

The Right to Disconnect in India: Addressing Digital Overwork and Employee Well-Being

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Abstract — This article looks at the idea of the Right to Disconnect, which means employees should not be expected to work or respond to messages outside their official working hours. It focuses on workers in India's IT and BPM sectors. Using a mix of data from Indian and international labour surveys and a survey of 300 professionals in five major cities, the study examines how Indian labour laws currently do not protect workers from after-hours digital work, and how this affects their health and well-being. Key findings show that 68% of IT workers regularly get work messages after hours, and 42% show signs of burnout. The article also looks at how countries like France, Portugal, Belgium, and Spain handle this issue to suggest solutions for India. The study concludes that while a single national law might be hard to implement, a tiered approach — tailored to different sectors and included within India's Occupational Safety, Health and Working Conditions Code — could protect employees without hurting business operations. Overall, the article highlights the importance of protecting workers' digital rights as India's work environment evolves.

Keywords— Right to Disconnect, Digital Overwork, Employee Well-Being, India Labour Law, IT Sector, Occupational Burnout, Work-Life Balance.

I. INTRODUCTION

India's workforce faces unique challenges due to a digitally-driven work culture. Constant connectivity has blurred the lines between work and personal life. The rise of smartphones, messaging platforms like Slack and Microsoft Teams, and cloud-based tools has created an "always-on" expectation, pushing employees to stay responsive beyond official hours. This issue is especially noticeable in India's IT and BPM sectors. These fields employ millions and work across global time zones, which increases the pressure for employees to be available longer. The COVID-19 pandemic made this situation worse by eliminating the physical divide between home and work. The resulting digital overwork has led to more cases of burnout and mental health issues, highlighting an urgent need for regulatory solutions. In response, the Right to Disconnect Bill, 2025 aims to give employees a legal right to stop work-related communications after hours. Reviewing this bill reveals important connections between labor rights, workplace well-being, and India's changing digital economy.

1. Objectives

This study has four main goals:

- to show how common digital overwork is among Indian workers and what effects
- it has to examine how other countries have passed laws giving employees the right to disconnect

- to evaluate whether similar laws could work in India and how they might be structured; and
- to provide practical policy suggestions that fit India's labour market.

II. METHODS

This study uses a mixed research approach, combining both qualitative and quantitative methods. The qualitative part looks at the laws in France, Portugal, Belgium, and Spain to see how other countries handle the right to disconnect. The quantitative part involves a survey conducted with working professionals in India between September and November 2025.

III. THE PROBLEM OF DIGITAL OVERWORK IN INDIA

India's work environment has changed significantly with the rise of digital tools, remote work, and instant communication platforms. While these technologies have boosted productivity, they have also created a culture where employees feel they must be available all the time. Many workers need to respond to emails, messages, and calls even after office hours. This makes it difficult to separate work from personal life, weekends, or holidays.

Recent surveys highlight the seriousness of this issue. More than half of India's workforce works over 49 hours a week, and

nearly 78% report feeling burned out. The tragic death of young professional Anna Sebastian Perayil brought attention to the physical and mental impact of overwork, sparking public discussion about the need for protection against digital overwork.

Current labor laws do not address after-hours digital communication or the stress from constant connectivity. As workplaces become more digital and competitive, legal measures like the proposed “Right to Disconnect” are increasingly seen as necessary to protect employees and promote a healthy work-life balance.

4. Overview of the Right to Disconnect Bill, 2025

The Right to Disconnect Bill, 2025, is designed to protect workers from the pressure of being constantly connected to work through emails, calls, or messages outside working hours. In today’s digital workplaces, many employees feel they must respond even after office hours, on weekends, or during holidays. This bill gives them the legal right not to respond during these times without worrying about penalties or negative consequences.

To make sure employers follow the rules, the bill proposes an Employees’ Welfare Authority.

This is a government body that will:

- Set guidelines for employers on after-hours communication,
- Monitor workplaces to ensure compliance, and
- Handle complaints if employees feel their right to disconnect has been violated.

Employers also have responsibilities: they must create clear workplace policies, respect the right to disconnect, and have systems to track compliance. If someone faces pressure, harassment, or unreasonable demands after hours, they can raise a complaint through a formal dispute-resolution process.

Introducing the bill, MP Supriya Sule emphasized that the objective is to enhance workplace wellbeing, reduce burnout, and promote a healthier work-life balance. By addressing the adverse effects of digital overwork, the bill seeks to realign labour rights with the realities of modern, technology-driven workplaces.

IV. LEGAL FRAMEWORK AND COMPARATIVE PERSPECTIVE

Currently, India’s labor laws, including the Factories Act (1948), The Shops and Establishments Acts⁴, and the Occupational Safety, Health and Working Conditions (OSH) Code, 2020, mainly focus on the number of hours employees work in physical workplaces. They set limits on working hours, require rest periods, and provide rules for overtime pay. However, these laws do not address work done through digital tools, such as responding to emails, calls, or messages after office hours. This leaves employees under constant work pressure, particularly with remote work and flexible schedules. Some countries have already faced this issue. For instance, France introduced a legal right to disconnect in 2017 for companies with more than 50 employees. Italy and Ireland have rules that limit communication after hours, while the Philippines recognizes it under occupational health and safety laws. These examples demonstrate that it is possible to legally protect employees from digital overwork.

The Right to Disconnect Bill in India aims to address this gap, safeguard employees’ well-being, and match Indian labor laws with international standards for mental health, work-life balance, and digital work management.

V. PRIVATE MEMBER’S BILL: CHANCES OF PASSAGE AND CONSTITUTIONAL CONSIDERATIONS

The Right to Disconnect Bill, 2025, is a private member’s bill. This means it was introduced by a Member of Parliament who is not a government minister. Historically, private members’ bills in India rarely become law. Since independence, only a few have passed; most are debated, withdrawn, or stalled after government review. This occurs because government business takes priority, enforcement requires executive support, and resources are limited. The bill’s chances of becoming law depend on several factors. Politically, it needs backing from multiple parties and the government. Administratively, creating an Employees’ Welfare Authority and monitoring afterhours work in various sectors would be tough. Economically, some companies, especially in IT, consulting, and gig work, may oppose limits on digital availability due to concerns about reduced productivity. Even if it is not passed right away, the bill raises important legal and policy questions. Article 21 of the Constitution guarantees the right to health, which includes mental well-being that overwork can negatively affect. The Constitution and Directive Principles also support humane working conditions, fair hours, and worker welfare. The bill aims to put these constitutional ideals into practice within

