

BANDHUA MUKTI MORCHA v. UNION OF INDIA¹

Facts of the Case

The Bandhua Mukti Morcha v. Union of India (1984) was a cornerstone case which made a substantial contribution to the understanding and implementation of the constitutional ban on bonded labor. **Bandhua Mukti Morcha** (BMM), an NGO devoted to the freedom of bonded laborers, filed a public interest litigation (PIL) that formed the basis of the case. The petitioner inspected stone quarries in the Delhi-area Faridabad District. According to the survey, a large number of workers—many of whom were bonded laborers—from Maharashtra, Madhya Pradesh, Uttar Pradesh, and Rajasthan were subjected to incredibly terrible working conditions.

The petitioner addressed a letter to Justice Bhagwati regarding the conditions of work and workplace of the workers. According to [Article 32](#) of the constitution, this letter was interpreted as a writ petition, and a commission was established to investigate the petitioner's claims. The letter revealed that many workers were trapped in bonded labour due to small debts with unfair interest rates, forced to work under threats and unsafe conditions without basic needs like clean water, sanitation, or healthcare. Paid far below minimum wages, they remained in perpetual debt, often passing it to their children. A team of lawyers investigated and confirmed widespread **bonded labour, exploitation, and violations of fundamental rights**. The commission demonstrated that the claims were accurate.

Question of Law

If the writ petition submitted under Article 32 of the Constitution to address the complaints of bonded laborers via a letter is permissible and legitimate. Whether any of the workers' fundamental rights mentioned in the petition are violated to invoke Article 32 of the Constitution is triggered. Another question raised was if the State had not fulfilled its duties under the Constitution and the law to find, free, and rehabilitate bonded laborers. Whether forced labor is covered under the 1976 Bonded Labor System Abolition Act was another primary concern raised during this case.

Judgement

The Court came to the judgement that on account of social and economic disability of an individual or group any member of the public can move the Court under Clause (1) Article 32 of the Constitution. The Court additionally ruled that forced labor is recognized as a type of bonded

¹ AIR 1984 SC 802

labor under the Bonded Labour System (Abolition) Act of 1976. The main goal of the Act is to prevent forced labor in any form from continuing.

Article 21 of the Constitution guarantees every individual the right to live with dignity, forming the core of fundamental human rights. It draws inspiration from the Directive Principles of State Policy, particularly Article 39(e) and (f), and Articles 41 and 42, which emphasize social justice and humane working conditions.

Furthermore, the Court ruled that the Federal Government and State Governments had a constitutional duty to guarantee the enforcement of laws such as the Minimum Wages Act of 1948, the Payment of Wages Act of 1948, the Maternity Benefits Act of 1961, the Bonded Labor Abolition Act, and others.

Above all, the Court ruled that it was critical to make the workers aware of their rights and benefits under many laws pertaining to social welfare. With this knowledge, they would be able to fight for the protection of their rightful dues and avoid becoming helpless victims of exploitation.

References

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