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REDEFINING FASHION LAW- PROTECTING LABOUR RIGHTS AND CREATIVE OWNERSHIP IN THE FAST FASHION ERA

AUTHORED BY - PALAK

INTRODUCTION

Fast Fashion Expansion, Digital Acceleration, and the Informal Labour Foundation

The Indian fashion economy is in a midpoint between envy and inequality. The radical transformation of the domestic market has been witnessed in the past decade owing to the flourishing fast-fashion industry which is characterised by speedy design production, low-cost production and using large quantities of money. Having been considered as one of the main textile's providers in the world, India is now one of the most significant producers and consumers of fast-fashion in the Global South. The change is mirrored in wider socio-economic developments around the nation: increasing the proportion of middle-income citizens, the ubiquitous existence of online retailers, and a renegotiation of consumption as the process of identity and ambition. But the dark secret of this dynamism is the opposite: the very system which democratises fashion to millions of people is the one which carries structural exploitation and creative dispossession.¹

The digitalisation of retail has offered a boost to this transformation. The platforms that have changed the access to consumers by turning micro-trends created on social media into low-cost and trend-response garments within days are Myntra, Ajio, Urbanic, Zudio, Max Fashion, and H&M India. Social media networks, like Instagram and Tik Tok, and influencer-based marketing networks, are now labs of the quick effects of formation of trend, where fast-fashion brands can commercialise wish almost instantly. Algorithms follow the interest of users like, clicks, shares and send direct data to production chains that are not interested in the sustainability but the speed. As such, fashion has now turned into a manufactured culture and a disposable product.²

¹ H. Kausher, "Fast Fashion in India: The Adverse Face of Affordable Fashion," *International Journal of Multidisciplinary Trends* 6, no. 1 (2024): 1-5.

² Abigail M.M. McCann, "Social Media and Fast Fashion: Social Media One of Fast Fashion's Biggest Influencers," *Maine Law Review* 21 (2024): 70-94.

However, this seemingly democratic movement is founded on an extremely informal labour system. According to the International Labour Organization, the India Employment Report (2022) records that almost 89 percent of the Indian population have their jobs in the informal sector³. NITI Aayog (2023) assessment of multidimensional poverty, and the employment-unemployment survey of the Labour Bureau (2021) confirm the result that a small percentage of garment workers are registered. This informality establishes a structural basis on which the fast-fashion economy of India is running. Invisible labour, migrant workers, home-based female workers, and seasonal workers, make clothes to both local retailers and export brands under the conditions, which often deprive them of the right to minimum wages, health benefits and maternity leaves. According to the Asia Floor Wage Alliance (2022), the minimum wage of clothing factory workers is between 9,000 and 11,000 a month, which is much less than a living wage⁴. The Clean Clothes Campaign (2021) also records the extension of working days in clusters like Tiruppur, Bangalore, or Delhi-NCR, even though the incomes in the clusters are below the stipulated minimums, by using piece-rate systems⁵. These types of labour practices are not accidental or isolated, but occur as a systemic result of a model of production that subjects the most powerless participants in the supply chain to the cost of speed and affordability.

This industrialized structure is geographically determined according to the diversity of India. The knitwear industries in Tiruppur (Tamil Nadu), synthetic industries in Surat (Gujarat), woollens industries in Ludhiana (Punjab), and embroidery and finishing industries in Delhi-NCR, as well as export-oriented clothing in Bangalore (Karnataka) all indicate innovation and inequality at the same time. Whereas, big export units usually officially adhere to the international codes of conduct, subcontracting units are often left unregulated effectively. Such exploitative practices as Sumangali Scheme where young women are enticed with the promise of lump-sum payments of dowry after years of factory labour that border bonded labour have been recorded in these clusters. Such systems have continued to be used in modified forms of contracts, as reported by The Economic Times (2021) and The Hindu (2020). What is produced is a hierarchy of production that is defined as modern in composition but entrenched in feudal subordination and gender susceptibility.⁶

³ International Labour Organization, India Employment Report 2022 (Geneva: ILO, 2022).

⁴ Asia Floor Wage Alliance, The Asia Floor Wage Report 2022.

⁵ Clean clothes Campaign, Labour Conditions in Indian Garment Cluster (2021).

⁶ Alessandra Mezzadri, "Reflections on Globalisation and Labour Standards in the Indian Garment Industry," 2010.

This duality of exploitation and creativity is explored in this paper in the context of fast-fashion industry in India. It starts by questioning the labour conditions of the industry as well as structural informality, which clogs systemic violations. It then assesses the vulnerabilities of intellectual property that allow imitation of designs in large scales. The main argument that is promoted is that such crises are structurally linked, as they are caused by common market incentives and regulatory fragmentation. Based on comparative lessons learnt in the European Union, the United Kingdom, and the United States, the paper suggests creation of the single Indian Fashion Law framework that would be able to balance labour protection, the regulation of copyright and the regulation of sustainability within a coherent legal framework.

Creative Dispossession, Legal Fragmentation and the Requirement of an Integrated Fashion Law.

Beside this labour-intensive economy is the massive creative ecosystem of India, consisting of creators, local designers, micro-entrepreneurs and traditional craft communities and all of them together shape the cultural identity of the nation. Since Banarasi and Kanchipuram weavers to Chikankari embroiderers and modern fashion brands, the fashion creativity of India is known to the world with its richness and tradition. Such imaginative vitality is, however, as well unsafe. The e-commerce sellers and unofficial street markets are known to have continuously replicated an original design and turned the couture and made-to-order clothes into a mass production of copies without prior permission and fee. The couture items are common in the markets like Sarojini Nagar, Lajpat Nagar, and Linking Road a few days after their online launching. The Economic Times covered the case in 2023, when a designer based in Delhi complained to a leading e-commerce platform about replicating her bridal collection in a matter of weeks, which ought to be viewed as a case of systemic design failure and not outliers in their actions.⁷

The very mechanisms underlying the production of low costs also support the piracy of designs, which proves that the same factor applies to both the garment worker and the designer, who are both placed under the same invisibility in the regulatory system. The creative appropriation and labour exploitation are two facets of the same crisis, which has shown what is structurally weak about the fragmented legal system of India. The Labour Codes offer modernisation that

⁷ Matthew Nolan, "How Intellectual Property Laws Allows for Fashion Dupes," Saint Louis University Law Journal Online, 2023.

has difficulties in reaching the decentralised supply chains that are subcontracting and informal. On the same note, the Copyright Act and the Designs Act have not been adequately attuned to the pace, teamwork, and hybridisation of the modern fashion production⁸. Vast loopholes in the unregistered design protection, jurisdictional ambiguity, and timely proprietorship leave small designers and artisans mostly unguarded. Despite the interdependence of the domains structurally in the fast-fashion economy, Indian law still theorises fashion through regulatory compartments of labour regulation on the one hand and intellectual property protection on the other.

A successful change has to start with the perception of fashion as a single legal ecosystem - one where production, invention, and consumption are not subject to separate regulation. This kind of integration is not only economically reasonable, but also based on the Indian constitution with its promises to equality, dignity of labour, and cultural preservation. It is also aligned with the needs of India as a Sustainable Development Goal 8 (Decent Work and Economic Growth), SDG 9 (Industry, Innovation and Infrastructure) and SDG 12 (Responsible Consumption and Production).⁹ Using these goals, India has the normative base upon which to achieve industrial development that is non-extractive yet inclusive balancing between speed and sustainability and profitability and protection.

LABOUR IN INDIA'S FAST-FASHION SUPPLY CHAINS

I. Migration, Informality, and Architectural Precarity

India is a fast-fashion economy, which is built on the labour of millions of people, who are mostly invisible in the glamour industry of the digital retail and branded consumption. Under the tags, influencer campaigns, and algorithm-based marketing is an industrial organization organized around invisibility, mobility, and informality. Starting with the textile mills and ending with the final garment assembly unit, the Indian fashion supply chain is propelled by flexible, cheap and mostly female workforce. Despite the fact that the industry is approximated to directly employ close to twelve million people, it maintains this magnitude because of business practices that obscure the sense of responsibility of the employers besides augmenting the control of the managers. Under the fast-fashion paradigm, in which production cycles are now no longer monthly but daily, labour per se is now a disposable commodity, an input that

⁸ Kamakshi Shukla, "Protecting the Fashion Industry: How Copyright Act and Designs Act Accommodate Each Other in India," SSRN, 2023/2024.

⁹ Radhika Vijayarasa and Min Liu, "Fast fashion for 2030," Business and Human Rights Journal (2021).

is instantly replaceable instead of being a guaranteed right.

This disposable logic is manifested in the demographic structure of the labor force. Migrant workers represent a significant part of the employees in large garment centres. They are recruited in the economically disadvantaged states and migrate to the industrial centres such as Tiruppur, Bangalore and the Delhi National Capital Region to find seasonal jobs. They also tend to live in congested hostels or in temporary shanties close to factories and to work long hours under the piece-rate system where pay is directly related to performance. There is little documentation of employment and workers have no formal contractual agreements hence lack a means of redress when they are robbed of their wages or retrenched without any notice.

Women, comprising almost 60 percent of the garment-workers in India, have an even worse situation. Many of them are homebased employees who are contracted to do embroidery, beadwork or stitching via local agents and are paid only a fraction of the required minimum wages. These workers work 12-14 hours a day on a regular basis yet they are paid per garment/embellishment and they are not entitled to maternity, health cover and union representation. Feminisation of labour in the fast-fashion economy has not occurred at random; it is a structural phenomenon. Not only are women desirable in their purported finesse in stitching and finishing, but there are presumptions about docility and lesser chances of collective action. This process is strengthened by spatial isolation in that the production is moved into domestic spaces where the distinction between paid labour and household labour is blurred. The house turns into a place of production and a tool of secrecy that prevents the exploitative practices to be opened up to the public.

The use of adolescent labour also makes this architecture of informality more problematic. Girls under eighteen are regularly trafficked in embroidery enclaves in the Delhi -NCR and parts of Uttar Pradesh under the claim of a vocational training or family maintenance. Regardless of the statutory child labour bans in finishing processes, there is the economic need that creates a grey line between the law and survival. Violation of labour rights in the structural sense is consequently rampant. One of the most widespread types of wage anomalies is the fact that workers are often paid less than the stipulated minimum wages by the state or having arbitrary deductions due to lateness or purported quality defects. The delayed payments (which sometimes last months) put workers through a loop of debts, where they borrow money at high informal interests with labour contractors or supervisors. The issue of occupational safety is

still critical. Most of small workshops are poorly ventilated, have fire risks, and no protection equipment, but accidents are not reported, as injured employees are easily substituted. The coverage of social-security is also elusive. Subcontracted and temporary workers rarely get enrolled in the statutory programs like Employees State Insurance (ESI) or Provident Fund (PF)¹⁰. Documentation is often falsified even in cases where the nominal contributions are being recorded. Benefits which are legally guaranteed like maternity leave are not accessible as most women are terminated after they disclose pregnancy. Its long-term impact is the naturalization of the vulnerability as a systemic state instead of an outlier to the fast-fashion labour regime in India.

II. Labour Codes, Structural Evasion and the Continuation of Systemic Violations.

The Government of India in 2020 merged twenty-nine federal labour laws into four codes, including the Code on Wages, the Occupational Safety, Health and Working Conditions Code, the Code on Social Security and the Code on Industrial Relations. These reforms were presented as reforms aimed at encouraging simplification, uniformity and modernization of the India labour structure. Nevertheless, in the fast-fashion industry, the adoption of these codes has not made any significant structural changes to the realities on the ground. The Code on Wages repeats the notion of national floor wage, but with few mechanisms to deal with the systematic underpayment of the unregistered informal workers. The Occupational Safety Code has put up health and welfare standards but excluded small establishments that have less than ten employees, leaving a significant percentage of the garment units out of its scope. Even though the Code on Social Security officially covers gig and unorganized workers, it requires extensive reliance on voluntary registration and employer's adherence- assumptions that are extremely unlikely to occur in loosely knit subcontracting networks. Although collective bargaining processes are formalized by the Industrial Relations Code, more restrictions are placed on strikes, and unions are now harder to establish, thus undermining the power of collective workers.

The challenge to these codes is more on how they are enforced than on their textual provisions. The labour departments in the states are chronically understaffed; there is inadequate coordination of jurisdiction and resources. Checks are not frequent and, in most cases, they are

¹⁰ Anner, M., and M. Dutta. 2019. *Sourcing Dynamics, Workers' Rights, and Inequality in Garment Global Supply Chains in India*. Research Report supported by the Ford Foundation, India.

diminished to mere formalities that can be compromised or politically manipulated. The heterogeneous subcontracting scheme predominant in the garment manufacturing sector helps the major employers and brands to evade accountability in case of violation by smaller suppliers. In cases where infractions are reported, strict punishment seldom goes down to the brand level where decisions are made on pricing and production in the end. This disconnection of profit with responsibility is made easy by supply-chain opaqueness so that the regulatory deterrence can be superseded by economic incentives.

A case study is used to demonstrate the human cost of such structural failures. The Sumangali Scheme, in Tiruppur, Tamil Nadu is one of the most documented examples when recruiting rural young women under the guarantee of lump-sum payments of dowry upon the end of the employment contracts of several years¹¹. As a matter of fact, they work twelve hour shifts in dangerous environments, and they tend to stay in strict hostels in factories where they cannot move freely. Most of them are not paid fully what they promise. Despite its public denunciation, the scheme still exists in disguised forms in that the patriarchal norms and economic coercion of the industrial labour forms of organization remain in the entanglement of these systems.

DESIGN PIRACY AND INTELLECTUAL PROPERTY CHALLENGES IN INDIAN FASHION

I. Creative Invisibility, Doctrinal Gaps, and the Normalisation of Imitation

When labour invisibility is one dimension of the fast-fashion crisis in India, the other dimension is creative invisibility. Creative authorship is eroded by the same industrial reason which discredits human labour. The originality of fashion design is growing more and more flimsy and short-lived, in an age of instantaneous digital production, algorithmic trend forecasting, etc. The high pace of dissemination of ideas through online platforms has left the safeguarding of the creative expression as an unrealistic aspiration to most Indian designers, artisans, and small labels. In the fast-fashion economy, imitation is no longer accidental, but it has become structural.

Fashion is in an intermediate state between aesthetical art and practical item. Garments are

¹¹ Monay, S. 2021. "Human Rights Implications in the Fast Fashion Industry: A Qualitative Analysis." Honors thesis, California State University, Long Beach.

created in bulk, worn every day and built into cultural codes unlike paintings or musicals. Nonetheless, fashion design is a form of creativity, turning aesthetic perception into physical expressions by choosing fabrics, shapes, textures and connotation. Creativity and commodification is not new to India but in a legal framework that upholds instability in protection and a market economy of copying with haste, the same tension is extremely heightened. Museum labels and even individual designers are often faced with counterfeit versions of their designs in the domestic market at significantly reduced prices. Luxury collections, including imitations of collections, are frequently found in the markets within days of their runway presentations in places like Sarojni Nagar in Delhi, Aminabad in Lucknow and commercial districts in Mumbai. E-commerce sites also contribute to piracy by encouraging uncontrollable sellers to post imitations under alternative brand names, and the line between inspiration and appropriation in the quest to make fast money.

The causes of this imitation on mass scale are legal and structural. The Indian design law is such that protection is granted by registration as opposed to the European Union system which automatically provides temporary protection to unregistered design. In India, it is expensive, time consuming and does not conform to the time-scaled dynamic of fashion where trends can be only weeks in existence. Therefore, not all small and independent designers are interested in registration, which leaves innovative designs unregistered in terms of the law. The Copyright Act also undercuts protection by the Section 15 by excluding industrial reproduction of more than fifty copies of the work. Therefore, as soon as a design has reached a commercial scale, it practically loses rights to copyright. Designers have the challenge of walking between the two legal frameworks; design registration and copyright, neither which meets the challenge of the hybridity, iterative and ephemerality of fashion creativity.

The new designers are disproportionately disadvantaged by this environment. Big brands like Sabyasachi Mukherjee, Anita Dongre and Manish Malhotra have brand presence and financial means to support their identity, whereas the smaller brands have no informal protection capital in place. Producers have also indicated cases of duplication of prototypes given to production partners and sold under different brands. The unsymmetric is reflected in the brand-worker relationship of supply chains: in both cases, it is the weaker party that bears the price of systemic informality. Similar to manual labour, creative labour can be turned into a commodity. The other victims are traditional craft communities. Artisans like Banarasi weaving, Kanchipuram silk, Chikankari embroidery and Madhubani painting represent the centuries-old

cultural heritage but are frequently copied without much recognition and payment. This was supposed to be done by the Geographical Indications of Goods (Registration and Protection) Act which was meant to protect such heritage by use of origin-based protection. Nonetheless, the enforcement is weak. Heaps of power-loom imitations flood the markets as fake Banarasi saris at the expense of handloom weavers. Chikankari that is made by machines undermines the artisans in Lucknow. Practically, Geographical Indication status frequently comes by as a mere symbolic reward and not as economic empowerment. The GI tag does not serve as a shield to most craftspeople but a label.¹²

These setbacks reveal a more general conceptual drawback of the Indian intellectual property law: creativity is subconsciously presupposed to be produced within the bounds of well-organized corporate frameworks, ignoring the broad informal networks that produce a large portion of the Indian fashion industry. This invisibility is supported by the division of labour regulation and intellectual property regulation. Unlike with subcontracting which hides workers, unregistered design practices hide creators. They both exist beyond the protection offered by effective law, creating an economy of invisibility where brands sell off cheap labour and free to steal whatever creativity with value-creators in the background. The government programs, like intellectual property cells under the National Institute of Fashion Technology and design-promotion under the Ministry of Textiles have focused on promotion but did not tackle structural inefficiencies. Procedural and conceptual barriers cannot be addressed with the help of legal literacy alone. India Creative Fashion design itself is temporary and cyclic, and unless the mechanisms of flexible protection are in place, its creative economy will resemble its labour economy, which is productive and precarious.

II. Comparative Deficiencies, Consumer Complicity, and the Justice Dimension of Creative Protection

The drawbacks of the Indian framework are underlined by a comparative point of view. The Unregistered Community Design regime offers a short-term protection to original designs to the European Union after disclosure has been made which is specifically applicable to the fast-changing industries like the fashion industry. This provisional protection allows the designers to defy the outright imitation without cumbersome formalities. The United Kingdom has design

¹² Selvam, V. N. 2025. "From Runways to Legal Avenues: Navigating Intellectual Property Protection for Fashion Designs in India." *Indian Journal of Integrated Research in Law* 3 (6): 389–404.

law that protects surface decoration, as well as three-dimensional configuration, in addition to registered and unregistered rights. In comparison, the highly strict registration regulations and the limited statutory definitions of India can hardly be altered to the hybrid artistic-functional nature of fashion design. Such legislations reveal an industrial age perception of creativity as opposed to the actualities of digital circulation and quick reproduction of trends¹³.

Legal weakness is further enhanced by the fact that copying is normalized in the Indian markets. Replication of designs is always done without much moral or social judgment. The consumers, with affordability as their main concern and not authenticity, do unintentionally perpetuate the business models of piracy. The lack of knowledge about intellectual property standards, as well as the inertia of the law, makes imitation a lucrative business, as well as a socially acceptable activity. Such a relationship is not only disrespectful to individual designers, but to the fashion identity of India as a whole. With the world starting to prefer ethical and original production over imitation and exploitation in the global market, the image of imitation and exploitation can destroy the creative credibility of Indian productions. In the same way that inappropriate labour relations undermine the legitimacy of manufacturing, reputational capital in the transnational markets is undermined through rampant design piracy. Finally, creative piracy in India goes beyond technical doubts of intellectual property. It is an issue of justice essentially. Protection of human dignity cannot be done without protection of creative authorship. The same logic of underestimation of the time of a garment worker also reduces the intellectual input of a designer. They are both expressions of a disordered legal order, which artificially divides labour and creativity. It is crucial to realise how interdependent the Indian fashion law is to be built and that these two, garment and industry, are inseparable without the other.

The Structural Link: Exploitation and Piracy as Two Sides of the Same System

The government has at times talked of promoting design innovations such as the IP Cell in the National Institute of Fashion Technology and government capacity building activities on design via the Ministry of Textiles. These interventions, however, are typically grounded on the basis of awareness and not structural change. Even literacy of the law on its own is incapable of overcoming the procedural and conceptual barriers of the dominant regime. It

¹³ Yolmo, K. T. 2024. "Role of Copyright for the Fashion Industry in India." *Journal of Legal Research and Analysis* 1 (1).

must be acknowledged that fashion design, by its very definition as a creative zone, is short-lived, cyclical, and must have the means to dynamically protect itself. Without its reform, the creative economy of India can turn into the shadow of its labour economy productive yet dangerous. The Indian law is in the backyard as indicated in the comparative look. Unregistered Community Design of the European Union is the automatic protection of one-year original design in three years following the period of publication. This interim privilege aimed at fitting the rapidly changing industries helps the designers to be in a position to counter outright copying without a significant amount of formality. The United Kingdom has design law grants registered and unregistered, covering the appearance of a certain item and the three-dimensional qualities. In comparison, the strict registration and strict definition of the concept of design implemented in India do not provide a possibility to comprehend many fashion creative works, which combine the working and artistic elements¹⁴. These laws are constrictive and dated because they are part of the industrial era and not the digital era and innovativeness. The absence of respect of creative authorship regarding the normalization of copying in Indian market also exists. This kind of low value in the originality as a whole can be observed in the fact that the designs can easily be reproduced and sold with ease without moral concern. It is also under this environment that the optimal consumers (high intentions) subconsciously interact to advance the continuation of the piracy and the privileging of cheapness over genuineness. The second causative factor which results in a loop of imitation is the lack of consumer awareness as well as legal inertia that tends to transform imitation into a lucrative enterprise as well as a social convention. Indian fashion image in general as well as the individual designers are not only the victims. The issue is that because of the rise of demand on the products with the ethics and originality worldwide, India can be destroyed by the corresponding associations with imitation and exploitation. Since bad labour would reflect badly on the manufacturing credibility of the country, creative credibility would be adversely hit by the rampant design piracy practice. India must make sure that it has law of law that puts imagination on a par with trade as it seeks to have a system of law that would ensure that it represents itself as a leading brand with regards to sustainable and ethical fashion.

Ultimately, however, the intellectual property is not the sole object of concern in the crisis of design piracy in India, it is also about justice. One cannot separate the protection of being the

¹⁴ "Achieving Sustainable Development Goals (SDGs): Sustainable Supply Chain Management in the Fashion Industry." n.d. PhD thesis, The Hong Kong Polytechnic University.

creator of something and the protection of human dignity. This is the identical paradigm that allows devaluing the creativity of a designer by less appreciating the time of a garment worker. Lastly, the combination of exploitation and theft of intellectual property portrays the moral hypocrisy of fast fashion. The industry is lured by the appearance of novelty and low prices yet the reality of the industry lies on repetitiveness and dispossession. All the instances of design imitations and all the under employed workers are instances which the legal structure has failed to rescue the value where it is being created. India must transcend such a contradiction and realize the whole vision of fashion justice: i.e. the protection of labour as well as of creativity as two sides of the same human right.¹⁵

Toward an Integrated Fashion Law for India

I. Conceptual Foundation: From Fragmentation to Ecosystem Regulation

Indian fast-fashion industry is one of the most confusing regulatory landscapes of the twenty-first century: a creative-business-labor nexus with no single juridical lingo. Current legislative frameworks, which are spread across the labour law, intellectual-property legislation, and trade regulation, address each part of the fashion value chain as a separate realm. However, the social and economic crises that have been created by fast fashion make such fragmentation unsustainable. Instead, the reform urgency is not so much in the reinforcement of enforcement in the existing silos, but in the building of a legal framework based on an integrated model of fashion, in which fashion is viewed as an ecosystem of human labour as well as creative labour.

The regulatory problem facing India is therefore to create a system which will combine equity with flexibility: a system that will be able to control a largely informal and heterogeneous industry without stifling the dynamism of the entrepreneur. The understanding of the inseparability of labour protection and creative protection is at the normative heart of this reform, as part of a greater agenda of justice. The same regulatory framework which marginalizes the unregistered workers, underestimates the unregistered designs. The response to one dimension creates structural imbalance. The Indian Fashion Law has to be an integrated law thus based on three pillars:

1. Enhanced labour control and transparency in supply-chain.

¹⁵ Nolan, M. 2023. "How Intellectual Property Laws Allow for Fashion Dupes." *Saint Louis University Law Journal Online*.

2. Redesigned fashion-specific intellectual-property protection.
3. An institutional mechanism to balance the two realms.

II. Pillar One: Labour Regulation and Supply-Chain Transparency

Any substantial reform has to start by protecting workers whose labour forms the basis of the industry. Although the Labour Codes are a formal compilation of the earlier laws, they have not devoted all their attention to the concept of accountability along the complicated supply chains. A re-modelled structure needs then to transcend discipline around factories to that around supply chains, whereby the brand is tracked back to the worker.

First, all significant Indian fashion houses (local and export-based) should be forced to exercise the supply-chain traceability. Brands with a specified revenue size must be obligated to reveal its supplier and subcontractor networks on an annual basis in a centralized reporting system, based on the same framework as Business Responsibility and Sustainability Reporting (BRSR) disclosure regulated by Securities and Exchange Board of India. This kind of transparency would enable regulatory bodies, the civil-society players and the consumers to check on the compliance on a continuous basis more than on a periodic basis.

Second, there should be structural reinforcement of labour inspection. Geo-tagged and time-stamped audits could be performed by digitally equipped and decentralized inspectorates in a way that it is integrated with the national E-Shram database. The registered suppliers would have real-time data on wages, working hours, and occupational safety conditions in their state-level Labour Compliance Hubs. This strategy would substitute the past records of violations with dynamic compliance mapping.

Third, the empowerment of the workers is to be implanted in the form of digital identification and grievance systems. All formal and informal garment workers must be given digital identity that will be connected to E-Shram that will enable them to have direct access to wage records, benefits, and complaint mechanisms. The grievance redressal platform should be mobile based and linked with state labour helplines which would enable workers to file complaints about wage theft, unsafe working conditions, or even harassment without any intermediary.

Lastly, a graded compliance-based incentive system may bring ethical production in line with economic benefit. Factories and brands that have proven to be consistent in compliance may

be given a special tax treatment, quick clearance of exports, or through a national scheme known as Fair Fashion India. Compliance can be internalized in the form of a market asset by converting ethical labour standards into a competitive differentiator, and not a bureaucracy.

III. Pillar Two: Reforming Intellectual Property for Fashion Realities

Whereas labour reforms work on the material base of fast fashion, intellectual-property should safeguard its creative nature. The existing IP policy of the country, which is split between Copyright Act and Designs Act, is structurally incongruent with the dynamic, iterative process that is fashion design.

The initial reform must be the introduction of unregistered design right on fashion items which is automatic and temporary, and three years protection as of the time of initial disclosure. This mechanism would be inspired by the European Union mode, and capture the realities of fashion that are temporal and also embrace MSME-led design practices that are unable to cover the formal registration cost. This sort of protection would discourage any flagrant imitation, but would not entail administrative stiffness.

Second, India ought to set up Fast-Track Fashion IP Tribunal within the intellectual-property adjudicatory system. This expert organization, consisting of IP lawyers, design professionals and scholars would decide infringement cases on a case-by-case basis utilizing contextual analysis that is sensitive to the iterative and hybrid nature of fashion. Creative conflicts would thus be solved by experts in the domain instead of being handled as a normal business litigation. Third, there is need to operationalize protection of traditional and artisanal knowledge. The Geographical Indications of Goods (Registration and Protection) Act is formally recognized but there is the lack of enforcement. Craft clusters could be directly attached to the suggested regulatory authority (discussed below) and they would be able to obtain collective design registration by means of simplified and free of charge processes. An active national list of known designs, i.e. Banarasi weaving, Kanchipuram silk, Chikankari embroidery, and other such schools should operate as a documentation and also a deterrent of industrial misuse.

Other actions to complement these are publicly funded IP facilitation cells in design institutions and clusters of MSMEs which provide free legal advice and standardized contract templates. The protection of intellectual property should be democratised instead of being the reserve of the elite fashion houses.

IV. Pillar Three: Institutional Innovation – Fashion Regulatory Authority of India (FRAI)

Cross-cutting between ministries, Textiles, Commerce, Labour and Industry, there has been no cohesiveness in fashion governance. A unified law must have a unified institution. The proposed Fashion Regulatory Authority of India (FRAI) would be an organizing body which would harmonize the labour standards, intellectual-property protection and sustainability requirements under one institutional fabric.

FRAI would have a mandate comprising:

Registration and accreditation of factories, designers and artisan clusters, inventing a national fashion database.

- Online checking of the labour standards and IP standards by means of built in reporting systems.
- Wage claims, design disputes and contractual disputes: alternative dispute resolution.
- Brand-performance ratings issued in an annual report called the Ethical Fashion Index.

- Advisory coordination with other institutions like National Institute of Fashion Technology and state governments with the aim of promoting skill development and sustainability.

FRAI would not overtake existing powers but would combine their data and operations via digital interoperability, where all parts of the value chain would not be out of sight of the regulator.

V. The Vision Ahead: Fashion Justice as Constitutional Commitment

The suggested Integrated Indian Fashion Law is not aimed to choke the industry but to nurture a culture of mutual rights and obligations. By turning fashion into a low end, high turnover-based industry, disposability is institutionalised. The combination of labour protection and protection around intellectual property can allow India to rebrand fashion in terms of ethical innovation.

The balance of power would change gradually FRAI, traceable supply chains, automatic design rights, and digital labour governance would lead to the shift of the balance of power between the opaque and the visible, between the commodification and the recognition. The Indian model would show how law could be used to regulate informality without eliminating it- how regulation can adapt to the decentralized and heterogeneous reality- unlike Western models that are based on formal economies.

Protecting the creativity and dignity is not the right of developed economies but the constitutional right of democratic management. India can not only express a vision of fashion justice but also make it not only economically expedient but also ethically sound by joining the worker and the designer in one legal vision. The fibers of labour and thought--long torn apart in the policy discussion--need to have be finally weaved together into one cord of law.

Conclusion

The history of the fast-fashion business in India is characterized by a vivid paradox: a level of exorbitant ambition and systematic structural failure. It is a sector that reflects both the dynamism of a young digital-savvy economy, globally networked, culture-expressive, and business aggressive, and at the same time reveals the fundamental faults in the developmental paradigm in India. Influencer marketing, online shopping websites, and fast consumption are mere facades, behind which there is an unseen terrain of work and creativity. The garment worker, the home-based embroiderer, the traditional weaver and the independent designer all contribute to the growth of the industry but they are all marginal to its acknowledgment and remuneration. The informality, precarity, and disposability are the factors that unite them.

The paper has attempted to unwind these interwoven fibres and to show that labour exploitation, design piracy are not two distinct forms of injustice, but one and the same manifestation of a single structure imbalance. They are both as a result of an economic order whereby the principles of speed, cost-efficiency and imitation are more important than dignity, fairness and originality. This fragmentation has been reflected and strengthened through the law which regulates labour and intellectual property separately in silos. Employees and artists are in the virtual world of protection but in the real world they are vulnerable. To fix this situation, India needs to rethink fashion as not a discontinuous commercial industry, but a unified system of human and creative labour one where manual expertise and intellectual creativity are both equally acknowledged.

The Integrated Fashion Law proposed gives us the structural blueprint to this change. India can incorporate accountability throughout the entire lifecycle of a garment by integrating supply-chain disclosure, social-security coverage, dynamic protection of intellectual properties especially through acknowledgment of unregistered design rights and coordination of institutions under a single regulatory system. This integration would be institutionalized by the

establishment of a Fashion Regulatory Authority of India (FRAI) so that an agreement of labour standards, design protection and sustainability governance would be governed in a consistent system of oversight. This is not just a more or less technical legal readjustment; it is a moral and developmental necessity.

Fashion has one of the few industries where India has a cultural legacy and economic desire at the same time. It is a hybrid of rural art and urban creativity, tradition and technology, domestic consumption and foreign trade. The legal framework that would help realize this potential will be one that safeguards value at its beginning, among workers, artisans, and up-and-coming designers, and not just at the branding and retail level. A unified framework is consistent with the promises of India in the Sustainable Development Goals: encouraging decent work (SDG 8), developing innovation and a resilient industry (SDG 9) and encouraging responsible consumption and production (SDG 12). It turns sustainability into the story of marketing to a governance structure.

In the end, the dilemma that faces India is whether the creativity and labour abilities will be discussed as disposable resources or as human dignity and national identity. Ethical fashion is not an escape of development, but its enlightenment that speed and justice are not opposite concepts. By managing to combine labour and intellectual-protection accountability in a consistent regulatory approach, India will not just restructure the domestic industry, but will also provide a precedent of legal innovation out of the Global South: one that is sensitive to informality, based on equity, and conscious of cultural particularity.

Reimagined fashion law is thus not merely regulation by industry, but it is rather a recreation of the meaning of value itself. There is as great a claim to honor, fame and equity in every stitch and every drawing. India, at the crossroad of a traditional culture and a modernist aspiration, is in a unique position of spearheading this change. We now must make law a part of fashion--and justice a part of law.