



From workplace control to digital autonomy: A legal study of India's Right to Disconnect Bill

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Abstract

The expansion of digital communication technologies has fundamentally altered contemporary workplaces by eroding the temporal and spatial boundaries between professional and personal life. Constant connectivity has increased efficiency and flexibility, but it has also created a culture of constant availability, which has resulted in long workdays, an unbalanced work-life schedule, mental exhaustion, and widespread burnout. This article conducts a thorough legal examination of the new idea of the "right to disconnect" in the Indian context, placing it at the nexus of human dignity, labour law, constitutional values, privacy, and mental health. The Private Member's Right to Disconnect Bill, which was introduced in the Lok Sabha in 2025, is critically examined in light of India's heavily connected workforce and growing levels of occupational stress. It examines the normative underpinnings, statutory structure, employer responsibilities, grievance redressal procedures, and anti-retaliation protections of the Bill. The study assesses the possible advantages and real-world difficulties of enacting such a right in India using empirical data showing excessive after-hours work and comparative insights from countries like France, Spain, Belgium, and Australia. The paper makes the case that, although a legal acknowledgment of the right to disconnect could greatly improve worker productivity, well-being, and respectable work practices, its effectiveness depends on a calibrated and adaptable regulatory framework. Through reasonableness standards, industry-specific exclusions, and societal discourse, it highlights the necessity of striking a balance between employees' digital autonomy and employers' justifiable managerial and operational responsibilities. In the conclusion, the study argues that the shift from workplace management to digital autonomy is not just a legal reform but also a larger institutional and cultural shift that is necessary for India's digital labour to be governed sustainably and humanely.

Keywords: Right to disconnect, digital labour, work–life balance, mental health and burnout, indian labour law etc

Introduction

The workplace of the present day has undergone tremendous changes with the advent of digital communication technologies like email, instant messaging, and collaborative technologies, and smartphones that have removed the temporal and spatial boundaries of the workplace and personal time and space. The benefits of the technological connectivity of the workplace and the employee's personal time and space notwithstanding, the culture of 'being always on' has resulted in the extension of working hours, the disruption of leisure time, and the creation of stress and burnout. The Indian scenario, where the development of the knowledge workforce and the phenomenon of hybrid working arrangements coincide with the stakes of career progression, has assumed an alarming dimension. A parliamentary-level discussion on the legal protection of an employee's 'right to disconnect' from work-related digital communication outside working hours has assumed the dimensions of a legislative proposal. A private member's bill on the 'Right to Disconnect' was tabled in the Lok Sabha in 2025, which aims to recognize and protect the prerogative of the employee not to respond to work-related communications outside working hours and prohibit retaliation against the employee exercising such prerogative.

This article discusses the 'right to disconnect' as a legal proposition, which includes an examination of the normative and doctrinal underpinnings of the 'right to disconnect,' the merits and demerits of the legislative proposition, the potential consequences and benefits of the

'right to disconnect' in the Indian context, lessons learned from jurisdictions where similar legislative measures are in place, statistical data on the 'right to disconnect,' and the practical implications for the workplace and the 'right to disconnect.

Conceptual and Normative Foundations

At its heart, the right to disconnect is a policy intervention in the law of employment that seeks to enhance the distinction between time at work and time not at work. The right to disconnect can be thought of as being situated at the intersection of labour law, privacy, health/mental health, and human dignity. From a rights perspective, the right to disconnect can be connected to the broader notion of personal autonomy, the right to life, liberty, and personal freedom, which encompasses work-life balance and mental health. The right to disconnect can also be conceived of as part of the anti-exploitation regime, where the utilization of digital technologies by employers to control employees even outside of work time can be counteracted by the creation of a legal rule that respects the silence of the employee.

From a doctrinal standpoint, the right to disconnect can be located in a variety of legal instruments, such as:

1. a statutory right that prohibits employer retaliation for non-responsiveness during off-work time;
2. a mandatory workplace policy that requires employers to formulate a disconnection charter;
3. a system of regulatory oversight and grievance redressal; and
4. a collective agreement that establishes norms regarding digital availability at work.

The Indian bill that is in the works includes aspects of these mechanisms, such as the obligations of employers to formulate a charter of work hours and the establishment of an Employees' Welfare Authority.

The Pending Indian Bill: Content and Status

The Right to Disconnect measure, which was proposed in the Lok Sabha in 2025 as a private member's bill, is a statutory recognition of the right of employees to abstain from any engagement with work-related communications such as emails, phone calls, etc., beyond working hours or during holidays, and to protect employees from any adverse employer action in this regard. The Bill also recognizes the necessity for employers to develop internal policies or charters that specify working hours, exceptions, and a redressal mechanism. The Bill is a private member's Bill and, hence, is not a government Bill, and its enactment is uncertain. However, its introduction reflects a parliamentary acknowledgment of the issue and its prioritization on the legislative agenda.

Merits of the Right to Disconnect

- 1. Safeguarding Mental Health and Preventing Burnout:** The first and most immediate advantage of a legal right to disconnect is that it safeguards the mental health of workers. There is a considerable amount of evidence from surveys and reports that indicate a high occurrence of burnouts due to excessive connectivity. For example, a report focused on India found that: "62% of Indian employees were suffering from burnouts due to work-related stress and lack of work-life balance, a figure much higher than that reported globally" This is a pressing issue that needs to be addressed in India, and a legal right to disconnect would go a long way in resolving it.
- 2. Respecting Work-Life Balance and Human Dignity:** The legal right to disconnect is a clear statement of affirmation that a worker's private life and rest are important and deserving of protection. This is a direct implementation of the principle of human dignity, where a worker is not treated like a machine that must always be available.
- 3. Increasing Productivity through Break Times:** There is a paradox in that a legal right to disconnect would actually result in increased productivity. The cognitive science of attention has proven that workers need a break from time to time in order to perform better. There are some empirical indications that workers are actually experiencing a great deal of disruptions in their attention, such as Microsoft's telemetry that has found that there are many more evening meetings taking place.
- 4. Clarifying Employer Responsibilities and Reducing Ambiguity:** The legal right to disconnect would ensure that there is a clear understanding of what is expected of an employee, such that a company is able to define its response to a worker's request to disconnect. This would eliminate a great deal of ambiguity that currently exists in many companies.
- 5. Bringing Indian Labour Law in Line with Global Best Practices:** There are many countries around the

world that have already implemented a legal right to disconnect, such as France, Spain, Italy, Belgium, Australia, and many others. This would put India in line with a growing trend that seeks to protect workers in a digital age.

Challenges

- 1. Complexity of Enforcement:** The key issue here is to determine whether a certain message or call is a genuine emergency or business need or simply an unreasonable intrusion. There may be factual determinations to make here. The regulatory authority may get flooded with cases that need to be examined on a case-by-case basis.
- 2. Operational Inconvenience to Certain Sectors:** Sectors that operate across time zones, such as IT services with clients in the US/Europe, customer support services, logistics providers, healthcare providers, emergency services providers, etc., may face operational challenges if the law is too rigid. The law may be criticized as being so rigid that it could negatively impact business competitiveness.
- 3. Risk of Evading the Law:** The law may have the effect of driving employers to adopt more underhanded methods of pressuring employees. The law may simply push the problem underground.
- 4. Economic Impact of the Law:** The law may also face resistance from employers' associations on the grounds of the potential cost of compliance. The law may also face resistance from employers' associations on the grounds of the potential cost of compliance. The law may also face resistance from employers' associations on the grounds of the potential cost of compliance.
- 5. Definition of 'Work Communication' Problems:** A further challenge concerns defining the scope of "work communication." Ambiguities may arise as to whether brief emails, scheduling messages, or short managerial instructions after working hours constitute actionable violations. Without clear statutory or regulatory definitions, such uncertainties could lead to inconsistent enforcement and legal disputes.

Consequences and Benefits if Implemented in India

- **Short-Term Consequences:** If the bill passes, it would require organizations, especially organized corporations, to develop and execute disconnection strategies, communicate response times, and develop grievance systems. Human resources departments would need to train management, review contracts, and possibly invest in technology to ensure compliance.
- **Medium-Term Benefits:** Over time, the acceptance of the concept of disconnection may reduce the overall levels of stress and burnout, decrease turnover rates, and help organizations attract and retain the best of the best, especially those who prioritize wellness and work-life balance. Research supports the notion that well-being is increasingly an important factor in choosing jobs, and therefore organizations embracing the concept of disconnection may reap the benefits of attracting the best human capital. It may also drive cultural changes

within organizations, reducing presenteeism and the concept of ‘quiet overworking.’ Research sources indicate the high prevalence of the need for the law in India, where one survey found up to 90% of workers were contacted during off-work hours.

- **Long-Term Legal and Social Impact:** It would provide an opportunity for the development of more nuanced case law on the balance between management prerogative and employee freedoms in the digital age. Socially, it would contribute to the health of the citizenry by reducing stress and its related consequences, such as mental health issues and family stress. Economically, it would contribute to the overall productivity of the workforce, despite the initial costs of transition, the overall benefits of reduced turnover rates would provide positive returns on investment.

Comparative Legal Landscape

A comparative law approach offers some instructive examples and caveats. The French model has often been cited as an example, where the 2016-2017 changes (El Khomri law and related measures) have obliged companies to agree to a ‘right to disconnect’ and adopt ‘charters’ for companies with more than 50 employees. The French approach has emphasized the importance of negotiation and a charter that outlines technical and behavioural measures, and flexible implementation at the company rather than national level. The French model has demonstrated that a legislative approach combined with social dialogue can meet sector and company-level requirements.

Spain has also followed suit with regulations that require companies to respect ‘off-duty hours’ and include ‘electronic communication’ clauses in labour contracts. Other countries, such as Italy and Belgium, have also included these requirements as part of their labour law reforms and collective bargaining agreements. Australia has also included amendments to its Fair Work laws (2023-2024) that grant employees a ‘statutory right to disconnect’ under certain circumstances, and this will be overseen by the Fair Work Commission for disputes arising out of these laws. The Australian law has also included reasonable standards. The Australian law has also demonstrated that its development has included administrative measures to balance these rights and obligations.

In addition to legislative changes, many German companies have also implemented technical restrictions for ‘email push notifications’ to mobile phones or have developed their own internal company policies. This has demonstrated that corporate-level changes can also lead to legislative changes or meet these requirements without legislative changes. The European experience has also demonstrated different models for addressing these requirements, where some states have emphasized sector or company-level bargaining.

Empirical Evidence: The Problem Size

Quantitative evidence exists to support this legislative concern. Collectively, telemetry studies from big platform companies and research organizations indicate rising “infinite workday” metrics, including evening meetings, early morning and late-night email checks, and fragmented attention. Microsoft’s 2025 Work Trend Index points out significant increases in “after hours” work and interruptions that affect focus. There are specific statistics for India that

point to alarming levels of stress and burnout. A report referring to MediBuddy and Confederation of Indian Industry (CII) points out that “around 62% of employees in India are experiencing burnout, which is significantly higher than the global average.” Another survey done by Indeed points out that “around 90% of employees in India are being contacted during non-working hours, and many are feeling coerced into working during this time, fearing repercussions for their career if they don’t respond.” The above statistics point out prevalence and coercion, both of which are important in supporting the right.

International surveys done by Asana and the European Working Conditions Survey point out that “60% or more of employees in some countries check email outside of working hours. Furthermore, 22% of employees check email very early in the day, and 22% check email very late in the day.” The below statistics point out that employees are not able to draw the boundary between work and private life. Statistical visualization: The above statistics are summarized in the chart below.

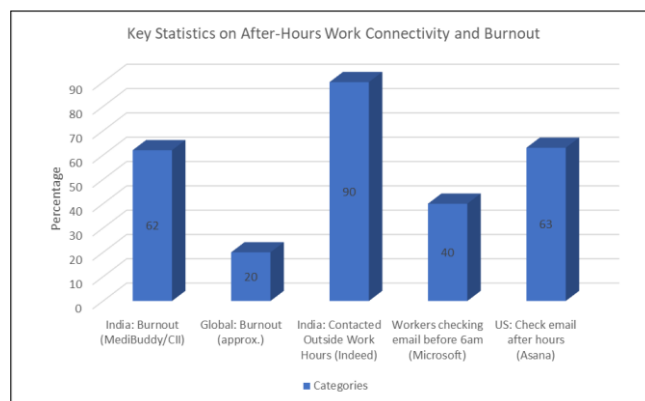


Fig 1:

Practical design: how should the law be framed?

The law’s success hinges on careful normative and drafting choices. A robust statute should consider the following design features:

1. **Principle of Reasonableness, with Role-Specific Exceptions:** Instead of a blanket prohibition, a “reasonableness” principle should guide the legislation, where employees should not be expected to respond to routine communications outside of official working hours, but at the same time, provide scope within the legislation to accommodate certain roles that genuinely require round-the-clock working (emergency staff, critical IT roles, service roles with specific contractual obligations), subject to transparency and compensation.
2. **Employer Obligations to Adopt Policies and Communicate Them:** The legislation should require employers to develop a “Disconnection Policy” or “Digital Availability Charter” outlining official working hours, emergency protocols, and any exceptions, thereby formalizing what had been informal understandings.
3. **Statutory Prohibition on Retaliation with a Functional Grievance Mechanism:** The legislation should specifically address a prohibition of retaliation in terms of discipline, demotion, or dismissal in case of

lawful disconnection, along with a grievance redressal system, either through an administrative mechanism such as a labour department or employee welfare authority or a judicial mechanism such as labour courts. The Indian Bill's suggestion of an Employees' Welfare Authority is one such model, but other models could also be feasible.

4. **Collective Bargaining and Workplace Negotiation:** The law should promote or mandate negotiation with employee representatives, if any, to determine sectoral norms.
5. **Remedies, Penalties, and Incentives:** The law should offer balanced remedies, such as complaints resolution, issuing of directives, and imposing of penalties on repeated and wilful violations, along with incentives, such as recognition, tax benefits for well-being programs, or reporting of best practices.
6. **Data Privacy and Technical Measures:** Employers should be encouraged to adopt technical measures, such as time-based email sending, quiet hours, and suppression of push notifications, so that technical solutions enable the implementation of the law.
7. **Awareness and Training:** The law is only effective if it is understood. The law should mandate training of employers on respectful communication, responses, and the perils of micro-managing via digital media.

Suggestions For Employers: Curbing After-Hours Pressure Voluntarily

Even before or in the absence of legislation, employers can implement policies that curb intrusive connectivity. Practical suggestions include:

1. **Adopt a Disconnection Charter:** Clearly define the official working hours, zones of silence, on-call shifts and associated compensation, and emergency response procedures.
2. **Use Technology to Enforce Quiet Hours:** Use email scheduling, delayed send, and notification suppression to automatically prevent sending or send notifications outside of work hours.
3. **Train Managers:** Educate managers on the negative impact of interrupted work on productivity and the positive impact on the organization's reputation to support the well-being of the employees.
4. **Define Compensation for On-Call Work:** Where on-call shifts are required, ensure the associated compensatory time off or compensation is provided.
5. **Measure and Report:** Regularly survey the workforce regarding on-call shifts and report the results to ensure transparency and accountability.
6. **Promote Asynchronous Culture:** Use project management tools to communicate and update, instead of using instant messaging that may require timely responses.

7. **Designate "Quiet" Times:** Establish core work hours during which meetings are avoided and individual deep work time is respected.

Suggestions For Policymakers and Regulators

Policymakers should craft law mindful of flexibility and enforcement feasibility:

1. **Adopt a Hybrid Model:** The government can adopt a hybrid model that includes statutory regulations, mandatory policies for employers, and obligations to engage in social dialogue processes (i.e., negotiation with worker representatives).
2. **Create Clear Guidance and Templates:** The labour ministry can create model charters for disconnection policies, compliance checklists, and even sample grievance procedures to facilitate adoption.
3. **Phase Implementation and Pilot Programs:** The government can implement the regulations on a phased basis by starting with pilot programs for certain sectors or even at the state level (e.g., public sector, certain private sector industries).
4. **Monitor and Research:** The government can commission studies to assess the effectiveness of the regulations. This includes conducting surveys on burnout, responses to the regulations, and their impact on the economy.
5. **Strengthen Institutional Capacity:** The government can strengthen labor inspectorates or employee welfare bodies to efficiently manage grievances on disconnection.
6. **Encourage Incentives for Best Practices:** The government can offer incentives such as awards or even tax benefits to employers that adopt best practices for well-being policies.

Ethical and Social Considerations

Apart from the mechanical aspects, the right to disconnect also raises normative questions about contemporary understandings of work, dignity, and play. In societies where working long hours has become a status symbol, a move towards a right to disconnect will require a change in the cultural landscape and will have to remove the stigma from not working and re-appreciate rest as an integral part of work.

Conclusion

The acknowledgement of a "right to disconnect" addresses a clear and scientifically supported conflict between modern digital connectivity regulations and the basic human requirements for relaxation, privacy, independence, and mental health. The conventional concept of working hours has grown more brittle at a time when technology has erased the temporal and physical limits of employment. The ensuing culture of constant availability has raised grave questions about the sustainability and dignity of contemporary labour practices by greatly contributing to occupational stress, burnout, and the degradation of work-life balance.

This issue is especially urgent in the Indian setting. India has one of the highest rates of internet access in the world, but its labour market is marked by fierce competition, long hours, and few institutional protections against overwork. Employees are disproportionately burdened by the lack of defined legal boundaries governing digital participation after hours, particularly in the gig economy and private sector where informal expectations frequently take the place of official requirements. Therefore, legal acknowledgment of a "right to disconnect" might be crucial to reestablishing humanitarian limits in the workplace and upholding Article 21 of the Constitution's ideals of dignity, individual liberty, and the right to life. In addition to improving personal well-being, this acknowledgment would be an indication of a larger normative change in the direction of respectable and sustainable job forms in the digital economy.

However, the accuracy and tact of a "right to disconnect" framework's legal design would be crucial to its efficacy. The heterogeneous labour market in India would not benefit from a one-size-fits-all strategy. To account for sector-specific facts, necessary services, administrative responsibilities, and justifiable business requirements, careful drafting would be necessary. This calls for explicit exclusions, employer-mandated internal regulations, and open procedures for digital communication outside of business hours. Establishing easily accessible and efficient grievance redressal procedures is equally crucial so that workers may use their rights without worrying about reprisals. The right runs the risk of being just idealistic in the absence of institutional backing and enforcement. A calibrated and collaborative approach will be necessary if India decides to enact a statutory "right to disconnect." The lawful right to manage, operational flexibility, and worldwide competitiveness of employers must be balanced with the rights of workers in autonomy and rest. To guarantee legitimacy, compliance, and contextual relevance, social interaction including employer groups, trade unions, technology companies, and civil society would be crucial. Comparative experiences from other jurisdictions indicate that successful implementation depends more on integrating the right into organizational cultures through shared responsibility and negotiated norms than on strict prohibition.

Adopting the "right to disconnect" shouldn't be seen by companies as just another regulatory burden. Conversely, it offers an ethical need as well as a strategic commercial opportunity. Clear boundaries between work and personal life are associated with increased productivity, creativity, and long-term engagement among employees, according to mounting empirical data. Policies that encourage digital detachment can thereby improve an organization's reputation, lower turnover, and create healthier workplaces. In the end, the shift from "workplace control" regimes to "digital autonomy" models signifies a larger institutional and cultural change as well as a legislative reform. It necessitates the intersection of smart organizational design, informed leadership, and the law. A "right to disconnect" approach has the ability to remind us that technological advancement must support human flourishing rather than impede it by acknowledging both the limitations of human endurance and the potential of technology. India has a chance to develop a unique, forward-thinking form of digital labour governance that balances economic dynamism with dignity, well-being, and constitutional principles while navigating this path.

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