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Article 43 of the Constitution

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Article 43 of the Constitution

A farm worker earns just enough to eat today. Is that a fair wage? Is it a decent life? The Constitution has a short answer in Article 43. It asks the State to work towards a living wage for every worker. It also asks the State to help small village industries. But you cannot sue on it. So how does this goal still shape the law?

> **Article 43** Living wage for workers
> **Part IV** Directive Principle
> **1983** Sanjit Roy case
> **Not enforceable** It guides the State

1 What Does Article 43 Say?

- The State shall endeavour to secure work for workers. Endeavour means try hard.
- It must also seek a living wage. This is pay that supports a decent family life.
- It must seek conditions of work that ensure a decent standard of life.
- Workers should also enjoy leisure and social and cultural opportunities.
- It covers agricultural, industrial and other workers. Farm workers are named in the text.
- The State may use suitable legislation, economic organisation or any other way.
- Last, it asks the State to promote cottage industries in rural areas, on an individual or co-operative basis.

- Picture a farm worker whose pay cannot feed a family. Article 43 tells lawmakers what better conditions to aim for.
- It is a Directive Principle in Part IV. Article 37 says courts do not enforce it directly.

Remember: Article 43 = living wage, decent conditions, leisure, and rural cottage industries. It is a goal, not a right you can sue on.

> **Quick check 1.** Article 43 guarantees every worker a court-enforceable living wage. *(True or False?)* See answer ↓

> **Quick check 2.** The 42nd Amendment first added the living-wage goal as Article 43A. *(True or False?)* See answer ↓

2 What Are Minimum, Fair and Living Wages?

- The story starts just before the Constitution. In **1948**, Parliament passed the **Minimum Wages Act**. It set a legal floor for pay in listed jobs.
- The same year, a government Committee on Fair Wages was appointed. Its report came in 1949.
- The committee described three levels. These are policy ideas. They are not three payments an employer must make.
- Minimum wage: the lowest pay allowed by law. It covers basic needs and keeps the worker efficient.
- Fair wage: a level above the minimum. It also looks at what the employer can afford to pay.

- Living wage: the top level. It aims at a decent family life, with some comfort and safety for bad days.
- Article 43 points at the top step. The Minimum Wages Act only secured the bottom one.
- In 1957, the 15th Indian Labour Conference set norms for a need-based minimum wage. It counted three consumption units for a family. It set food at 2,700 calories per person.
- In 1992, the Supreme Court added a sixth norm in Reptakos Brett. It said another 25 per cent should cover children’s education, medical needs and recreation.

Remember: Ladder: minimum < fair < living. 1948 Minimum Wages Act. 1949 Fair Wages report. 1957 Labour Conference norms. 1992 Reptakos Brett.

3 Why Does Article 43 Mention Cottage Industries?

- A cottage industry is small craft work done at or near home. Weaving, pottery and basket-making are examples.
- People may work alone or in a co-operative. A co-operative is a group that owns and runs the work together.
- The idea fits **Gandhi's** thinking. He saw village crafts like khadi as a way to give villagers steady work and pride.
- Parliament later passed the **Khadi and Village Industries Commission Act, 1956**. The Commission began work in 1957.
- Rural work matters because many villagers earn little from farming alone. Crafts add a second income.
- A 2011 amendment later added Article 43B. It asks the State to promote co-operative societies.

4 What Happened in the Sanjit Roy Case?

- The setting: Rajasthan was hit by drought. The State ran famine relief works, such as building roads, so the poor could earn money.
- The problem: the workers were paid less than the legal minimum wage. The State said relief work was a favour, not a regular job.
- The case: the matter reached the Supreme Court as **Sanjit Roy v. State of Rajasthan**, decided in **1983**.
- What the Court said: a starving person will accept any pay. Paying less than the minimum takes advantage of that need.
- The Court treated this as forced labour, which Article 23 forbids.
- What changed: relief workers had to receive at least the minimum wage. The State could not use famine as an excuse.

- Note what the Court did not do. It did not enforce Article 43 directly. It used a Fundamental Right to protect the wage floor.

Remember: Sanjit Roy (1983): pay below the minimum wage, even on famine relief, is forced labour under Article 23.

5 What Does Wage Law Say Today?

- The **Code on Wages, 2019** merged four old laws. They included the **Minimum Wages Act, 1948**.
- Its main minimum-wage rules took effect on 21 November 2025.
- Earlier, minimum wage rules applied to listed jobs. Now they reach employees in all sectors, with some exclusions.
- The Code also took in the Equal Remuneration Act, 1976. So equal pay for men and women now sits in the same law.
- The government notifies minimum rates. An employer cannot pay a covered employee less.
- But a legal minimum is not the same as a living wage. The Code does not promise a family a decent life.
- So Article 43 remains a goal that lawmakers can still aim for.
- When you read a wage headline, ask one thing. Is it about the legal floor or about a living wage?

6 How Is Article 43 Different From Article 43A?

- **Article 43** is from **1950**. It talks about work, living wage, decent conditions and cottage industries.
- Article 43A came from the 42nd Amendment. It was passed in 1976 and took effect on 3 January 1977.

- It asks the State to take steps to secure the participation of workers in the management of industries.
- The two Articles are neighbours, but their ideas are different. One is about pay. The other is about a voice at work.
- Exam tip: 43 = wage. 43A = workers in management. 43B = co-operatives.

7 What Should You Remember for Exams?

Must Know

- Article 43 asks the State to seek a living wage, decent conditions and rural cottage industries.
- It is a Directive Principle.
- Article 43A (42nd Amendment) is about workers in management.

Good to Know

- The 1949 Fair Wages report gave three levels: minimum, fair and living.
- Sanjit Roy (1983) held that pay below the minimum wage is forced labour under Article 23.
- The Code on Wages took effect on 21 November 2025.

Great to Know

- Article 43 does not guarantee a court-enforceable wage **(Trap)**.
- The 42nd Amendment added 43A, not the living-wage goal **(Trap)**.
- A legal minimum wage is not a living wage **(Trap)**.

8 How Has This Been Asked in Exams?

Practice MCQs

1. What does Article 43 direct the State to secure for workers?

A. A living wage and decent conditions of work

B. Free housing for all industrial workers

C. A fixed 8-hour workday nationwide

D. Mandatory annual bonuses

See answer ↓

2. The 1948 Committee on Fair Wages defined three wage tiers.

Which is the HIGHEST tier?

A. Living wage

B. Minimum wage

C. Statutory wage

D. Fair wage

See answer ↓

3. What did the Supreme Court hold in Sanjit Roy v. State of Rajasthan (1983)?

A. Paying workers below minimum wage, even on relief work, violates their dignity

B. Famine relief workers can legally be paid below minimum wage

C. Article 43 is directly enforceable in court like a Fundamental Right

D. Minimum wage laws don't apply to State governments

See answer ↓

4. What change did the Code on Wages, 2019 bring?

A. It made minimum wage protection universal, covering all employment

B. It abolished the concept of minimum wage entirely

C. It repealed Article 43

D. It applied only to government employees

See answer ↓

5. Besides wages, what does Article 43 specifically call for promoting?

A. State-owned enterprises exclusively

B. Cottage industries in rural areas, on an individual or cooperative basis

C. Foreign direct investment in manufacturing

D. Large-scale heavy industry only

See answer ↓

Answer Key

1. **A.** Article 43 directs the State to secure a living wage and decent working conditions for all workers. ↑ Q1
2. **A.** Living wage is the highest of the three tiers, covering a family's full reasonable standard of living, above minimum and fair wage. ↑ Q2
3. **A.** The Court held that paying below minimum wage, even for famine relief work, violated the worker's right to live with dignity. ↑ Q3
4. **A.** The Code on Wages, 2019 made minimum wage protection universal, rather than limited to specific scheduled sectors. ↑ Q4
5. **B.** Article 43 specifically calls for promoting cottage industries in rural areas, individually or cooperatively. ↑ Q5

Quick-check answers

1. **False.** ↑ 1
2. **False.** ↑ 2

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