

## Chapter 10: Laws and Social Justice

### Intext Questions:

**Question 1: Why do we need a law on minimum wages?**

**Answer :** We need a law on minimum wages so that private companies cannot deny workers their wages. It is also necessary to ensure that workers are not underpaid, or are paid fairly.

**Question 2: Find out :**

(a) What is the minimum wage for a construction worker in your state?

**Answer :**

The minimum wage for a construction worker is Rs. 180/- per day.

(b) Do you think the minimum wage for a construction worker is adequate, low, or high?

**Answer :**

The minimum wage for a construction worker is adequate if he gets the work regularly

(c) Who sets the minimum wages?

**Answer :**

The contractor in case of a construction worker.

**Question 3: Table 1 provides some important laws relating to the protection of these various interests. Columns (2) and (3) in Table 1 state why and for whom these laws are necessary. Based on discussions in the classroom, you have to complete the remaining entries in the table.**

**Answer :**

Law	Why is it necessary?	Whose interests does the law protect?
Minimum Wages Act specifies that wages should not be below a specified minimum.	Many workers are denied fair wages by their employers. Because they badly need work, workers have no bargaining power and are paid low wages.	This law is meant to protect the interests of all workers; particularly, farm labourers, construction workers, factory workers, domestic workers, etc.
Law specifying that there be adequate safety measures in workplaces. For example, alarm system, emergency exits, properly-functioning machinery.	For the safety of workers during emergencies like a fire, gas leakage, etc.	The interest of factory workers who will other-wise have to lose their lives.

The law requiring that the quality of goods meet certain prescribed standards. For example, electrical appliances have to meet safety standards	Consumers might be put to risk by the poor quality of products such as electrical appliances, food, medicines.	This law is meant to protect the people from accidents like electric shock, food poisoning, etc.
The law requiring that the prices of essential goods are not high – For example, sugar, kerosene, food-grains.	Essential goods need to be provided to everyone. To keep a check on the wholesalers and retailers providing essential goods in the market.	The interests of the poor who will otherwise be unable to afford these goods.
The law requiring that factories do not pollute air or water.	To prevent unfair practices of factories. To protect our environment from getting deteriorated.	The interests of people who will otherwise suffer from various diseases.

Laws against child labour in workplaces	Our Constitution says that no child below the age of 14 shall be employed to work in any factory or mines or any other hazardous employment.	This law is meant to protect the children from exploitation and providing the opportunity to go to school.
Law to form workers unions/ associations.	By organizing themselves into unions, workers can use their combined power to demand fair wages and better working conditions.	To protect the interest of all workers, particularly, factory workers, domestic workers, etc.

**Question 4:** Why do you think enforcement of safety laws is important in any factory?

**Answer :**

Enforcement of safety laws is important in any factory because of the following reasons :

- (1) It is the duty of the government to ensure that the right to life guaranteed under Article 21 of the Constitution is not violated.
- (2) More industries are being set up by local and foreign people or institutions in India. They hardly care to include safety measures to save costs and earn higher profits.

Workers are forced to work in unsafe conditions. If any accident occurs, it swallows thousands of lives for which their families are never compensated.

**Question 5:** Can you point to a few other situations where laws (for rules) exist but people do not follow them because of poor enforcement? (For example, over-speeding by motorists not wearing helmet/seat belt and use of mobile phone while driving). What are the problems in enforcement? Can you suggest some ways in which enforcement can be improved?

**Answer :**

Few situations where laws exist but people do not follow them are :

- Not crossing the road from a zebra crossing.
- Encroachment of land in commercial and residential areas.
- Crossing red lights on the road.

Problems in enforcement :

- People are not aware of such laws or deliberately ignore them.
- Lack of responsibility in the government officials who look after particular departments.
- Culprits often offer bribes to government officials to get rid of the case.
- People often misuse their political approach.

Some ways in which enforcement can be improved :

- Awareness among the masses regarding laws with the help of media.
- Government officials need to become sincere in performing their duties.
- In spite of taking bribes, the government official should punish or fine the culprit without caring whether the culprit has a relation with a minister or is a common person.
- Interference of government must be banned during the enforcement of the law.

**Question 6: A 'clean environment is a public' facility. Can you explain this statement?**

**Answer :** Public facilities are some of the essential facilities that need to be provided for everyone. It includes healthcare and sanitation.

When everyone especially the poor in the rural and urban areas will have access to sanitation (toilet facilities within the premises of residence) the environment will become clean.

Apart from sanitation, healthcare is also important for a clean environment.

People can also contribute to keeping the environment clean by rational use of private vehicles.

Factory wastes should not be dumped into the lakes of rivers.

By summing up all these factors together the environment can be kept clean and people can lead a healthy life.

**Question 7: Why do we need new laws (on environmental aspects)?**

**Answer :** We need new laws to check pollution, clean rivers. The government should introduce heavy fines for those who pollute the environment. Polluter needs to be held accountable for the damage done to the environment.

**Question 8: Why are companies and contractors able to violate environmental laws?**

**Answer :** Companies and contractors are able to violate environmental laws because :

- Laws made on the environment are not properly enforced by the government.
- Government officials take bribes from the companies and contractors and allow them to do the work they want.
- Companies and contractors are not dealt with strictly if they are caught violating environmental law.
- They should be strictly punished or penalized. So it should be a lesson for others who tries to break such laws.

**Question 9: Do you think everyone got justice in the case cited below.**

### Environment as a Public Facility

In recent years, while the courts have come out with strong orders on environmental issues, these have sometimes affected people's livelihoods adversely.

For instance, the courts directed industries in residential areas in Delhi to close down or shift out of the city. Several of these industries were polluting the neighbourhood and discharge from these industries was polluting the river Yamuna, because they had been set up without following the rules.

But, while the court's action solved one problem, it created another. Because of the closure, many workers lost their jobs. Others were forced to go to far-away places where these factories had relocated. And the same problem now began to come up in these areas – for now these places became polluted. And the issue of the safety conditions of workers remained unaddressed.

Recent research on environmental issues in India has highlighted the fact that the growing concern for the environment among the middle classes is often at the expense of the poor. So, for example, slums need to be cleaned as part of a city's beautification drive, or as in the case above, a polluting factory is moved to the outskirts of the city. And while this awareness of the need for a clean environment is increasing, there is little concern for the safety of the workers themselves.

The challenge is to look for solutions where everyone can benefit from a clean environment. One way this can be done is to gradually move to cleaner technologies and processes in factories. The government has to encourage and support factories to do this. It will need to fine those who pollute. This will ensure that the workers livelihoods are protected and both workers and communities living around the factories enjoy a safe environment.

### Answer :

No, everyone did not get justice in the case cited above. It is always the poor who suffer. In the above case, factory workers and slum dwellers were the victims.

**Question 10:** Can you think of other ways in which the environment can be protected? Discuss in class.

**Answer :** Other ways in which the environment can be protected are as follows :

- Laws made for environmental protection should be enforced.
- People breaking environmental law must be punished.
- Machinery used in industries must be checked regularly.
- Factories which contribute significantly towards environmental conservation by adopting various measures should be awarded by the government and brought into the limelight.
- It would probably encourage other industrialists to adopt environmental conservation measures.
- Awareness must be developed among the masses towards environmental conservation.
- Government officials must keep a strict eye on the people who try to damage the environment.

### Exercises

**Question 1:** Talk to two workers (for example, construction workers, farm workers, factory workers, workers at any shop) to find out if they are receiving the minimum wages laid down by law.

### Answer :

**Construction workers :** They do not receive the minimum wages.

**Farm workers :** They do not receive the minimum wages.

**Factory workersb :** They receive minimum wages.

**Workers at the shop :** They get minimum wages.

## **Question 2: What are the advantages to foreign companies in setting up production in India?**

**Answer :** Advantages to foreign companies in setting up production in India are:

**Cheap labour:** - Wages that the companies pay to workers say in the U.S.A. are far higher than what they have to pay workers in India.

**For lower pay:** - Companies can get longer hours of work. Additional expenses such as housing facilities for workers are also fewer.

Thus, companies can save costs and earn higher profits. Cost cutting can also be done by other more dangerous means. Lower working conditions including lower safety measures are used as ways of cutting costs.

## **Question 3: Do you think the victims of the Bhopal gas tragedy got justice? Discuss.**

**Answer :** No, the victims of Bhopal gas tragedy are still fighting for justice.

At first, the company which owned the pesticide factory- Union Carbide (UC) refused to accept responsibility despite the wide-open, so many evidences of the tragedy. The UC got away after paying a bare minimum compensation to the survivors of this tragedy. Even after 24 years the survivors are still fighting for justice, for safe drinking water, for health-care facilities and jobs for the poisoned by UC. Their cases are still pending in numerous courts.

## **Question 4: What do we mean when we speak of law enforcement? Who is responsible for enforcement? Why is enforcement so important?**

**Answer :** Law enforcement implies the government's responsibility as lawmaker and enforcer, to ensure obedience to its laws by everyone within the State that it governs. It is the responsibility of the government to ascertain that laws are not violated by anyone. Enforcement is important to maintain the democratic status of India; if foreign companies are allowed to maintain low working conditions, then this interferes with the Fundamental Right of the Right to Life, of a worker. Hence, enforcement is necessary to protect the people.

## **Question 5: How can laws ensure that markets work in a manner that is fair? Give two examples to support your answer?**

**Answer :** Laws can ensure that markets work in a fair manner. The frequently upgraded Minimum wages ensures that workers are not exploited and over-worked by companies that hire them. Also, a law keeping checks on the quality of production makes sure that sub-standard goods do not enter the market.

## **Question 6: Imagine yourself be a worker working in a chemical factory, which has received orders from the government to move to a different site 100 kms away from the present location. Write about how your life would change? Read out your responses in the classroom.**

**Answer :**

Timings of getting up from bed changed. Earlier it was 7.00 a.m. now 5.00 a.m. I should have to start from my house at 6.30 a.m.

Earlier I used to go to the factory by bus. Now first I catch the train from the railway station. Then take a bus to reach the factory.

Earlier I was able to teach my children in the evening and go to the market to buy vegetables. Now I do not have time.

The timing of reaching home has changed. Earlier it was 7.00. p.m. now it is 9.30 to 10.00 p.m.

**Question 7: Write a paragraph on the various roles of the government that you have read about in this unit.**

**Answer :** The government plays a large number of roles in any state. In Unit five, the government's role in the economic sector is explained. This includes providing public facilities like water supply, healthcare and sanitation and ensuring that these amenities are not overtaken by private enterprises; the government also plays a pivotal role in law enforcement, which is of utmost importance in the economic sector.

The government makes laws to protect workers in production factories- laws on minimum wages, controlling working conditions and safety measures. It also makes laws for markets that protect consumers against overpricing and substandard products. The government has a law against child labour and it also punishes organizations that do not follow policies put in place to protect the environment against pollution.

**Question 8: What are the sources of environmental pollution in your area? Discuss with respect to (a) air; (b) water and (c) soil. What are the steps being taken to reduce the pollution? Can you suggest some other measures?**

**Answer :** There are many sources of environmental pollution in our area.

**Air Pollution:** By vehicles, industrial gases disposed through chimneys, smokes from red brick Bhattas.

**Water Pollution:** Various chemical discharges and other liquid effluents from some industries like tanneries, aluminium etc. Because of dry latrines and inefficient discharge of house wastes and sewerage into the river.

**Soil Pollution:** Due to the throwing of plastic bags here and there, lack of proper arrangement of disposing household wastes, industrial effluents and ashes etc.

In the recent years there has been a consistent increase in awareness of the need for a clean environment. The courts in our country have come out with a number of strong orders on the environmental issues and accordingly steps are also being taken to reduce pollutions.

But still many more things have to be done in this direction:

- Appropriate measures need to be taken by countries and local authorities of the world to stop the misuse or overuse of resources.
- Environmental degradation can be checked by conserving land, air and water resources. For this we have to control the pollutants at the source.
- By proper enforcement of laws and norms related to environmental issues such as - use of plastic bags, disposal of all type of wastes, harmful emissions from different industries, etc.

**Question 9: How was environment treated earlier? What has been the change in perception? Discuss.**

**Answer :** Earlier the environment was treated as a 'free' entity and any industry or even an individual could pollute the air and water without any restrictions. Whether it was our rivers, air, and groundwater - the environment was being polluted since there were no laws in this regard.

In the recent years and particularly the Bhopal gas tragedy has brought the issue of environment to the forefront. Now the perception has completely changed and the people have understood that the environment is something which the people over generations will share.

There has been an increasing awareness among all that a clean environment is a public facility that cannot be destroyed merely for industrial development. The courts also gave a number of judgments upholding the right to a healthy environment as intrinsic to the Fundamental Right to life.

**Question 10: What do you think the famous cartoonist R.K. Laxman is trying to convey in this cartoon? How does it relate to the 2016 law that you read about on page 123?**



It's really cruel burdening kids like this. I had to hire that boy to help my son!

### Answer :

The famous cartoonist R.K. Laxman is trying to convey, that child labour is still, prevalent in India. It is poor who suffer 'from this social evil. Poor people are dominated by wealthy people. In the cartoon, the female has sympathy for her child but equally cruel for another poor child. She did not hesitate to put, heavy bag of oil on the poor child's back.

According to the law passed in 2016 (the Child Labour Prevention Act) the children under 14 years of age (were banned froth working as domestic servants or as workers in dhabas, restaurants, tea shops, etc. It has made employing these children a punishable offence. But the irony is that in spite of passing this law it is violated without fear and people are not punished for such crimes.

**Question 11:** You have read about the Bhopal gas tragedy and the on-going struggle. Students from countries across the world have come together to support this struggle for justice. From protest marches to awareness campaigns, you can read about their activities on the website [www.studentsforbhopal.com](http://www.studentsforbhopal.com).

The website also has resources such as photos, posters, documentaries, victims' statements, etc. Use this and other sources to make a wallpaper/exhibition on the Bhopal gas tragedy for your classroom. Invite the whole school to see and talk about it.

### Answer :

33 years of  
bhopal Gas Tragedy

3 DEC 1984



A 30 Years old industrial  
disaster that is still killing peopl

BHOPAL - A Prayer for rain

PEOPLE WANT  
JUSTICE !

Champsster