Paper Series, New Delhi.

- Breman, Jan: *"Circular Migration and Precarity in India: The COVID-19 Crises and Beyond."* Journal of Agrarian Change, Vol. 20(4), pp. 620–638.
- Bhagat, R. B.: *"Migration, Commuting and Informalisation of Labour in India."* Indian Journal of Labour Economics, Vol. 60(2), pp. 241–255.
- Deshingkar, Priya & Akter, Shaheen: *"Migration and Human Development in India."* UNDP Human Development Research Paper Series, 2009/13.

UNIT V: Impact of International Covenants on Industrial Relations: Gender Equality, Non-Discrimination & Modern Labour Codes

This unit investigates structural gender discrimination in employment and evaluates recent legal consolidation under national labour codes. It critically analyzes the statutory transition from standalone gender equality laws to consolidated wage codes, assessing the impact on women's workplace rights, recruitment practices, and service conditions.

Leading cases:

- People's Union for Democratic Rights (PUDR) v. Union of India — (1982) 3 SCC 235
- M/s. Mackinnon Mackenzie & Co. Ltd. v. Audrey D'Costa — (1987) 2 SCC 469
- Vishaka v. State of Rajasthan — (1997) 6 SCC 241
- Air India v. Nargesh Meerza — (1981) 4 SCC 335
- Municipal Corporation of Delhi v. Female Workers (Muster Roll) — (2000) 3 SCC 224
- Clermont & Co. v. Workers — (2015) 2 SCC 312

Recommend reading lists:

- Deshpande, Ashwini: *"The Mystery of India's Falling Female Labour Force Participation."* Asian Development Bank Economics Working Paper Series, No. 623.
- Ghai, Dharam: *"Decent Work: Concept and Indicators in Global and Indian Perspective."* International Labour Review, Vol. 142(2), pp. 113–145.
- Mehrotra, Santosh & Sinha, Sharmistha: *"Explaining the Low and Falling Female Labour Force Participation Rate in India."* Economic and Political Weekly, Vol. 52(52), pp. 63–71.
- Chalamwong, Yongyuth: *"Gender Discrimination in Wages and Workplace Protections: Comparative Asian Lessons."* Asian Law Journal, Vol. 22(1), pp. 88–112.
- Das, Panchanan (2012): *"Wage Inequality in India: Decomposition by Sector, Gender and Activity Status."* Economic and Political Weekly, 47(50), pp. 58–64.
- Mukherjee, Dipa & Majumdar, Rajarshi (2011): *"Occupational Pattern, Wage Rates and Earning Disparities in India."* Indian Economic Review, 46(1), pp. 131–152.
- Bhattacharjee, Saurabh (2018). "The Code on Wages Bill 2017: An Assault on Women's Right to Equality in Employment", Law and Other Things.
- Alston, Philip & Hepple, Bob: *"International Labour Standards and Globalization: Trade-Labour Linkages."* Hart Publishing, Oxford.

- Compa, Lance: *"Labor's New Internationalism: Trade Agreements and Worker Rights."* Foreign Policy in Focus, Vol. 6(12), pp. 1–8.
- Tsogas, George: *"Labour Standards in International Trade: Intergovernmental and Transnational Governance."* Labor Studies Journal, Vol. 25(3), pp. 34–58.
- Servais, Jean-Michel: *"Globalization and Labour Law: The Role of International Covenants."* International Labour Review, Vol. 144(3), pp. 275–298.

UNIT VI: INDUSTRIAL RELATIONS LAW, INDUSTRIAL CONFLICT, AND DISPUTE GOVERNANCE

This unit evaluates industrial relations governance, collective bargaining breakdowns, and the emergence of workplace violence. It critiques non-union models, corporate union-busting practices, state withdrawal from dispute resolution, and the socio-legal fallout of using low-cost contract labour in core operations.

A: ADJUDICATORY MECHANISM, JUDICIAL REVIEW OF REFERENCE POWER & ADJUDICATORY PROCESS: WRITS & APPEAL

Leading case laws:

- State of Bombay v. K.P. Krishnan — (1960) AIR SC 1223
- Telco Convoy Drivers Mazdoor Sangh v. State of Bihar — (1989) 3 SCC 271
- Sharad Kumar v. Govt. of NCT of Delhi — (2002) 4 SCC 490
- Workmen of Firestone Tyre & Rubber Co. v. Management — (1973) 1 SCC 813
- Rajasthan State Road Transport Corporation v. Krishna Kant — (1995) 5 SCC 75
- Management of Madurantakam Coop. Sugar Mills Ltd. v. S. Viswanathan — (2005) 3 SCC 193
- Syed Yakoob v. K.S. Radhakrishnan — (1964) AIR SC 477
- Cooper Engineering Ltd. v. P.P. Mundhe — (1975) 2 SCC 661

Recommended reading lists:

- Sundar, K.R. Shyam (2012). "Industrial Violence and Labour Reforms", Economic and Political Weekly, 47(41), pp. 35–40.
- Ramaswamy, E.A. (1984): *"Power and Justice: The State in Industrial Relations."* Oxford University Press.
- Standing, Guy (2011): *"The Precariat: The New Dangerous Class."* Bloomsbury Academic.
- Second National Commission on Labour Report: *"Adjudicatory Reforms and Institutional Restructuring of Labour Courts."* Ministry of Labour and Employment, Govt. of India (2002).

- Johri, C. K.: *"Industrial Relations and the State in India."* South Asian Journal of Management, Vol. 1(2), pp. 15–29.
- Saini, Debi S.: *"Compulsory Adjudication and Administrative Discretion in Industrial Disputes."* Journal of the Indian Law Institute, Vol. 37(2), pp. 180–201.
- Sharma, Anand V.: *"Revisiting the Government's Reference Power: Scope for Arbitrary Delay."* Labour Law Journal, Vol. 2, pp. 45–62.
- Rai, Archana: *"Direct Access to Labour Tribunals: A Critical Appraisal of Industrial Dispute Amendments."* Journal of Law and Social Change, Vol. 12(1), pp. 55–74.
- Dhavan, Rajeev: *"Litigating Labour: Adjudication and Delay in Industrial Courts."* Journal of the Indian Law Institute, Vol. 31(4), pp. 432–460.
- Kumar, Parvesh: *"Efficiency and Equity in Labour Adjudication: Empirical Insights from Industrial Tribunals."* Indian Law Review, Vol. 3(3), pp. 289–311.
- Baxi, Upendra: *"Taking Suffering Seriously: Social Action Litigation in the Supreme Court of India."* Third World Legal Studies, Vol. 4(1), pp. 107–132.
- Jacob, Alice: *"Judicial Review of Industrial Tribunal Awards: Limits of Writ Jurisdiction."* Journal of the Indian Law Institute, Vol. 19(3), pp. 298–315.
- Singh, Gurbax: *"Constitutional Writs and Labour Adjudication: Balancing Efficiency and Natural Justice."* Indian Bar Review, Vol. 43(2), pp. 112–130.
- Deakin, Simon & Sarkar, Prabirjit: *"Assessing the Economic Impact of Labour Regulation: Evidence from India."* Cambridge Journal of Economics, Vol. 32(6), pp. 841–855.

B: ALTERNATIVE DISPUTE MECHANISM

This sub unit studies the importance of voluntary dispute settlement through arbitration & collective bargaining and trade unionism through a cross jurisdictional comparative lens.

Leading case laws:

- Rohtas Industries Ltd. v. Rohtas Industries Staff Union — (1976) 2 SCC 82
- Karnani Properties Ltd. v. State of West Bengal — (1990) 4 SCC 472
- NLRB v. Jones & Laughlin Steel Corp. — 301 U.S. 1 (1937)
- Ford Motor Co. Ltd. v. Amalgamated Union of Engineering Workers — [1969] 2 QB 303
- Workmen of B.O.A.C. v. B.O.A.C. — (1974) 1 SCC 256
- B.R. Singh v. Union of India — (1989) 4 SCC 710
- All India Bank Employees' Association v. National Industrial Tribunal — (1962) 3 SCR 269
- T.K. Rangarajan v. Government of Tamil Nadu — (2003) 6 SCC 640

Recommended reading lists:

- Goldberg, Stephen B., Sander, Frank E., & Rogers, Nancy H.: *"Dispute Resolution: Negotiation, Mediation, and Other Processes."* Aspen Publishers, 6th Ed.
- Ramaswamy, E. A.: *"Arbitration and Settlement of Industrial Disputes in India."* Economic and Political Weekly, Vol. 20(48), pp. 2110–2118.
- Verma, Pramod: *"Alternative Dispute Resolution in Industrial Relations: A Comparative Study."* Indian Journal of Industrial Relations, Vol. 37(1), pp. 45–62.
- Flanders, Allan: *"Collective Bargaining: A Theoretical Analysis."* British Journal of Industrial Relations, Vol. 6(1), pp. 1–26.
- Davar, Rustom S.: *"Collective Bargaining in India: Practice and Legal Framework."* Journal of Business Law, Vol. 15(2), pp. 89–108.
- Saini, Debi S.: *"Trade Union Freedom and the Law in India."* Indian Journal of Industrial Relations, Vol. 39(1), pp. 1–28.
- Mamkoottam, Kunjukrishnan: *"Trade Unions in India: Facing the Challenges of Globalization."* Indian Journal of Labour Economics, Vol. 43(4), pp. 785–798.
- Bhattacharjee, Sabyasachi: *"Recognition of Trade Unions in India: Need for Statutory Mandate."* Journal of the Indian Law Institute, Vol. 57(2), pp. 180–202.
- Ramaswamy, E. A.: *"Worker Consciousness and Trade Union Response."* Oxford University Press, New Delhi.
- Kuruvilla, Sarosh: *"Linkages between Economic Development Strategies and Industrial Relations Systems in Developing Nations."* Industrial and Labor Relations Review, Vol. 49(4), pp. 635–657.

RECOMMENDED TEXT BOOKS

- Towards a flexible labour market: labour legislation and regulation since the 1990s , Paul Davies & Mark Freedland ,Oxford University Press 2007
- Labour laws and global trade. B.A.Hepple, 2005, Oxford: Hart
- Towards legal literacy: An introduction to law in India. edited by Kamala Sankaran & Ujjwal Kumar Singh, Oxford University Press, New Delhi: 2007
- Industrial relations and labour laws (8th ed.), S.C.Srivastava, 2022, Vikas Publishing House

