

## CHAPTER

# 8(B)

# LAW AND SOCIAL JUSTICE



## Learning Outcomes

- Understand the Law of Minimum wages.
- Understand Worker's worth, importance and enforcement of safety laws
- Understand environment as public facility and new laws to protect environment.



## Fundamental Fact

According to the 2011 census, over 4 million children in India aged between 5 and 14 work in various occupations including hazardous ones.

Scan to know more about this topic



Law and Social Justice



## Introduction

- In a common market situation there is issue of workers' wages. Private companies, contractors, businesspersons normally want to make as much profit as they can.
- In the drive for profits, they might deny workers their rights and not pay them wages.
- To protect people from exploitation, the government makes certain laws. These laws try to ensure that unfair practices are kept at a minimum in the markets.
- Earlier environment was considered as a free entity and any industry could pollute the air and water without any restrictions but aftermath Bhopal gas tragedy government introduced various laws to protect the environment.



## Laws on Minimum Wages

- According to a law on minimum wages, a worker has to be paid not less than the minimum wage by the employer.
- In India, there are various laws to protect workers' interest. For example; The Minimum Wages Act, 1948, The Factories Act, 1948, The Equal Remuneration Act, 1976, etc.

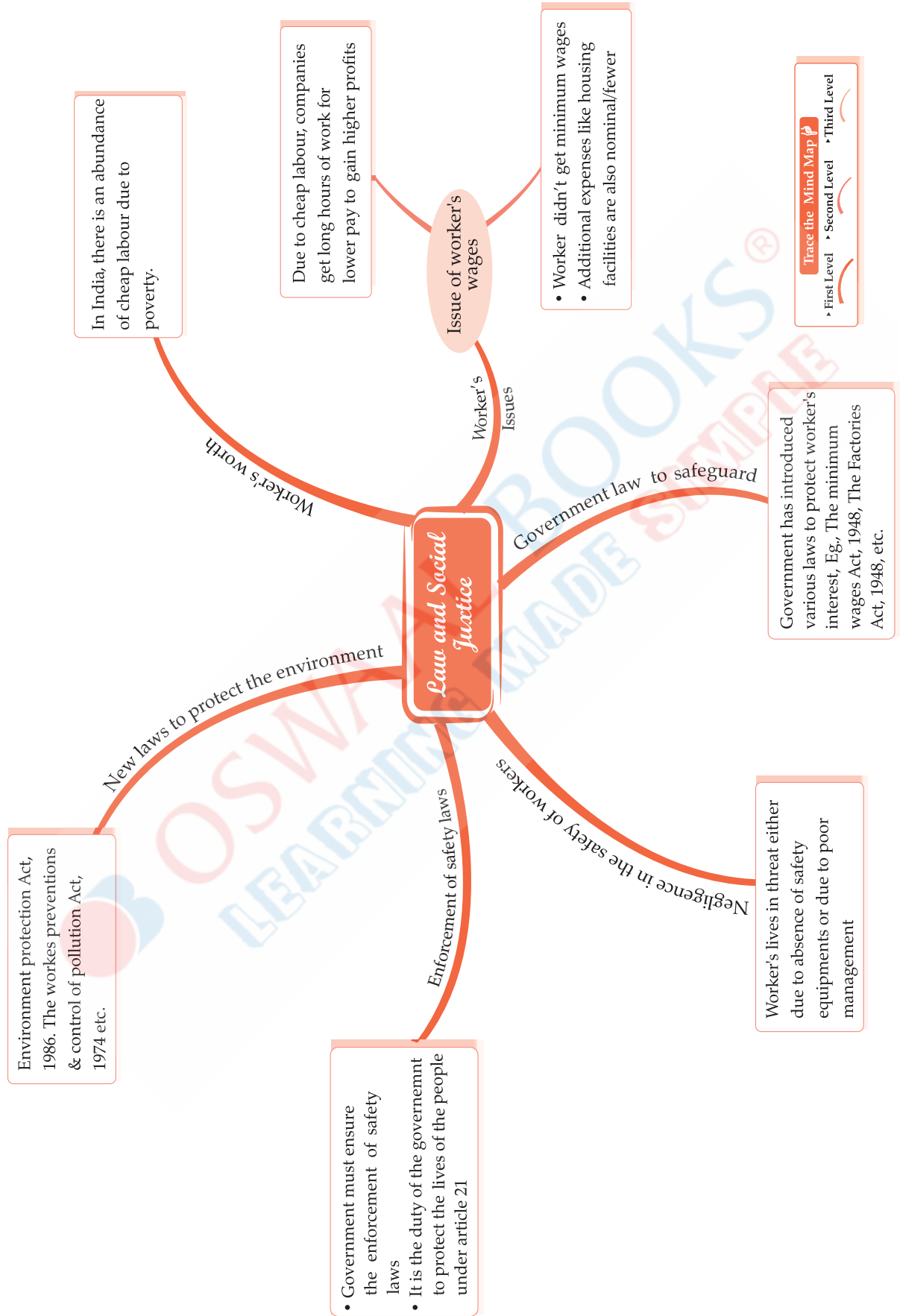
### What is a Worker's worth?

- In India, there is a huge availability of cheap labour. So one worker can easily replace another. There is so much unemployment that many workers are willing to work in unsafe conditions in return for a wage.
- Thus, even so, many years after the Bhopal gas tragedy, there are regular reports of accidents in construction sites, mines or factories due to the callous attitude of the employers.



## Enforcement of Safety Laws

- The government is supposed to ensure that safety laws are implemented. It is also the duty of the government to ensure that the Right to Life guaranteed under Article 21 of the Constitution is not violated.
  - As we can see from the Bhopal Gas Tragedy, the negligence of the government is the reason for such a hazardous disaster.
1. Government officials refused to recognise the plant as hazardous and allowed it to come up in a populated locality.
  2. The Government didn't ask Union Carbide to shift to cleaner technology or safer procedures.
  3. Government inspectors continued to approve the procedures in the plant, even when repeated incidents of leaks from the plant made it obvious to everybody that things were seriously wrong.
- Safety was being disregarded both by the government and by private companies in this case.



### Example 1

Accidents are common to construction sites. Yet, very often, safety equipment and other precautions are ignored. Why?

**Ans.** Most of the accidents in the construction industry are caused by a lack of proper education and training regarding safety measures and because of negligence and ignorance on the part of either the workers or management or both.

## New Laws to Protect the Environment

- The Supreme Court held that the Right to life is a fundamental Right under Article 21 of the Constitution and it includes the right to the enjoyment of pollution-free water and air for full enjoyment of life.
- The Government came up with laws to protect the environment. For example;
- Environment Protection Act, 1986, The Water prevention & Control of Pollution Act, 1974, etc.
- Henceforth, the polluter was to be held accountable for the damage done to environment.



### Fundamental Fact

Recently, 41 construction workers trapped in a collapsed tunnel at silkyara in Uttarakhand for 17 days were successfully rescued in Nov 2023.



### Keywords

- **Consumer:** An individual who buys goods for personal use and not for resale.
- **Producer:** A person or organisation that produces goods for sale in the market. At times, the producer keeps a part of the produce for his own use, like a farmer.
- **Investment:** Money spent to purchase new machinery or buildings or training so as to be able to increase/modernise production in the future.
- **Workers' unions:** An association of workers.



## NCERT Corner

### Intext Questions

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**Q. 1. Why do we need a law on minimum wages?**

**Ans.** We need a law on minimum wages because of the following reasons:

- (i) To protect the interest of the workers.
- (ii) To ensure fairness and social justice.

**Q. 2. What is the minimum wage for a construction worker in your state?**

**Ans.** The minimum wage for a construction worker in my state is 400 rupees per day.

**Q. 3. Do you think the minimum wage for a construction worker is adequate, low or high?**

**Ans.** The minimum wage for these workers is still low. There wage should be increased a little more as in 400 rupees they cannot fulfill the needs of their families.

**Q. 4. Who sets the minimum wages?**

**Ans.** There is an Indian labour law that sets the minimum wages that must be paid to skilled and unskilled labours.

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**Q. 5. Why do you think enforcement of safety laws is important in any factory?**

**Ans.** Enforcement of safety laws is important in any factor because of the following reasons:

- Factory work includes use of several machines and it is important that proper care is taken of these machines so that the workers security is guaranteed.
- Factories are the areas where there are chances of worker exploitation. So for this factory safety laws are important.

**Q. 6. Can you point to a few other situations where laws (or rules) exist but people do not follow them because of poor enforcement? (For example, over-speeding by motorists). What are the problems in enforcement?**

**Ans.** There are various rules in our country which just because of the poor enforcement aren't followed by the citizens. Some of these rules are as follows:

- Driving with license is compulsory but people hardly do so.
- Driving while drinking is not allowed but no one follows.
- Driving with helmet is compulsory but people barely does that.

**Q. 7. Can you suggest some ways in which enforcement can be improved?**

**Ans.** Some ways in which enforcement can be improved are:

- If the nature of policies and policy makers become strict and loyal.
- If the information becomes basic and the flow of information becomes transparent.
- If the communication gaps diminish.

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**Q. 8. A 'clean environment is a public facility.' Can you explain this statement?**

**Ans.** From the above statement we understand that the environment should be healthy and clean. This can be done creating more and more awareness among the people. Those who pollute the environment a fine should be imposed on them. Also workers of the factories should be safeguard to maintain their interest.

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**Q. 9. Do you think everyone got justice in the case cited above?**

**Ans.** In my opinion everyone did not get justice in the case because though the court solved one problem of saving the environment it gave rise to several other issues like workers working there lost their jobs and the places where the factories got relocated started getting polluted in the same way.

## Textbook Questions

**Q. 1. What are the advantages to foreign companies in setting up production in India?**

**Ans.**

- They can cut costs by providing lower working conditions including lower safety measures.
- They can get labour at cheap price.
- They spend the least on housing facilities for workers.

**Q. 2. How was environment treated earlier? What has been the change in perception? Discuss.**

**Ans.** The environment was treated as a 'free' entity and any industry could pollute the air and water without any restrictions. Whether it was our rivers, air, groundwater - the environment was being polluted and the health of people disregarded. The change in perception was brought about after Bhopal gas tragedy. After this tragedy, Indian government introduced new laws on the environment.

**Q. 3. What do we mean when we speak of law enforcement? Who is responsible for enforcement? Why is enforcement so important?**

**Ans.** The government plays a very important role in making laws. The government has made a number of laws to protect the interests of the workers. But making law is not enough. The government has to ensure that these laws are implemented. Enforcement becomes even more important when the laws seek to protect the weak from the strong.

**Q. 4. How can laws ensure that markets work in a**

**manner that is fair? Give two examples to support your answer.**

**Ans.**

- The government should control the activities of individuals or private companies.
- The government should inspect worksites regularly and punish those who violate the laws.

**Q. 5. Write a paragraph on the various roles of the government that you have read about in this unit.**

**Ans.** The government plays the following roles:

- Providing public facilities like healthcare, sanitation and water supply ensures that these are not overtaken by private enterprises.
- Enforcing the laws against child labour.
- Fixing minimum wages for workers and revising it from time to time.
- Enforcing laws regarding safety at the workplace.
- Enforcing laws regarding the safety of the environment.
- Protecting the interests of consumers against overpricing and standard products.
- Punishing organisations which do not follow policies to protect the environment against pollution.

**Q. 6. What are the sources of environmental pollution in your area? Discuss with respect to air, water and soil. What are the steps being taken to reduce the**



**pollution? Can you guess some other measures.**

**Ans.** The various sources of environmental pollution in our area are as follows:

- Smoke from factories and vehicles that run on petrol or diesel is the main reason behind air pollution.
- The main cause of water pollution is chemical fertilizers and garbage from factories, farms and houses.
- Soil is polluted by the pesticides and fertilisers that are used to grow crops or by garbage dumped by human or by factory waste.

**Steps taken to reduce pollution are listed below:**

- Various laws have been enforced to keep a check on environmental pollution.
- Promotion of CNG vehicles to reduce air pollution.
- Strict actions against companies who violate environmental laws.

No rules or laws can help make our environment clean and free of pollution until and unless every individual in society takes responsibility on their part to keep their environment clean. Only voluntary actions can make our environment pollution free.



## Competency/Critical Thinking Based Questions

(These Questions have been specially developed as per the Latest Typologies prescribed by CBSE in accordance with NEP 2020)

### Level - 1 : Objective Type Questions

**(A) Multiple Choice Questions: (1 mark each)**

**Q. 1. The Indian Constitution guarantees the Right to Education for all children between the ages of**

- 6-18 years
- 6-15 years
- 6-14 years
- 6-16 years

**Ans. Option (c) is correct.**

**Q. 2. Union Carbide is an**

- Australian company
- American company
- African company
- European company

**Ans. Option (b) is correct.**

**Q. 3. The minimum wages act is necessary \_\_\_\_\_**

- To protect consumers from exploitation
- To protect owners from exploitation
- To protect suppliers from exploitation
- To protect workers from exploitation

**Ans. Option (d) is correct.**

**Q. 4. Right to Life is a Right under \_\_\_\_ of the Constitution, it includes the right to the enjoyment of pollution-free water and air for full enjoyment of life.**

- Article 21
- Article 15
- Article 17
- Article 20

**Ans. Option (a) is correct.**

**Q. 5. CNG stands for:**

- Compressed Natural Gas
- Complete Natural Gas
- Conserved Natural Gas
- Compressed Neon Gas

**Ans. Option (a) is correct.**

**Q. 6. A person or organisation that produces goods for sale in the market.**

- consumer

(b) customer

(c) producer

(d) investor

**Ans. Option (c) is correct.**

**(B) Fill in the blanks:**

- Laws try to ensure that the ..... practices are kept at a minimum in the markets.
- The ..... has to ensure that the laws are implemented.
- Constitution lays down "no child below the age of ..... shall be employed to work in any factory or mines or any other hazardous employment.
- The Bhopal Gas Tragedy took place on .....
- Article 21 of the Indian Constitution states .....

**Ans. 1. Unfair**

2. Government

3. 14

4. 2 December 1984

5. Right to life

**(C) Match the Following:**

S.No	Column I		Column II
1.	Ship Breaking Industry	(a)	2006
2.	Poisonous gas	(b)	2 December 1984
3.	Child labour prevention act	(c)	Methyl Isocyanide
4.	Bhopal gas tragedy	(d)	Hazardous Industry

**Ans. 1. (d), 2. (c), 3. (a), 4. (b),**

**(D) True or False:**

1. The implementation and effectiveness of minimum wage laws vary across different countries and regions.
2. Bhopal gas tragedy happened due to gas leak.
3. The enforcement of safety laws in workplaces is not crucial to protect workers from hazards, accidents, and health risks.
4. New laws on environmental protection aim to address the challenges of climate change, pollution, and the conservation of natural resources.
5. Recognizing the worth of workers involves considering not only their economic value but also their dignity, rights, and well-being.

**Ans.** 1. True, 2. True, 3. False, 4. True, 5. True.

**(E) Assertion & Reason:**

In each question given below, there are two statements marked as Assertion (A) and Reason (R). Mark as per the codes provided below.

- (a) Both A and R are correct and R is the correct explanation of A.
- (b) Both A and R are correct but R is not the correct explanation of A.
- (c) A is correct but R is wrong.
- (d) R is correct but A is wrong.

**Q. 1. Assertion (A):** A worker has to be paid not less than the minimum wage by the employer.

**Reason (R):** The minimum wages are revised upwards every few years.

**Ans. Option (a) is correct.**

**Explanation:** The assertion is true. Minimum wage laws are in place to ensure that workers receive a fair and decent income for their labour. The reason is also true as minimum wages are periodically revised to keep up with inflation and ensure that workers are not paid below a certain threshold.

**Q. 2. Assertion (A):** Enforcement becomes even more

important when the law seeks to protect the weak from the strong.

**Reason (R):** Workers can not use their combined power to demand fair wages and better working conditions by organizing themselves into unions.

**Ans. Option (c) is correct.**

**Explanation:** The assertion is true. When laws aim to protect vulnerable individuals or groups, enforcement becomes crucial to ensure that their rights are upheld. The reason is wrong as collective action, such as forming unions, can empower workers to advocate for their rights and negotiate better conditions.

**Q. 3. Assertion (A):** People must demand stronger laws protecting workers' interests so that the Right to Life is achieved for all.

**Reason:** The courts also gave a number of judgments upholding workers' rights.

**Ans. Option (a) is correct.**

**Explanation:** The assertion is true. Stronger laws are necessary to safeguard the interests of workers and ensure their right to a dignified life. The reason is also true as courts play a vital role in interpreting and upholding workers' rights through their judgments.

**Q. 4. Assertion (A):** New laws on environment protection often focus on reducing carbon emissions, promoting renewable energy, and preserving biodiversity.

**Reason (R):** In 1984, there were very few laws protecting the environment in India, and there was hardly any enforcement of the laws.

**Ans. Option (a) is correct.**

**Explanation:** The assertion is true. New laws on environment protection commonly address issues such as reducing carbon emissions, promoting sustainable energy sources, and conserving biodiversity. The reason is also true, as environmental laws and their enforcement have evolved over time to address the growing concerns about environmental degradation.

## Level - 2 : Passage based Questions

**I. Read the following passage and answer the questions:**

The world's worst industrial tragedy took place in Bhopal 24 years ago. Union Carbide (UC) an American company had a factory in the city in which it produced pesticides. At midnight on 2 December 1984 methyl-isocyanite (MIC) – a highly poisonous gas- started leaking from this plant. Within three days, more than 8,000 people were dead. Most of those exposed to the poison gas came from poor, working-class families, of which nearly 50,000 people are too sick to work. The disaster was not an accident. UC had deliberately ignored the essential safety measures in order to cut costs. In the ensuing legal battle, the government represented the victims in a civil case against UC. It filed a \$3 billion compensation case in 1985 but accepted a lowly \$470 million in 1989.

**(i) Mention the date and year of Bhopal Gas Tragedy. Which gas was responsible for it?**

**Ans.** At midnight on 2 December 1984 methyl-isocyanite (MIC) – a highly poisonous gas.

**(ii) What was the name of the company and to which country did it belong to? What did the company produce?**

**Ans.** Union Carbide (UC) an American company had a factory in the city in which it produced pesticides.

**(iii) Describe the effect of the tragedy.**

**Ans.** Within three days, more than 8,000 people were dead. Most of those exposed to the poison gas came from poor, working-class families, of which nearly 50,000 people are too sick to work.

**(iv) Was the disaster an accident or not? Why?**

**Ans.** The disaster was not an accident. UC had

deliberately ignored the essential safety measures in order to cut costs.

- (v) **What was the compensation demanded? What was accepted?**

**Ans.** In the ensuing legal battle, the government represented the victims in a civil case against UC. It filed a \$ 3 billion compensation case in 1985 but accepted a lowly \$ 470 million in 1989.

## Level - 3 : Subjective Type Questions



### Very Short Answer Type Questions

[1 mark each]

**Q. 1. Define Consumer.**

**Ans.** An individual who buys goods for personal use and not for resale.

**Q. 2. What is the role of enforcement in ensuring worker safety?**

**Ans.** Enforcement plays a crucial role in keeping workplaces safe and free from known health and safety hazards.

**Q. 3. Name the poisonous gas responsible for Bhopal Gas tragedy.**

**Ans.** Methyl-isocyanite

**Q. 4. How can workers demand fair wages and better working conditions?**

**Ans.** Workers can demand fair wages and better working conditions by organizing themselves into unions and advocating for their rights.



### Short Answer Type Questions

[2-3 marks each]

**Q. 1. What is the purpose of minimum wage laws?**

**Ans.** Minimum wage laws are designed to protect workers against unduly low pay. They set the lowest amount an employer can legally pay their workers per hour, ensuring a basic standard of living for employees.

**Q. 2. How does the government save the poor from the exploitation of the market?**

**Ans.** The government enacts numerous laws to protect the poor from exploitation. These rules ensure that the prices of items in the market are kept at a minimal.

**Q. 3. What are the benefits of new laws on environmental protection?**

**Ans.** New laws on environmental protection aim to preserve natural resources, combat climate change, and protect biodiversity. They can lead to cleaner air and water, reduce waste, and promote sustainable practices.

**Q. 4. What are the main features of child labour Prevention Act, 2006.**

**Ans.** Under the Act, the government has banned children under 14 years of age from working as domestic servants or as workers in dhabas, restaurants, tea shops, etc. It made employing these children a punishable offence.



### Long Answer Type Questions

[4-5 mark each]

**Q. 1. How is a worker's worth determined and what factors influence it?**

**Ans.** A worker's worth, often referred to as the market value, is typically determined by the supply and demand for their skills in the job market. The more unique or in-demand a worker's skills are, the higher their market value tends to be.

Several factors can influence a worker's worth. Education and experience are key determinants, as they can enhance a worker's skills and productivity. The level of skill and effort required for the job, the working conditions, and the location of the job can also affect a worker's worth.

In addition, societal factors such as gender, race, and age can unfortunately influence a worker's worth, leading to wage gaps and discrimination in the workplace. Efforts are ongoing to address these disparities and ensure equal pay for equal work.

**Q. 2. Why is the enforcement of safety laws important in the workplace and what are the consequences of non-compliance?**

**Ans.** The enforcement of safety laws is crucial to prevent workplace accidents and ensure the health and well-being of employees. Safety laws set standards for workplace conditions and practices to minimize the risk of injury or illness. They cover a wide range of issues, from the use of protective equipment to the handling of hazardous materials.

Non-compliance with safety laws can have serious consequences for businesses. They can face legal penalties, including fines and imprisonment. They can also be sued by employees for damages. Non-compliance can lead to a loss of reputation, which can affect a business's ability to attract and retain employees and customers.

Moreover, non-compliance can lead to increased costs due to workplace accidents, such as medical expenses, compensation payments, and lost productivity. Therefore, compliance with safety laws is not only a legal obligation but also a sound business practice.

**Q. 3. What are the benefits of new laws on environmental protection and how do they impact society?**

**Ans.** New laws on environmental protection aim to preserve natural resources, combat climate change, and protect biodiversity. They set standards for pollution, waste management, and the use of natural resources, and provide mechanisms for enforcing these standards.

The benefits of environmental laws are manifold. They can lead to cleaner air and water, reduce waste, and promote sustainable practices. They can protect ecosystems and biodiversity, which are essential for the functioning of the planet and the well-being of all species.

The impact of environmental laws on society is significant. They can improve public health by reducing pollution-related diseases. They can also contribute to social justice by addressing environmental inequalities, as disadvantaged communities often bear the brunt of environmental degradation.

**Q. 4. How do environmental laws affect businesses and what opportunities do they present?**

**Ans.** Environmental laws can have a significant impact on businesses. They may require changes in

operations to reduce environmental impact, which can involve costs. However, they can also lead to innovation and new business opportunities.

Compliance with environmental laws can enhance a business's reputation and brand image, making it more attractive to customers, employees, and investors. It can also reduce the risk of legal penalties and lawsuits.

Moreover, environmental laws can stimulate innovation by encouraging businesses to develop new technologies and practices to reduce their environmental impact. This can lead to new business opportunities in the field of sustainability, such as renewable energy, energy efficiency, waste management, and sustainable agriculture.



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