

Original Article

THE PRICE THAT IS NOT ON THE TAG: FAST FASHION, ISO 26000 AND THE BALANCING OF STAKEHOLDER INTERESTS IN INDIA

DISPLACED COST, DISCLOSED COST AND THE TRANSMISSION DEFICIT IN INDIAN ESG REGULATION

Dr. Nandita S. Jha ^{1*} 

¹ Assistant Professor, Faculty of Law, Chanakya National Law University, Patna, Bihar, India, Founder, Centre for Advanced Research on Corporate and Insolvency Laws (CARCIL), India



ABSTRACT

Fast fashion sells a garment at a price its production did not cost. The difference is not efficiency but displacement, the migration of production costs from the seller's income statement to parties who never contracted to bear them: the worker paid below subsistence, the watercourse receiving untreated effluent, the municipality inheriting the garment as waste, and the consumer sold an unsubstantiated sustainability claim. This paper distinguishes displaced cost from disclosed cost and argues that India's environmental, social and governance architecture, comprising the Companies Act 2013, the Business Responsibility and Sustainability Reporting framework, the four Labour Codes and the environmental consent regime, has been built almost entirely around the second. Drawing on the political economy of purchasing practices, the critical scholarship on private social auditing and the legal analysis of mandatory due diligence, it contends that the regulatory locus of the problem has migrated to the demand-side jurisdictions of the European Union, leaving India, a supply-side jurisdiction, to choose between derived compliance, arbitrage retention and autochthonous equivalence. The paper reassesses ISO 26000:2010, treating its refusal of certifiability not as institutional weakness but as a design choice matched to its object, and identifies its central defect as a transmission deficit rather than a normative one. It proposes converting section 166(2) of the Companies Act 2013 from balance-as-mention into balance-as-decision-rule, relocating due diligence from the audited factory to the placed order, and giving ISO 26000 transmission through Bureau of Indian Standards sectoral guidance, procurement conditionality and a textile extended producer responsibility scheme.

Keywords: Fast Fashion, ESG, ISO 26000, Stakeholder Balance, Corporate Social Responsibility, Business Responsibility and Sustainability Reporting, Extended Producer Responsibility, Corporate Sustainability Due Diligence, Indian Textile and Apparel Industry, Greenwashing

INTRODUCTION

A garment retailing at three hundred rupees is ordinarily understood as a triumph of logistics. It is more accurately understood as a proposition about who pays. Somewhere between the cotton field and the checkout, a set of costs that a fully priced garment would carry, the cost of a wage sufficient to live on, of effluent treated to standard before discharge, of a working environment that does not shorten life, and of the garment's eventual recovery or disposal, has been removed from the price. Those costs have not

*Corresponding Author:

Email address: Dr. Nandita S. Jha (nanditasjha@cnlu.ac.in)

Received: 28 August 2026; Accepted: 13 September 2026; Published 17 October 2026

DOI: [10.29121/ShodhPrabandhan.v3.i3.2026.147](https://doi.org/10.29121/ShodhPrabandhan.v3.i3.2026.147)

Page Number: 13-25

Journal Title: ShodhPrabandhan: Journal of Management Studies

Journal Abbreviation: ShodhPrabandhan J. Manag. Stud.

Online ISSN: 3049-2416, Print ISSN: 3108-1975

Publisher: Granthaalayah Publications and Printers, India

Conflict of Interests: The authors declare that they have no competing interests.

Funding: This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

Authors' Contributions: The sole author was responsible for the conception, design, execution, and preparation of the study. The author has reviewed and approved the final version of the manuscript for publication.

Transparency: The authors affirm that this manuscript presents an honest, accurate, and transparent account of the study. All essential aspects have been included, and any deviations from the original study plan have been clearly explained. The writing process strictly adhered to established ethical standards.

Copyright: © 2026 The Author(s). This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).

With the license CC-BY, authors retain the copyright, allowing anyone to download, reuse, re-print, modify, distribute, and/or copy their contribution. The work must be properly attributed to its author.

been abolished. They have been relocated. They now sit on the household budget of a woman in a Tirupur knitting unit, in the salinity of the groundwater beneath her village, in the municipal solid waste stream of the city where the garment is eventually discarded, and, less obviously, in the informational position of the consumer who was told the item was sustainable and had no means of testing the claim. The low price is not a discovery. It is an omission.

The present paper pursues four objectives. The first is to disaggregate the low price of the fast fashion garment into its constituent displacements, and to identify with some precision which stakeholder bears which displaced cost within the Indian production economy. The second is to assess the Indian regulatory architecture against that disaggregation, and to demonstrate that the architecture is organised almost entirely around the disclosure of harm rather than its internalisation, so that the pluralist promise of section 166(2) of the Companies Act 2013 operates, in practice, as a duty to mention rather than a duty to weigh. The third is to locate the Indian position within a rapidly reconfiguring external environment, in which the European Union has, through the Corporate Sustainability Due Diligence Directive, the revised Waste Framework Directive and the Ecodesign for Sustainable Products Regulation, made itself the effective regulator of Indian factories through private contract, and then, through the Omnibus simplification of February 2026, materially narrowed its own reach. The fourth is to argue that ISO 26000:2010, an instrument routinely discounted in the compliance literature precisely because it cannot be certified, supplies the conceptual grammar that Indian law requires, and to propose the statutory and administrative syntax through which that grammar might be given effect.

THREE DISTINCTIONS

Three distinctions are introduced here and carried through the argument. The first is between displaced cost and disclosed cost. A cost is displaced when it is incurred in the course of production but borne by a party outside the contract; it is disclosed when a regulated entity is required to state, after the event and at a level of aggregation of its own choosing, that it was incurred. Disclosure is a necessary condition of internalisation and a wholly insufficient one, a point the modern-slavery statutes have already demonstrated at scale [LeBaron \(2020\)](#). The second distinction is between the conformity model and the integration model of social responsibility. The conformity model asks whether an entity satisfies stated requirements at an audited moment and issues a certificate to that effect; the integration model asks whether responsibility has been absorbed into the way the entity decides, purchases, contracts and governs, and issues nothing. ISO 26000 is the paradigmatic instrument of the second model [Moratis and Cochiu \(2011\)](#), [Del Baldo \(2023\)](#), and this paper treats its non-certifiability as a jurisprudential signature rather than an administrative shortfall. The third distinction is between balance-as-mention and balance-as-decision-rule, and concerns the operation of section 166(2). Indian company law is unusual, and creditably so, in imposing a mandatory pluralist duty on directors; it is entirely conventional, and much less creditably so, in supplying no method by which the plurality is to be reconciled when its elements conflict, and no procedural residue by which a court or regulator might later determine whether reconciliation was attempted at all.

REVIEW OF LITERATURE AND CONTRIBUTION OF THE STUDY

Four strands of scholarship bear on the question and, notably, rarely converse with one another. The first is the sustainability and consumption literature on fast fashion, now extensive and increasingly systematised. Reviews by [Schiaroli et al. \(2025\)](#) and [Badhwar et al. \(2024\)](#) map the field across the pre-purchase, use and post-use phases, and consistently locate the largest environmental burden in the production stage, particularly in fibre treatment, dyeing and finishing. That literature is strong on impact measurement and consumer behaviour and comparatively weak on legal mechanism: it establishes that harm occurs without specifying the instrument by which a given jurisdiction might allocate its cost.

The second strand is the political economy of global supply chains. Anner's work on the Indian and Bangladeshi export sectors (2019, 2020) established the causal chain that this paper treats as central: lead firms exert a price squeeze and a sourcing squeeze, and suppliers absorb both by intensifying production targets, extending overtime, shortening contracts, shifting toward female and migrant labour, and outsourcing to unregistered units. [Mezzadri \(2017\)](#) supplies the structural counterpart, showing that informality in Indian garment production is not a residue awaiting formalisation but an organised feature of how the sector competes. The implication, which the regulatory literature has been slow to absorb, is that factory-level intervention addresses a symptom whose cause sits in the purchase order.

The third strand is the critical scholarship on private governance. [LeBaron and Lister \(2015\)](#) and [LeBaron et al. \(2017\)](#) argue that the ethical audit regime functions as a form of productive power, legitimating rather than correcting conditions, and that audits systematically omit the segments of supply chains where abuse is most likely. [Wilhelm et al. \(2025\)](#) extend the critique to forced labour specifically and argue for social intermediaries in place of compliance-based monitoring. This literature is indispensable to the argument advanced in Part 5 below, because it explains why the instinctive remedy for ISO 26000's weakness, namely to make it certifiable, would be self-defeating.

The fourth strand is the legal analysis of mandatory human rights and environmental due diligence, which has grown rapidly around the European instruments [Bueno et al. \(2024\)](#), [Buhmann and Feld \(2024\)](#), [Al-Emadi et al. \(2025\)](#), [Feld \(2026\)](#), and which has

begun to attend to the position of producing states rather than only that of regulating ones. Alongside it sits a smaller and largely descriptive Indian literature on the Business Responsibility and Sustainability Reporting framework, which documents improving disclosure coverage while noting persistent sectoral variability and the risk of box-ticking [CFA Institute Research and Policy Center. \(2026\)](#).

The contribution of the present paper lies at the junction of these strands. The purchasing-practices literature identifies the causal lever but is not directed at statutory design; the due diligence literature is directed at statutory design but assumes the regulating state is the consuming state; the ISO 26000 literature debates certifiability in the abstract without asking which domestic carriers might substitute for it; and the Indian ESG literature evaluates a disclosure regime without confronting the fact that the regime's perimeter excludes the actor with pricing power. This paper proposes that the four problems have a single solution shape, and sets out what that shape would look like in Indian law.

SCOPE AND METHOD

This is a doctrinal and policy-analytical study. It proceeds by close reading of Indian statutory and regulatory instruments and of the relevant Supreme Court jurisprudence, situated against the secondary literature described above and against the current European instruments as they stood in August 2026. It does not present original empirical data, and where the argument depends on empirical propositions those are attributed to the sources that generated them. It treats fast fashion as a business model rather than as a category of garment: the model is characterised by high assortment turnover, short lead times, low unit margins compensated by volume, and, critically, the retention of design and pricing power by an entity that owns no manufacturing capacity. That last feature is the one from which most of the legal difficulty follows, because it separates the party that determines the price from the party that must absorb its consequences, and Indian corporate law has almost no vocabulary for that separation.

THE ANATOMY OF A LOW PRICE

India occupies an unusual structural position. It is simultaneously one of the world's largest producers and exporters of textiles and apparel, one of the world's largest and fastest-growing domestic markets for fast fashion, and the site of one of the world's most developed post-consumer textile recovery economies. It is therefore exposed to the fast fashion model at every point of the value chain at once, as supplier, as consumer and as recipient of waste. Very few jurisdictions carry that triple exposure, and the regulatory response has not yet been calibrated to it. Sectoral magnitudes are deliberately not stated here, since official and industry estimates of employment, gross value added and export share diverge materially and the argument does not turn on them.

THE DISPLACEMENT ONTO LABOUR

The garment segment is the most labour-intensive stage of the textile chain and the least capitalised. Its Indian geography is well known: knitwear in Tirupur, hosiery and woollens in Ludhiana, woven garments in the National Capital Region, cotton spinning across western Tamil Nadu, processing and synthetics in Surat, and recovered fibre in Panipat. The competitive logic of each cluster is the same, and [Anner \(2019\)](#) documents it directly for the Indian export sector. Because buyers hold design and pricing power and manufacturing capacity is fragmented and substitutable, the variable a supplier can adjust quickly in response to a price demand is labour cost, and the fastest way to adjust labour cost is to move work outside the perimeter within which labour law is enforced. That movement takes several documented forms: subcontracting to unregistered units below statutory thresholds; engagement through contractors rather than directly; piece-rated home-based finishing work, overwhelmingly performed by women, invisible to any factory-gate inspection; and the retention of a permanent core alongside a large seasonal periphery whose employment is coterminous with the order. [Mezzadri \(2017\)](#) shows that these are not deviations from the Indian production model but constitutive of it.

The constitutional position on the resulting wage is not in doubt. Article 43 of the Constitution directs the State to endeavour to secure to all workers a living wage and conditions of work ensuring a decent standard of life, and the Supreme Court held four decades ago, in [People's Union for Democratic Rights v. Union of India, \(1982\)](#), that labour extracted for remuneration below the statutory minimum falls within the prohibition on forced labour in Article 23, since a person who accepts such terms does so under the compulsion of economic circumstance rather than by consent. The same jurisprudential line runs through [Bandhua Mukti Morcha v. Union of India, \(1984\)](#), where the Court treated the existence of bonded labour as raising a presumption to be rebutted by the employer rather than a fact to be proved by the labourer. What is in doubt is the transmission of that constitutional position into the pricing of an export order. A costing sheet that prices a garment on the assumption of a minimum wage, and does not price statutory social security contributions, the overtime premium, or the cost of compliant working hours, is not merely commercially aggressive; it is a costing that can only be met by non-compliance, and both parties to it generally know as much.

The gendered character of the displacement deserves separate notice. The workforce in garment assembly is predominantly female; the supervisory and managerial tiers are predominantly male; and the arrangements under which young women have historically been recruited into Tamil Nadu spinning mills, in which a lump sum is paid at the conclusion of a fixed term ostensibly

towards marriage expenses, combine wage deferral, residential confinement and the practical foreclosure of exit. Whether such arrangements amount to bonded labour in the statutory sense has been contested and litigated; that they sit within the constitutional mischief identified in *People's Union for Democratic Rights* is considerably harder to contest.

Against this, India has produced one genuinely significant institutional innovation, and it has come from the industry rather than the legislature. The agreement concluded in 2022 in relation to spinning and garment operations at Dindigul, between a manufacturer, an independent women-led union and international buyers, is a legally binding instrument in which the buyers' continued sourcing is made conditional on the manufacturer's performance of agreed measures on gender-based violence and harassment, with union-led monitoring and an independent assessor. Its importance for the present argument is structural rather than sentimental, and it maps closely onto what [Wilhelm et al. \(2025\)](#) describe as the social-intermediary model: monitoring is vested in the workers' own organisation rather than a commercial audit firm, and enforcement runs against the buyer rather than only the supplier. It is one of the very few mechanisms operating in India in which the party with pricing power accepts a consequence for conditions in a factory it does not own. Every other mechanism examined below leaves that party untouched.

THE DISPLACEMENT ONTO THE ENVIRONMENT

The environmental displacement is easier to locate because it has generated a substantial body of Indian case law. Wet processing, that is, bleaching, dyeing and finishing, is water-intensive and chemically loaded, and it is the stage in which the sustainability literature consistently locates the largest share of the sector's impact [Schiarioli et al. \(2025\)](#). The Indian clusters in which it is concentrated are, with some irony, semi-arid. The Supreme Court's engagement with the consequences is long-standing. In *Vellore Citizens' Welfare Forum v. Union of India*, (1996), addressing tannery effluent in Tamil Nadu, the Court held the precautionary principle and the polluter pays principle to be part of the law of the land by operation of Article 21 read with Articles 47, 48A and 51A(g), and held that the polluter pays principle carries the cost not only of compensating individual victims but of restoring the degraded environment itself. That restoration limb, drawn from *Indian Council for Enviro-Legal Action v. Union of India* (1996) and ultimately from the absolute liability rule in *M.C. Mehta v. Union of India*, (1987), is the doctrinal foundation on which any Indian textile internalisation measure must be built. The right to unpolluted water and air was located within Article 21 in *Subhash Kumar v. State of Bihar*, (1991).

The dyeing units of Tirupur have been the subject of that principle's most sustained application, culminating in directions requiring the units to bear the cost of desilting and restoring the reservoir into which the Noyyal had carried their discharge, and in the eventual imposition of a zero liquid discharge requirement enforced through closure *Tirupur Dyeing Factory Owners Association v. Noyyal River Ayacutdars Protection Association*, (2009). The Indian environmental response to textile processing is, in other words, unusually robust at the level of principle and unusually specific at the level of remedy. Its weakness lies elsewhere. It operates at the level of the discharging facility, through the consent regime under the Water (Prevention and Control of Pollution) Act 1974 and the Environment (Protection) Act 1986, and it is therefore triggered by an act of pollution at an identifiable outfall. It has almost nothing to say about the three environmental costs of fast fashion that do not present as an outfall: the embedded water and energy of a garment produced to be worn a handful of times; the shedding of synthetic microfibres in domestic laundering, for which India has no regulation whatever; and the disposal burden of the garment at end of life.

On the last of these India is, again, structurally unusual. Panipat's shoddy yarn industry, the Mongolpuri sorting markets and the wider network of grading and mechanical recovery constitute what is probably the largest textile recovery economy in the world, sustaining livelihoods on a scale no European scheme approaches, and it operates largely informally, without producer financing, without occupational safety regulation of any consequence, and without any statutory claim on the brands whose goods it processes [Ministry of Textiles. \(2026\)](#). India's extended producer responsibility architecture, developed with real administrative sophistication for plastic packaging, electrical and electronic equipment, batteries and waste tyres under the Environment (Protection) Act 1986, simply does not extend to textiles. The statutory power exists; the administrative machinery, including a functioning registration and credit portal operated by the Central Pollution Control Board, exists; the recovery ecosystem exists and is more capable than that of most European jurisdictions. What does not exist is the notification. This is addressed in Part 6 below and is, in the author's view, the single most available reform in the field.

THE DISPLACEMENT ONTO THE CONSUMER

The third displacement is informational and is frequently omitted from the fast fashion literature, which tends to treat the consumer as the author of the harm rather than as a party to it. Yet the consumer who pays a premium for a garment described as conscious, responsible or sustainable, and receives a garment produced on terms indistinguishable from the rest of the line, has suffered a distinct and legally cognisable injury. The empirical position is stark: the [Changing Markets Foundation. \(2022\)](#) found that a majority of environmental claims by European fashion brands were misleading, with the proportion markedly higher among fast fashion brands specifically, and the systematic review by [Badhwar et al. \(2024\)](#) confirms both the prevalence of the practice in the sector and the absence of common standards against which claims might be tested. [De Freitas Netto et al. \(2020\)](#) supply the taxonomy

that Indian regulators would find most useful, distinguishing firm-level from product-level greenwashing and claim-based from executional forms; [Nemes et al. \(2022\)](#) offer a framework for grading severity. [Li et al. \(2025\)](#) show that consumer awareness of the practice is rising and that trust, once lost, is not readily recovered.

India has responded with an instrument of genuine quality. The Central Consumer Protection Authority's Guidelines for Prevention and Regulation of Greenwashing or Misleading Environmental Claims, 2024, issued under section 18 of the Consumer Protection Act 2019, prohibit unqualified generic claims such as green, eco-friendly and sustainable, require substantiation by credible evidence, treat selective emphasis on a favourable attribute while concealing an unfavourable one as itself deceptive, and extend to advertisers, endorsers and agencies alike. Two observations follow. The first is that the Guidelines are, at present, the only Indian instrument that attaches a consequence directly to the party holding pricing and design power, because it is that party that makes the claim. The regulatory perimeter of Indian consumer law is thus drawn in exactly the place where the perimeter of Indian corporate and environmental law is not. The second is a caution. The Guidelines contemplate substantiation by third-party certification, and thereby create demand for precisely the certification artefact whose limits Part 5 examines. A certificate is evidence that a document exists. Whether it is evidence that a condition exists depends on the integrity of the process behind it, and the audit literature does not encourage confidence on that point [LeBaron et al. \(2017\)](#).

THE INDIAN ARCHITECTURE AND THE ASYMMETRY BETWEEN DISCLOSURE AND CONDUCT

THE COMPANIES ACT 2013: A PLURALIST DUTY WITHOUT A METHOD

Section 166(2) of the Companies Act 2013 requires a director to act in good faith in order to promote the objects of the company for the benefit of its members as a whole, and in the best interests of the company, its employees, the shareholders, the community and for the protection of the environment. The formulation is remarkable in comparative terms. It is not the enlightened shareholder value model of section 172 of the United Kingdom's Companies Act 2006, in which regard to employees, suppliers, the community and the environment is instrumental to the ultimate objective of the members' benefit; it places the interests of the company, its employees, its shareholders, the community and the environment in a single conjunctive list, without hierarchy and without an instrumental clause. Indian company law, on its face, requires directors to be pluralists.

The difficulty is that a duty stated conjunctively without a tie-breaking rule is not, in operation, a duty at all. Section 166(2) supplies no method for the case in which the interests diverge, which is the only case in which the provision would do any work. It creates no procedural residue: nothing in the Act requires the board to record which interests it identified as engaged, how it weighed them, or what mitigation it adopted. It confers no standing on the non-shareholder constituencies it names, so that the community and the environment are beneficiaries of a duty they cannot enforce, and the enforcement routes that do exist, namely the penalty under section 166(7) and the oppression and mismanagement jurisdiction, are controlled by members. The result is that a director conscious of section 166(2) and a director who has never read it will, in the ordinary course, behave identically and be equally compliant. This is what is meant here by balance-as-mention. The plurality is announced, not administered.

The corporate social responsibility obligation in section 135 compounds the problem instructively. India was the first jurisdiction to make corporate social responsibility expenditure mandatory, requiring qualifying companies to spend at least two per cent of average net profits on activities within Schedule VII, with unspent amounts transferable to a designated account and a penalty regime for default. The obligation is real and the sums involved are substantial. But it is an obligation about the disposition of profit, not about the manner of its generation. A company may depress its supply chain wages, discharge to standard only intermittently, and then satisfy section 135 by financing a school in the same district, and it will be fully compliant. Section 135 is an expenditure discipline; it is not a conduct discipline; and the two are frequently confused in Indian practice, including in board reporting, to the considerable advantage of the confused.

Behind both provisions lies a structural obstacle that recurs throughout this paper and may be described as the entity boundary problem. Company law attaches duties to the legal person and, through consolidation, to the group. The fast fashion supply chain is neither. It is a chain of arm's-length contracts between separately owned enterprises, frequently intermediated by buying houses, in which the entity with decisive economic power over conditions in a factory holds no equity in it, appoints none of its directors, consolidates none of its accounts, and owes it no duty beyond the terms of the purchase order. Every doctrine that operates on ownership or control will therefore miss the relationship that matters. Any effective regulation of fast fashion must find a hook other than ownership, and the only candidates are the contract, the disclosure obligation, the product and the border.

THE SEBI FRAMEWORK AND THE VALUE CHAIN RETREAT

The Securities and Exchange Board of India has built, in a short period, the most substantial ESG disclosure regime in South Asia. Business Responsibility and Sustainability Reporting was introduced in May 2021 and made applicable to the top one thousand listed entities by market capitalisation from the financial year 2022-23, through regulation 34(2)(f) of the Listing Obligations and Disclosure Requirements Regulations 2015, structured around the nine principles of the National Guidelines on Responsible Business Conduct [Ministry of Corporate Affairs. \(2019\)](#). A subset of key performance indicators, designated BRSR Core, was

introduced in July 2023 together with a framework for assurance and for environmental, social and governance disclosure in respect of value chain partners, defined as the upstream and downstream partners cumulatively accounting for seventy-five per cent of purchases or sales by value. Independent analysis of three reporting cycles finds measurable improvement in coverage and comparability alongside persistent sectoral variability and a tendency toward generic disclosure [CFA Institute Research and Policy Center. \(2026\)](#).

That framework has since been substantially eased. Following the report of an expert committee and a consultation in 2024, the Board resolved in December 2024 and gave effect by circular of 28 March 2025 to a set of changes which, among other things, replaced the terminology of assurance with assessment, redefined value chain partners by reference to those individually accounting for two per cent or more of purchases or sales, deferred the applicable timelines, and, most significantly for present purposes, converted value chain environmental, social and governance disclosure from a comply-or-explain obligation into a voluntary one. The reasoning is intelligible and, on ease-of-doing-business grounds, defensible: the data infrastructure required for value chain reporting does not presently exist in most Indian supply chains, and a mandate imposed ahead of that infrastructure produces expensive fiction rather than information.

The consequence, nonetheless, is that the harm characteristic of fast fashion has been made optional to report. The environmental and social burden of a listed apparel retailer sits almost entirely in its value chain; its own operations are warehousing, retail floor space and logistics. To make own-operations disclosure mandatory and value chain disclosure voluntary is, in this sector specifically, to require the reporting of everything except the material. A regime designed for proportionality across the economy as a whole produces, at the sectoral level, an inversion. Part 6 proposes that the answer is not to reverse the easing generally, which would be disproportionate, but to reintroduce comply-or-explain for designated high-impact sectors, of which textiles and apparel is the clearest instance.

A further and more fundamental limitation must be stated plainly. The Indian listed universe in this sector consists overwhelmingly of manufacturers and exporters, together with a growing set of domestic retail and marketplace entities. The global buyers whose purchasing practices determine the conditions under discussion are, with few exceptions, not listed in India and are outside the reach of regulation 34(2)(f) altogether. India's disclosure perimeter therefore captures the party that bears the displaced cost and not the party that displaces it. This is the perimeter problem, and no amount of refinement to the BRSR format will solve it, because it is a problem of jurisdiction rather than of format. Its only available solutions are those that attach to conduct occurring within India regardless of the listing status of the actor: the environmental notification, the product standard, the public procurement condition, and the consumer law claim.

THE LABOUR CODES AND THE FORMALISATION ASSUMPTION

The four Labour Codes were brought into force with effect from 21 November 2025, subsuming twenty-nine central enactments, with the Central Rules under all four notified in May 2026 and State rules being notified on divergent timelines under the concurrent legislative power. The reform is significant for the present enquiry in three respects. The Code on Wages 2019 establishes a national floor wage below which State minimum wages may not be fixed and extends minimum wage entitlement beyond scheduled employments to all employees, which for the first time brings large parts of the garment periphery within the wage guarantee in principle. The Code on Social Security 2020 contemplates the registration of unorganised, gig and platform workers and the extension of schemes to them. The Occupational Safety, Health and Working Conditions Code 2020 consolidates the contract labour, inter-State migrant and factory regimes and revises the thresholds at which registration and licensing obligations attach.

The reform proceeds on an assumption that deserves examination: that informality is a consequence of compliance complexity, so that simplification will produce formalisation. In much of the economy that assumption is sound. In garment manufacture it is at best partial, because informality there is not principally a response to the difficulty of compliance but to its cost, and the cost is set by the order price [Anner \(2019\)](#). A supplier who has accepted an order priced below the cost of compliant production has not been deterred by paperwork; it has been deterred by arithmetic. Simplification does not alter that arithmetic. Worse, a threshold-based architecture creates a determinate incentive to fragment, and fragmentation into sub-threshold units, formally independent and beneficially connected, is precisely the adaptation that [Mezzadri \(2017\)](#) documents across Indian clusters.

The point is not that the Codes are misconceived. It is that a labour law reform aimed at the employment relationship cannot, by itself, reach a harm that originates in a commercial relationship two contractual steps away. This is the labour law counterpart of the entity boundary problem, and it explains why the most promising Indian instrument in this field, the Dindigul Agreement, is not a labour statute at all but a commercial contract that borrowed a labour law objective.

THE EXTRATERRITORIAL PULL AND INDIA'S THREE OPTIONS

While the Indian architecture has developed along disclosure lines, the European Union has constructed a conduct-facing architecture and projected it onto Indian factories through contract rather than through treaty. Three instruments matter. The Corporate Sustainability Due Diligence Directive (Directive (EU) 2024/1760), adopted in June 2024, imposed on in-scope companies

an obligation to conduct risk-based human rights and environmental due diligence across their chains of activities, following the six-step process of the [Organisation for Economic Co-operation and Development. \(2018\)](#) due diligence guidance and echoing the framework of the [United Nations. \(2011\)](#) Guiding Principles. Commentators recorded it as a decisive shift from disclosure to prevention, and as a significant assertion of regulatory extraterritoriality [Bueno et al. \(2024\)](#), [Buhmann and Feld \(2024\)](#), [Al-Emadi et al. \(2025\)](#), [Feld \(2026\)](#). The revised Waste Framework Directive [Directive \(EU\) 2025](#), in force from 16 October 2025, requires every Member State to establish an extended producer responsibility scheme for textiles, footwear and household textiles within thirty months, with fees eco-modulated by reference to the sustainability characteristics of the product, and applies to any producer placing textiles on the Union market irrespective of establishment. The Ecodesign for Sustainable Products Regulation (Regulation (EU) 2024/1781) places textiles among its priority product groups, introduces the Digital Product Passport, and carries a prohibition on the destruction of unsold textiles applying to large enterprises from 2026 and to medium-sized enterprises from 2030.

The most consequential recent development is a retreat. The Omnibus simplification package, adopted as [Directive \(EU\) 2026](#), was published in the Official Journal on 26 February 2026 and entered into force on 18 March 2026. It substantially narrows the personal scope of both the reporting and the due diligence directives, extends the transposition deadline for the due diligence directive to 26 July 2028 with application from 26 July 2029 on a single date rather than a staggered one, alters the frequency with which due diligence systems must be reassessed, removes the obligation to adopt and implement a climate transition plan, and, in a provision of direct significance for Indian suppliers, caps the information that in-scope companies may require from small and medium enterprises and small mid-caps below a five hundred employee threshold at the content of the voluntary reporting standard, while requiring in-scope companies to provide proportionate support such as training and capacity building. Estimates of the resulting reduction in directly in-scope entities vary and should be treated with caution.

For a supply-side jurisdiction this configuration presents three options, which may be named. The first is derived compliance: India does nothing of its own, and Indian factories are governed by whatever the European buyer's contract requires, which means that the standard applicable to an Indian worker is set in Brussels, administered by a commercial audit firm, and varies with the negotiating strength of the buyer. This is the current position, and it has the singular disadvantage that India accepts the compliance cost without acquiring the regulatory authorship, a concern that the critical literature on the extraterritorial reach of due diligence legislation has articulated at length [Feld \(2026\)](#). The second is arbitrage retention: India maintains a deliberately lighter standard in order to preserve cost competitiveness against other supply jurisdictions. This is a coherent short-run strategy and a self-defeating medium-run one, because product-facing measures such as the eco-design requirements and textile extended producer responsibility operate at the border rather than at the factory, and a garment that cannot satisfy them is excluded from the market irrespective of the standard prevailing in the jurisdiction of manufacture. Arbitrage is available against a conduct rule; it is not available against a product rule.

The third option is autochthonous equivalence: India constructs a standard of its own, grounded in its own constitutional commitments and its own industrial structure, sufficiently rigorous and sufficiently evidenced to be capable of recognition as equivalent for the purposes of foreign market access, and applicable to domestic consumption as well as to export. The argument of this paper is that the third option is the correct one and that the present moment is unusually favourable to it. The European retreat has, for the next several years, reduced the immediacy of external deadline pressure. A jurisdiction that builds under deadline builds to somebody else's specification; a jurisdiction that builds in the interval builds to its own. The interval is the opportunity, and it is not indefinite.

ISO 26000: THE STANDARD THAT DECLINES TO CERTIFY

THE DESIGN CHOICE

ISO 26000:2010 was published in November 2010 after approximately five years of negotiation among representatives of industry, government, labour, consumers, non-governmental organisations and a residual category of service, support, research and other participants, drawn from a very large number of countries; it is commonly and correctly described as the most participative standard-development exercise the International Organization for Standardization has conducted [Moratis and Cochiu \(2011\)](#), [Del Baldo \(2023\)](#). It provides guidance rather than requirements. It contains no management system. It states expressly that it is not intended for certification, or for regulatory or contractual use, and that it cannot serve as the basis for audits, conformity tests or certificates [International Organization for Standardization. \(2010\)](#).

It is customary in the compliance literature to treat this as the standard's weakness. [Schwartz and Tilling \(2009\)](#) argued early that the standard risked isolating social responsibility from organisational practice; [Moratis \(2018\)](#), applying signalling theory, found that non-certifiability deprives adopters of a credible signal; and [Jastram et al. \(2023\)](#) record that firms comparing institutional options frequently conclude the standard adds little relative to certifiable alternatives. The position taken here is different. The refusal of certifiability is a considered response to the object being governed, and it is defensible on three grounds.

THE COMPLIANCE ARTEFACT

Where conformity can be certified, an intermediary industry emerges whose product is the certificate; the certificate is purchased by the audited party; the auditor competes for that party's custom; and the incentive structure of the resulting market rewards the efficient production of documentation rather than the inefficient production of compliance. [LeBaron and Lister \(2015\)](#) characterise the resulting ethical audit regime as a productive form of power that codifies and legitimates poor records rather than correcting them, and show that audits are concentrated in the segments of chains where abuse is least likely; [LeBaron et al. \(2017\)](#) extend the point to the interaction between private audit and state regulation, noting that the private auditor possesses none of the powers of a labour inspector. The garment sector supplies the most painful demonstrations available anywhere of this dynamic, in facilities that had been audited, and in one notorious instance certified against a leading social accountability standard, shortly before catastrophic failure. The lesson is not that auditing is worthless. It is that a certificate is evidence about a document, and the inferential step from the document to the condition is precisely the step that the commercial structure of the audit market is least able to guarantee.

THE WRONG ENTITY

Certification is a snapshot of the wrong entity. Social responsibility in a fast fashion chain is not a property of a facility at an audited moment; it is a property of a commercial relationship over time. Whether the workers in a unit are paid lawfully next quarter depends less on the state of its fire doors today than on the price, lead time and volatility of the orders it receives [Anner \(2019\)](#). A certificate issued to the facility measures the party least able to determine the outcome. ISO 26000's central conceptual contributions, the sphere of influence and its early incorporation of due diligence into a general social responsibility standard, are directed precisely at this: they ask what an organisation can affect through its relationships, not what it can demonstrate within its walls. The standard was developed contemporaneously with, and drew upon, the framework that became the [United Nations. \(2011\)](#) Guiding Principles.

AN INTEGRATIVE ARCHITECTURE

The standard's architecture is integrative by design. Its seven principles are accountability, transparency, ethical behaviour, respect for stakeholder interests, respect for the rule of law, respect for international norms of behaviour and respect for human rights; its seven core subjects are organisational governance, human rights, labour practices, the environment, fair operating practices, consumer issues, and community involvement and development; and its operative clause is concerned with integrating social responsibility throughout the organisation, into its decision-making, practices, communication and review [International Organization for Standardization. \(2010\)](#). Read against the taxonomy of Part 2, it is striking how completely the core subjects map onto the displacements identified there: labour practices and human rights onto the wage and the working environment, the environment onto the effluent and the end-of-life burden, consumer issues onto the unsubstantiated claim, and fair operating practices onto the purchasing behaviour that generates all three. No Indian instrument covers that ground in a single frame.

THE TRANSMISSION DEFICIT

The limits of the standard must be stated with equal candour, and they are serious. ISO 26000 confers no right and provides no remedy. It creates no standing for an affected worker or community. It has not been formally revised since 2010, so that it predates the Sustainable Development Goals, the Paris Agreement, the final text of the United Nations Guiding Principles, the European reporting and due diligence directives, and the digital product passport, and its treatment of climate and of digital supply chain traceability is correspondingly thin. Above all, its refusal of certifiability deprives it of the mechanism by which ISO 9001 and ISO 14001 actually travel down supply chains, which is not persuasion but procurement: the buyer requires the certificate, the supplier obtains it, and the standard propagates by contract. This is the empirical core of [Moratis \(2018\)](#) signalling critique, and it is correct as far as it goes.

This is what is meant here by the transmission deficit. The defect in ISO 26000 is not normative. Its substance is more complete, more coherent and better matched to the problem than that of any certifiable alternative. The defect is that it has no carrier. The instinctive remedy, which is to make it certifiable, would cure the transmission deficit by reintroducing precisely the compliance artefact that the standard was designed to avoid, and would in the process convert an integration instrument into a conformity instrument, which is to say destroy it. The correct remedy is to leave the standard as it is and to attach its substance to carriers that already possess transmission and enforcement: statutory duty, listing obligation, public procurement, cluster policy and product regulation. ISO 26000 supplies the grammar of stakeholder balance. Indian law must supply the syntax of enforcement.

FINDINGS AND DISCUSSION: BALANCING ALL STAKEHOLDERS IN INDIA

The proposals that follow are ordered by the constituency they protect and, within that, by the ease of their implementation. They share a common design principle: each attaches an obligation to a party that has both the information and the power to alter the outcome, and each leaves a procedural residue capable of later review. None requires primary legislation except where expressly stated.

CONVERTING SECTION 166(2) FROM MENTION INTO DECISION-RULE

The pluralism of section 166(2) should be given a method. The recommendation is not a substantive ranking rule, which would be both constitutionally awkward and commercially unworkable, but a reasons requirement of the kind familiar from administrative law. For companies above a specified threshold operating in designated high-impact sectors, the Board's Report should record, in respect of a defined class of decisions, namely a material change in sourcing arrangements, the closure or relocation of a production facility, and a material change in the price or lead time terms offered to suppliers, first, which of the interests enumerated in section 166(2) the board identified as materially affected; second, how those interests were weighed against one another; and third, what mitigation, if any, was adopted. This may be effected by rule under section 469 read with section 134, or, for listed entities, through the Listing Regulations, without amendment to section 166 itself.

The object is modest and, precisely for that reason, achievable. A reasons requirement does not tell a board what to decide. It requires that the board have decided, rather than merely proceeded, and it creates a record against which the good faith requirement in section 166(2) can for the first time be tested. It converts a duty that is presently unfalsifiable into one capable of being discharged well or badly, which is the minimum condition of any duty having behavioural effect.

REVERSING THE VALUE CHAIN RETREAT, SECTORALLY

The Board's decision to make value chain environmental, social and governance disclosure voluntary was a proportionality judgment applied across the whole listed universe. Proportionality is better achieved by sectoral targeting than by universal voluntarism. It is therefore proposed that the Board designate a small number of high-impact sectors, of which textiles and apparel, leather, and construction materials are the obvious candidates, and restore comply-or-explain for BRSR Core value chain disclosure in respect of listed entities in those sectors only. The compliance burden is thereby concentrated where materiality is concentrated, and the entities affected are precisely those whose data systems most need building. The explanation limb preserves the flexibility that motivated the 2025 easing while removing the option of silence. The recommendation is consistent with the finding that sector-specific reporting is the principal route to comparability and to the avoidance of generic disclosure [CFA Institute Research and Policy Center. \(2026\)](#).

REGULATING THE ORDER, NOT ONLY THE FACTORY

This is the proposal on which the author places the greatest weight, because it addresses the causal mechanism rather than its symptom. Every existing due diligence instrument, European and Indian alike, is oriented towards the inspection of the supplier. The determinants of conditions in the supplier's factory, however, lie in the buyer's purchasing practice: whether the unit price accounts for the statutory floor wage and statutory social security contributions; how long the lead time is; how often the design is varied after the order is placed; and on what terms the order may be cancelled. [Anner \(2019\)](#), [Anner \(2020\)](#) demonstrates each of these links empirically for the Indian and Bangladeshi sectors. An Indian due diligence obligation should therefore attach to the placed order.

Concretely, listed entities engaged in apparel retail, and marketplace intermediaries facilitating apparel sales into India, should be required to disclose, in respect of their Indian sourcing, whether their costing methodology explicitly provides for the statutory floor wage and statutory contributions at the assembly stage; their average and minimum contracted lead time and the incidence of post-order design variation; and their standard terms as to cancellation and as to liability for work in progress. This is a disclosure obligation, not a price control, and it is well within the Board's existing competence under regulation 34(2)(f). Its effect, however, is not merely informational. A buyer required to state annually that it prices below the cost of lawful production is a buyer that will, in most cases, stop doing so. This is the mechanism by which disclosure occasionally does convert into internalisation, and it works only when the disclosure is directed at the party with the pricing power rather than at the party with the sewing machines.

AN EXTENDED PRODUCER RESPONSIBILITY SCHEME FOR TEXTILES

The Central Government should notify Textile Waste Management Rules under sections 3, 6 and 25 of the Environment (Protection) Act 1986, following the template already proven for plastic packaging, electrical and electronic equipment, batteries and waste tyres. The essential design features are four. First, the definition of producer should extend to manufacturers, brand owners, importers and online marketplaces, so that the obligation attaches at the point where the product is placed on the Indian

market rather than at the point where it is stitched. Second, the fee should be eco-modulated by reference to fibre composition, recycled content, durability and the availability of a take-back route, so that the instrument prices design rather than merely funding disposal, which is the approach the revised Waste Framework Directive itself adopts. Third, and distinctively for India, the scheme's revenue should be directed towards the formalisation and upgrading of the existing informal recovery ecosystem rather than towards the construction of a parallel formal one. India's comparative advantage here is real: the sorting, grading and mechanical recovery capacity concentrated in Panipat and elsewhere is more developed than that of most European jurisdictions and sustains livelihoods at a scale no European scheme approaches [Ministry of Textiles. \(2026\)](#), and a scheme that displaced it would destroy those livelihoods in order to import a solution India already possesses. Fourth, the scheme should be aligned in its data architecture with the European digital product passport requirements, so that compliance in India generates the evidence base required for market access abroad. That alignment is the operational content of autochthonous equivalence.

FROM FLOOR WAGE TO DISCLOSED LIVING-WAGE GAP

A statutory living wage is a macroeconomic and political question beyond the competence of a disclosure regulator and beyond the scope of this paper. What is within competence, and what Article 43 of the Constitution supports, is the disclosure of the gap. Listed entities in designated sectors should be required to disclose the lowest wage actually paid in their own operations and, on a best-efforts basis, in their designated value chain, expressed as a ratio to a published living wage benchmark for the relevant location, together with the methodology by which the benchmark was selected. BRSR Principle 3 already collects wage data; the addition sought is the benchmark and the ratio. The disclosed gap is not a remedy. It is the informational precondition of any later substantive rule, and its absence is the reason no such rule can presently be designed.

GRIEVANCE, REMEDY AND THE ENFORCEABLE BRAND AGREEMENT

The Dindigul model should be given regulatory recognition rather than left to the contingency of buyer goodwill. Two measures are proposed. First, State rules under the Occupational Safety, Health and Working Conditions Code should provide that a binding agreement concluded with a registered trade union which establishes an independent monitoring and grievance mechanism satisfies the corresponding statutory committee and grievance requirements, thereby giving the manufacturer a compliance reason to enter into one. Second, the terms of such an agreement, and performance under it, should be expressly reportable under BRSR Principle 5, giving the buyer a disclosure reason to sign it. The design rationale is the one [Wilhelm et al. \(2025\)](#) identify: an intermediary embedded in the workers' own organisation possesses forms of non-mediated power that a commissioned auditor does not.

A related and under-attended point concerns the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013. The Internal Committee obligation under section 4 attaches at ten workers, which excludes a very large proportion of the units in which garment finishing actually occurs, and the Local Committees constituted under section 6 to serve those units are, in most districts, under-resourced and largely unknown to the workers they exist to protect. In an industry whose assembly workforce is predominantly female and whose units are predominantly small, the statutory protection is thus at its weakest precisely where the exposure is at its greatest. Cluster-level Local Committees, resourced through the extended producer responsibility revenue proposed above and publicised through the buyer's own supplier communications, would address this at negligible cost.

SUBSTANTIATION ON THE CONSUMER SIDE

The Greenwashing Guidelines of 2024 should be applied to textile claims through a sector-specific guidance note, and the Bureau of Indian Standards should be tasked with a fibre composition and durability labelling standard capable of supporting the claims that the Guidelines require to be substantiated. Drawing on the taxonomy in [De Freitas Netto et al. \(2020\)](#), the note should distinguish claim-based from executional greenwashing, since the latter, the use of nature-evoking imagery without any verbal claim, is pervasive in fashion advertising and is not obviously caught by a substantiation requirement drafted around claims. It should make explicit that possession of a third-party certificate is evidence going to substantiation and is not, without more, substantiation; that the advertiser must be able to produce the underlying evidence and the basis on which the certifier was selected; and that a claim true of a designated line but presented so as to suggest an enterprise-wide practice falls within the prohibition on selective emphasis, which is the single most common form the practice takes in this sector [Changing Markets Foundation. \(2022\)](#), [Badhwar et al. \(2024\)](#).

GIVING ISO 26000 A CARRIER

Finally, and as the integrating measure, the Bureau of Indian Standards should publish a sectoral application guidance for ISO 26000 in the Indian textile and apparel sector, translating the seven core subjects into cluster-level practice for Tirupur, Ludhiana, Surat, Panipat and the National Capital Region, with the specificity that a general standard cannot possess and the flexibility that a certifiable one cannot preserve. National application guidance of this kind is not unprecedented; comparable sectoral and national

adaptations have been issued in other jurisdictions [Del Baldo \(2023\)](#). That guidance should then be given three carriers. It should be a reference standard in public procurement of textiles, including through the Government e-Marketplace, where the State is itself a very large purchaser of uniforms, linen and made-ups and is presently a wholly passive one. It should be a condition attaching to allotments and incentives under textile cluster and park policy, where the State supplies land, infrastructure and capital subsidy and receives, at present, no social responsibility undertaking in return. And it should inform the eco-modulation criteria of the textile extended producer responsibility scheme proposed above.

The design logic is the one identified at the close of Part 5. The standard is not made certifiable, so the compliance artefact is not created and the integration model is preserved. The standard is instead attached to instruments that already carry transmission: the procurement contract, the subsidy condition and the statutory fee. The buyer's certificate is replaced by the State's own purchasing power and the State's own fiscal instruments, which is a considerably more honest carrier and, in a jurisdiction where the public sector is among the largest single purchasers of textiles, a more powerful one.

CONCLUSION

The observation that the only time success comes before work is in the dictionary is ordinarily deployed as a motivational commonplace. In the context of fast fashion it states something more exact, and the exactness is uncomfortable. The work has in fact been done. It was done by the woman at the sewing machine in a Tirupur unit and by the man sorting shoddy in a Panipat yard, and it was done at a price that did not compensate it. Nothing about the low price on the tag reflects an economy of effort. What has been rearranged is not the work but the order in which its costs are recognised, and the low price is the visible portion of a ledger permitted to remain incomplete. Success has come before work only in the accounting.

India's position in this is not that of a bystander asked to enforce another jurisdiction's ethics. It is a producer, a consumer and a recipient of waste simultaneously, and it holds constitutional commitments, in Articles 21, 23, 43, 48A and 51A(g), that are more demanding in their terms than most of the instruments now being transposed in Europe. What it has lacked is not principle but method. The disclosure architecture built over the last five years is a genuine achievement and it is not, by itself, capable of internalising a single displaced cost, because disclosure describes a ledger and does not complete it. Completion requires that an obligation be attached to the party that sets the price, that the product carry the cost of its own recovery, and that the pluralist duty already written into section 166(2) be given a method by which the plurality it announces can actually be weighed.

ISO 26000 is the instrument that best describes what such a method would look like, and it is uniquely unable to deliver it, because it declined the one mechanism, certification, by which standards ordinarily propagate. That refusal was correct, and the critical audit literature explains why. It should not be reversed, and it need not be, because a State that purchases textiles, allots industrial land, levies environmental fees and regulates listed disclosure has carriers of its own and has never yet used them for this purpose. The proposals set out in Part 6 are, individually, unremarkable; several are notifications rather than statutes. Their combined effect would be to move the Indian regime across the line this paper has been concerned to draw, from the disclosure of displaced cost to its allocation. That is the work. It has not yet been done, and until it is, the price on the tag will continue to be an assertion about arithmetic that the arithmetic does not support.

ACKNOWLEDGMENTS

The author gratefully acknowledges the institutional support of Chanakya National Law University, Patna, and of the Centre for Advanced Research on Corporate and Insolvency Laws (CARCIL). No external funding was received for this research.

REFERENCES

- Al-Emadi, T. A., Pereira, E. G., al-Masry, M., and Fowler, R. M. E. (2025). The EU Corporate Sustainability Due Diligence Directive: Implications and the Qatari Case Study. *The Journal of World Energy Law & Business*, 18(4), Article jwaf022. <https://doi.org/10.1093/jwelb/jwaf022>
- Anner, M. (2019). Predatory Purchasing Practices in Global Apparel Supply Chains and the Employment Relations Squeeze in the Indian Garment Export Industry. *International Labour Review*, 158(4), 705–727. <https://doi.org/10.1111/ilr.12149>
- Anner, M. (2020). Squeezing Workers' Rights in Global Supply Chains: Purchasing Practices in the Bangladesh Garment Export Sector in Comparative Perspective. *Review of International Political Economy*, 27(2), 320–347. <https://doi.org/10.1080/09692290.2019.1625426>
- Badhwar, A., Islam, S., Tan, C. S. L., Panwar, T., Wigley, S., and Nayak, R. (2024). Unraveling Green Marketing and Greenwashing: A Systematic Review in the Context of the Fashion and Textiles Industry. *Sustainability*, 16(7), Article 2738. <https://doi.org/10.3390/su16072738>
- Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161 (India).
- Battery Waste Management Rules, 2022 (India).

- Bueno, N., Bernaz, N., Holly, G., and Martin-Ortega, O. (2024). The EU Directive on Corporate Sustainability Due Diligence (CSDDD): The Final Political Compromise. *Business and Human Rights Journal*, 9(2), 294–300. <https://doi.org/10.1017/bhj.2024.10>
- Buhmann, K., and Feld, L. (2024). Shifting Boundaries: A Transnational Legal Perspective on the EU Corporate Sustainability Due Diligence Directive. *Transnational Legal Theory*, 15(3), 370–396.
- Business of Fashion, and McKinsey & Company. (2024). *The State of Fashion 2025*. McKinsey & Company.
- CFA Institute Research and Policy Center. (2026). *The Current State of BRSR in Corporate India 2.0*. CFA Institute.
- Changing Markets Foundation. (2022). *Licence to Greenwash: How Certification Schemes and Voluntary Initiatives Are Fuelling Fossil Fashion*.
- Code on Social Security, 2020 (India).
- Code on Wages, 2019 (India).
- Companies Act, 2013, §§ 134, 135, 166, 469 & sch. VII (India).
- Constitution of India, arts. 21, 23, 39(e), 42, 43, 47, 48A & 51A(g).
- Consumer Protection Act, 2019, § 18 (India).
- Del Baldo, M. (2023). ISO 26000 Standard. In S. O. Idowu, R. Schmidpeter, N. Capaldi, L. Zu, M. Del Baldo, and R. Abreu (Eds.), *Encyclopedia of Sustainable Management*. Springer. https://doi.org/10.1007/978-3-031-25984-5_713
- Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on Corporate Sustainability Due Diligence, 2024 O.J. (L 2024/1760).
- Directive (EU) 2025/1892 of the European Parliament and of the Council Amending Directive 2008/98/EC as Regards Textiles and Food Waste, 2025 O.J. (L 2025/1892).
- Directive (EU) 2026/470 of the European Parliament and of the Council of 24 February 2026 Amending Directives 2006/43/EC, 2013/34/EU, (EU) 2022/2464, and (EU) 2024/1760, 2026 O.J. (L 2026/470).
- De Freitas Netto, S. V., Sobral, M. F. F., Ribeiro, A. R. B., and Soares, G. R. D. L. (2020). Concepts and Forms of Greenwashing: A Systematic Review. *Environmental Sciences Europe*, 32, Article 19. <https://doi.org/10.1186/s12302-020-0300-3>
- E-Waste (Management) Rules, 2022 (India).
- Environment (Protection) Act, 1986, §§ 3, 5, 6 & 25 (India).
- Feld, L. (2026). Leading the Way or Crossing the Line? The Extraterritorial Dimension of the EU Directive on Corporate Sustainability Due Diligence. *Business and Human Rights Journal*, 11(1), 23–45. <https://doi.org/10.1017/bhj.2025.10038>
- Guidelines for Prevention and Regulation of Greenwashing or Misleading Environmental Claims, 2024 (Central Consumer Protection Authority, October 15, 2024) (India).
- Indian Council for Enviro-Legal Action v. Union of India, (1996) 3 SCC 212 (India).
- Industrial Relations Code, 2020 (India).
- International Organization for Standardization. (2010). *ISO 26000:2010—Guidance on Social Responsibility*.
- Jastram, S. M., Otto, A. H., & Minulla, T. (2023). Diverse Organizational Adoption of Institutions in the Field of Corporate Social Responsibility. *Journal of Business Ethics*, 183, 1073–1088. <https://doi.org/10.1007/s10551-022-05085-2>
- LeBaron, G. (2020). *Combatting Modern Slavery: Why Labour Governance Is Failing and What We Can Do About It*. Polity Press.
- LeBaron, G., Lister, J., and Dauvergne, P. (2017). Governing Global Supply Chain Sustainability Through the Ethical Audit Regime. *Globalizations*, 14(6), 958–975. <https://doi.org/10.1080/14747731.2017.1304008>
- LeBaron, G., and Lister, J. (2015). Benchmarking Global Supply Chains: The Power of the 'Ethical Audit' Regime. *Review of International Studies*, 41(5), 905–924.
- Li, M., Cavender, R., and Lee, M.-Y. (2025). Consumer Awareness of Fashion Greenwashing: Insights From Social Media Discussions. *Sustainability*, 17(7), Article 2982. <https://doi.org/10.3390/su17072982>
- M.C. Mehta v. Union of India, (1987) 1 SCC 395 (India).
- Mezzadri, A. (2017). *The Sweatshop Regime: Labouring Bodies, Exploitation, and Garments Made in India*. Cambridge University Press.
- Ministry of Corporate Affairs. (2019). *National Guidelines on Responsible Business Conduct*. Government of India.
- Ministry of Textiles. (2026). *Mapping of Textile Waste Value Chain in India*. Government of India.
- Moratis, L. (2018). Signalling Responsibility? Applying Signalling Theory to the ISO 26000 Standard for Social Responsibility. *Sustainability*, 10(11), Article 4172. <https://doi.org/10.3390/su10114172>
- Moratis, L., and Cochiuș, T. (2011). *ISO 26000: The Business Guide to the New Standard on Social Responsibility*. Greenleaf Publishing.
- Nemes, N., Scanlan, S. J., Smith, P., Smith, T., Aronczyk, M., Hill, S., Lewis, S. L., Montgomery, A. W., Tubiello, F. N., and Stabinsky, D. (2022). An Integrated Framework to Assess Greenwashing. *Sustainability*, 14(8), Article 4431. <https://doi.org/10.3390/su14084431>
- Occupational Safety, Health and Working Conditions Code, 2020 (India).
- Organisation for Economic Co-operation and Development. (2018). *OECD Due Diligence Guidance for Responsible Business Conduct*. OECD Publishing.
- People's Union for Democratic Rights v. Union of India, (1982) 3 SCC 235 (India).

-
- Plastic Waste Management Rules, 2016, as amended (India).
- Regulation (EU) 2024/1781 of the European Parliament and of the Council of 13 June 2024 Establishing a Framework for the Setting of Ecodesign Requirements for Sustainable Products, 2024 O.J. (L 2024/1781).
- Schiaroli, V., Dangelico, R. M., and Fraccascia, L. (2025). Mapping Sustainable Options in the Fashion Industry: A Systematic Literature Review and a Future Research Agenda. *Sustainable Development*, 33(1), 431–464. <https://doi.org/10.1002/sd.3129>
- Schwartz, B., and Tilling, K. (2009). 'ISO-lating' Corporate Social Responsibility in the Organizational Context: A Dissenting Interpretation of ISO 26000. *Corporate Social Responsibility and Environmental Management*, 16(5), 289–299
- Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015, reg. 34(2)(f) (India).
- Securities and Exchange Board of India. (2021, May 10). Circular Concerning Business Responsibility and Sustainability Reporting.
- Securities and Exchange Board of India. (2023, July 12). Circular Concerning Business Responsibility and Sustainability Reporting.
- Securities and Exchange Board of India. (2024, December 20). Circular Concerning Business Responsibility and Sustainability Reporting.
- Securities and Exchange Board of India. (2025, March 28). Circular Concerning Business Responsibility and Sustainability Reporting.
- Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, §§ 4 & 6 (India).
- Subhash Kumar v. State of Bihar, (1991) 1 SCC 598 (India).
- Tirupur Dyeing Factory Owners Association v. Noyyal River Ayacutdars Protection Association, (2009) 9 SCC 737 (India).
- United Nations. (2011). Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework. Office of the High Commissioner for Human Rights.
- Vellore Citizens' Welfare Forum v. Union of India, (1996) 5 SCC 647 (India).
- Water (Prevention and Control of Pollution) Act, 1974 (India).
- Wilhelm, M., Bhakoo, V., Soundararajan, V., Crane, A., & Kadfak, A. (2025). Beyond Compliance-Based Governance: The Role of Social Intermediaries in Mitigating Forced Labour in Global Supply Chains. *Production and Operations Management*. <https://doi.org/10.1177/10591478231224922>