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# THE RIGHT TO DISCONNECT: BRIDGING THE LEGAL GAP IN INDIA'S DIGITAL WORK ERA

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## ABSTRACT

In the contemporary digital era, the nature of work has undergone a significant transformation, blurring the boundaries between professional obligations and personal life. With the rapid expansion of technology and remote work practices, employees are increasingly expected to remain connected beyond prescribed working hours. This constant digital engagement has given rise to serious concerns relating to work-life balance, mental health, and the overall well-being of employees.

The concept of the *Right to Disconnect* has emerged as a crucial response to these challenges, recognising the need for employees to disengage from work related communications outside official working hours without fear of adverse consequences. While several countries, particularly in the European Union, have taken progressive steps to legally recognise this right, India continues to lack a specific legal framework addressing this issue.

This research paper critically examines the adequacy of the existing Indian labour law framework in regulating working hours. It highlights the limitations of traditional laws, which fail to account for modern work patterns such as remote work and continuous connectivity. The study further analyses international developments, including legislative measures adopted in countries like France, Spain, Germany and evaluates their relevance to the Indian context.

In addition, the paper incorporates contemporary real life developments and public debates surrounding excessive working hours and workplace expectations in India. These incidents reflect a growing culture of overwork and raise important questions about the relationship between productivity, employee well-being, and organisational practices. The research emphasises that overwork should not be equated with efficiency and underscores the importance of maintaining a healthy balance between professional and personal life.

The study also explores broader dimensions such as generational differences

in workplace expectations, the significance of meaningful work, and the role of leadership in shaping a balanced work culture. It argues that employee well-being encompassing physical, emotional, and mental health is fundamental to sustainable productivity and organisational success.

Finally, the paper examines recent legislative developments in India, including the Right to Disconnect Bill, 2025, as a positive step towards recognising this emerging labour right. It concludes by advocating for the formal legal recognition of the Right to Disconnect in India, supported by appropriate policy measures and organisational practices, to ensure dignity, health, and a sustainable work environment for employees in the digital age.

**Keywords:** Right to Disconnect, Labour Law, Remote Work, Work–Life Balance, India, Digital Overwork.

## INTRODUCTION

The nature of work in the modern era has undergone a significant transformation driven by rapid technological advancement and the widespread adoption of digital communication tools. While these developments have enhanced flexibility and efficiency, they have simultaneously blurred the boundaries between professional and personal life, giving rise to a culture of continuous connectivity and constant availability<sup>1</sup>.

In India, this challenge is particularly acute in the information technology, corporate, and service sectors, where employees are frequently judged not only by their output but also by their responsiveness outside working hours. The COVID-19 pandemic accelerated this trend, normalising remote and hybrid work arrangements across these sectors. The resulting work culture has contributed to increased stress, burnout, and mental health concerns, raising serious questions about employee well-being and the sustainability of prevailing workplace practices.

Recent public controversies have sharpened this debate. The tragic death of Anna Sebastian Perayil, an employee of Ernst & Young, allegedly attributed to excessive workload and workplace stress, brought national attention to the consequences of an unregulated work environment. Statements by S. N. Subrahmanyam of Larsen & Toubro and N. R. Narayana Murthy of Infosys advocating extended workweeks further intensified public discourse on whether long working hours equate to productivity or merely to declining well-being.

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<sup>1</sup> ILO, Working from Home: From Invisibility to Decent Work (ILO 2021).

At the heart of this discussion lies the concept of the Right to Disconnect an employee's right to disengage from work-related communications outside official working hours without fear of adverse consequences. Rooted in principles of dignity, health, and personal autonomy, this right has gained international recognition, particularly within the European Union, where countries such as France have enacted specific legislative protections.

In contrast, India's legal framework remains inadequate. The Factories Act, 1948 and the Occupational Safety, Health and Working Conditions Code, 2020 regulate working hours but were designed for traditional industrial settings and do not address remote work or digital engagement after hours. State-level Shops and Establishments Acts offer limited and inconsistently enforced protections. This legislative gap leaves a significant portion of the modern workforce without meaningful legal safeguards.

A notable step towards addressing this gap is the Right to Disconnect Bill, 2025, introduced by Supriya Sule, Member of Parliament, which proposes the establishment of an Employees' Welfare Authority and formally recognises employees' right to disengage from work communications beyond working hours.

This paper adopts a doctrinal and comparative methodology, relying on statutes, judicial decisions, policy reports, and international frameworks. It examines the adequacy of India's existing labour law framework, evaluates international models, analyses the impact of overwork on productivity and well-being, and argues for the formal legal recognition of the Right to Disconnect as a necessity not merely a policy option in India's digital workplace.

## **OBJECTIVES OF THE STUDY**

The primary objective of this research paper is to examine the concept of the *Right to Disconnect* in the context of the modern digital work environment and to analyse its relevance in ensuring a balance between working hours and employees' personal life in India.

This study seeks to evaluate whether the existing Indian labour law framework adequately protects employees from excessive working hours and continuous digital engagement. It aims to identify the gaps in current legal provisions, particularly in addressing issues arising from remote work and constant connectivity.

Another key objective of the paper is to analyse the relationship between overwork,

productivity, and employee well-being, and to challenge the prevailing notion that longer working hours necessarily result in greater efficiency or “hard work.”

The research further aims to examine international approaches to the Right to Disconnect and to draw comparative insights that may be relevant for the Indian context.

Additionally, the study seeks to highlight the importance of work-life balance, including its impact on physical, emotional, and mental well-being, and its role in ensuring sustainable organisational productivity.

The paper also aims to explore the changing expectations of the modern workforce, particularly the emerging generational perspectives, and the need for leadership to adapt to these changes.

Finally, the study intends to emphasise the necessity for recognising the Right to Disconnect in India, either through legislative measures or organisational practices, to promote a healthy, balanced, and humane work environment.

## **SCOPE OF THE STUDY**

This research paper examines the concept of the Right to Disconnect in the context of regulating working hours and promoting work-life balance among employees in India. The scope of this study is defined as follows:

### **(a) Jurisdictional Scope**

This study primarily focuses on India, examining the existing legal framework governing working hours and employee rights.

In addition, a comparative analysis is undertaken with countries like France and the European Union, where the Right to Disconnect has been formally recognised, to understand global best practices and their applicability in the Indian context.

### **(b) Sectoral Scope**

The research mainly focuses on the following sectors:

- Private Sector Employment

- Remote and hybrid employees (Information Technology Sector)

Essential services such as healthcare, disaster management, and defence may be granted specific exemptions.

These sectors are chosen because employees are highly dependent on digital communication tools such as emails, messaging applications, and remote work platforms, which often extend working hours beyond formal limits.

However, general observations made in this study may also be relevant to other sectors where digital work culture is prevalent.

## REVIEW OF LITERATURE

The concept of the Right to Disconnect and its relation to work-life balance has been widely discussed by various scholars, international organisations, and legal researchers. The existing literature highlights the growing concern over digital overwork and the need to regulate working hours in the modern workplace.

Valerio De Stefano and his co-authors have significantly contributed to the discourse on labour rights in the digital economy.<sup>2</sup> Their work emphasises that technological advancements and platform-based work have blurred the distinction between working time and personal time, thereby necessitating stronger legal protections such as the Right to Disconnect.

Similarly, Jon C. Messenger, through various reports of the International Labour Organization (ILO), has highlighted the importance of regulating working hours and promoting work-life balance. His research demonstrates that excessive working hours and constant connectivity adversely affect employee health, safety, and productivity, thereby justifying the need for policies like the Right to Disconnect.<sup>3</sup>

A comprehensive academic review by John Hopkins examines existing literature on the Right to Disconnect and identifies key themes such as digital wellbeing, boundary management, and organisational responsibility. The study uses boundary theory to explain how employees struggle to manage the overlap between work and personal life due to continuous digital

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<sup>2</sup> Valerio De Stefano, *The Right to Disconnect*, Int'l Lab. Org. (2021), <https://www.ilo.org>.

<sup>3</sup> Jon C. Messenger, *Working Time and the Future of Work*, Int'l Lab. Org. (2018)

engagement.<sup>4</sup>

Further, research by Ellen Ernst Kossek and other scholars highlights the negative consequences of constant connectivity, including stress, burnout, and reduced job satisfaction. Their work suggests that organisational policies supporting disconnection can improve employee well-being and productivity<sup>5</sup>.

In addition, Werner Horacio Varela-Castro and co-authors analyse the impact of the Right to Disconnect on productivity and creativity, concluding that regulated working hours can enhance efficiency and innovation in organisations.<sup>6</sup>

From an Indian perspective, Vishal Guleria and Sundar Singh examine the importance of protecting work-life balance through the Right to Disconnect<sup>7</sup>. Their study highlights the challenges faced by employees due to constant connectivity and emphasises the need for legislative intervention in India.

Moreover, global reports such as those by Eurofound provide insights into how different countries have implemented the Right to Disconnect and the varying legal approaches adopted across jurisdictions. These studies underline that digitalisation has significantly increased the risk of work encroaching on personal time.<sup>8</sup>

Overall, the literature consistently reveals that while digital technology has enhanced flexibility, it has also led to the erosion of boundaries between work and personal life. There exists a strong consensus among scholars and policymakers that recognising the Right to Disconnect is essential for ensuring employee well-being, productivity, and sustainable work practices.

## METHODOLOGY OF RESEARCH

The present study adopts a doctrinal method of research, which is primarily based on secondary

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<sup>4</sup> John Hopkins, The Right to Disconnect: A Review of Literature, *Sustainability* (2024).

<sup>5</sup> Ellen Ernst Kossek et al., Work–Life Boundaries and Employee Well-Being, Soc. Sci. Res. Network (SSRN), <https://ssrn.com>.

<sup>6</sup> Werner Horacio Varela-Castro et al., Impact of the Right to Disconnect on Productivity and Creativity, *Scielo* (2022).

<sup>7</sup> Vishal Guleria & Sundar Singh, Protection of Work-Life Balance by Providing Employees the Right to Disconnect, *Rostrum Legal*, <https://www.rostrumlegal.com>.

<sup>8</sup> Eurofound, *Right to Disconnect: Exploring Company Practices*, Publications Office of the European Union (2021).

sources of data. The doctrinal approach is appropriate as the research focuses on analysing existing legal principles, statutory provisions, and scholarly writings relating to the Right to Disconnect and work-life balance.

This research relies on a detailed examination of statutes, academic literature, policy reports, and international frameworks to understand the legal position in India and other jurisdiction. Has analysed to identify gaps in regulating working hours and digital work boundaries.

In addition to domestic laws, the study undertakes a comparative analysis of international legal developments, particularly in countries like France, where the Right to Disconnect has been formally recognised. This comparative approach helps in evaluating the feasibility of adopting similar legal measures in India.

### **What are the Labour Working Hours in India?**

Labour working hours in India refer to the time that an employee spends performing their job duties as regulated by the labour laws. These laws are set to prevent employee exploitation, ensure fair pay, and labour welfare. The primary legislation that governs the working hours stems from the Factories Act, 1948, the Shops and Commercial Establishments Acts, which vary state to state, and sector-specific regulations like the Mines Act, 1952. Each framework sets boundaries to protect the workers while allowing employers some flexibility within the legal limits.

For instance, the Factories Act, 1948 primarily applies to manufacturing units, while the Shops and Establishments Acts regulate commercial establishments such as offices, shops, and hotels. Understanding these labour laws helps clarify the maximum working hours permitted in India and other important provisions related to employee welfare and workplace compliance.

India's labour regulations are currently undergoing significant reforms through four consolidated labour codes that aim to replace 29 earlier labour laws. Working hours and workplace safety are primarily addressed under the Occupational Safety, Health and Working Conditions Code, 2020, which consolidates laws such as the Factories Act and Mines Act. Once fully implemented across all states, these labour codes are expected to simplify compliance and bring greater uniformity to labour regulations across India.

Breaking down the legal limits of Maximum Working Hours in India.

## **Occupational Safety, Health and Working Conditions Code, 2020**

Under the OSH Code, 2020, the maximum working hours in India for workers above 18 years are generally restricted to:

- 8 hours per day as the normal working limit
- 48 hours per week as the upper limit

However, the spread-over of working hours, including rest intervals, over time can extend up to 9-12 hours in a single day.

If an employer requires employees to work beyond these prescribed working hours in India, it is considered overtime under labour regulations. In such cases, workers must receive overtime wages at least twice their regular rate of pay.

These provisions under the Occupational Safety, Health and Working Conditions Code, 2020 ensure that the maximum working hours in India remain regulated while protecting employee health, safety, and fair compensation.

The new labour codes allow companies to structure work schedules more flexibly. Employers may implement a 4 day workweek by increasing daily working hours (up to 12 hours) while maintaining the weekly cap of 48 hours.

## **Sector-Specific Variations in Labour Working Hours in India**

The labour working hours in India aren't uniform across all the sectors. Here's how they differ:

### **Mines**

- As per the Mines Act, 1952, underground mines workers have the limit of 9 hours per day as the maximum working hours in India.
- Mine workers working above the ground can work for up to 10 hours per day.

### **IT and Corporate Sector**

- Most of the organisations in the IT industry often fall under state specific Shops and

Commercial Establishments Acts.

- The industry standard is 8 hours per day, but flexible schedules, work-from-home, and hybrid work arrangements have blurred the traditional boundaries. However, the overtime rules still apply, even if the employee is working from home.<sup>9</sup>

## RESEARCH ISSUES

1. Whether the existing Indian labour law framework adequately protects employees right to rest in the digital economy?
2. Right to Disconnect be justified under the Constitution of India?
3. What lessons can India draw from international models recognising the Right to Disconnect?
4. Whether the increasing culture of overwork can be equated with productivity or “hard work”?
5. How significant is work-life balance in ensuring employee well-being and organisational productivity?
6. Whether there exists a generational leadership gap?

## The Indian Legal Framework on Working Hours

### Factories Act, 1948

The Factories Act, 1948 is one of the primary legislations in India that regulates working conditions, including working hours, weekly holidays, and overtime wages. It lays down clear limits on the number of hours an employee can be required to work and ensures basic labour welfare in industrial establishments.<sup>10</sup>

However, the scope of this Act is largely restricted to factory-based industries. It does not extend to modern sectors such as the service industry, especially employees engaged in remote

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<sup>9</sup> <https://vishaalconsultancy.com/working-hours-as-per-labour-law-in-india/>

<sup>10</sup> *Factories Act 1948* (No 63 of 1948).

or digital work. As a result, a large section of today's workforce remains outside its protection.

### **Shops and Establishments Acts**

The Shops and Establishments Acts, which are enacted and enforced by individual states, govern working conditions in commercial establishments. These laws prescribe limits on daily and weekly working hours, rest intervals, and leave provisions. For example, the Tamil Nadu Shops and Establishments Act provide specific guidelines on working hours and employee welfare.<sup>11</sup>

Despite these provisions, the implementation of such laws is often inconsistent. Moreover, they do not adequately address emerging work patterns such as remote working and digital communication after office hours. Informal sector workers and gig workers are also largely excluded from their coverage.

### **Labour Codes**

In recent years, India has attempted to modernise its labour laws by consolidating 29 existing laws into four comprehensive labour codes. Among these, the Occupational Safety, Health and Working Conditions Code, 2020 (OSH Code) deals with working hours, leave, and occupational safety.

While this Code represents a step towards reform, it still follows a traditional approach to regulating working hours and does not consider the challenges posed by the digital work environment, such as after-hours emails and continuous online availability.

Similarly, the Code on Wages, 2019 defines and regulates overtime work. However, it does not recognise or address the concept of digital labour or the expectation of employees to remain connected beyond official working hours.

### **The Constitutional Basis for the Right to Disconnect**

#### **Article 21**

The right to life with dignity under Article 21 includes the right to health and rest. In *Olga*

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<sup>11</sup> THE TAMILNADU SHOPS AND ESTABLISHMENTS ACT, 1947 (ACT XXXVI OF 1947)

*Tellis v. Bombay Municipal Corporation*,<sup>12</sup> the Court highlighted the broad understanding of Article 21. Compelled digital overwork damages dignity and violates this right.

### Directive Principles

Article 42 tells the State to create fair and humane working conditions. While these principles cannot be enforced in court, the Supreme Court has often used them to inform how laws are interpreted, as seen in *M.C. Mehta v. State of Tamil Nadu*.<sup>13</sup>

### Article 23

The ban on forced labour includes cases of economic pressure. In *People's Union for Democratic Rights v. Union of India*,<sup>14</sup> the Court decided that low pay counts as forced labour. Being pushed to stay digitally available beyond working hours could fit this reasoning.

### International Perspectives

The idea of the Right to Disconnect has gradually gained importance across different parts of the world, particularly in the European Union, where there is growing concern about employee burnout and mental health issues caused by constant digital connectivity. With the increasing use of technology in workplaces, employees are often expected to remain available even after working hours, which affects their personal time and overall well-being. Recognising this problem, policymakers have started treating uninterrupted personal time as an essential aspect of labour rights.

In this regard, the European Parliament, in 2021, adopted a resolution (2021/2181(INL))<sup>15</sup> recommending the introduction of a uniform legal framework across the European Union to recognise the Right to Disconnect as a fundamental right. The resolution emphasised that continuous work-related communication beyond working hours can lead to stress, fatigue, and psychological pressure, ultimately affecting both employees' health and productivity.

### France

France is widely regarded as the first country to formally recognise the Right to Disconnect.

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<sup>12</sup> *Olga Tellis v Bombay Municipal Corporation* (1985) 3 SCC 545.

<sup>13</sup> *M.C. Mehta v State of Tamil Nadu* (1996) 6 SCC 756.

<sup>14</sup> *People's Union for Democratic Rights v Union of India* (1982) 3 SCC 235.

<sup>15</sup> EU Parliament Resolution of 21 January 2021 on the right to disconnect (2021/2181(INL)).

Through Law No. 2016-1088, the *El Khomri Law*<sup>16</sup>, France introduced a legal obligation for companies employing more than 50 workers to establish clear rules regarding after-hours digital communication.

This law requires employers and employees to negotiate policies that define when workers are not expected to engage in work-related communication. Importantly, the French approach treats the Right to Disconnect as part of occupational health and safety, highlighting the responsibility of the State to protect workers from excessive work demands and digital overreach.

### **Spain and Portugal**

Spain introduced provisions under its with **Law 3/2018** Data Protection and Digital Rights law,<sup>17</sup> recognising employees' right to disengage from digital devices outside working hours. This marked an important step in linking data protection with labour rights in the digital age.

Similarly, Portugal strengthened its labour laws in 2021 by restricting employers from contacting employees after working hours, except in exceptional circumstances. The law also provides for penalties in case of violations, thereby reinforcing the seriousness of protecting employees' personal time.

### **Germany**

In Germany, although there is no specific statutory right to disconnect, several large corporations have voluntarily adopted internal policies to address the issue. For example, companies like Volkswagen and Daimler have introduced measures such as limiting email access after office hours to prevent employees from being overburdened.

Additionally, the Federal Labour Court of Germany has, in various decisions, linked excessive working hours with the violation of employees' health rights, indirectly supporting the idea that continuous work without adequate rest is legally and socially unacceptable.

### **Other Countries**

Other countries have also started recognising the importance of digital disconnection in

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<sup>16</sup> France, Law No 2016-1088 of 8 August 2016 (El Khomri Law).

<sup>17</sup> Spain, Law 3/2018 on Data Protection and Digital Rights.

different forms. For instance, certain country in Canada, such as Ontario<sup>18</sup>, have introduced laws requiring employers to develop policies on disconnecting from work. Similarly, countries like the Philippines have explored legislative measures to address the issue, with a focus on protecting mental health and family life.

### **International Standards**

At the international level, the International Labour Organization (ILO) has long emphasised the importance of regulating working hours and ensuring adequate rest through its Decent Work Agenda and conventions such as Convention No. 1 on Hours of Work (1919)<sup>19</sup>. These frameworks underline that reasonable working hours are essential for maintaining workers' dignity and well-being.

In contrast, India has not yet introduced any specific legislation recognising the Right to Disconnect. Although general labour laws regulate working hours, they do not address the challenges posed by digital work culture, thereby creating a gap in protecting employees from continuous work-related engagement.

### **Balancing Productivity and Employee Well-Being**

In the contemporary workplace, particularly in the digital and corporate sectors, there is a growing belief that longer working hours reflect greater dedication and productivity. Employees who remain available beyond official working hours are often viewed as more committed. However, this perception is misleading and requires critical examination.

Overwork cannot be equated with productivity or genuine hard work. While working for extended hours may create an appearance of efficiency, it often leads to mental exhaustion, stress, and burnout, ultimately reducing the quality of work. Productivity is not determined by the number of hours spent, but by the effectiveness and efficiency of the work performed within a reasonable time.

A significant concern in this context is that employees are sometimes treated as mere resources rather than individuals. Instead of being groomed and developed by organisations, employees

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<sup>18</sup> Bill 27,2021 Ontario.

<sup>19</sup> ILO Convention No 1 on Hours of Work (1919).

are often subjected to excessive workload and constant pressure to perform. This approach not only affects their professional growth but also results in exploitation, especially when they are expected to remain connected even after working hours.

It is important to recognise that employees are not machines or robots. They are human beings with physical and mental limitations. Continuous work without adequate rest directly impacts their health, emotional stability, and personal life. Ignoring this reality can lead to serious consequences, including decreased productivity, high attrition rates, and long-term health issues.

Furthermore, in many organisations, time and health are not given the priority they deserve. The focus is often placed on meeting targets and deadlines, while employees' well-being is overlooked. This imbalance creates an unhealthy work culture where overwork is normalised and even encouraged.

To address this issue, a shift in both legal and organisational approach is necessary:

### **Recognition of Human-Centric Work Culture**

Organisations must acknowledge that employees are individuals with limits, and not machines designed for continuous output.

### **Employee Development over Exploitation**

Companies should focus on grooming and nurturing employees' skills rather than overburdening them with unrealistic expectations.

### **Right to Disconnect**

Introducing and enforcing the Right to Disconnect can help employees maintain clear boundaries between work and personal life.

### **Prioritising Health and Time**

Employers must ensure that employees' health and personal time are respected, as these are essential for sustainable productivity.

## **Outcome-Based Performance Evaluation**

Performance should be assessed based on quality and results, rather than the number of hours worked.

## **Proposed Legislative Model for India**

India's labour law framework is evolving as the four new Labour Codes replace outdated laws. However, the *Occupational Safety, Health and Working Conditions Code, 2020 (OSH Code)* does not address the realities of remote and hybrid work. To bridge this gap, India could introduce a mandatory Right to Disconnect (RTD) provision, inspired by France, Spain, and Ireland, but adapted to India's socio-economic context.

## **Work-Life Balance and Its Importance in Employee Well-Being and Organisational Productivity**

In today's fast-paced and digitally connected work environment, maintaining a proper balance between work and personal life has become essential rather than optional. One simple way to understand this balance is by dividing a day into three equal parts (8R): 8 hours for work, 8 hours for personal and family life, and 8 hours for rest and sleep (8R). This balanced structure ensures that an individual remains physically healthy, mentally stable, and emotionally satisfied.

However, this balance is often disturbed due to excessive workload and continuous digital connectivity. When employees are deprived of personal time and adequate rest, it leads to stress, burnout, and a decline in overall efficiency. Therefore, respecting this balance is crucial not only for employees but also for organisations.

A key aspect of maintaining work-life balance is ensuring the holistic well-being of employees. Companies must focus on three essential parameters:

- Physical well-being – ensuring employees are not overworked and have adequate rest
- Emotional well-being – creating a supportive and non-toxic work environment
- Mental well-being – reducing stress and promoting psychological stability

These three factors are directly linked to productivity and profitability. An employee who is physically fit, emotionally secure, and mentally stable is more likely to perform efficiently and contribute positively to organisational goals.

Further, organisations should take proactive steps such as introducing regular psychological guidance and training programmes, preferably every six months. Such initiatives can help employees manage stress, improve focus, and develop a healthier approach towards work. This not only enhances individual performance but also strengthens the overall work culture.

Another important Effective work culture should begin at the top level of management. Leaders must not only set expectations but also follow healthy work practices themselves. When leaders respect working hours and prioritise employee well-being, it encourages employees to do the same, thereby creating a positive and balanced work environment.

Ultimately, work-life balance should not be seen as a benefit but as a necessity. Organisations that prioritise employee well-being are more likely to achieve sustainable productivity, better performance, and long-term success. A balanced employee is not only more productive but also more innovative, loyal, and committed.

### **Generational Leadership Gap in the Modern Workplace**

In the present workplace, a noticeable generational gap exists between leadership and employees, particularly due to differences in values, expectations, and approaches to work. This gap is most evident between Generation X and Millennials, who largely occupy leadership positions, and Generation Z, who form a significant portion of the current workforce.

Generation Z employees (born between 1997 and 2012) tend to prioritise meaningful contribution over mere quantitative output. They seek purpose in their work, value flexibility, and prefer a balanced approach to professional and personal life. Unlike earlier generations, they are less inclined to equate long working hours with success and are more focused on the quality and impact of their work.

On the other hand, many leaders from Generation X and Millennials often follow traditional work models that emphasise discipline, extended working hours, and measurable output. This difference in mindset can lead to misunderstandings, where younger employees may be perceived as less committed, while they are simply approaching work differently.

Another important aspect is that while leadership positions are held by older generations, the frontline workforce is increasingly dominated by Generation Z. This creates a disconnect between expectations set by leaders and the working style of employees.

To bridge this gap, it is essential for leaders to adapt to the evolving work culture. Leadership should not remain rigid but must be flexible enough to understand and accept the changing perspectives of younger employees. Instead of resisting change, leaders must act as supporters and mentors, encouraging innovation, respecting work-life balance, and recognising the importance of meaningful work.

At the same time, a balanced approach is necessary where organisational goals are aligned with employee expectations. When this gap is effectively managed, it can lead to a more inclusive, productive, and forward-looking work environment.

### **Case Studies / Contemporary Developments**

Recent developments in India have brought renewed attention to the issue of excessive working hours and the urgent need to recognise the Right to Disconnect.

A significant incident that sparked public debate was the tragic death of Anna Sebastian Perayil, a 26-year-old employee associated with Ernst & Young (EY). Reports suggest that she passed away within a few months of joining the organisation, allegedly due to excessive workload and work-related stress. Her mother, in a public letter, highlighted the intense pressure, long working hours, and the resulting physical, emotional, and mental strain faced by her daughter. In response, EY expressed deep sorrow and stated that it places high importance on employee well-being while assuring support to the family.<sup>20</sup>

This incident drew widespread attention to the realities of corporate work culture, particularly in high-pressure sectors, and raised concerns about the absence of clear boundaries between work and personal life.

Another major development involved remarks made by S. N. Subrahmanyam, Chairman of Larsen & Toubro, who reportedly suggested that employees should work up to 90 hours a week, including Sundays. These comments, which surfaced through leaked internal

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<sup>20</sup> EY Breaks Silence on Death of Anna Sebastian Perayil, *Fortune India* (Sept. 19, 2024), <https://www.fortuneindia.com/enterprise/ey-breaks-silence-on-death-of-anna-sebastian-perayil/118482>.

discussions, triggered significant public criticism and debate. Many observers questioned whether such long working hours are sustainable or beneficial, especially considering increasing awareness regarding mental health and work-life balance.<sup>21</sup>

The controversy also revived earlier statements made by N. R. Narayana Murthy, co-founder of Infosys, who had advocated for a 70-hour workweek for young professionals to enhance national productivity. While such views emphasise dedication and economic growth, they have also been criticised for potentially normalising overwork and overlooking the importance of rest and personal well-being.

Public reactions to these statements, including responses from business leaders and public figures, have highlighted an important concern: longer working hours do not necessarily translate into higher productivity. Instead, excessive work demands may lead to burnout, reduced efficiency, and adverse effects on mental health.

These contemporary developments collectively underline a critical gap in the Indian labour framework, where the expectation of extended working hours continues to exist without adequate legal safeguards. They strengthen the argument that recognising the Right to Disconnect is essential to ensure a balanced, healthy, and sustainable work environment.

### **Legislative Developments in India: The Right to Disconnect Bill, 2025**

A significant step towards recognising the Right to Disconnect in India can be seen in the introduction of the Right to Disconnect Bill, 2025, proposed by Supriya Sule Member of Parliament.

The Bill seeks to establish an Employees' Welfare Authority with the objective of protecting employees from excessive work-related communication beyond official working hours. It proposes to confer upon employees the right to disconnect from work-related calls, messages, and emails outside working hours, including holidays. Additionally, it recognises the right of employees to refuse to respond to such communications without facing any adverse consequences.

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<sup>21</sup> L&T's SN Subrahmanyam's 90-Hour Work Week Remark Sparks Debate, *Firstpost* (Jan. 10, 2025), <https://www.firstpost.com/explainers/larsen-and-toubro-chairman-s-n-subrahmanyam-90-hour-work-week-remark-13851494.html>.

This proposed legislation reflects a growing acknowledgment of the challenges posed by digital work culture, where employees are often expected to remain constantly available. By introducing such a Bill, the legislature attempts to address concerns relating to work-life balance, mental health, and employee well-being.

However, it is important to note that the Bill is still in its proposed stage and has not yet been enacted into law. Therefore, despite this progressive initiative, there is currently no enforceable legal right to disconnect in India.

The introduction of this Bill nevertheless indicates a positive shift in legislative thinking and highlights the increasing need for formal legal recognition of the Right to Disconnect in the Indian context.<sup>22</sup>

### **Key Features of the Right to Disconnect Bill 2025**

The Bill outlines several important provisions designed to restore balance between work and personal life. Here are the most significant clauses explained in a simple, reader-friendly format:

#### **1. Employees Can Refuse After-Hours Communication**

The Bill gives every employee the right to disconnect from work after office hours. This means workers can refuse to respond to:

- Phone calls
- Emails
- WhatsApp messages
- Video calls
- Any other form of digital communication

#### **2. No Punishment for Refusing Communication**

The Bill strictly prohibits employers from penalising employees who choose not to engage in

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<sup>22</sup> Bill No. 51 of 2025, Lok Sabha (India), <https://www.sansad.in/getFile/BillsTexts/LSBillTexts>

work-related communication outside working hours. No disciplinary action can be taken against them for ignoring calls or texts after work.

### **3. Overtime Pay for After-Hours Work**

If an employee voluntarily chooses to respond to calls or perform tasks after office hours, they are entitled to overtime pay, calculated at the normal wage rate.

### **4. Mutually Agreed After-Hours Contact Window**

The employer can contact an employee after office hours only during a mutually agreed time window. This is meant to maintain flexibility while preventing misuse of digital communication tools.

### **5. Counselling and Work-Life Balance Support**

The Bill proposes the establishment of government counselling services to help employees manage work pressure and maintain psychological well-being.

### **6. Digital Detox Centres**

One of the most innovative features of the Bill is the proposal to establish digital detox centres. These centres will offer counselling and awareness sessions to guide citizens on healthy usage of digital tools and communication platforms.

### **7. Penalty for Non-Compliance**

If a company violates the provisions of the Bill, it may face penalties amounting to 1% of the total remuneration paid to its employees. This provision underscores the seriousness of enforcing after-hours boundaries.<sup>23</sup>

## **LIMITATIONS OF THE STUDY**

While the present study seeks to provide a comprehensive analysis of the *Right to Disconnect* and its relevance in the Indian context, it is subject to certain limitations.

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<sup>23</sup><http://legallypresent.in/right-to-disconnect-bill-2025/>

Firstly, the research is primarily based on secondary sources, including statutes, research articles, policy reports, and news publications. The absence of empirical data such as field surveys or interviews with employees and employers limits the ability to present ground-level realities in a quantitative manner.

Secondly, the study focuses mainly on the Indian legal framework, with comparative references to selected international jurisdictions. However, it does not provide an exhaustive analysis of all global models, which may limit the scope of comparative evaluation.

Thirdly, the concept of the Right to Disconnect is still evolving in India, and there is currently no comprehensive legislation in force. As a result, the analysis is largely based on proposed laws, judicial trends, and policy discussions, rather than established statutory provisions.

Further, the study primarily concentrates on the formal and corporate sectors, particularly industries such as information technology and organised employment. It does not extensively cover the informal sector, where issues of working hours and labour protection may differ significantly.

Additionally, reliance on recent case studies and media reports may involve certain limitations in terms of accuracy and completeness, as such sources reflect ongoing developments and public discourse rather than final legal determinations.

Lastly, the study examines work-life balance and employee well-being from a general perspective and may not account for individual differences in work preferences, organisational cultures, and sector-specific practices.

## **CONCLUSION**

The transformation of the modern workplace, driven by rapid technological advancement and continuous digital connectivity, has fundamentally altered the nature of work. While these changes have improved efficiency and flexibility, they have also led to the erosion of boundaries between professional and personal life. The growing expectation that employees must remain constantly available has contributed to a culture of overwork, raising serious concerns regarding health, dignity, and overall well-being.

This study has highlighted that the existing Indian legal framework is not adequately equipped

to address the challenges posed by the digital work environment. The absence of a clearly recognised Right to Disconnect leaves employees vulnerable to excessive workload and continuous engagement beyond working hours. In such a scenario, the need for legal and organisational reform becomes both urgent and necessary.

A central finding of this research is that overwork cannot and should not be equated with productivity or hard work. True productivity lies in efficiency, creativity, and sustainability, rather than the number of hours spent working. The prevailing mindset that longer working hours indicate greater commitment must be reconsidered, as it often leads to burnout, reduced performance, and long-term harm to employees.

In this context, the importance of work-life balance becomes crucial. A balanced daily structure of eight hours of work, eight hours of personal and family time, and eight hours of rest provides a practical framework for ensuring a healthy and productive lifestyle. Disturbing this balance not only affects individual well-being but also undermines organisational efficiency.

Further, this study emphasises that employees must not be treated as mere resources but as individuals who require proper grooming, support, and development. Organisations have a responsibility to ensure that employees are not exploited through excessive workload or unrealistic expectations. It is equally important to recognise that employees are not machines or robots, but human beings with physical and mental limitations. Ignoring this reality can have serious consequences for both individuals and organisations.

A key aspect of sustainable productivity lies in ensuring holistic well-being, which includes:

- Physical well-being
- Emotional well-being
- Mental well-being

These three dimensions form the foundation of a healthy workforce and directly contribute to long-term productivity and profitability. Without prioritising these aspects, any attempt to increase efficiency through extended working hours is likely to be counterproductive.

The study also highlights the importance of leadership in shaping workplace culture. Effective

change must begin at the top, with leaders demonstrating balanced work practices and respecting employees' time and well-being. Additionally, organisations should adopt supportive measures such as periodic psychological guidance and training programmes to help employees manage stress and maintain a healthy work environment.

Recent public debates and real-life incidents in India further reinforce the urgency of addressing this issue. These developments clearly indicate that the problem of overwork is not theoretical but a lived reality for many employees. The introduction of the Right to Disconnect Bill, 2025 represents a positive step in this direction, reflecting a growing recognition of the need to protect employees from the adverse effects of constant connectivity.

In conclusion, the recognition of the Right to Disconnect in India is not merely a legal requirement but a social necessity. A shift from a culture of overwork to one that values balance, well-being, and meaningful contribution is essential for building a sustainable and humane work environment. Ultimately, organisations must realise that prioritising employees' time, health, and dignity is not a limitation, but a pathway to greater productivity, innovation, and long-term success.