

Introduction to Labour and the Constitution

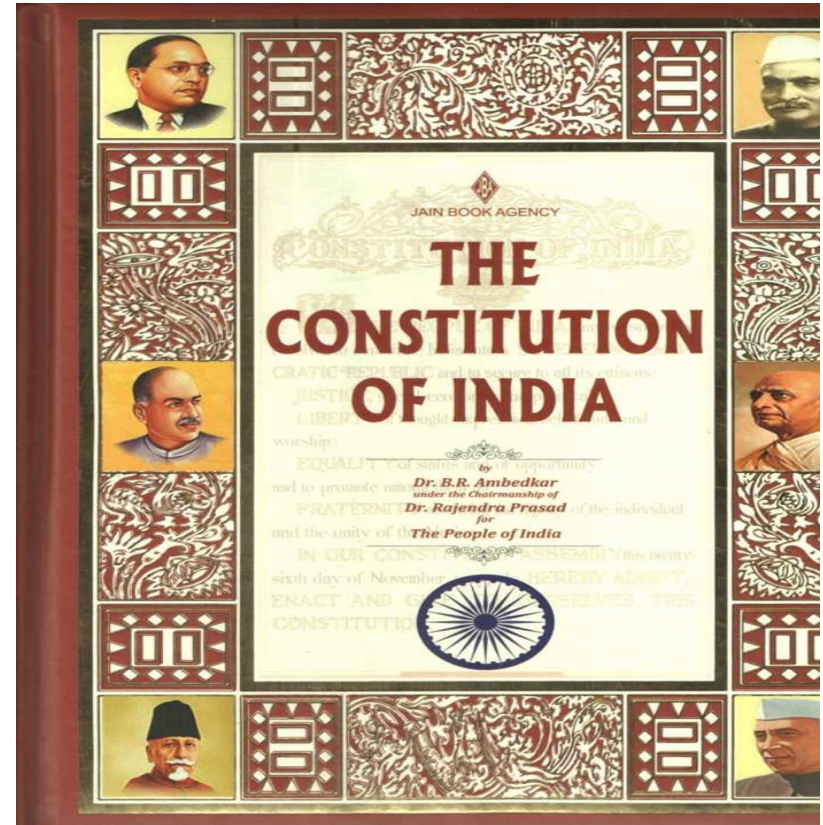
The Finer Details

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The State and the Employer – Strange Bedfellows?



What is the Constitution?



Core Pillars of Labour Jurisprudence

- . What is the golden rule?
- . Social Justice
- . Literal Interpretation vs. Purposive Interpretation
- . Welfare State
- . Employer Rights

Positionality of Labour Rights and Its Meaning

- . Article 19 rights
- . Article 23 and Article 24 rights
- . Socialist Directives
- . Special Constitutional Exceptions

Right to Strike and Right to Demonstrate

All India Bank Employees Association Case:

- . the use of the word union in Article 19
- . right to union should also mean the right to effectively carry out union activities.

Kameshwar Prasad vs. State of Bihar:

- . upholds the non-fundamentality of the right to strike
- . the Bihar Service notification
- . What the court upholds.

Article 21 Rights – An interpretive route to Article 23 and 24.

- . Bandhua Mukti Morcha
- . ASIAD Workers Case
- . PUDR vs. Union of India

Employing Contract Labour and the Constitution

- . The Constitutional Argument
- . What did the Courts say?
- . Can the Employer be required to absorb?
- . How far can the Directives influence interpretation?

Conclusion.

