

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF APRIL, 2020



PRESENT

THE HON'BLE MR.ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE MOHAMMAD NAWAZ

WRIT APPEAL NOS. 1611/2019 & 2282-2365/2019 C/W

WRIT APPEAL NOS. 1272/2019, 1481-1519/2019
& 2761-2769/2019, 1520/2019, 1540-1566/2019,
1567-1601/2019, 1602-1604/2019, 1612-1618/2019,
1619/2019 & 2744/2019, 1620/2019, 1621/2019,
1623-1628/2019, 1629-1653/2019, 1679-1680/2019,
1681-1682/2019, 1704/2019, 1765-1792/2019,
1794-1825/2019, 1846/2019, 1872-2214/2019,
2266-2267/2019, 2272/2019 & 2918-2972/2019,
2280-2281/2019, 2465/2019 & 2928-2937/2019,
2466/2019, 2467/2019, 2468/2019, 2546/2019,
2547/2019, 2656-2659/2019, 2667/2019, 2683/2019,
2745/2019, 2778/2019 & 2913-2915/2019,
2779/2019 & 2898-2900/2019, 2814/2019, 2823-2831/2019,
2909/2019, 2910/2019 and 2911/2019 (L-MW)

WRIT APPEAL NOS.1611/2019 & 2282-2365/2019

IN W.A. NOS. 1611/2019 & 2282-2354/2019

BETWEEN

1. PRIVATE HOSPITAL & NURSING
HOMES ASSOCIATION
PHANA, KMC 2, 1ST FLOOR, VIDYABHAVANA
16/6, MILLER TANKBUND ROAD, VASANTH NAGAR
BANGALORE - 560052
REP. BY ITS: PRESIDENT/
NOW HONORARY SECRETARY, DR.RAVINDRA

2. HEALTHCARE GLOBAL ENTERPRISES LIMITED
KALINGA RAO ROAD
SAMPANGI RAMA NAGAR
BANGALORE - 560002
NOW REP. BY ITS: CHIEF OPERATING OFFICER
MR. S. RAJARAJAN
3. MALNAD HOSPITAL AND INSTITUTE OF ONCOLOGY
NO 600/601, OPP. TO PANCHMUKHI
ANJANEYA TEMPLE
IRWIN ROAD, MANDI MOHALL
MYSURU - 570001
NOW REP. BY ITS: P & I HEAD
MR. JAYARAM M.
4. BHARATH HOSPITAL AND INSTITUTE
OF ONCOLOGY
NO.438, OUTER RING ROAD, HEBBAL
MYSORE-17
NOW REP. BY ITS
MEDICAL SUPERINTENDENT
MR. MS.S. VISHWESHWARA
5. GOKAVI MATERNITY AND GENERAL HOSPITAL
GOKAVI MATERNITY AND GENERAL HOSPITAL
BESIDES BASEL MISSION CHURCH
NEAR CHANNAMMA CIRCLE
KARWAR ROAD
HUBLI - 580029
REP BY ITS PROPRIETOR
DR.PUSHPA E GOKAVI
6. AMARJYOTHI HOSPITAL
AMARJYOTHI HOSPITAL, 1ST CROSS
SHANTICOLONY
KAMALAPUR, YADAW A ROAD
DHARWAD – 580001
REPRESENTED BY ITS: PROPRIETOR
DR. UMA.J.SULTANPURI
7. DR. N.B.PATIL HOSPITAL
DR N.B.PATIL HOSPITAL, MULANDNAKA
GADAG 582103
NOW REP. BY ITS: MANAGING PARTNER
MR.PAVANKUMAR N. PATIL

8. NAREGAL NURSING HOME
NO 23, SRI SIDDHARUDH-SWAMIMATH
OLD HUBLI-24
NOW REP. BY ITS: PROPRIETOR
DR. SHARATCHANDRA GOVIND NAREGAL
9. DR. BIJAPUR HOSPITAL
DR. BIJAPUR HOSPITAL, OPP ESI HOSPITAL
ARVINDNAGAR, KARWAR ROAD
OLD HUBLI - 580029
REP BY ITS: PROPRIETOR
DR. BIJAPURA KHAWAJA MAINUDDIN
10. DR L.S. KULKARNI CENTRE FOR CHILD CARE
DR. L.S.KULKARNI CENTRE FOR CHILD CARE
VIKAS NAGAR, HUBLI - 580021
REP. BY ITS: PROPRIETOR
DR. ABHIJITH L KULKARNI
11. SUSHRUTHA MULTI SPECIALITY
HOSPITAL AND RESEARCH CENTRE (P)LTD
SUSHRUTHA MULTI SPECIALITY HOSPITAL AND
RESEARCH CENTRE (P)LTD,P.B.ROAD,
VIDYANAGAR, HUBLI - 580021
REP BY ITS: MANAGING DIRECTOR
D.KADASIDDESHWAR GURUNATH BYAKODI
12. KASTURBA MATERNITY AND ORTHOPAEDIC HOSPITAL
KASTURBA MATERNITY AND ORTHOPAEDIC HOSPITAL
MULGUND ROAD, GADAG - 582103
REP BY ITS: PROPRIETOR
DR. JAGADISH V BHOOMRADDI
13. NMR IMAGING PVT. LTD
NMR CURIE CENTER
DESHPANDE NAGAR, HUBLI – 580029
NOW REP BY ITS:
CHIEF OPERATING OFFICER
DR. RENATE SAMUEL
14. SHIVAKRUPA HOSPITAL AND
INTENSIVE CARE UNIT
SHIVAKRUPA HOSPITAL AND INTENSIVE CARE UNIT
BEMBALGI COMPLEX, SRI SIDDAPPA KAMBLI ROAD

HUBLI - 580020
REP BY ITS: MANAGING DIRECTOR
DR.ANIL KUMAR MAHANTAPPA BEMBALGI

15. TAVARGERI NURSING HOME PVT LTD
TAVARGERI NURSING HOME PVT LTD,
REGD OFFICE: NEAR K.C.PARK POST OFFICE
DHARWAD
NOW REP BY ITS: DIRECTOR
DR.SRIDHAR PUJAR
16. HEBSUR HOSPITAL
HEBSUR HOSPITAL
DESHPANDE NAGAR
HUBLI – 580029
REP BY ITS: PROPRIETOR
DR.NAGAREKHA N HEBSUR
17. OUR LADY OF LOURDESCHARITABLE HOSPITAL
OUR LADY OF LOURDESCHARITABLE HOSPITAL
KELGERI ROAD, DHARWAD - 580008
NOW REP BY ITS: ADMINISTRATOR
SISTER SAVITHA
18. DR S.R. RAMANAGOUDAR MULTISPECIALITY HOSPITAL
DR S.R. RAMANAGOUDAR MULTISPECIALITY HOSPITAL
MALAPUR CROSS ROAD
DHARWAD - 580008
NOW REP BY ITS: MANAGING DIRECTOR
DR. S.R. RAMANAGOUDAR
19. K.H. JITHURI HOSPITAL
K.H. JITHURI HOSPITAL
HOSU CROSS, HUBBALLI – 580021
REP. BY ITS MANAGING PARTNER
DR. VENKATESH K. JITHURI
20. SHOBHA HOSPITAL
SHOBHA HOSPITAL, GADAG 582101
NOW REP BY ITS: MANAGING DIRECTOR
DR. N.S. BIRADAR
21. DR. GADAG HOSPITAL
DR. GADAG HOSPITAL
GADAG - 582101

REP BY ITS: PROPRIETOR
DR.SUNITA GADAG

22. VIVEKANANDA GENERAL HOSPITAL
VIVEKANANDA GENERAL HOSPITAL
HUBBALLI
NOW REP BY ITS: PRESIDENT
DR. KAMAL NAYAN K.MEHTA
23. ASHOKA HOSPITAL
ASHOKA HOSPITAL, BEHIND AMRUTH THEATRE
VIDYANAGAR, HUBLI 580021
REP BY ITS: MEDICAL PARTNER
DR ASHOK V. BANGARASHETTAR
24. KERUDI HOSPITAL AND RESEARCH CENTRE
KERUDI HOSPITAL AND RESEARCH CENTRE, BAGALKOT
NOW REP BY ITS: MANAGING PARTNER
DR. BASAVARAJ H. KERUDI
25. SHAKUNTALA NURSING HOME
NOW KNOWN AS SHAKUNTALA
MEMORIAL HOSPITAL & RESEARCH CENTRE, HOSUR
NOW REP BY ITS: MEDICAL SUPERINTENDENT
DR. VIJAY V. GADAGI
26. BASAPPA MULTI SPECIALITY HOSPITAL
BASAPPA MULTI SPECIALITY HOSPITAL
TURUVANUR ROAD
CHITRADURGA - 577501
REP BY ITS: PROPRIETOR
DR. RANGAREDDY S.B.
27. BHS LAKEVIEW HOSPITAL
BHS LAKEVIEW HOSPITAL
R.S. NO 73/7, CTS NO 11888
OPP. FIRST LAKE, GANDHINAGAR
BELAGAVI - 590016
NOW REP BY ITS : MEDICAL
DIRECTOR & CHIEF EXECUTIVE OFFICER
DR. VISHWANATH UPPALADINNI
28. HANJI HOSPITAL
HANJI HOSPITAL, NO. 135
MANGALWAR PETH, TILAKWADI

BELAGAVI - 590006
NOW REP BY ITS: DIRECTOR ADMINISTRATION
DR. ABHINANDAN M HANJI

29. VENUGRAM HOSPITAL PVT LTD
VENUGRAM HOSPITAL PVT LTD
NO.82 & 83, 2ND CROSS, HINDU NAGAR
NEAR 3RD RAILWAY GATE
BELAGAVI - 590006
REP BY ITS:
DIRECTOR ADMINISTRATION
DR. SAYAK DANA
30. SPARSH HOSPITAL
29/P2, THE HEALTH CITY, HOSUR ROAD
BOMMASANDRA INDUSTRIAL AREA
BENGALURU, KARNATAKA - 560099
NOW REP. BY ITS: CHAIRMAN
MR. SHARAN S. PATIL
31. BACC HEALTHCARE PVT LTD
BACC HEALTHCARE PVT LTD.
7,EAST PART ROAD, KUMARA PARK EAST
BANGALORE - 560001
NOW REP. BY ITS: VICE PRESIDENT
DR. GAUTAM T. PRANESH
32. AGADI HOSPITAL AND RESEARCH CENTRE
#35, H. SIDDAIAH ROAD,
WILSON GARDEN, BANGALORE 560027
REP BY ITS: CHIEF OPERATING OFFICER
DR. ANIL B. AGADI
33. NU HOSPITALS
C.A.6, 15TH MAIN ROAD, 11TH CROSS
PADMANABHA NAGAR
BANGLORE - 560070
REP BY ITS: CEO
DR.AKSHAY DHAR
34. ANANYA HOSPITAL PVT LTD
NO.389/44, 19TH MAIN,
RAJAJINAGAR 1ST BLOCK
BENGALURU, KARNATAKA 560010

NOW REP. BY ITS: DIRECTOR
DR M.J.RAJASHEKAR

35. SUGUNA RAMAIAH HOSPITALS PVT. LTD.
1A/87, DOCTOR RAJKUMAR ROAD
4TH N BLOCK, RAJAJINAGAR, BENGALURU
KARNATAKA-560010
REP BY ITS:
MANAGING DIRECTOR
DR. R. RAVINDRA
36. RAVI KIRLOSKAR MEMORIAL HOSPITAL
NO.19, 2ND MAIN ROAD, PEENYA 1ST PHASE
BENGALURU, KARNATAKA - 560058
NOW REP BY ITS:
MEDICAL DIRECTOR
DR. J.C. NAGARAJU
37. PRISTINE HOSPITALS AND RESEARCH CENTRE
NO.877, DR MODI HOSPITAL ROAD
2ND STAGE EXTENSION
WEST OF CHORD ROAD, BENGALURU
KARNATAKA - 560086
NOW REP. BY ITS:
MANAGING DIRECTOR
DR.HALGERE MALLIKARJUNA PRASANNA
38. SITA BHATEJA SPECIALITY HOSPITAL
NO.8 AND 9, O' SHAUGHNESSY ROAD
LANGFORD GARDENS, BENGALURU - 560025
REP. BY ITS:
MANAGING TRUSTEE
DR.ARVIND BHATEJA
39. SRI SAI CLINIC AND MATERNITY OME
652, 46TH A CROSS RD, 1ST BLOCK RAJAJINAGAR
BENGALURU KARNATAKA - 560010
REP BY ITS: PROPRIETRIX
DR. (MRS) C PALANIAMMAL
40. PUNYA HOSPITALS INDIA PVT LTD
52, 80 FEET RING RD, A D HALLI
BASAVESHWAR NAGAR, KHB COLONY
BASAVESHWAR NAGAR, BENGALURU
KARNATAKA - 560079

REP BY ITS: MANAGING DIRECTOR
DR. NAGARAJ B PUTTASWAMY

41. KALA HOSPITAL
NO.1105, 5TH CROSS ROAD
NEAR SANJANA ICE CREAM
TRIVENI RD, K N EXTENSION
KAMLA NEHRU EXTENSION
YESHWANTHPUR, BENGALURU
KARNATAKA 560022
REP. BY ITS PROPRIETOR
DR. H.R.KALAVATHY
42. BHAGWAN MAHAVEER JAIN HOSPITAL
#17, MILLERS ROAD, CANTONMENT
RAILWAY STATION ROAD
KAVEREPPA LAYOUT
VASANTH NAGAR, BENGALURU
KARNATAKA - 560052
REP BY ITS: MEDICAL DIRECTOR
DR M D MARKER
43. GUNASHEELA SURGICAL AND
MATERNITY HOME
1, DEWAN MADHAVA ROAD
OPP. M N KRISHNA RAO PARK
NEAR BASAVANAGUDI POLICE STATION
BENGALURU, KARNATAKA - 560004
REP. BY ITS PARTNER
DR. RAJSEKHAR NAYAK
44. ANJAN NURSING HOME PVT LTD
NO.138, AECS LAYOUT, SANJAYA NAGAR
RMV EXTN., 2ND STAGE, BENGALURU 560094
NOW REP BY ITS: MANAGER
SRI R.S. IYENGAR
45. LAKSHMI NURSING HOME
#567, CHOKKASANDRA T.
DASARAHALLI, BANGALORE
REPRESENTED BY ITS: PROPRIETRIX
DR.MRS. MANGALA KEERTHI
46. ADITI MATERNITY AND GENERAL NURSING HOME
78, ARAKERE GATE, 1ST CROSS

ARAKERE MICO LAYOUT
BANNERGHATT ROAD
BENGALURU, KARNATAKA - 560076
REP. BY ITS: DIRECTOR
DR.PINAKI BISWAS

47. THE VENLAKH HOSPITAL
#123, 5TH MAIN ROAD
CHAMARAJPET
BENGALURU, KARNATAKA - 560018
REP. BY ITS: DIRECTOR
DR.NARESH S GAEKWAD
48. MANJUSHREE NURSING HOME
NO.20/70, ST. JOHNS ROAD
OPP. RBANM ROAD, COMMERCIAL STREET
BENGALURU - 560042
REP BY ITS:
MANAGING DIRECTOR, DR.K.SOMNATH
49. YOGANANDA MULTISPECIALTY HOSPITAL
371, CJ VENKATESH DAS RD
RK LAYOUT, 2ND STAGE
PADMANABHANAGAR
BENGALURU, KARNATAKA - 560070
REPRESENTED BY ITS MANAGING PARTNER
DR CHNDRALEKHA JAGADISH
50. CHAN RE RHEUMATOLOGY AND
IMMUNOLOGY CENTRE AND RESEARCH
NO.149, 15TH MAIN ROAD, WATER TANK ROAD
TEACHERS COLONY, BASWESHWARA NAGAR,
BENGALURU, KARNATAKA - 560079
REPRESENTED BY ITS: MEDICAL DIRECTOR
DR. CHANADRASHEKARA S
51. DEVAGIRI HOSPITAL
2461, 24TH CROSS ROAD, BANASHANKARI
2ND STAGE, OPP TO BDA PARK
BENGALURU, KARNATKA – 560070
REPRESENTED BY ITS MANAGING DIRECTOR
DR. R.C. SUBHASH

52. VINAYAKA HOSPITAL
NO.110, STATE BANK OF MYSORE COLONY
1ST STAGE, 80 FEET ROAD
BANASHANKARI, BENGALURU
KARNATAKA - 560050
REPRESENTED BY ITS PARTNER
DR M.G.ASHOK RAO
53. REPUBLIC HOSPITAL
NO.5, LANGFORD GARDENS, BENGALURU
KARNATAKA - 560025
REPRESENTED BY ITS:
MANAGING DR.B.D.SHASHIDHAR
54. AMARIYOTHI NURSING HOME
NO.491-C,CHINMAYA MISSION
HOSPITAL ROAD
OFF 100 FEET ROAD
INDIRA NAGAR 1ST STAGE
BENGALURU, KARNATAKA - 560038
REPRESENTED BY ITS PROPRIETOR
DR.P.S.SUNDEEP
55. FORTIS HOSPITALS LIMITED
FORTIS HOSPITALS LIMITED
154/9, BANNERGHATTA ROAD,
BENGALURU - 560076
NOW REPRESENTED BY ITS: ZONAL DIRECTOR
DR PRABHAT KUMAR
56. M.S RAMAIAH HOSPITAL
M.S RAMAIAH HOSPITAL
BENGALURU - 560054
REPRESENTED BY ITS:
CHIEF ADMINISTRATOR
DR NARENDRANATH .V
57. SAGAR HOSPITALS
SAGAR HOSPITALS, NO 44/54
30TH CROSS, TILALNAGAR
JAYANAGAR, BENGALURU-560041
REPRESENTED BY ITS: VICE-CHAIRMAN
DR. D. PREMACHANDRA SAGAR

58. NEHA PRAKASH HOSPITAL
NO.8, 6TH MAIN ROAD, 5TH PHASE
YELAHANKA NEW TOWN
BENGALURU, KARNATAKA-560064
REPRESENTED BY ITS MEDICAL DIRECTOR
DR. SHOBHA PRAKASH
59. SRINIVASA HOSPITAL
SRINIVASA HOSPITAL TG
EXTENSION, HOSKOTE TOWN
BENGALURU-562114
REPRESENTED BY ITS:
MANAGING DIRECTOR DR.NAGARAJ
60. DR. RUDRAPPA'S HOSPITAL
ENT & EYE CENTRE, # 5, RAJA RAM
MOHAN ROY CROSS ROAD
BANGALORE-560025
REPRESENTED BY ITS: PARTNER
DR.B.R.VINAY
61. AFOLLO HOSPITALS
154/11, OPP.11 M BANNERGHATTA ROAD
BANGALORE-560076
REPRESENTED BY ITS:
CHIEF EXECUTIVE OFFICER: DR. DAVISON
62. TEJAS NURSING HOME
TEJAS NURSING HOME
NO. 72, 14TH CROSS
PIPELINE ROAD, CHOLARPALYA
BANGALORE 560023
REPRESENTED BY ITS:
MANAGING PARTNER
DR.THEJAS B.C
63. DR A.V.BALIGA MEMORIAL HOSPITAL
DR A.V.BALIGA MEMORIAL HOSPITAL
6TH MAIN, V.M.NAGAR
DODDANAGUDDE, UDUPI 576102
REPRESENTED BY ITS:
MEDICAL DIRECTOR
DR. P VENKATARAYA BHANDARY

64. CHITRA'S HOSPITAL
NO. #25/1, OPPOSITE JAMIA MASJID
IRWIN RD, LASHKAR MOHALLA
MANDI MOHALLA, MYSURU
KARNATAKA-570001
REPRESENTED BY ITS PROPRIETOR
DR.MAHESH KUMAR
65. ASHAKIRANA CHARITABLE TRUST
NO. CA-1,RING ROAD
HEBBAL INDUSTRIAL HOUSING AREA
MYSORE-570016
REPRESENTED BY ITS PROPRIETOR
MR GURURAJA K.S
66. CAUVERY HEART HOSPITAL
SIDDIRATHA LAYOUT
NEAR TERESIAN COLLEGE,MYSURU
KARNATAKA-570011
NOW REPRESENTED BY ITS:
CHAIRMAN
MR. G.R. CHANDRASHEKAR
67. BHAVANI HOSPITAL
P-2, BHAVANI HOSPITAL COMPLEX, GCST
E & F BLOCK, ANIKETHANA RD
KUVEMPU NAGARA, MYSURU
KARNATAKA – 570023
REPRESENTED BY ITS PROPRIETOR
DR.VIJAYA CHELUVARAJ.N
68. GOPALAGOWDA SHANTHAVERI
MEMORIAL HOSPITAL
BANNUR ROAD, NAZARBAD, MYSURU
KARNATAKA-570010
NOW REPRESENTED BY ITS: ADMINISTRATOR
DR.SANTHRUPH H.V
69. SRI KRISHNA SEVASHRAMA HOSPITAL
#523, 10TH MAIN, 45TH CROSS
5TH BLOCK, JAYANAGAR, BENGALURU
KARNATAKA-570041
NOW REPRESENTED BY ITS VICE PRESIDENT
ADMIN.
MR.G.SUBBANNA

70. SUCHIRAYU HEALTH CARE SOLUTIONS LTD
SY.NO.29/8 9 10, JAVALI GARDEN
GOKUL ROAD, HUBBALLI 580030
REPRESENTED BY ITS MANAGING DIRECTOR
DR. RAJENDRA I.DUGANI
71. TATWADARSHA HOSPITAL
M.T.SAGAR, NEAR SHREYANAGAR, UNKAL
HEGGERI ROAD, OPP.KSRTC DEPOT
GOKUL ROAD, HUBBALLI 580030
REPRESENTED BY ITS DIRECTOR
DR. SHIVAYOGI PARAMESHWARAPPA BALIGAR
72. ASHWINI HOSPITAL
T.G.EXTENSION, HOSKOTE 562114
NOW REPRESENTED BY:
ITS MANAGING PARTNER
DR. H.V. NARASIMHA PRASAD
73. SUBBIAH HOSPITAL
NO.31, M.S.RAMAIAH ROAD, MATHIKERE
BENGALURU-560054
REPRESENTED BY: MEDICAL DIRECTOR
DR.SUNIL SUBBIAH
74. BGS GLOBAL HOSPITALS
(A UNIT OF RAVINDRANATH GE MEDICALS
ASSOCIATES PVT LTD.)
BGS HEALTH & EDUCATION CITY
67, UTTARAHALLI ROAD, KENGERI,
BENGALURU 560060
NOW REPRESENTED BY:
CHIEF EXECUTIVE OFFICER
MRS. SHAILAJA SURESH KUMAR

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BENGALURU - 560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA, BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS,
4TH MAIN, MALLESHWARAM
BENGALURU 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU 560027
REP BY GENERAL SECRETARY
6. ALL INDIA CENTRAL COUNCIL OF
TRADE UNION (AICCTU)
NO.18, RIYAZ BUILDING
BASAVANAGAR MAIN ROAD, HOODY
M.D.PURA, BENGALURU- 560048
REPRESENTED BY ITS STATE PRESIDENT
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5 AND
SHRI MAITHREYI KRISHNAN, ADVOCATE FOR C/R6)

IN W.A. NOS.2355-2364/2019

BETWEEN:

1. ABHAYA HOSPITAL
NO.17, M.H.MARIGOWDA ROAD
OPP TO 9TH CROSS BUS STOP

WILSON GARDEN, BENGALURU 560027
REPRESENTED BY ITS DIRECTORS
DR.A.JAGADISH, DR.A.SATHISH

2. ASTER DM HEALTHCARE LIMITED
NO.43/2,NH 7, SAHAKARA NAGAR
BENGALURU 560092
REPRESENTED BY ITS CEO
DR.NITHISH SHETTY
3. RADHAKRISHNA MULTISPECIALITY
HOSPITAL AND IVF CENTRE
3-4, JP NAGAR, GIRINAGAR
BENGALURU-560085
REPRESENTED BY: MANAGING DIRECTOR
DR. B.K.VISHANATH BHAT
4. SRI RAM HOSPITAL
NO.10,7/2, NISHVASAHA CENTRE
OPP. TRAFFIC POLICE STATION
OLD MADRAS ROAD, K.R.PURAM
BENGALURU 560036
REPRESENTED BY PARTNER DR.G.RAJESHAM
5. PREMIER SANJEEVINI HOSPITAL
NH-4, DASARAHALLI
BENGALURU – 57
REPRESENTED BY: MEDICAL DIRECTOR
DR.JAGADISH V. SHETTY
6. SATHYA SAI ORTHOPAEDIC AND
MULTISPECIALIST HOSPITAL
NO.20/2, OLD RTO OFFICE ROAD
BHATTARAHALLI, K R PURAM
BENGALURU – 560049
REPRESENTED BY: MEDICAL DIRECTOR
DR.MAHESH M.N
7. SIDVIN HOSPITAL PVT. LTD.
NO.1031, 20TH MAIN
5TH BLOCK, RAJAJINAGAR
BENGALURU – 560010
REPRESENTED BY: DIRECTOR
DR. H.R.VIJAY KUMAR

8. DR Y.B.KULGOD MULTISPECIALITY HOSPITAL
DR.Y.B KULGOD MULTISPECIALITY HOSPITAL
BASAVA MARG, RAMDURG
DIST: BELAGAVI – 590001
REPRESENTED BY: PROPRIETOR
DR.CHANNABASAVA Y. KULGOD
9. DR. APTE NURSING HOME
FORT ROAD, JUNIPETH
RAMDURG - 591123
DIST: BELAGAVI
REPRESENTED BY: PROPRIETOR
DR.PRAKASH M. APTE
10. PRASHANTH NURSING HOME
STATION ROAD,
DHARWAD -- 580007
REPRESENTED BY: PROPRIETOR
DR. SOUBHAGYA KULKARNI

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET

BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.2365/2019

BETWEEN:

NANJAPPA TRUST
NO.660, KUVEMPUR ROAD
SHIVAMOGGA -- 577201
REPRESENTED BY ITS TRUSTEE
DR. AVINASH D.B.

... APPELLANT

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS,

4TH MAIN, MALLESHWARAM
BENGALURU - 560003

4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS,
SAMPANGIRAMA NAGARA
BENGALURU 560027
REPRESENTED BY GENERAL SECRETARY
6. ALL INDIA CENTRAL COUNCIL OF
TRADE UNION (AICCTU)
NO.18, RIYAZ BUILDING
BASAVANAGAR MAIN ROAD, HOODY
M.D.PURA, BENGALURU- 560048
REPRESENTED BY ITS STATE PRESIDENT

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5 AND
SHRI MAITHREYI KRISHNAN, ADVOCATE FOR C/R6)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 OF THE LEARNED
SINGLE JUDGE INSOFARAS NOT INTERFERING WITH OTHER
LEGAL ASPECTS AND QUANTUM OF MINIMUM WAGES FIXED
IN THE IMPUGNED NOTIFICATION BEARING NO.KAA E 125
LWA 2015 DATED 06/01/2017 [ANNEXURE 'B' IN WP] OF THE
RESPONDENT NO.1 PASSED IN FOLLOWING WRIT PETITIONS
NOS.12203/2017, 12204/2017, 12206-12209/2017, 12215/2017,
12218/2017, 12221/2017, 12222/2017, 12226/2017, 12227/2017,
12229/2017, 12231-12233/2017, 12236/2017, 12238/2017,
12239/2017, 12253/2017, 12254/2017, 12256/2017, 12258/2017,
12262/2017, 12265-12267/2017, 12275/2017, 12277/2017,
12278/2017, 12281-12285/2017, 12287-12290/2017, 12294-

12298/2017, 12304/2017, 12305/2017, 12307-12314/2017,
12317/2017, 12324/2017, 12327-12331/2017, 12333-12335/2017,
12360/2017, 12374/2017, 12376-12378/2017, 12380/2017,
12384/2017, 12386/2017, 12387/2017, 13841/2017, 13844/2017,
13845/2017, 26051/2017, 26052/2017, 26054/2017, 26057/2017,
26059/2017, 26061/2017, 26063/2017, 26072/2017, 26073/2017,
26079/2017 & 9211/2017.

IN W.A. NO.1272/2019

BETWEEN

POINTEC PENS AND ENERGY PVT LTD
26 A, ATTIBELE INDUSTRIAL AREA
HOSUR ROAD, BENGALURU - 562107
REPRESENTED BY ITS DIRECTOR

... APPELLANT

(BY SRI K. RAMACHANDRAN, ADVOCATE FOR
SRI M.R.C. RAVI, ADVOCATE)

AND

1. THE SECRETARY TO GOVERNMENT
DEPARTMENT OF LABOUR
GOVERNMENT OF KARNATAKA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKARA BHAVANA
BANNERGHATTA ROAD
BENGALURU 560029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE ORDER DATED 29.03.2019 PASSED BY THE LEARNED
SINGLE JUDGE IN W.P. NO. 11863/2018.

W.A. NOS. 1481-1519/2019 & 2761-2769/2019

IN W.A. NOS. 1481-1482/2019

BETWEEN

1. KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT: NO.74
2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD
BENGALURU-560004,
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT
2. HINDUJA GLOBAL SOLUTIONS LTD
HAVING ITS REGISTERED OFFICE AT:
HINDUJA HOUSE NO.171
DR. ANNIE BESANT ROAD
WORLI, MUMBAI-400018
HAVING ITS BANGALORE OFFICE AT
CORPORATE OFFICE, 1ST FLOOR
GOLD HILL SQUARE PARK
690, BOMMANAHALLI, HOSUR ROAD
BENGALURU 560068

... APPELLANTS

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM, BENGALURU 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 1483-1491/2019

BETWEEN

1. B.S.CHANNABASAPPA & SONS
HAVING ITS PRINCIPAL OFFICE AT
1194, KALIKADEVI ROAD
DAVANGERE 577001
REP. BY ITS PARTNER
2. BSC RETAIL
HAVING ITS SHOWROOM AT
1189/1, KALIKADEVI ROAD
DAVANGERE 577001
REP. BY ITS PARTNER
B.C. UMAPATHY
3. SHANTALA
HAVING ITS SHOWROOM AT
323/1, UWX-6, CHAMARAJPET
DAVANGERE – 577001
REP. BY ITS PARTNER

4. RAVITEJA TEXTILES
HAVING ITS SHOWROOM AT
#288/1, CHAMARAJAPET CIRCLE
DAVANAGERE – 577001
5. ASHA DEEP
HAVING ITS SHOWROOM AT:
#322/1C, CHAMARAJPET
DAVANERE – 577 001
REPRESENTED BY ITS PARTNER MADHU T.
6. GOWDARA JAYADEVAPPA SILK PALACE
HAVING ITS SHOWROOM AT
681, GOWDARS GRAND
CHOWKIPET CIRCLE
DAVANGERE 577001
REP. BY ITS PARTNER
HARSHA M GOWDAR
7. GOWDARA JAYADEVAPPA SILKS & SAREES
HAVING ITS SHOWROOM AT CHOWKIPET
DAVANGERE 577001
REP. BY ITS PARTNER
HARSHA M GOWDAR
8. AMBERKER PAMPANNA
HAVING ITS SHOWROOM AT
1,2 KALIKADEVI ROAD
DAVANGERE - 577001
REP. BY ITS PARTNER
PRATHIK AMBERKAR
9. ASHUJI DISTRIBUTORS
HAVING ITS SHOWROOM AT
323/1D-1E-IF
BINNY CO. ROAD
DAVANGERE 577001
REP. BY ITS PARTNER
SHANTILAL P SELOTH

... APPELLANTS

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1492/2019

BETWEEN

RETAILERS ASSOCIATION OF INDIA
HAVING ITS OFFICE AT 111/112,
ASCOT CENTRE, NEAR HOTEL ITC MARATHA
SAHAR ROAD, ANDHERI (E)

MUMBAI - 400099
THROUGH ITS DIRECTOR
FINANCE & ADVOCAY
SRI GAUTAM JAIN

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
 2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
 3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
 4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
 5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
- ... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &

SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1493/2019

BETWEEN

SECURITRANS INDIA PVT. LTD.
HAVING ITS PRINCIPAL OFFICE AT:
NO.10, DDA COMMERCIAL COMPLEX
NANGAIRAYA, NEW DELHI 110046
& BRANCH OFFICE AT:
NO.14, TAMARE KANNAN ROAD
ULSOOR, BENGALURU 560008

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA, BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS
SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1494/2019

BETWEEN

UNMATCHED SYSTEMS PVT LTD
HAVING ITS REGISTERED OFFICE AT
#20, POTTERY ROAD
COOKES TOWN
BANGALORE 500 005
THROUGH ITS HR MANAGER
SRI M VENUGOPAL REDDY

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1495/2019

BETWEEN

CMS MARSHALL LIMITED
HAVING ITS REGISTERED OFFICE AT
#20,POTTERY ROAD
COOKES TOWN
BANGALORE 500 005
THROUGH ITS HR MANAGER
SRI M VENUGOPAL REDDY

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT

GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 1496-1515/2019

BETWEEN

1. B.G.SALAVATIGI & SONS
CLOTH MERCHANTS
V.M.ROAD, AKKIALUR 581 102
REPRESENTED BY ITS PROPRIETOR
CHANNAVEERESH C SALAVATIGI
2. B.G.SALAVATIGI & COMPANY
CLOTH MERCHANTS,

NEAR NEW BUS STAND
HANGAL 581104
REPRESENTED BY ITS PARTNER
BASAVARJ SALAVATIGI

3. DEEPTHI FURNISHINGS
MUNICIPAL NO.3372/1
DAJIBAN PETH, HUBLI
REPRESENTED BY ITS PROPRIETOR
VISHWANATH B KAMATAGI
4. GANGAVATHI SILK PALACE
DAJIBAN PETH, HUBBALLI
KARNATAKA – 580028
REPRESENTED BY ITS PARTNER
ANAND B KAMATAGI
5. GEETANJALI SILK SAREE SADAN
UMACHANGI COMPLEX
KOPPIKAR ROAD
HUBLI – 588020
REPRESENTED BY ITS PROPRIETOR
PRADEEP N SHANGHAVI
6. KALYAN CREATION
"MATOSHRI" NEAR JAIN TEMPLE
KANCHAGAR GALLI, HUBLI 580028
REPRESENTED BY ITS PROPRIETOR
PARASMAL PUKHRAJ BHANDARI
7. M.H.BHANDARI BROS
NEAR BUS STAND
BAILHONGAR 591102
REPRESENTED BY ITS PROPRIETOR
SOHANRAJ P BHANDARI
8. PREETI SILKS
MADHURA CENTRE
DAJIBARPETH, HUBLI 580028
REPRESENTED BY ITS PROPRIETOR
KIRAN G BHANDARI
9. PRASHANTH ENTERPRISES
J.C. NAGAR, ANNIGERI BUILDING
HUBLI 580020

REPRESENTED BY ITS PARTNER
ASHOK G ANNIGERI

10. RELIANT
"MATOSHRI"
KOPPIKAR ROAD, HUBLI 560020
REPRESENTED BY ITS PROPRIETOR
RAMESH P BHANDARI
11. SHA PREMRAJ BHAGWANJI AND CO.
JAVALI SAL KUBASAD GALLI, HUBLI - 580020,
REPRESENTED BY ITS PARTNER
BHARATHKUMAR P PALGOTA
12. SANGAM FASHIONS
NEAR TULJABHAVANI TEMPLE
DAJIBANPETH
HUBLI - 580028
REPRESENTED BY ITS PROPRIETOR
SANDEEP B KOTHARI
13. SHA HIRACHAND VANECHAND & CO.
HIREPETH, HUBBALLI - 580028
REPRESENTED BY ITS PARTNER
SUNIL G KATARIA
14. SHA AMARCHAND VANECHAND AND COMPANY
GROUND FLOOR, CTS NO.2922/2
BEARING NO.3006/A
VICTORIA ROAD, HUBBALLI
DHARWAD-580020
REPRESENTED BY ITS PARTNER
MUKESH KUMAR KATARIA
15. SHA AMARCHAND VANECHAND AND SONS
GROUND PLUS TWO, CTS NO.2538
CTS WARD NO.1, KOPPIKAR ROAD
HUBBALLI - 580020
REPRESENTED BY ITS PARTNER
ASHOKKUMAR A KATARIA
16. SHA AMARCHAND VANECHAND ENTERPRISE
GROUND AND FIRST FLOOR
SHOP NO.4,5,6,7,8,9 AND 10
EUREKA CENTRE, KOPPIKAR ROAD

HUBBALLI – 580020
REPRESENTED BY ITS PARTNER
ARVINDKUMAR C KATARIA

17. SHA AMARCHAND VANECHAND VENTURE
CTS 4634, KRISHNA BHAVAN
LAMINGTON ROAD
HUBBALLI - 580020
REPRESENTED BY ITS PARTNER
RAJESH KUMAR S KATARIA

18. SHA AMARCHAND VANECHAND ASSOCIATES
GROUND PLUS TWO
DOOR NO.3005
CTS NO.2921/A, UMACHAGI BUILDING
KOPPIKAR ROAD
HUBBALLI – 580020
REPRESENTED BY ITS PARTNER
JAYANTILAL A KATARIA

19. YASHIKA AGENCIES
44, JAYANAGAR
VIDYA NAGAR
HUBLI -580021
REP BY ITS PARTNER
SHAMBU S YAVAGAL

20. B BABU AND COMPANY
BROADWAY, HUBLI 580020
REPRESENTED BY ITS PARTNER
ASHWIN SANGHAVI

... APPELLANTS

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1516/2019

BETWEEN

GANESH TRADE LINKS
G-10,EUREKA TOWERS
TRAFFIC ISLAND
HUBBALLI 580029
REPRESENTED BY ITS PARTNER
PANDURANG MADHUKAR

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS,
SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 1517-1519/2019 & W.A. NOS.2761-2763/2019

BETWEEN

1. V.S. YAVAGAL
“MAY LINKS”, 1ST FLOOR, BLOCK NO.6
60/3, BUDARSINGHI VILLAGE ROAD,

OPP: JAIN TEMPLE, P.B. ROAD
HUBBALLI – 580024.
BY ITS PARTNER
V.S. YAVAGAL

2. DEEPAK CYCLE STORES
3294/7, “PRAMOD CHAMBERS”
KOPPIKAR ROAD, HUBBALLI 580020
BY ITS PARTNER
DEEPAK SHAH
3. A B AGENCIES
RAZAK COMPLEX
OPP: MANGALDEEP
KOPPIKAR ROAD, HUBBALLI 580020
BY ITS PARTNER, AJAY SHAH
4. RACHANA DISTRIBUTORS
PANCHARATNA, 1ST FLOOR
OPP: SAVAL GANDHARVA HALL
NEW COTTON MARKET
HUBBALLI – 580029
BY ITS PARTNER DEEPAK SHAH
5. SHIVA MEDICAL AGENCIES
PANCHARATNA, 1ST FLOOR
OPP: SAVAL GANDHARVA HALL
NEW COTTON MARKET
HUBBALLI 580029
BY ITS PARTNER
DEEPAK SHAH
6. DYNAMIC DISTRIBUTORS
PANCHARATNA, 1ST FLOOR
OPP: SAVAI GANDHARVA HALL
NEW COTTON MARKET
HUBBALLI – 580029
BY ITS PARTNER, DEEPAK SHAH

... APPELLANTS

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS
(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 2764-2767/2019

BETWEEN

1. MUDKAVI PHARMA ASSOICATES
'MAY LINKS', GROUND FLOOR, BLOCK 1
NO.60/3, BUDARSINGHI VILLAGE ROAD
HUBBALLI – 580 028
BY ITS PARTNER, CHIDANAND M MUDKAVI

2. MY PHARMA
'MAY LINKS', NO.60/3,
BUDARSINGHI OFF P.B. HIGHWAY
OPP: JAIN TEMPLE, BUDARSINGHI
VILLAGE ROAD
HUBBALLI – 580 028
BY ITS PARTNER, MOHAN M MUDKAVI
3. PAMPA SERVICES
'MAY LINKS', NO.60/3
BUDARSINGHI OFF P.B. HIGHWAY
OPP: JAIN TEMPLE
HUBBALLI – 580 028
BY ITS PARTNER, CHIDANAND M MUDKAVI
4. COTMAC INDUSTRIAL TRADING PVT LTD
SAYED BUILDING, FIRST FLOOR
LAMINGTON ROAD
HUBBALLI – 580 020
BY ITS DIRECTOR, K. SHIVARAJ

... APPELLANTS

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)
AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003

4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD
COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
 5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS
SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
- ... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 2768/2019

BETWEEN

RURAL SHORES BUSINESS SERVICES PVT. LTD
NO.135/2, MARUTHI INDUSTRIAL ESTATE
ITPL ROAD, HOODI, WHITEFIELD
BANGALORE – 560 048
BY ITS HEAD-FINANCE
PRIYA SUBBAIAH

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA

KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 2769/2019

BETWEEN

STELLAR VALUE CHAIN
SOLUTIONS PVT. LTD.
SY. NO.67, BOMMANAHALLI VILLAGE
TUMKUR MAIN ROAD, NH-4
OPP. KARNATAKA BREWERIES LTD
KASABA HOBLI
NELAMANGALA TALUK
BANGALORE – 562 123
BY ITS CHIEF FINANCIAL OFFICER
MANISH SAROJ JUNJUNWALA

... APPELLANT

(BY SHRI S.S. NAGANAND, SENIOR COUNSEL FOR
SHRI C.K. SUBRAMANYA, ADVOCATE FOR

SHRI VASUKI, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU – 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZDOOR SANGHA
NO.458,OTC ROAD, COTTONPET
BENGALURU - 560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU - 560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 i.e., [TO THE
EXTENT OF CONFIRMING THE IMPUGNED NOTIFICATIONS]
PASSED BY THE LEARNED SINGLE JUDGE IN WP NOS.17439-

17440/2018, 14417-14425/2018, 17437/2018, 15598/2018, 15600/2018 AND 15599/2018, 16829-16833/2018, 16839/2018, 16843/2018, 16846/2018, 16849-16850/2018, 16852-16853/2018, 16855/2018, 16863-16869/2018, 50702/2018, 18463-18468/2018, 27113-27116/2018 [L-MW], 12456/2018, 40550/2018 AND ALLOW THE WRIT PETITIONS FILED BY THE APPELLANTS.

IN W.A. NO. 1520/2019

BETWEEN

ALL INDIA TRADE UNION CONGRESS
A REGISTERED TRADE UNION
HAVING THEIR OFFICE AT NO.6
SHIRUR PARK ROAD
SESHADRIPURAM
BENGALURU-560020
REPRESENTED BY ITS PRESIDENT
SHRI ANANTHA SUBBA RAO

... APPELLANT

(BY SHRI VILAS RANGANATH DATAR, ADVOCATE)

AND

1. STATE OF KARNATAKA
DEPARTMENT OF LABOUR
VIDHANASOUDHA
DR AMBEDKAR ROAD
BENGALURU-560001
REPRESENTED BY ITS SECRETARY
2. COMMISSIONER OF LABOUR
OFFICE OF THE LABOUR COMMISSIONER
KARMIKA BHAVAN
DAIRY CIRCLE
BANNERGHATTA ROAD
BENGALURU-560029
3. CLOTHING MANUFACTURERS
ASSOCIATION OF INDIA
KARNATAKA REGIONAL OFFICE
NO.212A, SWISS COMPLEX
IIND FLOOR, 33

RACE COURSE ROAD,
BENGALURU-560001
REPRESENTED BY ITS SECRETARY

4. KARNATAKA TEXTILE MILLS ASSOCIATION
NO.64, VASTRA BHAVAN,
4TH MAIN, NEAR 18TH CROSS,
MALLESHWARA WEST
BENGALURU-560003
REPRESENTED BY ITS SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI S.S. NAGANAND, SENIOR COUNSEL A/W
SHRI C.K. SUBRAMANYA, ADVOCATE FOR
SHRI B.C. PRABHAKAR, ADVOCATE FOR R3 & R4)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE JUDGMENT
AND ORDER DATED 29/03/2019 PASSED BY THE LEARNED
SINGLE JUDGE IN WP NO.18621/2018 AND PASS
APPROPRIATE ORDERS IN THE SAID WRIT PETITION.

W.A. NOS. 1540-1566/2019

IN W.A. NOS. 1540-1564/2019

BETWEEN

1. KARNATAKA DRUGS & PHARMACEUTICALS
MANUFACTURES ASSOCIATION
3B, BHARAT DELUXE APARTMENTS
NO.44/1,A & B FAIRFIELD LAYOUT
RACE COURSE ROAD
BENGALURU-560 001
REPRESENTED BY ITS SECRETARY
2. NORTH KARNATAKA DURGS AND PHARMACEUTICAL
MANUFACTURERS WELFARE ASSOCIATION
C/O NANDU CHEMICALS PVT.LTD.,
N-12, INDUSTRIAL ESTATE
GOKUL ROAD
HUBLI-580 030
REPRESENTED BY ITS HON.SECRETARY

3. ANGLO FRENCH DRUGS & INDUSTRIES LTD.,
NO.41,3RD CROSS, 5TH BLOCK
SSI INDUSTRIAL AREA
RAJAJINAGAR
BENGALURU-560 010
REPRESENTED BY ITS
DEPUTY HEAD-HR
4. EMBIOTIC LABORATORIES (P) LTD.,
NO.20-C,1ST PHASE
KUMBALGODU INDL. AREA
MYSORE ROAD
BENGALURU-560 074
REPRESENTED BY ITS DIRECTOR
5. R.L. FINE CHEM PVT.LTD.
RAY HOUSE
YELAHANKA NEW TOWN
BENGALURU-560 064
REPRESENTED BY ITS AUTHORISED SIGNATORY
6. GROUP PHARMACEUTICALS LTD.
521/A, 2ND BLOCK,2ND MAIN
2ND STAGE, RAJAJINAGAR
BENGALURU-560 055
REPRESENTED BY ITS
MANAGING DIRECTOR
7. GELTEC PRIVATE LIMITED
SR NO.26/3, 27/2
YADAVANAHALLI (VILLAGE)
ATTIBELE HOBLI,
BANGALORE HOSUR ROAD
NERALUR(POST)
ANEKAL TQ.
BANGALORE-562 107
REPRESENTED BY ITS
AUTHORIZED SIGNATORY
VICE PRESIDENT PLANT OPERATIONS
8. WEXFORD LABORATORIES PVT.LTD.
NO.4011/2,AYYAPPA ARCADE
DR MUTHU RAJ ROAD

BANASHANKARI, 3RD STAGE
GIRINAGAR 4TH PHASE
BENGALURU-560 085
REPRESENTED BY ITS DIRECTOR

9. CE CHEM PHARMACEUTICALS PVT. LTD.
336, 4TH PHASE, 9TH CROSS
PEENYA INDUSTRIAL AREA
BENGALURU-560 058
REPRESENTED BY ITS MANAGING DIRECTOR
10. BIOPLUS LIFE SCIENCES PVT.LTD.
PHARMED GARDENS
WHITEFIELD ROAD,ITPL
BENGALURU-560 048
REPRESENTED BY ITS
AUTHORISED SIGNATORY
DEPUTY GENERAL MANAGER
11. ISHAAN LABS PVT. LTD.,
137/B, NEW NO.11/3
4TH MAIN ROAD, INDUSTRIAL TOWN
RAJAJINAGAR
BENGALURU-560 010
REPRESENTED BY GENERAL MANAGER WORKS
12. ONTOP PHARMACEUTICALS PVT. LTD.
9-D, BOMMASANDRA JIGANI LINK RD
BOMMASANDRA INDUSTRIAL AREA
BENGALURU-560099
REPRESENTED BY ITS
MANAGER HR & ADMIN
13. REMIDEX PHARMA PVT LTD.
B-249-250
IIND STAGE, PEENYA INDUSTRIAL ESTATE, PEENYA
BENGALURU- 560 058
REPRESENTED BY ITS
CHIEF OPERATING OFFICER
14. STERICON PHARMA PVT. LTD.
NO.9R, SUB LAYOUT OF PLOT NO.9
1ST PHASE, BOMMASANDRA INDUSTRIAL AREA
BENGALURU-560 099
REPRESENTED BY ITS JOINT MANAGING DIRECTOR

15. SRUSHTI PHARMACEUTICALS (P) LTD.
154,10TH MAIN,3RD PHASE
PEENYA S I
BENGALURU-560 058
REPRESENTED BY ITS DIRECTOR
16. SANIL PHARMACEUTICALS PVT. LTD.
NO.11/4,4TH MAIN ROAD,
INDUSTRIAL TOWN,RAJAJINAGAR
BENGALURU-560 044
REPRESENTED BY ITS ACCOUNTANT
17. MICRO LABS LTD
27,RACE COURSE ROAD
BANGALORE-560 001
REPRESENTED BY ITS
SENIOR VICE PRESIDENT-H.R
18. MEYER ORGANICS PVT. LTD.
NO.10D, 3RD "A" MAIN,3RD PHASE
PEENYA INDUSTRIAL AREA
BANGALORE-560 058
REPRESENTED BY ITS DIRECTOR
19. RECIPHARMA SERVICES PVT.LTD.,
(FORMERLY PHARMA DIVISION OF KEMWELL
BIOPHARMA PVT.LTD.,)
34TH KM,TUMKUR ROAD
T.BEGUR, NELAMANGALA TALUK
BANGALORE RURAL DISTRICT
REPRESENTED BY ITS
ASST. GENERAL MANAGER
20. MEDREICH LIMITED
MEDREICH HOUSE,12/B
SARASWATI AMMAL STREET
MARUTHI SEVANAGAR
BENGALURU-560 033
REPRESENTED BY ITS
COMPANY SECRETARY
21. WINTAC LIMITED
NO.54/1, BOODHIHAL
NELAMANGALA

BENGALURU-562 123
REPRESENTED BY ITS
ASST.VP (FINANCE)& SECRETARY

22. NANDU CHEMICALS INDUSTRIES
N-12,INDUSTRIAL ESTATE
HUBLI-580 030
REPRESENTED BY ITS
MANAGING PARTNER

23. NANDU CHEMICALS PVT.LTD.
N-12,INDUSTRIAL ESTATE
HUBLI-580 030
REPRESENTED BY ITS
MANAGING DIRECTOR

24. WALLACE LABORATORIES PVT.LTD.
BELUR INDUSTRIAL AREA
DHARWAD,
REPRESENTED BY ITS
ASSISTANT GENERAL MANAGER

25. EMPREE MEDICAMENTS (I) PVT.LTD.
99, C.D.KIADB INDUSTRIAL ESTATE
HONGA, BELGAUM-591 156
REP BY ITS MANAGING DIRECTOR

...APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARNATAKA BHAVANA
BANNERGHATTA ROAD
BENGALURU-560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)

NO.26/1, 2ND MAIN,
11TH CROSS
VYALIKAVALLI
BENGALURU-560003

4. GENERAL SECRETARY
BHARATIYA MAZADOOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU-560053
5. PRESIDENT, CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS
SAMPANGIRAMANAGAR
BENGALURU-560027
6. ALL INDIA CENTRAL COUNCIL OF
TRADE UNIONS (AICTU)
NO.18, RIYAZ BUILDING
BASAVANAGAR MAIN ROAD
HOODI, M D PURA
BENGALURU-560048
REPRESENTED BY ITS PRESIDENT

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3,
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5 AND
SHRI MAITHREYI KRISHNAN, ADVOCATE FOR C/R6)

IN W.A. NO. 1565/2019

BETWEEN

SHREE ANAND LIFE SCIENCE LTD
PLOT NO.63, A & B HONAGA INDL. AREA
HONAGA, BELGAUM-591113
REPRESENTED BY ITS CHAIRMAN AND
MANAGING DIRECTOR

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU-560029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

IN W.A. NO. 1566/2019

BETWEEN

NATURAL CAPSULES LIMITED
#102, "SHRESHITA BHUMI"
NO.87, K.R. ROAD
BENGALURU – 560 004
REPRESENTED BY ITS MANAGING DIRECTOR
SUNIL ALXMINARAYAN MUNDRA

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU-560029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF THE ORDER DATED 29/03/2019 I.E., (TO THE EXTENT OF CONFIRMING THE IMPUGNED NOTIFICATIONS) PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NOS. 61347-357/2016, 61359-371/2016, 61374/2016, 63630/2016 & 6047/2017(L-MW) AND ALLOW THE WRIT PETITIONS FILED BY THE APPELLANTS.

W.A. NOS. 1567-1601/2019

IN W.A. NOS. 1567-1569/2019

BETWEEN

1. KARNATAKA EMPLOYERS ASSOCIATION
HAVING ITS OFFICE AT:
NO.74, 2ND FLOOR, SHANKARA ARCADE
VANI VILAS ROAD
BENGALURU 560004
THROUGH ITS SECRETARY GENERAL
SRI SEETHARAM BHAT
2. SURI AUTO PRODUCTS
HAVING ITS PRINCIPAL OFFICE AT:
SURVEY NO.42, M T SAGAR
INDUSTRIAL ESTATE
GOKUL ROAD
HUBBALLI - 580030
THROUGH ITS PROPRIETOR
JAGADISH SURI
3. S L FLOW CONTROLS
HAVING ITS PRINCIPAL OFFICE AT:
MANJUNATH NAGAR CROSS
GOKUL ROAD
HUBBALLI 580030
THROUGH ITS PROPRIETOR
VEERENDRA KOUJALAGI

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM, BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1570-1571/2019

BETWEEN

1. AUTOMOTIVE AXLES LTD
HOOTAGALLI INDUSTRIAL AREA
OFF HUNSUR ROAD
MYSORE - 18

REPRESENTED BY ITS
DEPUTY GENERAL MANAGER HR

2. YAZAKI INDIA PRIVATE LIMITED
PLANT OFFICE, PLOT NO 314 (P) TO 319 (P)
BOMMASANDRA- JIGANI LINK ROAD,
INDUSTRIAL AREA, JIGANI POST,
BENGALURU 560105

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &

SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1572-1573/2019

BETWEEN

1. SHRADDHA INDUSTRIES
AT PLOT NO. SM-25
M.T.SAGAR, II STAGE
INDUSTRIAL ESTATE
GOKUL ROAD
HUBBALLI - 580030
REP. BY ITS PROPRIETOR
MR MANJUNATH I UDDI
2. PRAGATI ENGINEERING WORKS
AT NO. SM-63, M.T.SAGAR
1 GATE, INDUSTRIAL ESTATE
GOKUL ROAD, HUBBALLI 580030
REP. BY ITS PROPRIETOR
MR BASAVARAJ S GANIGER

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003

4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1574-1580/2019

BETWEEN

1. PRAMOD ENGINEERING WORKS
C-2, KSSIDC INDL ESTATE
SHIVAMOGA - 577204
REP. BY ITS PARTNER
SRI PRAMOD R INAMDAR
2. PERFECT ALLOY COMPONENTS (P) LTD
REGD OFFICE: C-14,
KSSIDC INDUSTRIAL ESTATE,
SAGAR ROAD, SHIVAMOGGA 577205
REP BY ITS DIRECTOR
3. M/S SREE S.G.K INDUSTRIES
C-15 INDUSTRIAL, ESTATE
SAGAR ROAD, SHIVAMOGGA-577204
REP. BY ITS PROPRIETOR
MR. B.C.NANJUNDA SETTEE.
4. SSR ENTERPRISES
D-3, KSSIDC INDUSTRIAL
ESTATE, SAGAR ROAD
SHIVAMOGGA-577204
REP. BY ITS PROPRIETRIX
SUHAS V DIVEKAR

5. NEWCAST TECHNOLOGIES (P) LTD
D-4, KSSIDC INDUSTRIAL, ESTATE
SAGAR ROAD, SHIVAMOGGA-577204
REP. BY ITS DIRECTOR
V.K DIVEKAR
6. BHOMIKA ALLOY CASTING PVT LTD
SRIRAMPUTRA VILLAGE
SAGAR ROAD, SHIMOGA-577204
REP. BY ITS
DIRECTOR
DEEPAK H.D
7. FOCUS DIE CAST PVT LTD
C-31, KSSIDC INDL ESTATE
SAGAR ROAD
SHIMOGA-577204
REP. BY ITS DIRECTOR
SRI PRAMOD R INAMDAR

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU - 560053

5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMNAGAR
BENGALURU - 560027
REP BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL. A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1581/2019

BETWEEN

APARNA ENTERPRISES
34, 3RD FLOOR LOTUS TOWERS
DEVRAJ URS ROAD, RACE COURSE
BENGALURU - 560001
REP BY ITS MANAGER
UMAPATHY E

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003

4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1582-1591/2019

BETWEEN

1. SRV AUTOMATIONS
C/O SRV CONFIL SYSTEMS PREMISES
PLOT NO.10, KIADB INDUSTRIAL AREA
RAYAPUR, DHARWAD-580 009
BY ITS PARTNER, SHYAMSUNDAR KOLHAR
2. SRV CONFIL SYSTEMS
PLOT NO.10, KIADB INDUSTRIAL AREA
RAYAPUR, DHARWAD 580009
BY ITS PARTNER
SHYAMSUNDAR KOLHAR
3. SRV AGRI IMPLEMENTS
PLOT NO.10, KIADB INDUSTRIAL AREA
RAYAPUR, DHARWAD 580009
BY ITS PARTNER
SHYAMSUNDAR KOLHAR
4. MICROFINISH PUMPS PVT. LTD
SPECIAL PLOT, INDUSTRIAL ESTATE
GOKUL ROAD,
HUBBALLI-580030

BY ITS MANAGING DIRECTOR
MAHENDRA KARAMCHAND VIKAMSHI

5. FLOWSERVE MICROFINISH
VALVES PVT. LTD.
B-161,162, INDUSTRIAL ESTATE
GOKUL ROAD
HUBBALLI – 580030
BY ITS MANAGING DIRECTOR
TILAK KARAMCHAND VIKAMSHI
6. FLOWSERVE MICROFINISH PUMPS PVT. LTD
568/1, INDUSTRIAL ESTATE
GOKUL ROAD, HUBBALLI 580030
BY ITS MANAGING DIRECTOR
TILAK KARAMCHAND VIKAMSHI
7. CHUCKMATIC PVT LTD.
DHARWAD BYE PASS
NATIONAL HIGHWAY NO.4
VILLAGE NARENDRA
DHARWAD -- 580005
BY ITS DIRECTOR LAJPAT RAI SUKHIJA
8. AIRTECH PVT. LTD
5TH K.M., N.H.NO 4
(NEXT TO AGRICULTURAL COLLEGE)
VILLAGE NARENDRA
DHARWAD – 580005
BY ITS DIRECTOR LAJPAT RAI SUKHIJA
9. NEW HINDUSTAN ENGINEERING WORKS
KIADB, PLOT NO.12, RAYAPUR
INDUSTRIAL AREA, RAYAPUR
DHARWAD – 580009
BY ITS PARTNER
PRASHANT M HALEMANI
10. MIVEN MACHINE TOOLS LIMITED
TARIHAL INDUSTRIAL AREA
TARIHAL, HUBBALLI 580026
BY ITS MANAGING DIRECTOR
VIKRAM S. SIRUR

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1592/2019

BETWEEN

MIVEN MAYAFRAM CONVEYORS PVT LTD
SIRURS COMPOUND
KARWAR ROAD, HUBLI - 580024

REP. BY ITS MANAGING PARTNER
VEERAPPA BASAVANTARAO DESAI

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM, BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMNAGAR, BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1593/2019

BETWEEN

SONA INDUSTRIAL ELASTOMERS
B-51, INDUSTRIAL ESTATE

GOKUL ROAD, HUBBALLI- 580030
BY ITS PARTNER
JATIN THAKKAR

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
2. BENGALURU - 560001
3. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
4. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
5. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
6. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1594/2019

BETWEEN

KARNATAKA CONEYORS AND SYSTEMS PVT. LTD
NO.26,INDUSTRIAL ESTATE
GOULU ROAD, HUBLI-580030
REP. BY ITS MANAGER FINANCE
MOHAN G NAIK

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1595-1597/2019

BETWEEN

1. SHRI GANESH METAL ROLLING MILL
& ENGINEERING WORKS
BLOCK NO.271/1-C, GOKUL VILLAGE
HUBLI – 580028
BY ITS PARTNER
SRI PANDURANG
2. SIDDHIVINAYAKA STAINLESS
STEEL WORKS PVT. LTD.
BLOCK NO.271/1-A, GOKUL
HUBLI – 580026
BY ITS MANAGING DIRECTOR
SRI RAGHUNATH C MADHURKAR
3. MADHU INDUSTRIES
12082, 10368,
ANCHATAGERI ONI
MOORUSAVIRA MATH
HUBLI – 580026
BY ITS PARTNER
SRI RAJESH

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA

BANNERGHATTA ROAD
BENGALURU - 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS
4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS
SAMPANGIRAMNAGAR
BENGALURU 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1598/2019

BETWEEN

OMKAR INDUSTRIES
127/A, BELUR INDUSTRIAL AREA
DHARWAD GROWTH CENTRE
DHARWAD 580011
BY ITS PARTNER, TUKARAM

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA

VIKASA SOUDHA
BENGALURU - 560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003

4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053

5. CITIJ
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1599/2019

BETWEEN

RAJASHRI FOODS PVT. LTD
NO.17, PLATFORM ROAD
SESHADRIPURAM
BANGALORE 560020
REP BY ITS DIRECTOR
SRI AMARNATH S

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS,
SAMPANGIRAMNAGAR, BENGALURU 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1600/2019

BETWEEN

GRASIM INDUSTRIES LIMITED
HAVING ITS REGISTERED OFFICE AT:
CHEMICAL DIVISION, KARWAR
P.O.BINAGA – 518307
DIST: UTTAR KARNATAKA

BY ITS SENIOR GENERAL MANAGER HR
DR. SURYANARAYANA K. BHAT

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM, BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1601/2019

BETWEEN

ELVEETY INDUSTRIES PVT. LTD.
M-16, INDUSTRIAL ESTATE

GOKUL ROAD
HUBBALLI – 580 030
BY ITS MANAGER ACCOUNTS
SMT SHAILAJA BELAVATGI

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560003
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF THE ORDER DATED 29/03/2019 i.e., [TO THE EXTENT OF CONFIRMING THE IMPUGNED NOTIFICATIONS] PASSED BY THE LEARNED SINGLE JUDGE IN WP NOS.9240-41 & 9243/2018, 10469/2018 & 10471/2018, 10136/2018 & 10138/2018, 11811-11815/2018 AND 11817-11818/2018, 30596/2018, 17806-17813/2018 & 17816/2018 & 17818/2018, 16467/2018, 18455/2018, 15167/2018, 50699-701/2018, 50204/2018, 9162/2018, 16345/2018, 23354/2018 [L-MW] AND ALLOW THE WRIT PETITIONS FILED BY THE APPELLANTS.

W.A. NOS.1602-1604/2019

IN W.A. NO.1602/2019

BETWEEN

BOARD OF MANAGEMENT
KLE SOCIETY
COLLEGE ROAD
BELGAUM-590001
REPRESENTED BY ITS SECRETARY

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN

MALLESHWARAM
BENGALURU - 560029

4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1603/2019

BETWEEN

BOARD OF MANAGEMENT
KLE SOCIETY
COLLEGE ROAD
BELGAUM-590001
REPRESENTED BY ITS SECRETARY

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560029
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET, BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO.1604/2019

BETWEEN

BOARD OF MANAGEMENT
KLE SOCIETY
COLLEGE ROAD
BELLGAUM-590001
REPRESENTED BY ITS SECRETARY

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA

BANNERGHATTA ROAD
BENGALURU – 560029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BENGALURU - 560029
4. BHARATIYA MAZADOR SANGA
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560053
5. CITU
NO.40/5, 2ND B MAIN ROAD,
16TH CROSS, SAMPANGIRAMNAGAR
BENGALURU - 560027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH PCOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARAYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 I.E.(TO THE
EXTENT OF CONFIRMING THE IMPUGNED NOTIFICATIONS)
PASSED BY THE LEARNED SINGLE JUDGE IN WP
NOS.13676/2017(L-MW), 13678/2017(L-MW) & 13679/2017(L-MW)
AND ALLOW THE WRIT PETITIONS FILED BY THE
APPELLANTS.

W.A. NOS. 1612-1618/2019

BETWEEN

1. AKSHARA MOTORS PVT LTD
SY. NO. 13 11 K. M. KANAKAPURA ROAD
BANGALORE-560 062
REPRESENTED BY ITS

NOW EXECUTIVE DIRECTOR
SRI. N.S. SURYA PRAKASH

2. PRERANA MOTORS PVT. LTD.
PRIDE HULKUL,
1ST FLOOR, 116 LALBAGH ROAD
BANGALORE-560 027
NOW REPRESENTED BY ITS ASSISTANT GPA HOLDER
SRI. A.R. GOPAL
3. ADVAITH MOTORS PVT. LTD.,
NO.32, RESIDENCY ROAD
BANGALORE-560 025
NOW REPRESENTED BY ITS
DIRECTOR, C.S. GUPTA
4. ADVAITH AUTOMATION PVT. LTD.,
NO. 40/1, SOUTH END ROAD
BASAVANAGUDI, BANGALORE-560 004
NOW REPRESENTED BY ITS DIRECTOR
C.S. GUPTA.
5. BIMAL MOTORS
SITE NO. 90, PLOT NO.241/242/278/90
NO.7, BYATARAYANAPURA
BELLARY ROAD, NH-7
BANGALORE-560 072
NOW REPRESENTED BY ITS DIRECTOR
NAVEEN KUMAR SARAWAGI
AGED ABOUT 51 YEARS
BENGALURU CITY
6. BIMAL AUTO AGENCY INDIA PVT. LTD.
NO.60/2, CHAND TOWER
WHITE FIELD ROAD
MAHADEVAPURA POST
BANGALORE-560 048
REPRESENTED BY ITS DIRECTOR
NAVEEN KUMAR
AGED ABOUT 56 YEARS
BENGALURU CITY
7. CAUVERY MOTORS PVT. LTD.
SY. NO.13
11KM KANAKAPURA ROAD

BANGALORE-560 062
NOW REPRESENTED BY ITS
NOW EXECUTIVE DIRECTOR
SRI. N.S. SURYA PRAKASH

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)
AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560 001
BENGALORE CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560 029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560 003
BENGALURU CITY
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD
COTTONPET
BANGALORE-560 053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND "B" MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560 027
REPRESENTED BY GENERAL SECRETARY
6. ALL INDIA CENTRAL COUNCIL OF
TRADE UNION (AICCTU)
NO.18, RIYAZ BUILDING

BASAVANAGAR MAIN ROAD
HOODY, M.D. PURA, BENGALURU-560 048
REPRESENTED BY ITS STATE PRESIDENT

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3,
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH ADVOCATE FOR R5,
SHRI MAITHREYI KRISHNAN, ADVOCATE &
SHRI CLIFTON D. ROZARIO, ADVOCATE FOR C/R6)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 OF THE LEARNED
SINGLE JUDGE INsofar as NOT INTERFERING WITH OTHER
LEGAL ASPECTS OF IMPUGNED NOTIFICATION BEARING
NO.KAA E 27 LMW 2014 DATED 27/12/2016 [ANNEXURE 'A' IN
WP] OF THE RESPONDENT NO.1 PASSED IN WRIT PETITION
NOS.5169/2017, 5170/2017, 5172/2017, 5173/2017, 5174/2017,
5175/2017 AND 5176/2017 & ETC.

W.A.NO.1619/2019 & W.A.NO.2744/2019

BETWEEN

1. SURETEX PROPHYLACTIS (I) LTD
PLOT NOS 74 TO 91
KIADB INDUSTRIAL ESTATE
JIGANI INDUSTRIAL AREA
JIGANI 2ND PHASE, ANEKAL TALUK
BANGALORE - 562106
REPRESENTED BY ITS SENIOR MANAGER HR
SRI UMESH P.R.
2. SEAL INDUSTRIES INDIA PVT. LTD.,
NO.49/3D, OPP:SHUSHRUTI BANK,
ANDRAHALLI MAIN ROAD,
2ND STAGE, PEENYA,
BENGALURU -560 058
NOW REPRESENTED BY ITS MANAGING DIRECTOR
SRI.MAHESH BABU P.V.

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA, BANNERGHATTA ROAD
BANGALORE-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO.27, 6TH CROSS
4TH MAIN MALLESHWARAM
BANGALORE-560003
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGAR
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 OF THE LEARNED

SINGLE JUDGE INSOFARAS NOT INTERFERING WITH OTHER LEGAL ASPECTS OF IMPUGNED NOTIFICATION BEARING NO.KAA E 41 LMW 2017 DATED 30/12/2017 (ANNEXURE'A' IN WP) OF THE RESPONDENT NO.1 PASSED IN W.P.NO.12461/2018 AND W.P.NO.12462/2018 & ETC.

W.A. NO. 1620/2019

BETWEEN

AKHILA KARNATAKA FEDERATION OF PETROLEUM
TRADERS - AKFPT(R)
UNIT NO.106, 1ST FLOOR
'PRIDE HULKUL', NO.116
LALBAGH ROAD, BENGALURU-560027
REPRESENTED BY ITS
PRESIDENT SRI RANJITH HEGDE

... APPELLANT

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA,
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.

4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BANGLORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD,
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF
THE ORDER DATED 29/03/2019 OF THE LEARNED SINGLE
JUDGE INsofaras NOT INTERFERING WITH OTHER LEGAL
ASPECTS OF IMPUGNED NOTIFICATION BEARING NO.KAA E
14 LMW 2017 DATED 30/12/2017 [ANNEXURE 'A' IN WP] OF THE
RESPONDENT NO.1 PASSED IN WRIT PETITION NO.15283/2018
(WRIT PETITION NOS.15282-15284/2018) & ETC.

W.A. NO. 1621/2019

BETWEEN

STOVE KRAFT PRIVATE LIMITED
81, HAROHALLI INDUSTRIAL AREA
KANAKAPURA TALUK
RAMANAGARA DISTRICT
BANGALORE - 562 112
REPRESENTED BY ITS COMPANY SECRETARY
SRI. VIVEK MISHRA

... APPELLANT

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF
THE ORDER DATED 29/03/2019 OF THE LEARNED SINGLE
JUDGE INsofar NOT INTERFERING WITH OTHER LEGAL
ASPECTS OF IMPUGNED NOTIFICATION BEARING NO.KAA E
26 LMW 2017 DATED 30/12/2017 [ANNEXURE 'A' IN WP] OF THE

RESPONDENT NO.1 PASSED IN WRIT PETITION NO.
39478/2018 IN [WP NOS.39477-39480/2018] & ETC.

W.A. NOS.1623-1628/2019

IN W.A.NOS.1623-1624/2019

BETWEEN

1. GRASIM INDUSTRIES LIMITED
UNIT: HARIHAR POLYFIBERS
P.O. KUMARAPATNAM,
DIST. HAVERI
KARNATAKA-581123
BY ITS VICE PRESIDENT
HUMAN RESOURCES
ARUN KUMAR MISRA
2. GRASIM INDUSTRIES LIMITED
UNIT: GRASILENE DIVISION
P.O. KUMARAPATNAM
DIST. HAVERI
KARNATAKA-581123
BY ITS VICE PRESIDENT
HUMAN RESOURCES
ARUN KUMAR MISRA

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD
COTTONPET
BANGLORE-560053
REPRESENTED BY ITS
PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS
SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1625/2019

BETWEEN

HSIL LIMITED
PACKAGING PRODUCT DIVISON
GARDEN POLYMERS,
PLOT NO. 15, 16, 17 & 18 PARTS
KIADB INDUSTRIAL AREA
LAKAMANHALLI
DHARWAD-580 004
BY ITS SENIOR GENERAL MANAGER
VISHWANATH.

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD
COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1626-1627/2019

BETWEEN

1. KQUALITY PAINTS
R-9 & R-27, 2ND STAGE

M.T. SAGAR INDUSTRIAL ESTATE
GOKUL ROAD, HUBBALLI-580 030
BY ITS PARTNER
PRAVEEN B. HEMADRI.

2. ULTRA TUFF COLD RETREADS PVT LTD
R-5, M.T. SAGAR INDUSTRIAL ESTATE
GOKUL ROAD, HUBBALLI-580 030
BY ITS MANAGING DIRECTOR
ASHOK SHARANAPPA GADAD.

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BANGLORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NO. 1628/2019

BETWEEN

SHRI GAJANAN STEELS
BLOCK NO 271/1
GOKUL ROAD, HUBBALLI - 580026
REPRESENTED BY ITS

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BANGLORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA

BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 i.e., [TO THE
EXTENT OF CONFIRMING THE IMPUGNED NOTIFICATIONS]
PASSED BY THE LEARNED SINGLE JUDGE IN WP NOS.33067-
68, 18473/2018, 18475-18476/2018 AND 50705/2018 [L-MW]
[ANNEXURE-D TO THE WRIT PETITIONS] FILED BY THE
APPELLANTS & ETC.

W.A. NOS.1629-1653/2019

IN W.A. NOS.1629-1633/2019

BETWEEN

1. FINE TECH CORPORATION PRIVATE LIMITED
3RD FLOOR, SS PLAZA, NO.74/2
JAY BHEEMA NAGAR MAIN ROAD
BTM LAYOUT, 1ST STAGE
BENGALURU-560068
THROUGH ITS STATE HEAD-KARNATAKA
AUTHORIZED SIGNATORY
SRI RAHUL SAXENA
2. SRI HANUMAN TRADERS
IRABANAHALLI VILLAGE
MALUR TALUK, DIST:KOLAR
PIN:563130
REPRESENTED BY ITS PROPRIETOR
I.R.SRINVIASA
3. SRI BRAHMI FUELS
615/5, VISHNU PRASAD BUILDING,

KUNDAPUR, DIST:D.K. PIN:576201,
REPRESENTED BY ITS PROPRIETOR
VIVEKA.U

4. VINAYAKA INNOVATIONS
NO.79, 4TH MAIN, 1ST STAGE
KHB COLONY, BASAVESHWARA NAGARA
BENGALURU-560079
REPRESENTED BY ITS PROPRIETOR
GIRISH BILIGIRI GOWDA
5. HARIHARA RETAIL OUTLET
NO.11/2, NH-4, KHASABAGH NIJAGAL,
DABASPET-NELAMANGALA,
PIN:562111
REPRESENTED BY ITS
PROPRIETOR,
K.R.SURESH.

... APPELLANTS

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BANGLORE-560053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS.1634-1653/2019

BETWEEN

1. SRI SAINATHA ENTERPRISES
NO.1071, KHASABAGH RAILWAY STATION ROAD
DODDABALLAPUR-561203
REPRESENTED BY ITS PROPRIETOR
SRI VENUGOPAL LOHITH
2. AKANKSHA ENTERPRISES
D.NO.503/A, 31 WARD
1ST MAIN, N.C. COLONY
BEHIND A C OFFICE
HOSAPETE-583203
REPRESENTED BY ITS PROPRIETOR
SRI B M PRASHANTH
3. G K ENGINEERS AND CONTRACTORS
NEAR NEW DC OFFICE
HOSPETE ROAD
KOPPAL-583231
REPRESENTED BY ITS PROPRIETOR
SRI AMARESH KARADI
4. RAJESH KAMPALI V
NO.135, CNG COMPLEX
COLLEGE ROAD, HOSPET
DIST BELLARY-583201
REPRESENTED BY ITS PROPRIETOR RAJESH
VENKANNAYAMANGAPPA KAMPLI

5. TRISHIKA ENTERPRISES
SY NO.70/4B, B, C, D
RELIANCE PETROLEUM
RETAIL OUTLE
OLD GANDHI NAGAR
KHASBAUG ROAD
BELAGAVI(BELGAUM)
PIN-590009
REPRESENTED BY ITS PROPRIETOR
ANIL MADHUKAR PATIL
6. RAKKASGI CONCERNS
GANDHI NAGAR
KHASBAUG ROAD
BELAGAVI(BELGAUM)
PIN:587101
REPRESENTED BY ITS PROPRIETOR RAVI SIRDESAI
7. SHREYA ASSOCIATES
RELIANCE PETROL MARKETING AT POST BALLOLLI
TALUK INDI
VIJAYAPURA(BIJAPUR)
PIN-586117
REPRESENTED BY ITS PROPRIETOR
IRANNA SHRISHAIL WALI
8. PATIL ENTERPRISES
RELIANCE RETAIL OUTLET
SY NO.126/3A2A
OPP:GCVT K M F MILK DAIRY
HUMNABAD ROAD
GULBARGA
PIN-585104
REPRESENTED BY ITS PROPRIETOR
SIDDALINGA S PATIL
9. SRI RANGA ENTERPRISES
SAINIKA NIWASA
KESHAVA NAGARA EXTN
SIRA TOWN
TUMKUR DIST
PIN-572137
REPRESENTED BY ITS PROPRIETOR
GOVINDAPPA BASAPPA

10. SRINIVASA PETROLEUM
KHATHA NO.5247/3995
RELIANCE PETROL PUMP
TUMKUR ROAD, MADHUGIRI
TUMKUR, TUMAKURU(TUMKUR)
PIN:572132
REPRESENTED BY ITS PROPRIETOR
MADA SRINIVAS SANTHOSH
11. NAGAMMA SRIKANTIAH ENTERPRISES
DOOR NO.132
NEAR GANDHI CIRCLE
RAMAKRISHNA LAYOUT
CHANNARAYAPATNA
PIN:573116
REPRESENTED BY ITS PROPRIETOR
GANESHGOWDA MAGES
12. SRI DURGAMBA FUELS
VISHNU PRASAD BUILDING
KUDAPUR DIST:DK
PIN:576201
REPRESENTED BY ITS PROPRIETOR
SUPREETH CHATHRA
13. DEVI ENTERPRISES
OPERATOR RELIANCE PETRO MARKETING LTD
KODIALBAIL
LALBAGH MANGALORE
PIN:575003
REPRESENTED BY ITS PROPRIETOR
PUCHATHABAIL SADASHIV
14. MOMINDADA ASSOCIATES
H.NO.466
GANDHINAGAR
HUKKERI, BELGAVI(BELGAUM)
PIN-591313
REPRESENTED BY ITS PROPRIETOR
GOUSAMOHADDIN NAZEERAHAMMAD
MOMINDADA
15. SRI SIDDALINGESHWARA SERVICE STATION
NO.55, PALACHAGALHI IRRIGATION LAYOUT

3RD MAIN, 2ND STAGEBOGADI SOKUTH
MYSORE-570026
REPRESENTED BY ITS PROPRIETOR
BASAPPA B

16. R M SERVICES
STATION ROAD
CHALAGERI
DIST HAVERI, PIN:581145
REPRESENTED BY ITS PROPRIETOR
RIYAZ MOOULASAB PLAT
17. B T RAJ ENTERPRISES
J C R ROPAD
NEAR SAIBABA TEMPLE
CHITRADURGA-577501
REPRESENTED BY ITS PROPRIETOR DEVARAJ
BASAVARAJ YADAV
18. S L V PETROLEUM
WARD NO.05
NEAR OLD GOVT HOSPITAL
ILKAL, DIST BAGALKOT
PIN:587125
REPRESENTED BY ITS PROPRIETOR
P V KULKARNI
19. RAJESHWARI ENTERPRISES
NO.98, 4TH CROSS
SILVER TOWN
GOKUR ROAD
HUBBALLI-580030
REPRESENTED BY ITS PROPRIETOR
SURESH MALLAPPA JALI
20. SHRI HALSHIDDANATH AND COMPANY
BIJAPUR BYPASS, NH 50
MANGOLI ROAD
NEAR HITTANLLI FARM
DIST BIJAPUR
PIN:586112
REPRESENTED BY ITS PROPRIETOR
BASALINGAPPA SHANKAREPPA KHOT

... APPELLANTS

(BY SRI B.C. PRABHAKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029.
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003.
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 i.e., [TO THE
EXTENT OF CONFIRMING THE IMPUGNED NOTIFICATIONS]
PASSED BY THE LEARNED SINGLE JUDGE IN WP NOS.49468-
49472/2018, 50569-50574/2018 AND 50576-50589/2018 [L-MW]

AND ALLOW THE WRIT PETITIONS FILED BY THE APPELLANTS.

W.A.NOS.1679-1680/2019

BETWEEN

1. M/S MAHAN FOOD INDUSTRIES
A PARTNERSHIP FIRM
REGISTERED UNDER
THE INDIAN PARTNERSHIP ACT, 1932
B-3, INDUSTRIAL ESTATE YEYYADI
MANGALURU-575008
REPRESENTED BY ITS PARTNER
RAMA BHAT N
SON OF N NARASIMHA BHAT
AGED 56 YEARS, B-3
RESIDING AT NO.4-8/3
DANDAKERI ROAD, YEYYADI
MANGALURU-575008
2. M/S SARASJA FOODS
SPECIAL PLOT NO.3 & 4,
INDUSTRIAL ESTATE,
YEYYADI, MANGALURU-575008
REPRESENTED BY ITS PROPRIETRIX
SMT SARASWATHI RAM
WIFE OF RAMA BHAT N
AGED 51 YEARS,
RESIDING AT NO.4-8/3
DANDAKERI ROAD
YEYYADI MANGALURU-575008
3. M/S ARUNA FOODS
SPECIAL PLOT NO.5(A)
INDUSTRIAL ESTATE
YEYYADI, MANGALURU-575008
REPRESENTED BY ITS PROPRIETOR
MR RAMA BHAT N
SON OF N. NARASIMHA BHAT
AGED 56 YEARS,
B-3, INDUSTRIAL ESTATE, YEYYADI
MANGALURU-575008

4. SRI RAMA BHAT N
SON OF N NARASIMHA BHAT
AGED 56 YEARS
B-3, RESIDING AT NO.4-8/3
DANDAKERI ROAD
YEYYADI
MANGALURU-575008

5. SMT. SARASWATHI RAM
WIFE OF RAM BHAT N
AGED 51 YEARS,
RESIDING AT NO.4-8/3,
DANDAKERI ROAD
YEYYADI
MANGALURU-575008

... APPELLANTS

(BY SHRI SHRIDHAR PRABHU, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY
THE ADDITIONAL CHIEF SECRETARY
LABOUR DEPARTMENT, 4TH FLOOR
VIKASA SOUDHA
BENGALURU-560 001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERUGHATTA ROAD
DAIRY CIRCLE
BENGALURU-560 029

3. THE MINIMUM WAGES ADVISORY BOARD FOR
KARNATAKA STATE
CONSTITUTED UNDER SECTION 7 OF
THE MINIMUM WAGES ACT, 1948
OFFICE OF THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERUGHATTA ROAD, DAIRY CIRCLE
BENGALURU-560029
REPRESENTED BY ITS SECRETARY

4. THE DIRECTORATE OF ECONOMICS AND STATISTICS
GOVERNMENT OF KARNATAKA
7TH FLOOR, M.S. BUILDING
DR B.R. AMBEDKAR VEEDHI
BENGALURU-575001
REPRESENTED BY ITS DIRECTOR
- ... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
ORDER DATED 29/03/2019 PASSED BY THE LEARNED SINGLE
JUDGE IN WRIT PETITION NOS.27921-27925/2018 TO THE
EXTENT OF UPHOLDING THE REVISION OF MINIMUM WAGES
ONLY & ETC.

W.A. NOS.1681-1682/2019

BETWEEN

1. M/S TOOLCOMP SYSTEMS PVT LIMITED
A PRIVATE COMPANY INCORPORATED
UNDER THE COMPANIES ACT, 1956
HAVING ITS REGISTERED OFFICE AT NO.1240
G.K. GOKHALE ROAD
5TH STAGE, BEML LAYOUT
RAJARAJESHWARI NAGAR
BENGALURU-560098
REPRESENTED BY ITS
MANAGING DIRECTOR
2. M SHYAM BHAT
S/O M NARYANA BHAT
AGED ABOUT 59 YEARS
RESIDING AT NO.1240
G K GOKHALE ROAD
5TH STAGE, BEML LAOUT
RAJARAJESHWARI NAGAR
BENGALURU-560098
- ... APPELLANTS

(BY SHRI SHRIDHAR PRABHU, ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY THE
ADDITIONAL CHIEF SECRETARY
LABOUR DEPARTMENT
4TH FLOOR, VIKASA SOUDHA
BENGALURU-560 001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERUGHATTA ROAD,
DAIRY CIRCLE
BENGALURU-560 029
3. THE MINIMUM WAGES
ADVISORY BOARD FOR
KARNATAKA STATE
CONSTITUTED UNDER
SECTION 7 OF THE MINIMUM
WAGES ACT, 1948
OFFICE OF THE LABOUR
COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERUGHATTA ROAD
DAIRY CIRCLE
BENGALURU-560 029
REPRESENTED BY ITS
SECRETARY
4. THE DIRECTORATE OF ECONOMICS
AND STATISTICS
GOVERNMENT OF KARNATAKA
7TH FLOOR, M.S. BUILDING
DR. B.R. AMBEDKAR VEEDI
BENGALURU-575001
REPRESENTED BY ITS
DIRECTOR

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 29/03/2019 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NOS.24389-24390/2018 TO THE EXTENT OF UPHOLDING THE REVISION OF MINIMUM WAGES ONLY & ETC.

W.A. NO. 1704/2019

BETWEEN

POTHYS PVT LTD
NO.33, KEMPEGOWDA ROAD
BENGALURU-560 009
REPRESENTED BY ITS
SENIOR GENERAL MANAGER
SRI. B. KRISHNA KUMAR

... APPELLANT

(BY SHRI VIKRAM G., ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO.27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003
4. BHARATIYA MAZDDOR SANGH (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO.40/5, 2ND "B" MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2 AND
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF
THE ORDER DATED 29/03/2019 OF THE LEARNED SINGLE
JUDGE PASSED IN W.P.NO.39801/2018 IN SO FAR AS THE
APPELLANT IS CONCERNED (W.P.NO.35939/2018 AND 39791-
39812/2018), IS SO FAR AS NOT INTERFERING WITH OTHER
ASPECTS OF IMPUGNED NOTIFICATION BEARING NO.KAA E
20 LM/W 2017 DATED 30/12/2017 (ANNEXURE-A) ISSUED BY
THE RESPONDENT NO.1 AND DIRECTING TO PAY INTEREST
@ 6% FROM THE DATE ON WHICH IT BECAME PAYABLE
WITHIN 8 WEEKS & ETC.

W.A. NOS.1765-1792/2019

IN W.A. NOS.1765-1766/2019

BETWEEN

1. KARNATAKA SMALL SCALE INDUSTRIES ASSOCIATION
(KASSIA), NO.2/106, 17TH CROSS
MAGADI CHORD ROAD
VIJAYANAGAR
BENGALURU-560040
NOW REPRESENTED BY ITS
HONORARY GENERAL SECRETARY
SRI RAVIKIRAN KULKARNI
2. M/S REC ENGINEERING
PRODUCTS PVT. LTD.,
PLOT NO.167, M-69, S.NO.346

UDYAMBAG, BELGAUM-590008
NOW REPRESENTED BY ITS
EXECUTIVE DIRECTOR
SRI OMKAR C. HASHILKAR

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGLORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 1767-1781/2019

BETWEEN

1. RAJALAKSHMI STAMPINGS
NO.51, 2ND STAGE
J.C. INDUSTRIAL LAYOUT
YALACHENAHALLY
KANAKAPURA ROAD
BANGALORE - 560062
NOW REPRESENTED BY ITS
MANAGER-HR
SRI KARUNAKAR SHETTY
2. PRAKASH HOME INDUSTRIES
695, 'C' NEAR, R.C. NAGAR
II STAGE , P.O., UDYAMBAG
BELGAUM-590008
REPRESENTED BY ITS
PARTNER
SRI R.N. PANDIT
3. BALU INDIA
43, (B), KAKATI INDUSTRIAL AREA
BELGAUM-591113
NOW REPRESENTED BY ITS
PARTNER
SRI FELIX BONGE
4. CMC COMMUTATOR PVT. LTD.,
R.S.NO.609/1A & 609/2
MACHHE INDUSTRIAL ESTATE
MACHHE, BELGAUM-590014
REPRESENTED BY ITS
DIRECTOR
SRI PRASAD RAMESH GUDI
5. AEON TELELECTRONICS PVT. LTD.,
NO.10, 10TH MAIN ROAD
III BLOCK, JAYANAGAR
BANGALORE-560011
REPRESENTED BY ITS
DIRECTOR
SRI VASANTH RANGA

6. LEOTECH
NO.70, 2ND MAIN ROAD
INDUSTRIAL TOWN
RAJAJINAGAR
BANGALORE-560044
REPRESENTED BY ITS
PARTNER
SRI S. VENKATESH
7. QUALIDELS
49/3, ANDARAHALLI
MAIN ROAD
OPP. SHUSHRUTHI BANK
NEAR PEENYA 2ND STAGE
BANGALORE-560091
REPRESENTED BY ITS
PARTNER
SRI RAVI KIRAN KULKARNI
8. BHANDARY POWER LINES (P) LTD
3-B, INDUSTRIAL AREA
MANIPAL-576104
REPRESENTED BY ITS
GENERAL MANAGER
SRI JNANANANDA A
9. NETALKAR POWER
TRANSMISSION PLANT 2
SY.NO.350, KHANAPUR ROAD
UDYAMBAG
BELGAUM 590008
REPRESENTED BY ITS
PARTNER
SRI SATISH D NETALKAR
10. BILVA TECHNOLOGIES PVT LTD
PLOT NO.257, 1ST STAGE
SOMPURA INDUSTRIAL AREA
NELAMANGALA TALUK
DABASPET
BENGALURU RURAL DIST
NOW REPRESENTED BY ITS
DIRECTOR
SRI R SHASHISHEKAR

11. PRECI-MAC ENGINEERING
ENTERPRISES
NO.B-57, KSSIDC
INDUSTRIAL ESTATE
KUMBALAGODU
BANGALORE-560074
REPRESENTED BY ITS
PARTNER
SRI S BABU
12. ASHWIN PRECISION PRODUCTS
87, SOLUR
THIMMARAYAPPA
CHOULTRY COMPOUND
OPP: AJAN THEATRE
MAIN MAGADI ROAD
BANGALORE-560023
REPRESENTED BY ITS
PARTNER
SRI S BABU
13. C.K. ENGINEERING WORKS
P.NO.69, 3RD PHASE , 6TH MAIN
PEENYA INDUSTRIAL AREA
BANGALORE-560058
REPRESENTED BY ITS
PROPRIETOR
SRI ANANTHA PADMANABHA
14. B.Y. INDUSTRIES
M-14, INDUSTRIAL ESTATE
BELGAUM-590008
NOW REPRESENTED BY ITS
PARTNER
SRI SANDEEP PRADEEP
BAGEWADI
15. FRITHVI METALS PVT. LTD.,
PLOT NO.685, OPP. ASHOK
IRON WORKS PLANT-1
UDYAMBAG, BELGAUM-590008
NOW REPRESENTED BY ITS
DIRECTOR
SRI RAVI ACHUTHA RAO

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY GENERAL SECRETARY
... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 1782-1788/2019

BETWEEN

1. M/S VEETECH VALVES (P) LTD.
N-4, INDUSTRIAL ESTATE

GOKUL ROAD
HUBLI-580030
NOW REPRESENTED BY ITS DIRECTOR
SRI GIRISH V MANE

2. M/S FINE BLANKING PVT. LTD.
201/2, 202/1, 202/2,
GOKUL VILLAGE
REVADIHAL ROAD
HUBLI-580027
REPRESENTED BY ITS
DIRECTOR, SRI RAHUL KHOBARE
3. M/S ASHOK IRON WORKS PVT. LTD.
SPL. PLOT NOS.1 AND 2
INDUSTRIAL ESTATE, UDYAMBAG
BELAGAVI-590 008.
REPRESENTED BY ITS
JOINT MANAGING DIRECTOR
SRI. JAYANT A. HUMBARWADI
4. M/S GANGADEEP
INDUSTRIES
68/60, RAJAJINAGAR
INDUSTRIAL TOWN
BENGALURU-560044
REPRESENTED BY ITS
PROPRIETOR
SRI M RAGHAVA REDDY
5. M/S HITECH ROLLIN BALLS PVT LTD .,
PLANT-II, NO.21-A, BELAVADI
INDUSTRIAL AREA
HUNSUR ROAD
MYSORE-570018
NOW REPRESENTED BY ITS
MANAGER –QA
SRI J R SHAH
6. M/S FLEXO TECH PRODUCTS
P18, III CROSS, III STAGE
PEENYA INDUSTRIAL AREA
BANGALORE-560058
REPRESENTED BY ITS PARTNER
SRI BHARATH D

7. M/S YOSHAMA AND
COMPANY PVT. LTD.
NO.6411, 3RD CROSS, SSI AREA
RAJAJINAGAR, BANGALORE-560010
REPRESENTED BY ITS
DIRECTOR
SRI N.S. RAGHUPRASAD

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

IN W.A. NOS. 1789-1792/2019

BETWEEN

1. M/S BANGALORE
MECHATRONICS PVT. LTD.
23, VASANTH VILAS
MALLIKARJUNA TEMPLE ROAD
BASAVANAGUDI, BENGALURU-560004
REPRESENTED BY ITS
DIRECTOR
SRI R MURALIDHAR
2. M/S BTM FORGING PVT. LTD.
67/C, TARIHAL INDUSTRIAL AREA
NEXT TO PATEL SHREE JEE
COLD STORAGE , TARIHAL
HUBLI-580030
NOW REPRESENTED BY ITS
DIRECTOR, SRI GIRISH V MANE
3. M/S S.R. PROCESS CONTROL
PVT LTD., PLOT NO.2,
SY.NO.P/2B
TARIHAL INDUSTRIAL AREA
TARIHAL, HUBLI 580026
NOW REPRESENTED BY ITS DIRECTOR
SRI GIRISH V MAEN
4. M/S PASHUPATHI STEELS
20/27, BONDANTHILA VILLAGE
FADMALE PO, NEER MARGA,
MANGALURU 575029
REPRESENTED BY ITS PARTNER
SRI RAHUL JAIN P.S.

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BANGALORE-560001
 2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
 3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BANGALORE-560003
 4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
 5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY GENERAL SECRETARY
- ... RESPONDENTS
- (BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF THE ORDER DATED 29/03/2019 OF THE LEARNED SINGLE JUDGE INsofaras NOT INTERFERING WITH OTHER LEGAL ASPECTS AND QUANTUM OF MINIMUM WAGES FIXED IN THE IMPUGNED NOTIFICATION BEARING NO.KAA E 18 LMW 2017 DATED 30/12/2017 [ANNEXURE 'A' IN WP] OF THE RESPONDENT NO.1 PASSED IN FOLLOWING WRIT PETITION

NOS.40309-40310/2018, 15868/2018, 15869/2018, 15871/2018, 15889/2018, 15891/2018, 15894/2018, 15898/2018, 15899/2018, 15902/2018, 15905/2018, 15906/2018, 15907/2018, 15910/2018, 15914/2018, 15915/2018, 25409/2018, 25410/2018, 25419/2018, 25421/2018, 25427/2018, 25440/2018, 25446/2018, 33846/2018, 33853/2018, 33856/2018 & 33863/2018 (L-MW) & ETC.

IN W.A. NOS.1794-1825/2019

BETWEEN

1. J.P.F MATACAST PVT. LTD.
SURVEY NO.589 & 607
PLOT NO.7,16 & 29
MACHHE INDUSTRIAL ESTATE
BELGAUM-590014
NOW REPRESENTED BY ITS MANAGING DIRECTOR
SRI PRAKASH NARAYAN PANDIT
AGED ABOUT 66 YEARS.
2. AKP FOUNDRIES PVT. LTD.
R.S. NO.689, UDYAMBAG
BELGAUM - 590008
REPRESENTED BY ITS MANAGING DIRECTOR
SRI RAM B BHANDARE
AGED ABOUT 71 YEARS
3. AKP FERROCAST PVT LTD
NO.6663, WAGHWADE ROAD
MACHHE, BELGAVI-590014
REPRESENTED BY ITS DIRECTOR
MR. PARAG RAM BHANDARE
AGED ABOUT 43 YEARS
4. ALLOY STEELS
PLOT NO.M 27, INDUSTRIAL ESTATE
UDYAMBAG
BELGAUM-590008
REPRESENTED BY ITS PARTNER
MR. JAYADEV S DOLLI
AGED ABOUT 41 YEARS
5. I.H. CASTINGS (BELGAUM)
SURVEY NOS.336/2/2

UDYAMBAG, BELAGAVI
KARNATAKA-590008
NOW REPRESENTED BY ITS PARTNER
MR. ANAND M DESAI
AGED ABOUT 41 YEARS

6. JINESHWAR MALLEABLE & ALLOYS
B-14, ANGOL INDUSTRIAL ESTATE
RANICHENNAMMA NAGAR
BELGAUM-560008
REPRESENTED BY ITS MANAGING PARTNER
MR. MANOJ H. DHAVALESHWAR
AGED ABOUT 54 YEARS

7. VARSHA IRONS
PLOT NO.365
SY NO.54/7, NAVAGE CROSS
JAMBOTI ROAD
BELGAUM-590014
REPRESENTED BY ITS PARTNER
MR VIJAY M MUCHANDIKAR
AGED ABOUT 62 YEARS

8. TRIMURTI FOUNDERS
SY NO.56/4, NAVAGE CROSS
JAMBOTI ROAD, BELGAUM-590014
NOW REPRESENTED BY ITS PARTNER
MR VIJAY M MUCHANDIKAR
AGED ABOUT 62 YEARS

9. KAPEEL FOUNDERS
PLOT NO.69, UDYAMBAG
BELGAUM-590008
REPRESENTED BY ITS PARTNER
MR ANANT PATIL
AGED ABOUT 38 YEARS

10. MANGAL FOUNDERS
SY NO.634/1, PLOT NO.7A/7B
JAMBOTI ROAD
MACHHE, BELGAUM-590014
REPRESENTED BY ITS PROPRIETOR
MR RAHUL MAHADEV HAIBATTI
AGED ABOUT 45 YEARS

11. THE ALLIED FOUNDERS PVT LTD
PLOT NO.L-3, INDUSTRIAL ESTATE
UDYAMBAG, BELGAUM-590008
REPRESENTED BY ITS DIRECTOR
SRI RAMACHANDRA MALLYA
AGED ABOUT 39 YEARS
12. GRIHALAXMI METAL INDUSTRIES
LOT NO.N-13, GOVT INDUSTRIAL ESTATE
UDYAMBAG, BELAGUM-590008
REPRESENTED BY ITS
MANAGING PARTNER
SRI MARUTHI YELLAPPA KONO
AGED ABOUT 65 YEARS.
13. AMIT FERRO CAST
SY NO.608/2 & 608/3
MACHHE INDUSTRIAL ESTATE
MACHHE, BELGAUM-590014
REPRESENTED BY ITS PARTNER
SRI MARUTHI YELLAPPA KONO
AGED ABOUT 65 YEARS.
14. REC ENGINEERING PRODUCTS PVT. LTD.
RS NO 56/4, JAMBOTI ROAD
NAVAGE CROSS
BELGAUM-590014
NOW REPRESENTED BY ITS EXECUTIVE DIRECTOR
SRI AMAR MADHU HASHILKAR
AGED ABOUT 41 YEARS.
15. BHARAT IRON & STEEL WORKS
371/1 + 2B, PUNE-BANGALORE ROAD
BELGAUM-590016
REPRESENTED BY ITS PARTNER
MR. SUDHIR M PATIL
AGED ABOUT 74 YEARS
16. BHARAT IRON WORKS
371/1 + 2B, PUNE-BANGALORE ROAD
BELGAUM-590016
REPRESENTED BY ITS PROPRIETOR
MR SUNAY S PATIL
AGED ABOUT 35 YEARS

17. M/S HINDUSTAN ENGINEERS
PLOT NO.11, SY NO.341/2 (689)
UDAYAMBAG,
BELGAUM-590008
REPRESENTED BY ITS PARTNER
SRI YESHWANT A MANGALE
AGED ABOUT 66 YEARS
18. M/S BELGAUM ALUMINIUM INDUSTRIES PVT. LTD.
PLOT NO.8A/8B, SY NO.34,
KIADB INDUSTRIAL ESTATE
KANGRALE (BD) OPP. INDAL COLI
P.B.ROAD, BELGAUM-560010
REPRESENTED BY ITS CHAIRMAN/DIRECTOR
SRI ARAVIND A MANGALE
AGED ABOUT 63 YEARS
19. GOKUL FERROCAST PVT LTD
172/2, G.P.NO.509
WAGH WADE, BELGAUM-590014
NOW REPRESENTED BY ITS
MANAGING DIRECTOR
SRI SUNNY AHUJA
AGED ABOUT 37 YEARS
20. VIMAL ENTERPRISES
PLOT NO.53, 54, 54A
MACHHE INDUSTRIAL AREA, MACHHE
BELGAUM-590014
REPRESENTED BY ITS PROPRIETOR
SRI VIJAY LENGADE
21. PRABHAT CASTINGS
374, P.B.ROAD, HOSUR POST
SHAHAPUR, BELGAUM-590003
REPRESENTED BY ITS PARTNER
SRI LAXMAN B SAINUCHE
AGED ABOUT 68 YEARS
22. SHANTI IRON & STEEL
NO.690, UDAYAMBAG INDUSTRIAL ESTATE
BELGAUM-590008
REPRESENTED BY ITS PARTNER

SRI SANTHOSH K PORWAL
AGED ABOUT 42 YEARS

23. KUDALE IRON WORKS
709/4 INDUSTRIAL AREA
RAJARAM NAGAR, NEAR GIT COLLEGE
UDYAMBAG, BELGAUM-590008
REPRESENTED BY ITS PARTNER
SRI SREENATH S KUDALE
AGED ABOUT 46 YEARS
24. TECHNOSYSTEMS
C-2, GOVERNMENT INDUSTRIAL ESTATE
UDYAMBAG, BELGAUM-590008
REPRESENTED BY ITS PARTNER
SRI PRADEEP M KULKARNI
AGED ABOUT 59 YEARS
25. FLUID METALS (INDIA) PVT LTD
C/O HM INDUSTRIES
C-6, GOVERNMENT INDUSTRIAL ESTATE
UDYAMBAG, BELGAUM-590008
NOW REPRESENTED BY ITS
MANAGING DIRECTOR
SRI SUBHODH TEMBE
AGED ABOUT 58 YEARS
26. VINSAVI INDOTECHS UNIT-2
PLOT NO.M-30, RS NO.8
INDUSTRIAL ESTATE
UDYAMBAG
BELGAUM-590008
REPRESENTED BY ITS PROPRIETOR
SRI SUNIL BASAWANT KANGALKAR
AGED ABOUT 51 YEARS
27. ATUNI STEEL CAST
PLOT NO.50, MACHHE INDUSTRIAL ESTATE
MACHHE, BELGAUM-590014
REPRESENTED BY ITS PROPRIETOR
SRI SANCHIT A KITTUR
AGED ABOUT 40 YEARS
28. TRIDENT STEELS
PLOT NO.40, MACHHE INDUSTRIAL AREA

MACHHE, BELAGAVI-590014
NOW REPRESENTED BY
ITS PROPRIETOR
SRI MANOJ KUMAR BELGUNDAKAR
AGED ABOUT 39 YEARS

29. V.K. METALS
681/2, RANICHENAMA NAGAR
INDUSTRIAL ESTATE, UDYAMBAG
BELGAUM-590008
NOW REPRESENTED BY
ITS PROPRIETOR
SRI VINAYAKA KALLAPPA KATKAR
AGED ABOUT 39 YEARS
30. AMIJEET FOUNDERS (BELAGAVI)
PLOT NO.182, UDYAM BAUG
UDYAMBAG, BELAGAVI
KARNATAKA-590008
REPRESENTED BY ITS PARTNER
SRI AJIT GAJANANRAO HANGIRGEKAR
AGED ABOUT 38 YEARS
31. VICTOR ENTERPRISES
M/N 16M, INDUSTRIAL ESTATE
UDYAMBAG
BELGAUM-590008
REPRESENTED BY ITS PARTNER
SRI ADITYA S PARIKH
AGED ABOUT 31 YEARS
32. BELGAUM FERROCAST (INDIA) PVT LTD
PLOT NO.7A, 8A & 8B
R.S. NO.680/2, BEMCIEL
UDYAMBAG, BELGAVI 590008
REPRESENTED BY ITS
MANAGING DIRECTOR
SRI SACHIN B SUBNIS
AGED ABOUT 46 YEARS

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO.27, 6TH CROSS
4TH MAIN, MALLESHWARM
BENGALURU-560003
4. BHARATIYA MAZDOOR SANGHA
NO.458, OTC ROAD, COTTONPET
BENGALURU-560053
NO.40/5, 2ND B MAIN ROAD
16TH CROSS
SAMPANGIRAMA NAGARA
BENGALURU-560027
REPRESENTED BY GENERAL SECRETARY
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMANAGAR
BENGALURU-560027
REPRESENTED BY ITS
GENERAL SECRETARY
6. ALL INDIA CENTRAL COUNCIL OF TRADE
UNION (AICCTU)
NO.18, RIYAZ BUILDING
BASAVANAGAR MAIN ROAD
HOODY, M.D. PURA
BENGALURU-560048
REPRESENTED BY ITS STATE
PRESIDENT

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5 AND
SHRI MAITHREYI KRISHNAN, ADVOCATE FOR C/R6)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 OF THE
LEARNED SINGLE JUDGE INsofaras NOT INTERFERING
WITH OTHER LEGAL ASPECTS OF IMPUGNED NOTIFICATION
BEARING NO.KAA E 26 LMW 2014 DATED 27/12/2016
(ANNEXURE 'H' IN W.P.) OF THE RESPONDENT NO.1 PASSED
IN WRIT PETITION NOS. 5683/2017, 5684/2017, 5685/2017,
5686/2017, 5687/2017, 5688/2017, 5689/2017, 5690/2017,
5691/2017, 5692/2017, 5694/2017, 5695/2017, 5696/2017,
5697/2017, 5698/2017, 5699/2017, 5701/2017, 5702/2017,
5703/2017, 5704/2017, 5706/2017, 5707/2017, 5708/2017,
5709/2017, 5710/2017, 5711/2017, 5712/2017, 5713/2017,
5715/2017, 5716/2017, 5717/2017, 5718/2017(L-MW) & ETC.

W.A. NO. 1846/2019

BETWEEN

M/S PACIFIC INDUSTRIES LIMITED
SURVEY NO.13, NH-48
KEMPALINGANAHALLI VILLAGE
NELAMANGALA TALUK
BENGALURU RURAL DISTRICT-562123
REPRESENTED BY ITS
SENIOR ACCOUNTS MANAGER
MR. RAKESH TOSHNIWAL

... APPELLANT

(BY SHRI SANTHOSH NARAYAN S., ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA

VIKASA SOUDHA
BANGALORE-560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVAN
BANNERGHATTA ROAD
BANGALORE-560029
3. THE PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560003
4. THE PRESIDENT
BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD
COTTONPET
BANGALORE-560053
5. THE GENERAL SECRETARY
CENTRE OF INDIAN TRADE UNIONS(CITU)
#40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANIGRAMANAGAR
BENGALURU-560027

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE PORTION OF THE ORDER DATED 29.03.2019 OF THE
LEARNED SINGLE JUDGE PASSED IN WP NOS. 8388-8417/2017
C/W WP NOS. 44237/2018 IN SO FAR AS NOT INTERFERING
WITH OTHER LEGAL ASPECTS OF IMPUGNED NOTIFICATION
BEARING NO.NO.KAA E 20 LMW 2017 DATED 30.12.2017
(ANNEXURE -A) OF THE RESPONDENT NO.1 AND ETC.

IN W.A. NOS. 1872-2214/2019

BETWEEN

1. M/S. COFFEE DAY GLOBAL LIMITED
KALLANAYAKANAHALLI VILLAGE AND POST
ARASIKERE TALUK
HASSAN DISTRICT
KARNATAKA-573 103
2. M/S. COFFEE DAY GLOBAL LIMITED
GROUND FLOOR,
IKON NURSING COLLEGE CAMPUS
SY.NO.51/2,BHEMANAHALLI
BIDADI HOBLI
BANGALORE, KARNATAKA-562 109
3. M/S. COFFEE DAY GLOBAL LIMITED
JUNGLE RESORTS
MYSORE BANGALORE HIGHWAY
BANGALORE
KARNATAKA-562 109
4. M/S. COFFEE DAY GLOBAL LIMITED
PB ROAD,BEARING CTS NO.4824C/41
SITUATED IN OLD P.B.ROAD
BELGAUM
KARNATAKA-590 003
5. M/S COFFEE DAY GLOBAL LIMITED
BELLUR CROSS NATIONAL HIGHWAY-17
BANGALORE-HASSAN HIGHWAY
BELLUR,KARNATAKA-571 418
6. M/S. COFFEE DAY GLOBAL LIMITED
IOC CHANNARAYAPATNA
BANGALORE HASSAN HIGHWAY
UDAYPURA
CHANNARAYAPATNA TALUK
KARNATAKA-573 116
7. M/S. COFFEE DAY GLOBAL LIMITED
C/O ABC TRADING CO LTD.

KM ROAD, CHICKMAGALUR
KARNATAKA-577 101

8. M/S. COFFEE DAY GLOBAL LIMITED
PLOT NO.1637/1, SURVEY NO.99/142
VIDYANAGAR, DAVANAGERE
KARNATAKA-577 001
9. M/S. COFFEE DAY GLOBAL LIMITED
M/S SIDDESHWARA PETROLEUM,
BANGALORE DAVANAGERE GOA HIGHWAY
NH-4,GOLLARAHATTI
DAVANAGERE, KARNATAKA-577 512
10. M/S. COFFEE DAY GLOBAL LIMITED
NEXT HP PETROL BUNK
MYSORE OOTY HIGHWAY
GUNDULPET
KARNATAKA-571 111
11. M/S. COFFEE DAY GLOBAL LIMITED
C/O IOC CHATRA FUEL STATION
CHATRA, HAVERI-DISTRICT
KARNATAKA-581 115
12. M/S. COFFEE DAY GLOBAL LIMITED
NO.2&3, EUREKA JUNCTION
TRAVELERS BUNGALOW ROAD
HUBLI, KARNATAKA-580 020
13. M/S. COFFEE DAY GLOBAL LIMITED
HOTEL GARUDA SY NO.327/B
SHIGGON VILLAGE
HUBLI, KARNATAKA-581 205
14. M/S. COFFEE DAY GLOBAL LIMITED
HPCL PETROL BUNK
MUMMY GATTI,HUBLI
KARNATAKA-580 011
15. M/S. COFFEE DAY GLOBAL LIMITED
URBAN OASIS MALL
CTS NO.4784, AIRPORT ROAD
HUBLI, KARNATAKA-580 020

16. M/S. COFFEE DAY GLOBAL LIMITED
C/O IOC ANKOLA
NEXT TO KAMAT RESTAURANT
ANKOLA VILLAGE
KARWAR DISTRICT
KARNATAKA-581 314
17. M/S. COFFEE DAY GLOBAL LIMITED
IOC TRASI, EDAPALLY-PANVEL HIGHWAY
TRASI, KUNDAPURA-TALUK
KARNATAKA-576 235
18. M/S. COFFEE DAY GLOBAL LIMITED
HEMANTH TOWER
S.NO.10/5,CHAKENAHALI VILLAGE
YEDIYURU HOBLI, B M ROAD
KUNIGAL, KARNATAKA-572 142
19. M/S. COFFEE DAY GLOBAL LIMITED
KOPPA VILLAGE, HARANAHALLI HOBLI
PERIYAPATNA TALUK
KARNATAKA-571 234
20. M/S. COFFEE DAY GLOBAL LIMITED
BANGALORE-MYSORE HIGHWAY
MUDIGERE-VILLAGE
MADDUR-TALUK
KARNATAKA-571 419
21. M/S. COFFEE DAY GLOBAL LIMITED
NEXT TO INDIAN OIL PETROL BUNK
BANGALORE-MYSORE HIGHWAY
GEJALAKERE-VILLAGE
MADDUR,MANDYA DISTRICT
KARNATAKA-571 428
22. M/S. COFFEE DAY GLOBAL LIMITED
MADDUR BUS STATION
MADDUR, MANDYA DISTRICT
KARNATAKA-571 428
23. M/S. COFFEE DAY GLOBAL LIMITED
SOMANAHALLI BUNGLOW
OPPOSITE NIDAGHATTA
RAILWAY STATION

SOMANAHALLI-VILLAGE
MADDUR-TALUK
MANDYA DISTRICT
KARNATAKA-571 605

24. M/S COFFEE DAY GLOBAL LIMITED
13/6A, BLOCK NO.16
CMC, CHICKPET
MYSORE MADIKERI MAIN ROAD
CHICKPET, MADIKERI
KARNATAKA-571 201
25. M/S COFFEE DAY GLOBAL LIMITED
PLOT NO.7, TUBINAKERE INDUSTRIAL AREA
MANDYA
KARNATAKA-571 401
26. M/S COFFEE DAY GLOBAL LIMITED
ADLABS, BHARAT MALL
OPP. KSRTC BUS STAND
MANGALORE
KARNATAKA-575 004
27. M/S COFFEE DAY GLOBAL LIMITED
OBRALA TOWERS, OPP JUICE JUNCTION
NEAR BALMATTI CIRCLE
MANGALORE
KARNATAKA-575 002
28. M/S COFFEE DAY GLOBAL LIMITED
CITY CENTRE MALL
KSR ROAD, MANGALORE
KARNATAKA-575 001
29. M/S COFFEE DAY GLOBAL LIMITED
WEST GATE AVENUE
OPP K S HEGDE HOSPITAL
DERLAKATTE, MANGALORE
KARNATAKA-575 018
30. M/S COFFEE DAY GLOBAL LIMITED
3RD FLOOR, EMPIRE MALL
M.G. ROAD, MANGALORE
KARNATAKA-575 001

31. M/S COFFEE DAY GLOBAL LIMITED
UNIT NO.F & B 01, FORUM FIZA MALL
PANDESHWAR, MANGALORE
KARNATAKA-575 001
32. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS LTD., KULLOOR FERRY ROAD
KOTTARA, MANGALORE
KARNATAKA-575 006
33. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS LTD.
MUDIPU, MANGALORE
KARNATAKA-574 153
34. M/S COFFEE DAY GLOBAL LIMITED
PVR FORUM FIZA MALL
OPP CORP BANK HEAD OFFICE
PANDESHWAR
MANGALORE
KARNATAKA-575001
35. M/S COFFEE DAY GLOBAL LIMITED
MAHE UNIVERSITY BUILDING
NEAR TIGER CIRCLE
MANIPAL
KARNATAKA-576104
36. M/S COFFEE DAY GLOBAL LIMITED
HOTEL KRISHNA LEELA
OPP. MANIPAL INSTITUTE OF TECHNOLOGY
MANIPAL
KARNATAKA-576104
37. M/S COFFEE DAY GLOBAL LIMITED
OPP BATA SHOWROOM
DEVARAJURS ROAD
MYSORE, KARNATAKA-570 001
38. M/S COFFEE DAY GLOBAL LIMITED
HOTEL GINGER
PLOT NO.4
NAZARABAD MOHALLA
MYSORE, KARNATAKA-570 010

39. M/S COFFEE DAY GLOBAL LIMITED
HPCL KAMBALAPURA FUEL STATION
KAMBALAPURA VILLAGE
PERIAPATANA TALUK
MYSORE, KARNATAKA-571107
40. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS-FOOD COURT
HEBBAL ELECTRONIC CITY
MYSORE
KARNATAKA-570018
41. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR
MALL OF MYSORE
INDRA NAGAR EXTN.
NAZARABAD MOHALLA
MYSORE
KARNATAKA-570010
42. M/S COFFEE DAY GLOBAL LIMITED
NO.350, F C 5 (OASIS)
INFOSYS TECHNOLOGIES LTD.
ELECTRONIC CITY
HEBBAL, MYSORE
KARNATAKA-570018
43. M/S COFFEE DAY GLOBAL LIMITED
NO.350, F C 5 (OASIS)
INFOSYS TECHNOLOGIES LTD.
ELECTRONIC CITY
HEBBAL, MYSORE
KARNATAKA-570018
44. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR
SITE NO.235/B
SURVEY NO.138/1P1
MYSORE-OOTY HIGHWAY
CHAMUNDI TOWNSHIP
NANJANGUDU
KARNATAKA-571 301
45. M/S COFFEE DAY GLOBAL LIMITED
PRESTIGE FORUM CENTRE CITY

UPPER GROUND
UNIT NO.21 & 22
NAZARABAD, MYSORE
KARNATAKA-570 019

46. M/S COFFEE DAY GLOBAL LIMITED
SIDHU COMPLEX
VISHWAMANAVA DOUBLE ROAD
SARASWATHIPURAM
MYSORE
KARNATAKA 570 009
47. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOR, STAR WING BUILDING
6TH MAIN, GOKULAM ROAD
V V MOHALLA, MYSORE
KARNATAKA 570002
48. M/S COFFEE DAY GLOBAL LIMITED
SY. NO.6-2, SULLIA HIGHWAY
ALLATI VILLAGE, SULLIA
KARNATAKA 574327
49. M/S COFFEE DAY GLOBAL LIMITED
NEXT TO HPCL PETROL PUMP
DOBESPET, TUMKUR
KARNATAKA 562111
50. M/S COFFEE DAY GLOBAL LIMITED
TUMKUR-SHIMOGA HIGHWAY
HPCL KIBBANAHALLI CROSS
TUMKUR TALUK
KARNATAKA 572114
51. M/S COFFEE DAY GLOBAL LIMITED
KATHA NO. 2513 1894
VIDYANAGAR LAYOUT
B H ROAD, OPP. TO SP GROUND
TUMKUR, KARNATAKA 572102
52. M/S COFFEE DAY GLOBAL LIMITED
HPCL PETROL BUNK
MANGALORE-UDUPI HIGHWAY
YERMAL, KARNATAKA 574119

53. M/S COFFEE DAY GLOBAL LIMITED
SHOP A,B,C & D
NO.45, GROUND FLOOR
15TH CROSS-MALLESWARAM
BANGALORE, KARNATAKA 560017
54. M/S COFFEE DAY GLOBAL LTD
NO 13/1, OLD NO 1293/A
7TH MAIN, SUBRAMANYA NAGAR
A BLOCK, 17TH CROSS, MALLESWARAM
BANGALORE, KARNATAKA 560003
55. M/S COFFEE DAY GLOBAL LIMITED
OLD # 369/B, NEW #2
41ST CROSS, 4TH BLOCK RAJAJINAGAR
BANGALORE, KARNATAKA 560018
56. M/S COFFEE DAY GLOBAL LIMITED
CORPORTION NO 4/1
ACCENTURE, IBC KNOWLEDGE PARK
SADDUGUNTEPALYA
BANNERGHATTA ROAD
BANGALORE, KARNATAKA 560076
57. M/S COFFEE DAY GLOBAL LIMITED
ACCENTURE SERVICES PVT LTD
SY NO.36/2, DIVYASHREE TECHNO PARK
WHITEFIELD, BANGALORE
KARNATAKA-560066
58. M/S COFFEE DAY GLOBAL LIMITED
APOLLO-APOLLO HOSPITAL
#154/11, OPP IIM-B,
BANNERGATA MAIN ROAD,
BANGALORE, KARNATAKA 560076
59. M/S COFFEE DAYGLOBAL LIMITED
ARCADE BRIGADE MEADOWS
OP ANJANYA TEMPLE
KANAKAPURA ROAD
UDAYAPUR POST AND VILLAGE
BANGALORE, KARNATAKA 560082
60. M/S COFFEE DAY GLOBAL LIMITED
#3, ARCHANA BUILDING

OPP JSS PUBLIC SCHOOL
SECTOR 4, HSR LAYOUT
BANGALORE, KARNATAKA 560034

61. M/S COFFEE DAY GLOBAL LIMITED
NO 99, 6TH BLOCK
5TH CROSS, KORAMANAGALA 60 FT ROAD,
BANGALORE, KARNATAKA 560095
62. M/S COFFEE DAY GLOBAL LIMITED
3RD FLOOR, ASCENDAS PARK SQUARE
ITPB, WHITEFIELD ROAD
BANGALORE, KARNATAKA 560066
63. M/S COFFEE DAY GLOBAL LIMITED
BRIGADE HOMESTEAD
ASHOKA PILLAR, BANGALORE
KARNATAKA 560011
64. M/S COFFEE DAY GLOBAL LIMITED
BAGMANE CONSTELATION BUSINESS PARK NO.2870
OPP. SOUL SPACE ARENA
DODDANEKUNDI MAIN ROAD
CHINNAPPA LAYOUT, BANGALORE
KARNATAKA 560037
65. M/S COFFEE DAY GLOBAL LIMITED
BAGMANE WORLD TECH CENTRE
DODDANEKUNDI OUTER RING ROAD
DODDANEKUNDI, BANGALORE
KARNATAKA 560037
66. M/S COFFEE DAY GLOBAL LIMITED
BAGMANE WORLD TECHNOLOGY CENTRE
MARATHAHALLI OUTER RING ROAD
K.R. PURAM, BANGALORE
KARNATAKA 560037
67. M/S COFFEE DAY GLOBAL LIMITED
#1431, GROUND FLOOR, 22ND CROSS
BANASHANKARI, BANGALORE
KARNATAKA 560070
68. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR, SITE NO:448

BANASWADI HENNUR RING ROAD
HBR 1ST STAGE, 4TH BLOCK
BANGALORE, KARNATAKA 560043

69. M/S COFFEE DAY GLOBAL LIMITED
BANGALORE CENTAL 47/48, RESIDENCY ROAD
BANGALORE, KARNATAKA 560001

70. M/S COFFEE DAY GLOBAL LIMITED
4TH FLOOR, OPP BIG BAZAAR
BANGALORE CENTRAL FOOD COURT
J.P. NAGAR, BANGALORE, KARNATAKA-560001

71. M/S COFFEE DAY GLOBAL LIMITED
BANGALORE CLUB, RESIDENCY ROAD
BANGALORE, KARNATAKA-560001

72. M/S COFFEE DAY GLOBAL LIMITED
NO.84, BARTON CENTRE
M.G. ROAD
BANGALORE, KARNATAKA-560001

73. M/S COFFEE DAY GLOBAL LIMITED
NO.105, LIC COLONY
BASAVESHWARANAGAR
BANGALORE, KARNATAKA-560079

74. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR
BB ENCLAVE BUILDING
HUNASAMARANAHALLI VILLAGE
BANGALORE, KARNATAKA-560040

75. M/S COFFEE DAY GLOBAL LIMITED
NO.4, ANAGA GROUND FLOOR
NEW B E L ROAD
BANGALORE
KARNATAKA-560054

76. M/S COFFEE DAY GLOBAL LIMITED
UNIT NO.32, GROUND FLOOR
SITE NO.29P & 32
KATHA NO.658, WARD NO.52
BHATTARAHALLI OMR ROAD
BANGALORE, KARNATAKA-560049

77. M/S COFFEE DAY GLOBAL LIMITED
NO.808/1001, GROUND FLOOR
VIJAYA BANK LAYOUT
BILEKAHALLI VILLAGE
BEGUR HOBLI
BANGALORE
KARNATAKA-560076
78. M/S COFFEE DAY GLOBAL LIMITED
NO.50/8B, GUBBI CROSS
HENNUR BAGALUR ROAD
KOTHANUR POST
BANGALORE
KARNATAKA-560077
79. M/S COFFEE DAY GLOBAL LIMITED
C/O BPCL, SHANKARA PETROL BUNK
61/1, 8TH MAIN, 19TH CROSS
MALLESHWARAM, BANGALORE
KARNATAKA-560055
80. M/S COFFEE DAY GLOBAL LIMITED
BRIGADE HOME STEAD
28TH MAIN, OPP. ADIGAS HOTEL
8TH BLOCK, JAYANAGAR
BANGALORE, KARNATAKA-560082
81. M/S COFFEE DAY GLOBAL LIMITED
NO.13 TO NO.15
WINDSOR HOUSE
BRIGADE ROAD
BANGALORE, KARNATAKA-560001
82. M/S COFFEE DAY GLOBAL LIMITED
ANGARICA APARTMENT
BROOK FIELDS
BANGALORE
KARNATAKA-560066
83. M/S COFFEE DAY GLOBAL LIMITED
PLOT NO.20, BANASHANKARI 3RD STAGE
BANGALORE
KARNATAKA-560085

84. M/S COFFEE DAY GLOBAL LIMITED
590,445/1, 29TH MAIN
6TH CROSS, BTM 2ND STAGE
BANGALORE, KARNATAKA-560076
85. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR, 16TH MAIN
SITE NO.942
BTM LAYOUT 2ND STAGE
BANGALORE
KARNATAKA-560076
86. M/S COFFEE DAY GLOBAL LIMITED
SHOP NO.1, SPC COMPLEX
BULL TEMPLE ROAD
OPP BSNL OFFICE
BANGALORE, KARNATAKA-560004
87. M/S COFFEE DAY GLOBAL LIMITED
#537, ROBBY ARCADE
C M H ROAD, INDIRA NAGAR
BANGALORE
KARNATAKA-560038
88. M/S COFFEE DAY GLOBAL LIMITED
CENTRAL 3, BELLANDUR VILLAGE
VARTHUR HOBLI
BANGALORE, KARNATAKA-560013
89. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR, CENTRAL 3
BELLANDUR OUTER RING ROAD
NEAR MARATHAHALLI BRIDGE
BANGALORE
KARNATAKA-560013
90. M/S COFFEE DAY GLOBAL LIMITED
SITE NO.9, SHOP NO.40/207/9
2ND STAGE, CHANDRA LAYOUT
BASAVESHWARA HBCS
BANGALORE
KARNATAKA-560040
91. M/S COFFEE DAY GLOBAL LIMITED
NEW SURVEY NO.54

CHICKKASANDRA VILLAGE
HESARGHATTA MAIN ROAD
YESHWANTHPUR HOBLI
BANGALORE
KARNATAKA-560090

92. M/S COFFEE DAY GLOBAL LIMITED
NO.94, S.V. CORNER BUILDING
GROUND FLOOR
OLD HOUSE LIST KATHA NO.26
CHINNAPPANAHALLI
MARATHAHALLI
BANGALORE
KARNATAKA-560037

93. M/S COFFEE DAY GLOBAL LIMITED
CISCO SYSTEM INDIA PVT LTD
SEZ CESSNA BUSINESS PARK
KADUBENAHALLI VILLAGE
SARJAPUR, BANGALORE
KARNATAKA-560087

94. M/S COFFEE DAY GLOBAL LIMITED
COFFEE DAY SQUARE
23/2, VITTAL MALLYA ROAD
BANGALORE
KARNATAKA - 560001

95. M/S COFFEE DAY GLOBAL LIMITED
CROSS WORLD STORE
MASS COMPLEX
GROUND FLOOR, SITE NO 74
SARAKKI INDUSTRIAL
J.P. NAGAR, BANGALORE
KARNATAKA - 560078

96. M/S COFFEE DAY GLOBAL LIMITED
CROSS WORLD, SECOND FLOOR
PHONEIX MARKET CITY MALL
BANGALORE, KARNATAKA - 560048

97. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR NO 35/4
OPP YES BANK

CUNNINGHAM ROAD
BANGALORE, KARNATAKA - 560052

98. M/S COFFEE DAY GLOBAL LIMITED
NO 81, GROUND FLOOR
DEVASANDRA, BANGALORE
KARNATAKA - 560094
99. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR SHOP NO 02
DEVASANDRA MAIN ROAD
GEDDALAHALLI BANGALORE
KARNATAKA - 560003
100. M/S COFFEE DAY GLOBAL LIMITED
1691, DR. RAJKUMAR ROAD
PRAKASH NAGA, RAJJAINAGAR 3RD STAGE
BANGALORE, KARNATAKA - 560018
101. M/S COFFEE DAY GLOBAL LIMITED
NO V- 3, 3RD CROSS
INDUSTRIAL ESTATE
DODDATHAGUR
ELECTRONIC CITY
BANGALORE - 560100
102. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR SY NO 09
KONAPPANA AGRAHARA VILLAGE,
ELECTRONIC CITY
BANGALORE
KARNATAKA - 560100
103. M/S COFFEE DAY GLOBAL LIMITED
NO 127/128, ESTEEM MALL,
HEBBAL, KEMPAPURA
BANGALORE,
KARNATAKA - 560024
104. M/S COFFEE DAY GLOBAL LIMITED
NO 37, ADAMS CORNER
COLES ROAD
FRAZER TOWN
BANGALORE, KARNATAKA - 560005

105. M/S COFFEE DAY GLOBAL LIMITED
G R TECH PARK
SALARPURIA CAMPUS, ITPL
BANGALORE
KARNATAKA - 560066
106. M/S COFFEE DAY GLOBAL LIMITED
OPP. GOVT VETENARY HOSPITAL
NEXT TO HPCL PETROL PUMP
GANGENAHALLI, BANGALORE
KARNATAKA - 560053
107. M/S COFFEE DAY GLOBAL LIMITED
2ND FLOOR,
(ATRIUM) MUNICIPAL NO 15,17,18,& 27
GARUDA MALL
BANGALORE
KARNATAKA - 560025
108. M/S COFFEE DAY GLOBAL LIMITED
NO. G02A
GROUND FLOOR
GARUDA MALL, BANGALORE
KARNATAKA - 560001
109. M/S COFFEE DAY GLOBAL LIMITED
3/2, 3/3, 3/5,
GLOBAL VENTURES
WHITEFIELD MAIN ROAD,
BANGALORE
KARNATAKA - 560066
110. M/S COFFEE DAY GLOBAL LIMITED
GLOBAL VILLAGE
TANGLIN DEVELOPMENT LTD
MYLASANDRA
BANGALORE, KARNATAKA - 560059
111. M/S COFFEE DAY GLOBAL LIMITED
GOLD COIN - 2-34/1, OPP TO HDFC BANK
MEANEE AVENUE ROAD
ULSOOR
BANGALORE, KARNATAKA - 560008
112. M/S COFFEE DAY GLOBAL LIMITED

GOPALAN ARCADE MALL
NEAR RAJA RAJESHWARI NAGAR ARCH
BANGALORE, KARNATAKA - 560039

113. M/S COFFEE DAY GLOBAL LIMITED
B N 11, W 89, GROUND FLOOR
GRACE COMPLEX
KAMMANAHALLI CLUB ROAD
KACARAKANHALLI
BANGALORE, KARNATAKA - 560084

114. M/S COFFEE DAY GLOBAL LIMITED
NO 18/2A, GROUND FLOOR
GRS TOWERS, SARJAPUR MAIN ROAD
AMBALIPURA
BANGALORE, KARNATAKA - 560102

115. M/S COFFEE DAY GLOBAL LIMITED
HALLMARK SALARPURIA
MARATTAHALLI RING ROAD
BANGALORE, KARNATAKA - 560045

116. M/S COFFEE DAY GLOBAL LIMITED
PLOT NO 73
BINEETA PLAZA
HARLUR ROAD
KASAVANAHALLI VARTHUR HOBLI
BANGALORE
KARNATAKA - 560102

117. M/S COFFEE DAY GLOBAL LIMITED
NO 58, HM TOWRS
BRIGADE ROAD
BANGALORE, KARNATAKA - 560025

118. M/S COFFEE DAY GLOBAL LIMITED
NO 6/1, GROUND FLOOR
HOLIDAY INN EXPRESS SUITE
RACE COURSE, SHESHADRI ROAD
GANDHI NAGAR
BANGALORE
KARNATAKA - 560009

119. M/S COFFEE DAY GLOBAL LIMITED
NO 92/4, 2ND FLOOR

VANSHEE TOWER
MENUMKOLALU VILLAGE, BANGALORE
KARNATAKA - 560037

120. M/S COFFEE DAY GLOBAL LIMITED
HOTEL GINGER
OPP MARUTI INFOTECH
AMARJYOTHI LAYOUT
KORMANGALA
BANGALORE, KARNATAKA - 560071

121. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR
HOTEL THE SAI LEELA
SINGANAYAKANAHALLI VILLAGE
YELAHANKA BANGALORE
KARNATAKA - 560064

122. M/S COFFEE DAY GLOBAL LIMITED
HP WHITEFIELD
MAHADEVAPURA
OLD MADRAS ROAD
BANGALORE
KARNATAKA - 560048

123. M/S COFFEE DAY GLOBAL LIMITED
HPCL DEVANAHALLI
SULEBELE SHANTHI NAGAR
DEVANAHALLI
BANGALORE,
KARNATAKA - 562110

124. M/S COFFEE DAY GLOBAL LIMITED
HPCL PETROL BUNK, PEENYA
BANGALORE, KARNATAKA - 560058

125. M/S COFFEE DAY GLOBAL LIMITED
MANU PLAZA , NEXT TO CMR INSTITUTE
HRBR LAYOUT
BANGALORE, KARNATAKA - 560037

126. M/S COFFEE DAY GLOBAL LIMITED
NO 4AM, 501, KHATA NO 227
GROUND FLOOR
HRBR 2ND BLOCK

KALYANAGAR, BANGALORE
KARNATAKA -560043

127. M/S COFFEE DAY GLOBAL LIMITED
NO 451, GROUND FLOOR
17TH CROSS, SECTOR - 4
HSR LAYOUT
BANGALORE, KARNATAKA - 560102
128. M/S COFFEE DAY GLOBAL LIMITED
KATHA NO 552, 646
HSR LAYOUT SECTOR -1,
BANGALORE, KARNATAKA - 560030
129. M/S COFFEE DAY GLOBAL LIMITED
NO 496, BINNAMANGALA 1ST STAGE
EXTENSION, CMH ROAD
BANGALORE, KARNATAKA - 560038
130. M/S COFFEE DAY GLOBAL LIMITED
MSK PLAZA, HAL II STAGE
INDIRANAGAR
100 FEET ROAD
BANGALORE, KARNATAKA - 560058
131. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS COUNTER 2
ELECTRONIC CITY, HOSUR ROAD
BANGALORE, KARNATAKA - 561229
132. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS CAMPUS , 3RD COUNTER
ELECTRONIC CITY, HOSUR ROAD
BANGALORE, KARNATAKA - 561229
133. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS J P TECH PARK, PLOTNO 44
ELECTRONIC CITY, HOSUR ROAD,
BANGALORE, KARNATAKA - 560100
134. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS KEC FOOD COURT
INFOSYS GATE 6
ELECTRONIC CITY
KONAPPANA AGRAHARA

BANGALORE KARNATAKA - 560100

135. M/S COFFEE DAY GLOBAL LIMITED
INFOSYS MNC BUILDING
PLOT NO 52/53
ELECTRONIC CITY, HOSUR ROAD
BANGALORE, KARNATAKA - 560100
136. M/S COFFEE DAY GLOBAL LIMITED
22, GROUND FLOOR
INNOVATION MALL
J P NAGAR 3RD PHASE
BANGALORE, KARNATKAA - 560076
137. M/S COFFEE DAY GLOBAL LIMITED
INORBIT SHOPPING ARCADE
75, EPIP AREA
WHITEFIELD
BANGALORE, KARNATAKA - 560066
138. M/S COFFEE DAY GLOBAL LIMITED
INTEL TECHNOLOGIES
NO 23-56P
DEVARABEESANAHALLI
OUTER RING ROAD
VARTHUR HOBLI
BANGALORE, KARNATAKA - 560103
139. M/S COFFEE DAY GLOBAL LIMITED
UNIT NUMBER: G -A, GROUND FLOOR
ITC INFOTECH, TAWWAKAL CHANCERY
BANASWADI ROAD
BANGALORE, KARNATAKA - 560043
140. M/S COFFEE DAY GLOBAL LIMITED
NO 120, A2 GROUND FLOOR
EPIP INDUSTRIAL AREA
ITPL MAIN ROAD
BANGALORE, KARNATAKA - 560066
141. M/S COFFEE DAY GLOBAL LIMITED
PID NO 57/27/N/1/1, GROUND FLOOR
WARD NO 57, 24TH MAIN
J P NAGAR, 1ST PHASE
BANGALORE, KARNATAKA - 560078

142. M/S COFFEE DAY GLOBAL LIMITED
SITE NO 265, 10TH MAIN
T MARIAPPA ROAD
ASHOKA PILLAR
JAYANAGAR 1ST BLOCK
BANGALORE, KARNATAKA - 560011

143. M/S COFFEE DAY GLOBAL LIMITED
519/A, GROUND FLOOR
GARLA GARNET, 9TH MAIN
JAYANAGAR 4TH BLOCK
BANGALORE, KARNATAKA- 5600032

144. M/S COFFEE DAY GLOBAL LIMITED
NO 52A/22, 2ND MAIN
32ND CROSS
JAYANAGAR 7TH BLOCK
BANGALORE, KARNATAKA - 560032

145. M/S COFFEE DAY GLOBAL LIMITED
721/26, 18TH MAIN
38TH CROSS
JAYANAGAR 4TH T BLOCK
BANGALORE, KARNATAKA - 560041

146. M/S COFFEE DAY GLOBAL LIMITED
JAYARAM COMPLEX
HENNUR ROAD
BANGALORE, KARNATAKA – 560043

147. M/S COFFEE DAY GLOBAL LIMITED
NO 39, GROUND FLOOR,
N TYPE SECTOR 11
KODIHALLI, JEEVAN BEEMA NAGAR
BANGALORE,
KARNATAKA - 560038

148. M/S COFFEE DAY GLOBAL LIMITED
SITE NO 300, GROUND FLOOR
SARAKKI, 5TH PHASE
J.P. NAGAR
BANGALORE, KARNATAKA - 560078

149. M/S COFFEE DAY GLOBAL LIMITED
JUMBO MALL

NEXT TO MADIWALA POLICE STATION
MADIVALA, HOSUR ROAD
BANGALORE, KARNATAKA - 560068

150. M/S COFFEE DAY GLOBAL LIMITED
91/1, KAGGADASPURA MAINROAD,
C V RAMAN NAGAR POST
BANGALORE
KARNATAKA - 560093
151. M/S COFFEE DAY GLOBAL LIMITED
65/1C, FIRST FLOOR
KAIKONDRAHALLI,
NEXT TO PRAGATHI MOTORS
BANGALORE, KARNATAKA- 560035
152. M/S COFFEE DAY GLOBAL LIMITED
KALYANI MAGNUM
BILEKAHALLI VILLAGE,
BEGUR HOBLI,
BANGALORE, KARNATAKA- 560076
153. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR, KAMALA ARCADE
37B, 26TH MAIN
9TH BLOCK
JAYANAGAR
BANGALORE, KARNATAKA - 560069
154. M/S COFFEE DAY GLOBAL LIMITED
NO 64, GROUND FLOOR
ART OF LIVING KANAKAURA ROAD
BANGALORE
KARNATAKA - 560082
155. M/S COFFEE DAY GLOBAL LIMITED
KARLE TOWN CENTRE
IT/TES SEZ, NAGAVARA
BANGALORE, KARNATAKA – 560045
156. M/S COFFEE DAY GLOBAL LIMITED
NO 4 DC-292, 2ND MAIN ROAD, KASTURINAGAR
BANGALORE, KARNATAKA - 560043

157. M/S COFFEE DAY GLOBAL LIMITED
KEMPAPURA VILLAGE
YELAHANKA HOBLI
BANGALORE, KARNATAKA - 560052
158. M/S COFFEE DAY GLOBAL LIMITED
NO 1250/15/115
Kengeri SATELLITE TOWN
Kengeri
BANGALORE, KARNATAKA - 560060
159. M/S COFFEE DAY GLOBAL LIMITED
KHT, LAKKSANDRA WILSON GARDEN
BANGALORE, KARNATAKA - 560027
160. M/S COFFEE DAY GLOBAL LIMITED
KEMPEGOWDA INTERNATIONAL AIRPORT
ARRIVAL HALL, DEVANAHALLI
BANGALORE, KARNATAKA - 560300
161. M/S COFFEE DAY GLOBAL LIMITED
KIAL DEPARTURE HALL, DEVANAHALLI
BENGALURU, KARNATAKA - 560300
162. M/S COFFEE DAY GLOBAL LIMITED
KIAL PARKING PLAZA
DEVANAHALLI
BANGALORE, KARNATAKA- 560300
163. M/S COFFEE DAY GLOBAL LIMITED
NEXT TO HOTEL NANDINI
KORAMANGALA 100 FEET ROAD
BANGALORE, KARNATAKA - 560095
164. M/S COFFEE DAY GLOBAL LIMITED
NO 777, GROUND FLOOR
JK ASHWATH LAKSHMI HERITAGE
100 FT ROAD
KORAMANGALA, 4TH BLOCK
BANGALORE, KARNATAKA - 560034
165. M/S COFFEE DAY GLOBAL LIMITED
BEHIND BDA COMPLEX
KORAMANGALA
BANGALORE, KARNATAKA -560034

166. M/S COFFEE DAY GLOBAL LIMITED
NO 136, OPP. JYOTHI NIVAS COLLEGE
5TH BLOCK, KORAMANGALA
BANGALORE, KARNATAKA - 560017
167. M/S COFFEE DAY GLOBAL LIMITED
LAA MARVEL, GROUND FLOOR
622 HAL, 2ND STAGE
JEEVAN BHIMANAGAR
12TH MAIN, INDIRANAGAR
BANGALORE, KARNATAKA - 560038
168. M/S COFFEE DAY GLOBAL LIMITED
4/1, WALTON ROAD CIRCLE
LAVELLE ROAD
BANGALORE, KARNATAKA - 560001
169. M/S COFFEE DAY GLOBAL LIMITED
NO 23, LEELA PALACE
HAL OLD AIRPORT ROAD
KODIHALLI
BANGALORE, KARNATAKA - 560008
170. M/S COFFEE DAY GLOBAL LIMITED
LMN ARCADE GROUND FLOOR
SITE NO 17-B/217-B/3 & 17-B/4
KATHA NO. 1169
DODABALLAPUR MAIN ROAD
BANGALORE, KARNATAKA - 560064
171. M/S COFFEE DAY GLOBAL LIMITED
LUMBINI GARDEN, NAGAWARA LAKE
BANGALORE, KARNATAKA- 560045
172. M/S COFFEE DAY GLOBAL LIMITED
NO 225 & 226 GROUND FLOOR
14TH CROSS, SAMPIGE ROAD
MALLESHWARAM, BANGALORE
KARNATAKA - 560003
173. M/S COFFEE DAY GLOBAL LIMITED
MANGO SUITS, NO 426,
4TH BLOCK KORAMANGALA
BANGALORE, KARNATAKA - 560034

174. M/S COFFEE DAY GLOBAL LIMITED
P 01-02, MANTRI MALL,
SAMPIGE ROAD,
MALLESHWARAM
BANGALORE, KARNATAKA - 560003
175. M/S COFFEE DAY GLOBAL LIMITED
OPP TO RR RESTAURANT
SARJAPURA ROAD
BELLANDUR VILLAGE
MARATHAHALLI
BANGALORE, KARNATAKA - 560037
176. M/S COFFEE DAY GLOBAL LIMITED
MARATHAHALLI OUTER RING ROAD
AMABLIPURAM
VARTHUR
BANGALORE
KARNATAKA - 560103
177. M/S COFFEE DAY GLOBAL LIMITED
MFAR MANYATA TECH PARK, PHASE IV
NAGAWARA
BANGALORE, KARNATAKA - 560045
178. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR
SALARPURIA MONEY CENTER
KORAMANGALA 7TH BLOCK,
BANGALROE, KARNATAKA - 560095
179. M/S COFFEE DAY GLOBAL LIMITED
MOTA ROYAL ARCADE
BRIGADE ROAD,
BANGALORE, KARNATAKA - 560001
180. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR, COUNTER NO 20-23
MSR REGALIA ELEMENTS MALL
THANISANDRA MAIN ROAD
BANGALORE, KARNATAKA - 560077
181. M/S COFFEE DAY GLOBAL LIMITED
NO 7, 1ST BLOCK

2ND STAGE
NAGARBHAVI LAYOUT
BANGALORE
KARNATAKA - 560072

182. M/S COFFEE DAY GLOBAL LIMITED
NO 1815, GROUND FLOOR
HRB 1ST STAGE
NAGAWARA RING ROAD
BANGALORE
KARNATAKA - 560043

183. M/S COFFEE DAY GLOBAL LIMITED
NO 43, GROUND FLOOR
NANDI DURGA ROAD
JAYAMAHAL EXTENSION
BANGALORE, KARNATAKA - 560046

184. M/S COFFEE DAY GLOBAL LIMITED
NARAYAN REDDY BUILDING
GROUND FLOOR
WARD NO 60, 9TH MAIN ROAD
JAYANAGAR 4TH BLOCK
BANGALORE, KARNATAKA- 560011

185. M/S COFFEE DAY GLOBAL LIMITED
NATHAN PRIDUS, GROUND FLOOR,
SURVEY NO.95, KARTHIKNAGAR
K.R. PURAM
BANGALORE, KARNATAKA- 560037

186. M/S COFFEE DAY GLOBAL LIMITED
NISARGA PROPERTY
(NEXT TO PIZZA HUT)
DODDABANASWADI VILLAGE
BANGALORE, KARNATAKA - 560043

187. M/S COFFEE DAY GLOBAL LIMITED
NO 461, R.R. NAGAR,
BANGALORE, KARNATAKA - 560098

188. M/S COFFEE DAY GLOBAL LIMITED
NO 186/2626A,
GROUND FLOOR,
MAHADEVAPURA OUTER RING ROAD

KRISHNARAJAURA HOBLI
BANGALORE, KARNATAKA- 560048

189. M/S COFFEE DAY GLOBAL LIMITED
NO 261/1A, GROUND FLOOR
10TH MAIN, 2ND BLOCK
ASHOKPILLAR, JAYANAGAR
BANGALORE, KARNATAKA - 560011
190. M/S COFFEE DAY GLOBAL LIMITED
NO 95, GANDHI BAZAAR
BANGALORE, KARNATAKA - 560004
191. M/S COFFEE DAY GLOBAL LIMITED
ATR COMPLEX
OLD AIRPORT ROAD
MURUGESHPALYA, KODIHALLI
VARTHUR, BANGALORE
KARNATAKA - 560017
192. M/S COFFEE DAY GLOBAL LIMITED
SHOP NO 3, FIRST FLOOR
ORION MALL BRIGADE GATEWAY
BANGALORE, KARNATAKA - 560055
193. M/S COFFEE DAY GLOBAL LIMITED
PALACE ORCHID, SHOP NO 118
UPPER PALACE ORCHARDS
BANGALORE, KARNATAKA - 560061
194. M/S COFFEE DAY GLOBAL LIMITED
UNIT G - 47, GROUND FLOOR
PHOENIX MARKET CITY
MAHADEVAPURA BANGALORE EAST
KARNATAKA - 560048
195. M/S COFFEE DAY GLOBAL LIMITED
UNIT NO. 301, THIRD FLOOR
PRESTIGE FORUM SHATHINIKETAN MALL
ITPL MAIN ROAD
BANGALORE, KARNATAKA - 560048
196. M/S COFFEE DAY GLOBAL LIMITED
NO 108, PRESTIGE PLAZA
GROUND FLOOR

MOTHER DAIRY ROAD
YELHANKA
BANGALORE, KARNATAKA - 560064

197. M/S COFFEE DAY GLOBAL LIMITED
GROUND FLOOR, (LOBBY AREA)
OF CRESCENT 4 BLOCK,
PRESTIGE SHANTINIKETAN,
WHITEFIELD
BANGALORE, KARNATAKA - 560066
198. M/S COFFEE DAY GLOBAL LIMITED
JUPITER BUILDING
PRESITGE TECH PARK
MARATHAHALLI RING ROAD
BANGALORE, KARNATAKA - 560103
199. M/S COFFEE DAY GLOBAL LIMITED
PRITECH PARK, BELLANDUR VILLAGE
VARTHUR HOBLI
BANGALORE, KARNATAKA - 560103
200. M/S COFFEE DAY GLOBAL LIMITED
OPP BRIDGE MILLENNIUM APT
PUTTENAHALLI
BANGLAORE, KARNATAKA - 560078
201. M/S COFFEE DAY GLOBAL LIMITED
573, 3RD MAIN, 2ND BLOCK
R.T. NAGAR
BANGALORE, KARNATAKA - 560032
202. M/S COFFEE DAY GLOBAL LIMITED
NO 89/1, GROUND FLOOR
RAJA IKON, MARATHAHALLI RING ROAD
BANGALORE, KARNATAKA - 560037
203. M/S COFFEE DAY GLOBAL LIMITED
NO 482, 3RD STAGE
BEML LAYOUT MAIN ROAD
RAJARAJESHWARI NAGAR
BANGALORE, KARNATAKA - 560038
204. M/S COFFEE DAY GLOBAL LIMITED
89, NEXT TO BALDWIN GIRLS HIGH SCHOOL

RICHMOND ROAD
BANGALORE, KARNATAKA - 560025

205. M/S COFFEE DAY GLOBAL LIMITED
NO 54, ROOPA COMPLEX
MAGADI CHORD ROAD JUNCTION
2ND CROSS MANUVANA
VIJAYANAGAR
BANGALORE, KARNATAKA - 560040

206. M/S COFFEE DAY GLOBAL LIMITED
ROYAL MEENAKSHI MALL
OPP TO MEENAKSHI TEMPLE
BANERGHATTA ROAD
HULIMAVU
BANGALORE, KARNATAKA - 560076

207. M/S COFFEE DAY GLOBAL LIMITED
NO 2443, OPP. NILGIRI SUP MARKET
60 FEET MAIN ROAD
SAHAKARNAGAR
BANGALORE,
KARNATAKA - 560092

208. M/S COFFEE DAY GLOBAL LIMITED
SAKRA WORLD HOSPITAL
BELLANDUR OUTER RING ROAD
MARATHAHALLI
BANGALORE, KARNATAKA - 560103

209. M/S COFFEE DAY GLOBAL LIMITED
SALAPURIA SOFT ZONE
SARJAPUR OUTER RING ROAD
BELLUNDUR VILLAGE, VARTHUR HOBLI
BANGALORE, KARNATAKA - 560037

210. M/S COFFEE DAY GLOBAL LIMITED
NO.16, POSTAL COLONY LAYOUT
SANJAYNAGAR MAIN ROAD
BANGALORE, KARNATAKA - 560094

211. M/S COFFEE DAY GLOBAL LIMITED
NO.18/3, BAPUJI BUILDING
RANGANATHA PURA
18TH CROSS, MALLESWARAM

BANGALORE,
KARNATAKA-560003

212. M/S COFFEE DAY GLOBAL LIMITED
#1, NAGAPPA STREET
NEHRU NAGAR CIRCLE
SHESHADRIPURAM
BANGALORE, KARNATAKA-560020
213. M/S COFFEE DAY GLOBAL LIMITED
SHOPPERS STOP, MICO LAYOUT
N.S.PALYA, BANNERGHATTA ROAD
BANGALORE, KARNATAKA-560076
214. M/S COFFEE DAY GLOBAL LIMITED
NO:30 & 31, SHRINIDHI ASCEND
HONGASANDRA, BEGUR HOBLI
HOSUR MAIN ROAD
BANGALORE
KARNATAKA-560068
215. M/S COFFEE DAY GLOBAL LIMITED
SIGMA MALL, CUNNINGHAM ROAD
BANGALORE
KARNATAKA-560052
216. M/S COFFEE DAY GLOBAL LIMITED
NO.14, WARD NO.65
NEXT TO IOC PETROL BUNK
SILK BOARD MAIN ROAD
BTM 2ND STAGE
BANGALORE, KARNATAKA-560068
217. M/S COFFEE DAY GLOBAL LIMITED
NO.5, KATHA NO.1025/139/1/6
SINDHU YELAHANKA
GANDHINAGAR (NEAR KHB COLONY)
BANGALORE, KARNATAKA-560017
218. M/S COFFEE DAY GLOBAL LIMITED
SMOKING JOES, OPP JALVAYU VIHAR
BANGALORE, KARNATAKA-560043
219. M/S COFFEE DAY GLOBAL LIMITED
SMR VINAY, OPP BAGINI RESTAURANT

OUTER RING ROAD, BANASWADI
BANGALORE, KARNATAKA-560043

220. M/S COFFEE DAY GLOBAL LIMITED
SOUL SPACE MALL
SURVEY NO 36/5,
MARATHALLI OUTER RING
DODDANUKUNDI VILLAGE
BANGALORE
KARNATAKA-560037

221. M/S COFFEE DAY GLOBAL LIMITED
86/1, GROUND FLOOR
SPENCE BUILDING, M.G. ROAD
BANGALORE
KARNATAKA-560001

222. M/S COFFEE DAY GLOBAL LIMITED
SRF BANASHANKARI
1238, 23RD CROSS, 30TH MAIN
ATHIMABBE ROAD
BANGALORE, KARNATAKA-560085

223. M/S COFFEE DAY GLOBAL LIMITED
SUMUKHA TOWERS, WARD NO.55
ITTAMADU VILLAGE
3RD STAGE BANASHANKARI
BANGALORE, KARNATAKA-560085

224. M/S COFFEE DAY GLOBAL LIMITED
THE COMMERCIAL & HOSTEL BUIDLING
JARAGANAHALLI
ADJACENT TO REVENUE LAYOUT
TEACHERS COLONY,
BENDRE NAGAR
BANGALORE, KARNATAKA-560078

225. M/S COFFEE DAY GLOBAL LIMITED
UNIT NO.52, THE FORUM MALL
DAIRY CIRCLE, KORAMANGALA
BANGALORE, KARNATAKA-560095

226. M/S COFFEE DAY GLOBAL LIMITED
A2, GROUND FLOOR
THE FORUM VALUE MALL

WHITEFIELD MAIN ROAD
BANGALORE, KARNATAKA-560066

227. M/S COFFEE DAY GLOBAL LIMITED
TMR TOWERS, KATHA NO 205 155,
VARTHUR MAIN ROAD
VARTHUR HOBLI, BANGALORE,
KARNATAKA-560066

228. M/S COFFEE DAY GLOBAL LIMITED
UJJINI GLITZ , MATHIKERE EXTENSION
BANGALORE, KARNATAKA-560054

229. M/S COFFEE DAY GLOBAL LIMITED
UPPER PALACE ORCHARDS
SITE NO.198, 2ND MAIN ROAD
SADASHIVANAGAR
BANGALORE, KARNATAKA-560061

230. M/S COFFEE DAY GLOBAL LIMITED
JSS ENGG COLLEGE
SITE NO.66-67, UTTARHALLI MAIN ROAD
MYLASANDRA WARD NO.198
RAJARAJESHWARI NAGAR
BANGALORE, KARNATAKA-560038

231. M/S COFFEE DAY GLOBAL LIMITED
NO.518, V.V ARCADE AECS LAYOUT
BROOKEFIELD, KUNDALAHALLI
K R PRUAM HOBLI
BANGALORE, KARNATAKA-560037

232. M/S COFFEE DAY GLOBAL LIMTIED
NO.9/A, PALACE ROAD
OPP MOUNT CARMEL COLLEGE
VASANTH NAGAR, BANGALORE
KARNATAKA-560052

233. M/S COFFEE DAY GLOBAL LIMITED
VEGACITY MALL, NO 172/1
SRINIVAS INDUSTRIAL ESTATE
BANNERGHATTA MAIN ROAD
BANGALORE, KARNATAKA-560076

234. M/S COFFEE DAY GLOBAL LIMITED
NARASIPURA VILLAGE
PHASE 3, VIDYARANYAPURA LAYOUT
YELAHANKA, BENGALURU
KARNATAKA-560097
235. M/S COFFEE DAY GLOBAL LIMITED
NO.524, VIJAYA BANK EMP HOUSING
CO-OP SOCIETY LTD,
VIJAYA BANK LAYOUT, BILEKAHALLI
BANGALORE, KARNATAKA-560076
236. M/S COFFEE DAY GLOBAL LIMITED
24TH CROSS, 5TH MAIN ROAD
RPC LAYOUT, VIJAYANAGAR
BANGALORE, KARNATAKA-560040
237. M/S COFFEE DAY GLOBAL LIMITED
VIKARAM HOSPITAL
OPP ST. ANNE COLLEGE
71/1 MILLERS ROAD
BANGALORE, KARNATAKA-560052
238. M/S COFFEE DAY GLOBAL LIMITED
NO.1570, VINUTHA TOWER,
SEC 1, HSR LAYOUT HOSUR ROAD
BANGALORE, KARNATAKA-560030
239. M/S COFFEE DAY GLOBAL LIMITED
VRINDAVAN TECH VILLAGE
OPP TO SALAPURIA HALLMARK
MARATHALLI MAIN ROAD
BANGALORE, KARNATAKA-560045
240. M/S COFFEE DAY GLOBAL LIMITED
WASEEM BUILDING
SY NO.16, 17 AND 18
AT TAVAREKERE 1ST PHASE
2ND STATGE, BTM LAYOUT
BANGALORE, KARNATAKA-560086
241. M/S COFFEE DAY GLOBAL LIMITED
GREENS THE PLANET
OPP TO HLL, WHITEFIELD
BANGALORE, KARNATAKA-560064

242. M/S COFFEE DAY GLOBAL LIMITED
WIPRO TECHNOLOGIES
ELECTRONIC CITY, HOSUR MAIN ROAD
BANGALORE, KARNATAKA-560100
243. M/S COFFEE DAY GLOBAL LIMITED
690 A, 3RD MAIN
OPP. SHESHADRIPURAM COLLEGE
YELAHANKA
BANGALORE, KARNATAKA-560064
244. M/S COFFEE DAY GLOBAL LIMITED
NO.184-A YMA ARCADE
SIR M N KRISHNA RAO ROAD
LALBAGH WEST GATE
BANGALORE, KARNATAKA-560004
245. M/S COFFEE DAY GLOBAL LIMITED
BANGALORE TIRUPATHI HIGHWAY
VADGUR, KOLAR
KARNATAKA -563101
246. M/S COFFEE DAY GLOBAL LIMITED
HPCL NARSAPURA
KOLAR HIGHWAY
KENDATTI GOLLAHALLI
KOLAR, KARNATAKA-563133
247. M/S COFFEE DAY GLOBAL LIMITED
UNIT NO. G 01, BEARYS CITY CENTRE
AMEER AHMED CIRCLE
SHIVAMOGGA, KARNATAK-577201
248. M/S COFFEE DAY GLOBAL LIMITED
IOC-NAGASHREE FUEL STATION
BANGALORE-TUMKUR
NATIONAL HIGHWAY-4,
SIRA, KARNATAKA-572137
249. M/S COFFEE DAY GLOBAL LIMITED
CANADIAN INTERNATIONAL SCHOOL
4-20, MANCHENAHALLI YELAHANKA
BANGALORE, KARNATAKA-560064

250. M/S COFFEE DAY GLOBAL LIMITED
EBENEZAR INTERNATIONAL SCHOOL
SINGENA AGRAHARA ROAD
VIA HUSKUR ROAD/.A.P.M.C. YARD
HUSKUR POST, ELECTRONIC CITY
BANGALORE, KARNATAKA-560099
251. M/S COFFEE DAY GLOBAL LIMITED
INDUS INTERNATIONAL SCHOOL
BIJAPURA CROSS, SARJAPURA
BANGALORE, KARNATAKA-562125
252. M/S COFFEE DAY GLOBAL LIMITED
J.P. MORGAN CHASE
MARATHAHALLI-SARJAPUR OUTER RING ROAD
KADUBEESANAHALLI, VARTHUR
BANGALORE, KARNATAKA -560087
253. M/S COFFEE DAY GLOBAL LIMITED
J.P. MORGAN, PRESTIGE TECH PARK
SARJAPURA RING ROAD
NEAR MARATHAHALLI JUNCTION
KADUBEESANAHALLI
BANGALORE, KARNATAKA-560087
254. M/S COFFEE DAY GLOBAL LIMITED
J.P. MORGAN SERVICES INDIA PVT LTD.
BLUEBAY BLOCK
OFF. INTERMEDIATE RING ROAD
BANGALORE, KARNATAKA-560071
255. M/S COFFEE DAY GLOBAL LIMITED
JPMC-ELECTRA
PRESTIGE TECH PARK
MARATHALLI RING ROAD
KODUBISINAHALLI
BANGALORE, KARNATAKA-560087
256. M/S COFFEE DAY GLOBAL LIMITED
1ST FLOOR, MAIN BUILDING
NARAYANA HRUDAYALA
NO.09, NO.258/A
BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK, BANGALORE
KARNATAKA-562106

257. M/S COFFEE DAY GLOBAL LIMITED
ONCOLOGY 1ST FLOOR
NARAYANA HRUDAYALAYA
NO.8 NO.258/A
BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK BANGALORE
KARNATAKA-562106
258. M/S COFFEE DAY GLOBAL LIMITED
NORTHERN TRUST
MANYATA TECH PARK
NAGAWARA OUTER RING ROAD
BANGALORE, KARNATAKA-560045
259. M/S COFFEE DAY GLOBAL LIMITED
PROGEON 02, INFOSYS BPO LTD.
PLOT NO.26-3, 26-4 & 26-5
ELECTONIC CITY, HOSUR ROAD
BANGALORE, KARNATAKA-560100
260. M/S COFFEE DAY GLOBAL LIMITED
SAMSUNG R & D INSTITUTE
NO.2870, PHONENIX BUILDING
BAGMANE CONSTELLATION BUSINESS PARK
BANGALORE, KARNATAKA-560 037
261. M/S. COFFEE DAY GLOBAL LIMITED
SYMPHONY TELECA
PLOT NO.3 & 3A
EOIZ INDUSTRIAL AREA
SADARAMANGALA VILLAGE
BANGALORE, KARNATAKA-560 066
262. M/S COFFEE DAY GLOBAL LIMITED
AMAZON DEVELOPMENT CENTER
TAURUS 1 BUILDING
BAGMANE CONSTELLATION BUSINESS PARK
BANGALORE, KARNATAKA-560 037
263. M/S COFFEE DAY GLOBAL LIMITED
APOLLO CRADLE
NO.58, 5TH CROSS, 18TH MAIN
KORAMANGALA, BANGALORE
KARNATAKA-560 095.

264. M/S COFFEE DAY GLOBAL LIMITED
APOLLO CRADLE,
NO.101-209 & 210
ITPL MAIN ROAD,
MARATHALLI, BANGALORE
KARNATAKA-560 037
265. M/S COFFEE DAY GLOBAL LIMITED
CMI ASTER HOSPITAL
43-2, NEW AIRPORT ROAD
SAHAKARANAGAR
BANGALORE, KARNATAKA-560 092
266. M/S COFFEE DAY GLOBAL LIMITED
BAPTIST HOSPITAL, 3RD FLOOR LOBBY
BELLARY ROAD, HEBBAL
BANGALORE,
KARNATAKA-560 024
267. M/S COFFEE DAY GLOBAL LIMITED
BAPTIST HOSPITAL-1
BELLARY ROAD, HEBBAL
BANGALORE, KARNATAKA-560 024.
268. M/S COFFEE DAY GLOBAL LIMITED
BAPTIST HOSPITAL 2
BELLARY ROAD, HEBBAL
BANGALORE, KARNATAKA-560 024
269. M/S COFFEE DAY GLOBAL LIMITED
BAPTIST HOSPITAL 3
BELLARY ROAD, HEBBAL
BANGALORE, KARNATAKA-560 024
270. M/S COFFEE DAY GLOBAL LIMITED
BGS GIMS HISPITAL
BGS HEALTH AND EDUCATION CITY CAMPUS
Kengeri Uttarahalli Main Road
BANGALORE, KARNATAKA-560 060
271. M/S COFFEE DAY GLOBAL LIMITED
BGS GIMS HOSPITAL 2
Kengeri Uttarahalli Main Road
BANGALORE, KARNATAKA-560 060

272. M/S COFFEE DAY GLOBAL LIMITED
BGS INTERNATIONAL RESIDENTIAL SCHOOL CAMPUS
NITYANANDANAGAR
K.GOLLAHALLI POST
BANGALORE, KARNATAKA-560 074
273. M/S COFFEE DAY GLOBAL LIMITED
BUHLER INDIA
NO.213 -D 12 D 13 C AND 13-B
KIADB INDUSTRIAL AREA
BANGALORE, KARNATAKAA-562 107
274. M/S COFFEE DAY GLOBAL LIMITED
BNMIT, P.B.NO.7087
27TH CROSS, 12TH MAIN
BANASHANKARI II STAGE
BANGALORE, KARNATAKA-560 070
275. M/S COFFEE DAY GLOBAL LIMITED
BRINDAVAN COLLEGE
DWARKANAGAR
BAGALUR MAIN ROAD, YELAHANKA
BANGALORE, KARNATAKA-560 063
276. M/S COFFEE DAY GLOBAL LIMITED
BUHLER (INDIA) PVT LTD.
13-D, KIADB INDUSTRIAL AREA
ATTIBELE
BANGALORE, KARNATAKA-562 107
277. M/S COFFEE DAY GLOBAL LIMITED
CAMBRIDGE INSTITUTE OF TECHNOLOGY
JAI BHUVANESHWARI LAYOUT ROAD
SR LAYOUT, CHIKABASAVANAPURA
KRISHNARAJAPURA
BANGALORE, KARNATAKA-560 036
278. M/S COFFEE DAY GLOBAL LIMITED
CAMBRIDGE PUBLIC SCHOOL
C A SITE NO.13, 19TH MAIN, 25TH CROSS
SECTOR 2, HSR EXTENSION
BANGALORE, KARNATAKA-560 102
279. M/S COFFEE DAY GLOBAL LIMITED
CAUVERY MEDICAL CENTER

NO.43/2, NEAR HEBBAL FLYOVER
KEMPEGOWDA INTERNATIONAL AIRPORT ROAD
SHAKARANAGAR, BANGALORE
KARNATAKA-560 092

280. M/S COFFEE DAY GLOBAL LIMITED
CHRIS SUPER SPECIALTY HOSPITAL
NO.1, HENNUR JUNCTION
GRACE TOWN, KALYAN NAGAR
BANGALORE, KARNATAKA-560 043

281. M/S COFFEE DAY GLOBAL LIMITED
CHRIST ACADEMY
BEGUR-KOPPA ROAD,
HULLAHALLI SAKKALWARA POST
BANGALORE, KARNATAKA-560 083

282. M/S COFFEE DAY GLOBAL LIMITED
CHRIST UNIVERSITY,
BANNERGHATTA MAIN ROAD
BANGALORE, KARNATAKA-560 076

283. M/S COFFEE DAY GLOBAL LIMITED
CLOUD NINE, #47, 17TH CROSS
11TH MAIN, MALLESHWRAM
BANGALORE, KARNATAKA-560055

284. M/S COFFEE DAY GLOBAL LIMITED
CLOUD NINE, NO.115,
OPPOSITE KEMP FORT (TOTAL MALL)
OLD AIRPORT ROAD
BANGALORE, KARNATAKA-560017

285. M/S COFFEE DAY GLOBAL LIMITED
CLOUD NINE, 636/1
SERVICE ROAD, NANJAPPA GARDEN
HORAMAVU, BANGALORE
KARNATAKA-560048

286. M/S COFFEE DAY GLOBAL LIMITED
CMR INSTITUTE OF TECHNOLOGY
NO.132, AECS LAYOUT
ITPL MAIN ROAD, KUNDALAHALLI
BANGALORE, KARNATAKA-560037

287. M/S COFFEE DAY GLOBAL LIMITED
COLT TECHNOLOGIES
MANYATA TECH PARK
NAGAWARA, BANGALORE
KARNATAKA-560045
288. M/S COFFEE DAY GLOBAL LIMITED
DAYANANDA SAGAR INSTITUTE
SHAVIGE MALLESHWARA HILLS
KUMARASWAMY LAYOUT
BANGALORE, KARNATAKA-560078
289. M/S COFFEE DAY GLOBAL LIMITED
EAST POINT COLLEGE OF MEDICAL SCIENCE
& RESEARCH CENTRE, JNANA PRABHA
#147, VIRGO NAGAR POST
BIDARAHALLI, BANGALORE
KARNATAKA-560049
290. M/S COFFEE DAY GLOBAL LIMITED
A2, GROUND FLOOR, THE FORUM VALUE MALL
WHITEFIELD MAIN ROAD
BANGALORE, KARNATAKA-560066.
291. M/S COFFEE DAY GLOBAL LIMITED
EAST POINT HOSPITAL
JNANA PRAHA, #147, VIRGO NAGAR POST
BIDARAHALLI, BANGALORE
KARNATAKA-560049.
292. M/S COFFEE DAY GLOBAL LIMITED
GARUDA SHOPPING MALL
MAGRATH ROAD, ASHOK NAGAR
BANGALORE, KARNATAKA-560025
293. M/S COFFEE DAY GLOBAL LIMITED
GLOBAL CITY INTL SCHOOL
50TH MAIN ROAD, 6TH CROSS
MALLESHPALYA
BANGALORE, KARNATAKA-560075.
294. M/S COFFEE DAY GLOBAL LIMITED
GLOBAL INDIAN INTERNATIONAL SCHOOL
NO.568, SARJAPUR MAIN ROAD

HEGGONDAHALLI VILLAGE
BANGLAORE, KARNATAKA-560087

295. M/S COFFEE DAY GLOBAL LIMITED
GLOBAL VILLAGE TECH PARK
TOWER B, COLONADE AREA
IT SEZ PATTANGERE
MYLASANDRA VILLAGE
BANGALORE, KARNATAKA-560059
296. M/S COFFEE DAY GLOBAL LIMITED
HEWLETT PACKARD ENTERPRISE
SY-39, HP AVENUE
ELECTRONICS CITY PHASE 2
HOSUR ROAD
BANGALORE, KARNATAKA-560100
297. M/S COFFEE DAY GLOBAL LIMITED
HIMALAYA DRUGS,
MAKALI ALURU MAIN ROAD
MAKALI
BANGALORE, KARNATAKA-562162
298. M/S COFFEE DAY GLOBAL LIMITED
HKBK COLLEGE OF ENGINEERING
NO.22-10TH CROSS
GOVINDAPURA NAGAWARA,
BANGALORE, KARNATAKA-560045
299. M/S COFFEE DAY GLOBAL LIMITED
IMPACT COLLEGE OF ENGINEERING AND
APPLIED SCIENCES
KODIGEHALLI SAHARAKARANAGAR
BANGALORE, KARNATAKA-560092
300. M/S COFFEE DAY GLOBAL LIMITED
J.P.MORGAN CHASE,
ETV EMBASSY TECH VILLAGE
PARCEL 5 BLOCK
G & H OUTER RING ROAD
DEVARABEESANAHALLI
BANGALORE, KARNATAKA-560103
301. M/S COFFEE DAY GLOBAL LIMITED
JP MORGAN SERVICES INDIA PVT. LTD.

ETAMIN BLOCK
PRESTIGE TECH PARK
SARJAPUR-MARATHAHALLI ROAD
BANGALORE, KARNATAKA-560103

302. M/S COFFEE DAY GLOBAL LIMITED
JYOTHY INSTITUTE OF TECHNOLOGY
OFF KANAKAPURA ROAD
THATHGUNI, BANGALORE
KARNATAKA-560082
303. M/S COFFEE DAY GLOBAL LIMITED
MANIPAL HOSPITAL
NO.98, OLD AIRPORT ROAD
BANGALORE, KARNATAKA-560017
304. M/S COFFEE DAY GLOBAL LIMITED
MADGENOME 3RD FLOOR
NARAYANA NETRALAYA BUILDING
NARAYANA HEALTH CITY
BANGALORE, KARNATAKA-560099
305. M/S COFFEE DAY GLOBAL LIMITED
MVJ COLLGE OF ENGINEERING
CHANNASANDRA MAIN ROAD
NEAR ITPB WHITEFIELD
KADUGODI
BANGALORE, KARNATAKA-560067
306. M/S COFFEE DAY GLOBAL LIMITED
NAGARJUNA COLLEGE OF ENGINEERING
38/1, MADUGURKI
VENKATAGIRI KOTE POST
DEVANA HALLI
BANGALORE, KARNATAKA-562110
307. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA E TECHNO SCHOOL
BEHIND ROYAL MEENAKSHI MALL
BANNERGHATTA ROAD
HULIMAVU
BANGALORE, KARNATAKA-560076
308. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA MEDICAL CENTER

BUILDING NO. 9 (OLD NO. 18)
LANGFORD TOWN
BANGALORE, KARNATAKA-560025

309. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA MULTI SPECIALTY HOSPITAL
HSR BASANT HEALTH CENTER
BUILDING NO. 1
18TH MAIN
SECTOR 3 HSR LAYOUT
BANGALORE, KARNATAKA-560 102

310. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA MULTI SPECIALTY HOSPITAL
3 & 4, ITPL MAIN ROAD
SADARAMANGALA
BANGALORE, KARNATAKA-560066

311. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA NETHRALAYA
NARAYANA HEALTH CITY
BOMMASANDRA
HOSUR ROAD
BANGALORE, KARNATAKA-560099

312. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA NETHRALAYA,
121/C, WEST OF CHORD ROAD
RAJAJINAGAR
BANGALORE, KARNATAKA-560010

313. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA NETHRALAYA
63, BANNERGHATTA MAIN ROAD
OPP. MEENAKSHI TEMPLE
HULIMAVU, BANGALORE
KARNATAKA-560076

314. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA NETHRALAYA
CITY CENTRE
NO. 37, CASTLE STREET
ASHOK NAGAR
BANGALORE, KARNATAKA-560025

315. M/S COFFEE DAY GLOBAL LIMITED
NARAYANA SUPER SPECIALITY HOSPITAL
NO. 24, 9TH CROSS
MARGOSA ROAD
MALLESHWARAM
BANGALORE,
KARNATAKA-560003
316. M/S COFFEE DAY GLOBAL LIMITED
NARAYANAHHRUDAYALAYA
CORPORATE OFFICE
NO. 261-A
2ND FLOOR
BOMMASANDRA INDUSTRIAL AREA
BANGALORE, KARNATAKA-560099
317. M/S COFFEE DAY GLOBAL LIMITED
NATIONAL INSTITUTE OF FASHION TECHNOLOGY
CA SITE # 21, 27TH MAIN ROAD
SECTOR-1, HSR LAYOUT
BANGALORE, KARNATAKA 560 102
318. M/S COFFEE DAY GLOBAL LIMITED
NETHRADHAMA EYE HOSPITAL,
JAYANAGAR 7TH BLOCK,
BANGALORE, KARNATAKA 560082
319. M/S COFFEE DAY GLOBAL LIMITED
NARAYANAHHRUDAYALAYA
ONCOLOGY (BASEMENT)
NO. 258/A, BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK,
BANGALORE, KARNATAKA 560099
320. M/S COFFEE DAY GLOBAL LIMITED
NARAYANAHHRUDAYALAYA ENTRANCE
NO. 258/A, BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK
BANGALORE, KARNATAKA-560099
321. M/S COFFEE DAY GLOBAL LIMITED
NARAYANAHHRUDAYALAYA
ONCOLOGY, 7TH FLOOR
NO. 258/A, BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK

BANGALORE
KARNATAKA-560099

322. M/S COFFEE DAY GLOBAL LIMITED
NARAYANHRUDAYALAYA
ONCOLOGY, 5TH FLOOR
NO. 258/A, BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK
BANGALORE, KARNATAKA-560099

323. M/S COFFEE DAY GLOBAL LIMITED
ODC 2 F21
3RD BLOCK
HBR LAYOUT
BANGALORE, KARNATAKA-560043

324. M/S COFFEE DAY GLOBAL LIMITED
OXFORD MEDICAL COLLEGE
HOSPITAL AND RESEARCH
HOSUR ROAD, YADAVANAHALLI
ATTIBELE
BANGALORE
KARNATAKA-562107

325. M/S COFFEE DAY GLOBAL LIMITED
PRESIDENCY UNIVERSITY
ITGALPU, RAJANAKUNTE
YELAHANKA
BANGALORE, KARNATAKA 560064

326. M/S COFFEE DAY GLOBAL LIMITED
PSK LALBAGH
NO. 45, PRESTIGE LIBRA
NEAR URVASHI THEATRE
LAL BAGH MAIN ROAD
BANGALORE, KARNATAKA 560027

327. M/S COFFEE DAY GLOBAL LIMITED
PSK SAI ARCADE, SURVEY NO.56/P
DEVARABISANAHALLI
MARTHAHALLI OUTER RING ROAD
BANGALORE, KARNATAKA-560103

328. M/S COFFEE DAY GLOBAL LIMITED
QUINTILES TECHNOLOGIES

PRESTIGE TECHNOLOGY PARK II (ETAMIN)
SURVEY NO.111/1 TO 115/4,
BELLANDUR KHANE VILLAGE
OUTER RING ROAD
BANGALORE, KARNATAKA-560103

329. M/S COFFEE DAY GLOBAL LIMITED
RAJARAJESWARI HOSPITAL
NO.202, KAMBIPURA
MYSORE ROAD
BANGALORE, KARNATAKA-560074

330. M/S COFFEE DAY GLOBAL LIMITED
RAJARAJESWARI MEDICAL COLLEGE
NO.202, KAMBIPURA
MYSORE ROAD
BANGALORE, KARNATAKA-560074

331. M/S COFFEE DAY GLOBAL LIMITED
RAJARAJESWARI SUPER SPECIALTY HOSP
NO.202, KAMBIPURA, MYSORE ROAD
BANGALORE, KARNATAKA-560074

332. M/S COFFEE DAY GLOBAL LIMITED
RR COLLEGE OF PHARMACY
ADITYA LAYOUT MAIN ROAD
GUDDADAHALLI
BANGALORE, KARNATAKA-560098

333. M/S COFFEE DAY GLOBAL LIMITED
SAMSUNG R AND D INSTITUTE INDIA PVT LTD.,
ORION BUILDING,
BAGMANE CONSTELLATION BUSINESS PARK,
OUTER RING ROAD BANGALORE,
KARNATAKA-560037

334. M/S COFFEE DAY GLOBAL LIMITED
SAPTHAGIRI HOSPITAL
NO.15, HESARGHATTA MAIN ROAD
CHIKKASANDRA, BANGALORE
KARNATAKA-560090

335. M/S COFFEE DAY GLOBAL LIMITED
SDM INST OF AYURVEDA AND HOSPITAL
ANCHEPALYA, KUMBALGODU POST

MYSORE ROAD, BANGALORE
KARNATAKA-560074

336. M/S COFFEE DAY GLOBAL LIMITED
SOBHA LIMITED,
DEVIN PARADISE ENCLAVE,
THANISANDRA MAIN ROAD
BANGALORE, KARNATAKA-560077
337. M/S COFFEE DAY GLOBAL LIMITED
SPARSH HOSPITAL
NO.29/P2, HOSUR ROAD
BOMMASANDRA INDUSTRIAL AREA
BANGALORE, KARNATAKA-560099
338. M/S COFFEE DAY GLOBAL LIMITED
SYMPHONY EYC INDIA PRIVATE LIMITED
SJR I PARK, TOWER-3, FIFTH FLOOR
PLOT NO.13, 14 AND 15
SY NO.143 AND 151
EPIP ZONE, WHITEFIELD
BANGALORE, KARNATAKA-560056
339. M/S COFFEE DAY GLOBAL LIMITED
SYMPHONY INCUBATOR BUSINESS SERVICES
SJR I PARK
TOWER-3, SIXTH FLOOR
NO.9, EPIP ZONE, WHITEFIELD
BANGALORE, KARNATAKA-560066
340. M/S COFFEE DAY GLOBAL LIMITED
TATA ELXSI SERVICES,
9TH FLOOR, CRESCENT 4 AND TOWER B
PRESTIGE SHANTHINIKETHAN
WHITEFIELD MAIN ROAD
THIGALARAPALYA, HOODI
BENGALURU, KARNATAKA-560067
341. M/S COFFEE DAY GLOBAL LIMITED
TECH MAHINDRA
ELECTRONIC CITY PHASE-2
BANGALORE,
KARNATAKA-560100
342. M/S COFFEE DAY GLOBAL LIMITED
TESCO HINDUSTAN PVT LTD.

NO.81 AND 82, EPIP AREA,
WHITEFIELD, BANGALORE
KARNATAKA-560066

343. M/S COFFEE DAY GLOBAL LIMITED
TESCO HINDUSTAN SERVICE CENTRE
NO.81 AND 82, EPIP AREA
WHITEFIELD, BANGALORE
KARNATAKA-560066

344. M/S COFFEE DAY GLOBAL LIMITED
THE CAMBRIDGE INT SCHOOL
SURVEY NO.145/2, 100 FEET ROAD
HARLUR KUDLU, BANGALORE
KARNATAKA-560068

... APPELLANTS

(BY SHRI SANTHOSH NARAYAN S., ADVOCATE)

AND

1. THE SECRETARY
DEPARTMENT OF LABOUR
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVAN
BANNERGHATTA ROAD
BANGALORE-560029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 OF THE LEARNED
SINGLE JUDGE PASSED IN WRIT PETITION NOS.8388-
8417/2017 C/W WRIT PETITION NOS.4635-4977/2018, IN SO FAR
AS NOT INTERFERING WITH OTHER LEGAL ASPECTS OF
IMPUGNED NOTIFICATION BEARING NO.KAA E 20 LMW 2017

DATED 30/12/2017 [ANNEXURE 'A'] OF THE RESPONDENT NO.1
& ETC.

W.A. NOS.2266-2267/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBER OF COMMERCE & INDUSTRY
P.B.NO.9996, K.G.ROAD
BENGALURU
REP. BY: MR.M.LOKARAJ
SECRETARY
2. PRESS TOOLS & ELEMENTS PVT. LTD.
NO.93/8, SUBHADRA
SOUTH END ROAD
BANGALORE-560004
REP. BY: MR.TALLAM VENKATESH
MANAGING DIRECTOR
3. SEEE CABLES (INDIA) PVT. LTD.
NO.29, J.C.INDUSTRIAL ESTATE
KANAKAPURA ROAD
REP. BY: MR.M.DASAI AH PARTNER
4. FOOD CREATIONS PVT LTD
SY.NO.34, KACHARAKANAHALLI VILLAGE
NADUVATHI POST
HOSKOTE TALUK
BANGALORE-560 067
REP. BY: ITS FACTORY
MANAGER
V. THULASI MADHAVA NAIDU
5. INTEGRATED ELECTRICAL CO. PVT. LTD
PLOT NO.497/A, 4TH PHASE
PEENYA INDUSTRIAL AREA
PEENYA, BANGALORE-560 058
REP. BY: ITS
MANAGING DIRECTOR
R. VIJAYARAGHAVAN
6. SHREE HARI PRECISION PRODUCTS PVT LTD
124, 7TH MAIN, 3RD PHASE

PEENYA INDUSTRIAL AREA
BANGALORE-560 058
REP. BY: ITS
MANAGING DIRECTOR
SHAM SUNDER

7. SHARAVATHI CONDUCTORS
PRIVATE LIMITED
NO.23, BANGALORE CO
OPERATIVE INDUSTRIAL ESTATE
6TH MILE, OLD MADRAS ROAD
P.B.NO.1609
BANGALORE-560 016
REP. BY ITS:
MANAGING DIRECTOR
KAARDAM PATEL
8. VIJAYA SEAMLESS CONTAINERS (P) LTD
NO.189, 11TH MAIN, 3RD PHASE
PEENYA INDUSTRIAL AREA
BANGALORE-560 058
REP. BY ITS:
MANAGING DIRECTOR
K.MUKUND
9. DRAWCANS PRIVATE LTD
NO.380, 10TH CROSS, PHASE-4
PEENYA INDUSTRIAL AREA
BANGALORE-560 058
REP. BY ITS:
MANAGING DIRECTOR
K.ANAND
10. FITWEL TOOLS AND FORGINGS PVT. LTD
PLANT 2, FAC: NO. 2
KHT COMPLEX
ANTARASANAHALI
TUMKUR-572 106
REP. BY ITS: OFFICE HR, N.SRIDHAR
11. FITWEL TOOLS AND FORGINGS PVT. LTD
FAC: NO. 2, KHT COMPLEX
ANTARASANAHALI
TUMKUR-572 106.
REP BY ITS OFFICE HR, N.SRIDHAR

12. FINPOWR AIRCON SYSTEMS PVT. LTD
PLOT NO. 1,2,3,4 INDUSTRIAL AREA
BIAKAMPDY, MANGALORE 5750511
REP. BY UDAYKUMAR SHENOY
PLANT HR AND ADMIN HEAD
13. KNND ASSOCIATION PVT LTD
KNND HOUSE NO. 153-166/1
EAST END MAIN ROAD
JP NAGAR, BANGALORE 560078
REP BY ITS ACCOUNTS &
FINANCE MANAGER NP RAVISHANKAR
14. RENEWSYS INDIA PVT. LTD
PLOT NO. 21,22,23,
BOMMASANDRA-JIGNI LINK ROAD
INDUSTRIAL AREA, ANEKAL TALUK
BANGALORE-560 105
REP. BY ITS EXECUTIVE DIRECTOR
JAYARAM U.K.
15. ESS ENN AUTO CNC (P) LTD
82, 2ND MAIN, 2ND BLOCK
3RD STAGE, BASAVESHWARANAGAR
BANGALORE 560073
REP. BY ITS DIRECTOR
ANAND HOSMANE
16. VEER-O-METALS PVT LTD
PLOT NO. 124 & 125, PART-1
HAROHALLI INDUSTRIAL AREA
HEROHALLI-562112
REP. BY ITS MANAGING DIRECTOR
SHAM SUNDER
17. VEER-O-METALS PVT LTD
A-02, BEL INDUSTRIAL AREA
OUTER RING ROAD
JALAHALLI, BANGALORE 560013
REP. BY ITS MANAGING DIRECTOR
SHAM SUNDER
18. VEER-O-METALS PVT LTD
SITE NO. 130/139

HUSKUR ROAD
NAGRUR VILLAGE
DASANPUR HOBLI
BANGLAORE NORTH 560023
REP BY ITS MANAGING DIRECTOR
SHAM SUNDER

19. VEER-O-METALS PVT LTD
SHED NO. 02, SY. NO. 51/A
HUSKUR ROAD
HEGGADADEVANAPURA
DASANAPURA HOBLI
BANGALORE NORTH 560023
REP. BY ITS MANAGING DIRECTOR
SHAM SUNDER
20. VEER-O-METALS PVT LTD
PLOT NO. 87/A, JIGANI I PHASE
INDUSTRIAL AREA, JIGANI
ANEKAL TALUK-562106
REP. BY ITS MANAGING DIRECTOR
SHAM SUNDER
21. SWITCHGEAR AND CONTROL
TECHNICS PVT LTD
PLOT NO. 152, BOMMASANDRA
INDUSTRIAL AREA, HOSUR ROAD
ANEKAL TALUK, BANGALORE-560099
REP. BY ITS DIRECTOR
BHAVESH V MEHTA
22. G C CABLES AND WIRES INDIA PVT LTD
NO. 170/1, SUBHARAM
INDUSTRIAL ESTATE
MARSUR GATE POST
CHANDAPURA, ANEKAL TALUK
BANGALORE 562106
REP. BY ITS MANGING DIRECTOR
SANDIP RAJNIKANT MEHTA
23. ADITYA AUTO PRODUCTS &
ENGINEERING (I) PVT LTD
PLONT NO. 13E,
KIADB INDUSTRIAL AREA
DODDABALLAPURA-561 203

REP. BY ITS HR HEAD
RAMESH PAI

24. SUPRAJIT ENGINEERING LIMITED
NO.100, BOMMASANDRA INDL. AREA
BANGLAORE-560099.
REPRESENTED BY ITS
CHIEF FIANNCE OFFICER
MEDAPPA GOWDA
25. SUPRAJIT AUTOMOTIVE PRIVATE LIMITED
NO.25, 26A (PART)
KIADB INDUSTRIAL ARA,
DODDABALLAPUR-561203.
BANGALORE
REPRESENTED BY ITS
CHIEF FINANCE OFFICER
MEDAPPA GOWDA
26. BILL FORGE PVT.LTD. UNIT III
PLOT NO.7C, KIADB INDUSTRIAL AREA
HOSUR ROAD, ATTIBELE
ANEKAL TLAK, BANGLAORE-562105
REPRESENTED BY ITS GM.HR & ADMIN
K.CHANDRA SHEKAR
27. BILL FORGE PVT.LTD. UNIT II
#98L, PHASE II, KIADB INDUSTRIAL AREA
JIGANI, ANEKAL TALUK
BANGALORE-562106
REPRESENTED BY ITS GM.HR & ADMIN
K.CHANDRA SHEKAR
28. BILL FORGE PVT.LTD. UNIT I
#9C, BOMMASANDRA INDUSTRIAL AREA
ANEKAL TALUK
BANGALORE-560099
REPRESENTED BY ITS GM.HR & ADMIN
K.CHANDRA SHEKAR
29. BILL FORGE PVT. LTD. UNIT VI
PLOT NO.86, (M & N) KIADB
INDUSTRIAL AREA PHASE I
SURVEY #126, JIGANI
ANEKAL TALUK, BANGALORE

REPRESENTED BY ITS GM. HR &
ADMIN, K. CHANDRA SHEKAR

30. HYDROLINES
NO.497/C, IV PHASE
PEENYA INDUSTRIAL AREA
BANGALORE-560058
REPRESENTED BY ITS PARTNER
DEEPAK SETHI
31. HYDROLINES INDIA
KIADB BLOCK 2, INDUSTRIAL AREA
GARAG ROAD, MUMMIGATTI
DHARWAD-580007
REPRESENTED BY ITS PARTNER
DEEPAK SETHI
32. GOLDEN PROFILES
#485/5, 14TH CROSS, 4TH PHASE
PEENYA INDUSTRIAL AREA
BANGALORE-560058
REPRESENTED BY ITS PARTNER
DEEPAK SETHI
33. SANSERA ENGINEERING LTD
NO.261-C, BOMMASANDRA INDUSTRIAL AREA
BANGALORE-560099
REPRESENTED BY T.P MADHUSUDHAN
ASST.GEN.MANAGER HR
34. JAP ENGINEERING
NO.B-14, BEL INDUSTRIAL ESTATE
JALAHALLI, BANGALORE – 560 013
REPRESENTED BY ITS PARTNER
PRANEETH KUMAR
35. TELECRAFT INDUSTRIES PVT.LTD
NO.22, I.T.I.INDUSTRIAL ESTATE
MAHADEVAPURA
BANGALORE-560048
REPRESENTED BY ITS
MANAGING DIRECTOR
J.D.HEGDE

36. SIDERFORGEROSS I INDIA
PRIVATE LIMITED
NO.82, BELAGOLA INDUSTRIAL AREA
5TH MILE, KRS ROAD, MERAGATTI
POST, MYSORE – 570016
REPRESENTED BY ITS
MANAGING H.R. PRAVEEN K.S.
37. SUPRAVENI CHEMICALS PVT LTD
8C178C2, II CROSS
KIADB INDUSTRIAL AREA
KADGOUDI, OFF WHITEFIELD ROAD
BANGALORE – 560067
REPRESENTED BY ITS ACCOUNT OFFICER
A. ERANNA

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIEMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560 001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560 029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION
CONGRESS (AITUC) NO.27
6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560 003
BENGALURU CITY
4. PRESIDENT
BHARATIYA MAZDOOR

SANGHA (BMS)
NO.458, OTC ROAD
COTTONPET
BANGALORE-560053

5. GENERAL SECRETARY
CITU, NO.40/5, 2ND 'B' MAIN ROAD,
16TH CROSS
SAMPANAGIRAMA NAGARA
BANGALORE-560027

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED UNDER SECTION 4
OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO
SET ASIDE THE IMPUGNED FINAL JUDGMENT DATED
29.03.2019 PASSED BY THE LEARNED SINGLE JUDGE IN W.P.
NO. 11452 & 11921-11925/2018 (L-MW), W.P. NO. 11453 & 11926-
11972/2018, W.P. NO. 17155-17172/2018, W.P. NO.28470 &
31125-31145/2018, W.P. NO.8653-8657/2018, W.P. NO.
35936/2018 & 38897-38899/2018, W.P. NO.15285-15287/2018, IN
SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE
NOTIFICATION DATED 30.12.2017 ISSUED BY THE FIRST
RESPONDENT IN NO.KE 27 LMW2017 AND ETC.

W.A. NO. 2272/2019 & W.A. NOS.2918-2972/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBER OF COMMERCE & INDUSTRY
P.B.NO.9996, K.G.ROAD
REPRESENTED BY
MR M. LOKARAJ
SECRETARY
2. B.DEVAIAH SETTY SILKS & SAREES
585, 1ST FLOOR
KANTHARAJ PLAZA
AVENUE ROAD

BANGALORE-560002
REPRESENTED BY: ANUP P
DEVIAIAH , THE PARTNERS

3. B.DEVAIAH SETTY SILKS
#585, 2ND FLOOR
KANTHARAJ PLAZA
AVENUE ROAD
BANGALORE-560002
REPRESENTED BY: ANUP P
DEVIAIAH, THE PARTNERS
4. JMD ELECTONIC CO.
NO.21, KAILASH BUILDING
KODICHIKKANAHALLI MAIN ROAD
BOMMANAHALLI , BANGALORE -560068
REPESENTED BY PROPRIETOR
VIRAINDRA SHARMA
5. ECOM EXPRESS (P) LTD
13 AND 14, ROYAL CHAMBERS
DODDA BANASAWA!
OUTER RING ROAD
NEAR VIJAYA BANK COLONY
BANGALORE-560043
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR. GAHRAR NANDA
6. MAL ASSET MANAGEMENT
ENTERPRISES
RMZ LATITUDE -COMMERCIAL
NO.69, BELLARY ROAD, HEBBAL
BANGALORE-560024
REPRESENTED BY ITS PARTNER
ALAGAPPA
7. VARDHAMAN PHARMA DIST. PVT. LTD
NO.38, K H CIRCLE HOSUR ROAD
(OPP LALBHAG DOUBLE ROAD GATE)
BENGALURU-560027
REPRESENTED BY ITS
H.R. MANAGER
MR. SARFARAZ

8. FOCUS MEDISALES PRIVATE LIMITED
NO.44, 44/1, 1ST, 2ND AND 3RD FLOOR
6TH CROSS, HOSUR MAIN ROAD
WILSON GARDEN
BANGALORE-560027
REPRESENTED BY ITS H.R.
MANAGER MR. SARFARAZ
MANAGING DIRECTOR
9. SRINIVASA MEDISALES PRIVATE LIMITED
40, DOUBLE ROAD, K.H. CIRCLE
BANGALORE-560027
REPRESENTED BY ITS H R
MANAGER MR. SARFARAZ
MANAGING DIRECTOR
10. FEATHERLITE OFFICE SYSTEMS (P) LTD
SURVEY NO.83 AND 86/1
BANGALORE-MYSORE ROAD
HEJJALA CIRCLE, HEJJALA
BIDADA HOBLI, RAMANAGARA-562109
REPRESENTED BY AUTHORISED
SIGNATORY
MS NIKITA GOSWAMI
11. PRAKASH RETAILS PVT. LTD
AMBALAPADY POST OFFICE
UDUPI DIST-576103
REPRESENTED BY ITS MD
SURYA PRAKASH

... APPELLANTS

(BY SHRI PRAVEENKUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BANGALORE-560001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA

KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
BENGALURU CITY

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO 27
6TH CROSS 4TH MAIN
MALLESHWARAM
BANGALORE-560003
BENGALURU CITY

4. PRESIDENT
BHARATIYA MAZDOOR
SANGHA(BMS)
NO.458, OTC ROAD
COTTONPET
BANGALORE-560053

5. GENERAL SECRETARY
CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS
SAMPANGIRAMA NAGARA
BANGALORE-560027

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
IMPUGNED FINAL JUDGMENT DATED 29/03/2019 PASSED BY
THE LEARNED SINGLE JUDGE IN WP NOS.35939/2018,
39792/2018, 39794/2018, 39807/2018, 18482/2018, 18483/2018,
18496/2018,18497/2018, 18498/2018, 18503/2018 & 37054/2018,
IN SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE
NOTIFICATION DATED 30/12/2017 ISSUED BY THE FIRST
RESPONDENT IN NO.KAA E 20 LMW 2017(ANNEXURE-A)& ETC.

W.A. NOS. 2280-2281/2019

BETWEEN

1. KARNATAKA SMALL SCALE
INDUSTRIES ASSOCIATION (KASSIA)
NO.2/106, 17TH CROSS
MAGADI CHORD ROAD
VIJAYANAGAR
BENGALURU - 560 040
REPRESENTED BY ITS
HONORARY GENERAL SECRETARY
SRI. RAVIKIRAN KULKARNI
2. M/S HERMES
LABORATORIES PVT. LTD.
C-31, 32 & B -10
2ND CROSS, KSSIDC INDUSTRIAL SHED
VEERAPURA
DODDABALLPUR - 562 163
NOW REPRESENTED BY ITS DIRECTOR
SRI. SOHAN KUMAR S MAHALE

... APPELLANTS

(BY SHRI S.N. MURTHY, SENIOR COUNSEL FOR
SHRI SOMASHEKAR, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE - 560 001.
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE - 560 029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO. 27, 6TH CROSS, 4TH MAIN,

MALLESHWARAM
BANGALORE - 560 003
BENGALURU CITY

4. BHARATIYA MAZDOOR SANGHA (BMS)
NO. 458, OTC ROAD, COTTONPET
BANGALORE - 560 053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO. 40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMA NAGARA
BANGALORE - 560 027
REPRESENTED BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER DATED 29/03/2019 OF THE LEARNED
SINGLE JUDGE INSOFARAS NOT INTERFERING WITH OTHER
LEGAL ASPECTS AND QUANTUM OF MINIMUM WAGES FIXED
IN THE IMPUGNED NOTIFICATION BEARING NO.KAA E8 LMW
2017 DATED 30/12/2017(ANNEXURE 'A' IN WP) OF THE
RESPONDENT NO.1 PASSED IN W.P.NOS.33836/2018 &
33840/2018 (L-MW) & ETC.

W.A. NO. 2465/2019 & W.A. NOS.2928-2937/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY
P B NO.9996
KEMPEGOWDA ROAD
BENGALURU-560009
REPRESENTED BY ITS SECRETARY
MR. M. LOKARAJ

2. M/S KARNATAKA SPONGE AND IRON
MANUFACTURERS ASSOCIATION
P-33, FIRST FLOOR
OPP. BPCL PETROL BUNK
SANJAY GANDHI NAGAR
BELLARY-583104
REPRESENTED BY ITS PRESIDENT
SRI POLISETTY
VENKATA SRINIVASA RAO
3. M/S YESHASVI STEELS & ALLIED PVT LTD
SY NO.405, 406, 407
PB NO.4, COWL BAZAR
HALKUNDI VILLAGE, BELLARY
REPRESENTED BY ITS PLANT INCHARGE
SRI TUKARAM NORA
4. M/S SLD STEELS PVT LTD
MOKA ROAD
BELLARY
REPRESENTED BY ITS DIRECTOR
SRI E SRINIVASA
5. M/S SHIRDI SAI STEELS PVT LTD
HALKUNDI VILLAGE
BELLARY
REPRESENTED BY ITS MANAGING DIRECTOR
SRI E SRINIVASA
6. M/S RAYEN STEEL PVT LTD
SY NO.115-D, 115-E
HARAGINADONI ROAD
VENI VEERPUR CROSS
BELLARY
REPRESENTED BY ITS MANAGING DIRECTOR
SRI GATTU RAMU
7. M/S RANGINENI STEELS PVT LTD
SY NO.286 B, SIDAPUR MAIN ROAD
HALKUNDI VILLAGE
BELLARY
REPRESENTED BY ITS DIRECTOR
KATAKAM YELLAH

8. M/S MAHAMANAV ISPAT PVT LTD
SY NO.81A, 82A, TUMPI ROAD
BELLARY-583115
REPRESENTED BY ITS DIRECTOR
SRI BELLAM KONDA
VENKATA SURESH
9. M/S SHREE VENKATESHWARA
SPONGE AND POWER PVT LTD.
SY NO.403, HALKUNDI VILLAGE
BENGALURU ROAD
BELLARY-583102
REPRESENTED BY ITS DIRECTOR
SRI G ARUNENDAR
10. M/S SATVIJAY PRAGATI STEEL UDYOG PVT LTD
SY NO.34/4C, 37A & 37B
HARUVANAHALLI VILLAGE
NH-13, HOSPET, HKOODIGE ROAD
BELLARY DISTRICT-583222
REPRESENTED BY ITS DIRECTOR
SRI SANTOSH S
11. M/S KARNATAKA INSTRUMENTS
259,INDUSTRIAL ESTATE
PEENYA 2ND STAGE
BENGALURU-560058
REPRESENTED BY ITS PARTNER
SRI GAUTAM HAZARA

... APPELLANTS

(BY SHRI PRAVEENKUMAR HIEMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUHDA
BENGALORE-560 001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA

BANNERGHATTA ROAD
BANGALORE-560 029

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO.27,
6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560 003
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560 053
REP. BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD, 16TH CROSS
SAMPANGIRAMA NAGARA
BANGALORE-560 027
REP. BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
IMPUGNED FINAL JUDGEMENT DATED 29/03/2019 PASSED BY
THE LEARNED SINGLE JUDGE IN WRIT PETITION NO.43943/18,
42893/18, 42894/18, 42895/18, 42896/18, 42897/18, 42898/18,
42899/18, 42900/18, 42903/18 AND 42904/18, IN SO FAR AS IT
UPHOLDS THE VALIDITY OF MINIMUM WAGE NOTIFICATION
DATED 29/02/2016 ISSUED BY THE FIRST RESPONDENT IN
NO.KAE 17 LMW 2017 [ANNEXURE-A IN WP].

W.A. NO. 2466/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND INDUSTRY

P.B. NO.9996, KEMPEGOWDA ROAD
BENGALURU-560009
REPRESENTED BY ITS SECRETARY
MR M LOKARAJ

2. ARON UNIVERSAL LIMITED
NO.25/1, 2ND PHASE
JIGANI INDUSTRIAL AREA
BANGALORE-560105
REPRESENTED BY COF
MR. SUNIL VARGHESE
3. LABORATORIES DAFFODIL PVT. LTD.
34, BALKMPADY
INDUSTRIAL AREA
MANGALORE-575011
KARNATAKA
REPRESENTED BY ITS MANAGING DIRECTOR
MR DAMODAR A S
4. EVEREADY INDUSTRIES INDIA LTD
POWER CELL DIVISION
7/1 A (PART), KIADB INDUSTRIAL AREA
SOMANAHALLI, MADDUR-571428
DIST: MANDYA
KARNATAKA
REPRESENTED BY SENIOR GM
MR BVS MURTHI
5. SAVA HEALTH CARE LIMITED
107-109, KIADB 3RD PHASE
INDUSTRIAL AREA
MALUR-KOLAR DISTRICT-563160
KARNATAKA
REPRESENTED BY ITS SIGNATORY
MR MADHUSUDHANA REDDY
6. F J MARGO PVT. LTD.
344/8, 4TH MAIN
SADASHIV NAGAR
BANGALORE-560080
REPRESENTED BY ITS
SR. MANAGER,
MR NMS BABU

7. MARGO BIO CONTROLS PVT LTD
344/8, 4TH MAIN,
SADASHIV NAGAR
BANGALORE-560080
REPRESENTED BY ITS
SR. MANAGER
MR. NMS BABU

... APPELLANTS

(BY SHRI PRAVEENKUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUHDA
BENGALORE-560 001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560 029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO.27
6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560 003
BENGALURU CITY
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPET
BANGALORE-560 053
REP BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560 027
REP BY GENERAL SECRETARY.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.35936/2018 C/W 38897-38899/2018 (L-MW), W.P. NO.17936/2018 C/W 18538/2018 (L-MW), W.P.NO.13221-13230/2018 (L-MW) AND W.P. NO.28473/2018 C/W 31148-31155/2018 (L-MW), IN SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE NOTIFICATION DATED 30.12.2017 ISSUED BY THE FIRST RESPONDENT IN KAA E 8 LMW 2017 AND ETC.

W.A. NO. 2467/2019

BETWEEN

1. AMRUT DISTILLERIES PVT. LTD.,
7TH FLOOR, JNR CITY CENTER
NO.30, RAJARAM MOHANRAOY ROAD
BENGALURU-560027
REPRESENTED BY ITS COMPANY SECRETARY
VISHWANATHAN.K
2. VORION DISTILLERIES INC
NO.64, 3RD FLOOR, BLUMOON COMPLEX
M G ROAD, BENGALURU 560001
REPRESENTED BY ITS
MANAGING PARTNER
H.N. RAGHAVENDRA
3. SARVADA DISTILLERIES
NO.64, 3RD FLOOR, BLUMOON COMPLEX
M.G. ROAD, BENGALURU 560001
REPRESENTED BY ITS MANAGING PARTNER
H.P. DARSHAN
4. SRI LAKSHMINARASIMHA
DISTILLERIES PVT LTD
NO.219/11, 4TH FLOOR, J.P.CORP

BELLARY ROAD, SADASHIVANAGAR
BENGALURU-560080
REPRESENTED BY ITS DIRECTOR
J.P.SUDHAKAR

5. J.P. DISTILLERIES PVT LTD
CORPORATE OFFICE J.P.CORP
NO.219/11, 4TH FLOOR, J.P.CORP
BELLARY ROAD, SADASHIVANAGAR
BENGALURU-560080
REPRESENTED BY ITS DIRECTOR
J.P.SUDHAKAR

6. UNISTIL ALCO BLENDS PVT LTD
B.M. ROAD SOLUR, MAGADI TALUK
RAMANAGAR DIST
RAMANAGAR-562127
REPRESENTED BY ITS DIRECTOR
B HARENDER NAIDU

7. JOHN DISTILLERIES PVT LTD
#110, PANTHARAPALYA
MYSORE ROAD
BENGALURU-560039
REPRESENTED BY ITS DIRECTOR
N KRISHANAN

... APPELLANTS

(BY SHRI PRAVEENKUMAR HIEMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560 001.

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVAN
BANNERGHATTA ROAD
BENGALURU-560 029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT PETITION NOS.13688 TO 13704/2017 (L-MW), IN SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE NOTIFICATION NO.KE/12 LMW 2015 DATED 16.07.2016 ISSUED BY THE FIRST RESPONDENT AND ETC.

W.A. NO. 2468/2019

1. FEDERATION OF KARNATAKA
CHAMBER OF COMMERCE & INDUSTRY
P.B.NO.9996, K G ROAD
BANGALORE-560 009
REPRESENTED BY ITS SECRETARY
MR M. LOKARAJ
2. THE SOUTH INDIAN PLYWOOD
MANUFACTURERS ASSOCIATION
NO.1 & 2, 5TH MAIN
INDUSTRIAL ESTATE YADAVAGIRI
MYSURU-570020
REPRESENTD BY ITS PRESIDENT
SRI SIRAJ ASGAR ALI
3. KANARA WOOD & PLYWOOD
INDUSTRIES LIMITED
P.B. NO.566, JEPPU
MANGALURU-575002
REPRESENTED BY ITS DIRECTOR
SRI YENAPOYA ABDULLA JAVEED
4. THE KARNATAKA PLYWOOD
MANUFACTURERS ASSOCIATION
THUMBAY ARCADIA, 8TH FLOOR
FALNIR JUNCTION
MANGALURU-575001
REPRESENTED BY ITS PRESIDENT
SRI BOLAR ABDUL SALAM
5. HUNSUR PLYWOOD WORKS PRIVATE LIMITED
POST BOX NO.2, B.M. ROAD

HUNSUR-571105
REPRESENTED BY ITS DIRECTOR
SRMOIZ S VAGH

... APPELLANTS

(BY SHRI PRAVEENKUMAR HIEMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560003
BENGALURU CITY
4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD, COTTONPT
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560027
REPRESENTED BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED BY THE LEARNED SINGLE JUDGE IN W.P. NO.15288-15293/2018, IN SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE NOTIFICATION DATED 30.12.2017 ISSUED BY THE FIRST RESPONDENT IN NO.KAA E 9 LMW 2017 AND ETC.

W.A. NO.2546/2019

BETWEEN

M/S SRI CHAMUNDESWARI SUGARS LIMITED
NO. 88/5 RICHMOND ROAD,
BANGALORE - 560 025
REPRESENTED BY ITS
PRESIDENT
MR. K R NACHIAPPAN

... APPELLANT

(BY SHRI SANTHOSH NARAYAN S., ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE - 560 001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVAN
BANNERGHATTA ROAD
BANGALORE - 560 029
3. THE PRESIDENT
ALL INDIA TRADE
UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE - 560 003
4. THE PRESIDENT
BHARATIYA MAZDOOR SANGHA (BMS)

NO.458, OTC ROAD, COTTONPET
BANGALORE - 560 053

5. THE GENERAL SECRETARY
CENTRE OF INDIAN TRADE UNIONS (CITU)
#40/5, 2ND B MAIN ROAD,
16TH CROSS, SAMPANGIRAMANAGAR
BENGALURU - 560 027.

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI SATHEESH K.N., ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF
THE ORDER DATED 29/03/2019 OF THE LEARNED SINGLE
JUDGE PASSED IN WRIT PETITION NOS.28472/2018 C/W 37051-
37061/2018 IN SO FAR AS NOT INTERFERING WITH OTHER
LEGAL ASPECTS OF IMPUGNED NOTIFICATION BEARING
NO.KAA E 20 LMW 2017 DATED 30/12/2017 [ANNEXURE 'A'] OF
THE RESPONDENT NO.1 & ETC.

W.A. NO. 2547/2019

BETWEEN

M/S SRI CHAMUNDESWARI SUGARS LIMITED
K.M. DODDI, BHARATHI NAGAR
MADDUR TALUK
MANDYA DISTRICT-571422
REPRESENTED BY ITS PRESIDENT
MR K.R. NACHIAPPAN

... APPELLANT

(BY SHRI SANTHOSH NARAYAN S., ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560 001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA, BANNERGHATTA ROAD
BANGALORE-560 029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO. 27
6TH CROSS, 4TH MAIN
MALLESHWARAM, BANGALORE-560 003
4. THE PRESIDENT
BHARATIYA MAZDOOR SANGHA (BMS)
NO. 458, OTC ROAD
COTTONPET, BANGALORE-560 053
5. THE GENERAL SECRETARY
CENTRAL OF INDIAN TRADE UNIONS (CITU)
NO.40/5, 2ND "B" MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BANGALORE-560 027

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF
THE ORDER DATED 29/03/2019 OF THE LEARNED SINGLE
JUDGE PASSED IN WRIT PETITION NOS.30330-30335/2018 IN
SO FAR AS NOT INTERFERING WITH OTHER LEGAL ASPECTS
OF IMPUGNED NOTIFICATION BEARING NO.KAA E 20 LMW
2017 DATED 30/12/2017 [ANNEXURE 'A'] OF THE RESPONDENT
NO.1 & ETC.

W.A. NOS.2656-2659/2019

BETWEEN

1. M/S. ENTOMA WAREHOUSE
(UNIT OF M/S ADITYA BIRLA

FASHION & RETAIL LIMITED)
SURVEY NO. 60/1
SRINARAYANA BUILDING
BOMMANAHALLI
BANGALORE - 560068
REPRESENTED BY HEAD-COMPLIANCE
BHARATH KVN

2. M/S ATTIBELE WARE HOUSE
(UNIT OF M/S ADITYA BIRLA FASHION & RETAIL LIMITED)
SURVEY NO 528, 527 ATTIBELE ANEKAL ROAD
ADJACENT TO DHLWARE HOUSE MAYASANDRA
VILLAGE ATTIBELE HOBLI
BANGALORE - 562107
REPRESENTED BY HEAD-COMPLIANCE
BHARATH KVN

3. M/S HOSKOTE WAREHOUSE
(UNIT OF M/S ADITYA BIRLA
FASHION & RETAIL LIMITED)
SURVEY NO 32 & 33, SAIKYA ROAD
KACHAREKANAHALLI VILLAGE
HOSKOTE - 560067
REPRESENTED BY HEAD-COMPLIANCE
BHARATH KVN

4. M/S E-COM WAREHOUSE
(UNIT OF M/S ADITYA BIRLA FASHION & RETAIL LIMITED)
KRUPA GODOWN SY NO 2/1
THIRUMALASHETTY HALLI
VILLAGE, ANUGONDANAHALLI
HOSKOTE TALUK
BENGALURU RURAL DISTRICT - 560067
REPRESENTED BY HEAD-COMPLIANCE
BHARATH KVN

... APPELLANTS

(BY SHRI KESTHUR N. CHENDRA SHEKHER, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BANGALORE - 560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD, BANGALORE - 560029
 3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS
(AITUC) NO 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BENGALURU - 560003
 4. BHARATIYA MAZDOOR SANGHA (BMS)
NO 458, OTC ROAD
COTTONPET, BANGALORE - 560053
REPRESENTED BY ITS PRESIDENT
 5. CITU
NO 40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANIGIRAMA NAGARA,
BANGALORE - 560027
REPRESENTED BY GENERAL SECRETARY
- ... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
PORTION OF THE ORDER IN PARAS 11, 12, 13, 14 AND 15 OF
THE JUDGEMENT AND ORDER DATED 29/03/2019 PASSED BY
THE LEARNED SINGLE JUDGE IN WP NOS.24108-24111/2018 &
ETC.

W.A. NO.2667/2019

BETWEEN

HEALTHIUM MEDTECH PVT. LTD
(FORMERLY SUTURES INDIA PVT. LTD)
472/D, 13TH CROSS, 4TH PHASE
PEENYA INDUSTRIAL AREA

BENGALURU - 560058
REPRESENTED BY ITS
CFO AND COMPANY SECRETARY
NOW REP. BY ITS GENERAL MANAGER-HR

... APPELLANT

(BY SHRI K. RAMACHANDRAN, ADVOCATE FOR
SHRI M.R.C. RAVI, ADVOCATE)

AND

1. THE SECRETARY TO GOVERNMENT
DEPARTMENT OF LABOUR
GOVERNMENT OF KARNATAKA
BENGALURU-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANEERGHATTA ROAD
BENGALURU-560029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED
29/03/2019 PASSED BY THE LEARNED SINGLE JUDGE IN WRIT
PETITION NO.11647/2018 (L-MW) & ETC.

W.A. NO 2683/2019

BETWEEN

NEO FOODS PRIVATE LIMITED
A COMPANY REGISTERED UNDER
THE COMPANIES ACT HAVING ITS
REGISTERED OFFICE AT:
"NITON", NO. 11 E BLOCK
GROUND FLOOR, PALACE ROAD
BENGALURU 560052

AND ALSO ITS FACTORY AT
PLOT NO. 107/108121 & 122

KIADB INDUSTRIAL AREA, ANTHARASANAHALI
TUMKUR-572106, KARNATAKA
REPRESENTED BY ITS AUTHORISED
SIGNATORY MR. RAVI KUMAR C

... APPELLANT

(BY SHRI NIKHILESH RAO M., ADVOCATE)

AND

1. STATE OF KARNATAKA
REPRESENTED BY THE SECRETARY
DEPARTMENT OF LABOUR
VIKASA SOUDHA
BENGALURU-560001

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU-560029

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THIS WRIT APPEAL IS FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE IMPUGNED
ORDER DATED 29/03/2019 PASSED BY THE LEARNED SINGLE
JUDGE IN W.P. NO.40568/2017 IN SO FAR AS IT UPHOLDS THE
VALIDITY OF NOTIFICATION BEARING NO.KAE-11-LMW-2015,
BENGALURU DATED 16/09/2016 ISSUED BY RESPONDENT
NO.1. & ETC.

W.A. NO. 2745/2019

BETWEEN

MANGALORE ELECTRICITY SUPPLY CO. LTD.,
ATTAVARA, MANGALORE
REPRESENTED BY
THE SUPERINTENDING ENGINEER (ELECT.)

... APPELLANT

(BY SHRI B.C. PRABHAKAR, ADVOCATE)

AND

1. SENIOR LABOUR INSPECTOR
DEPARTMENT OF LABOUR,
PUTTURU CIRCLE
PUTTURU
2. AUTHORITY UNDER THE
MINIMUM WAGES ACT 1948
D.K. SUB DIVISION-II
MANGALORE
3. MR. SUNDARA GOWDA
CONTRACTOR, JYOTHI ELECTRICALS
UPPINAGADI, PUTTUR TALUK
4. SUNDARA SHETTY
CONTRACTOR, RAJESH ELECTRICAL,
RAJDHANI TOWER
UPPINANGADI, PUTTUR TALUK
DIST. DAKSHINA KANNADA
5. GANESH PRABHU
CONTRACTOR, SRI DURGA POWER SYSTEM
MANCHI BANTWALA TALUK
DIST: DAKSHINA KANNADA
6. JAGADEESHA
CONTRACTOR, J C ELECTRICALS
CHILIPAR, DODDATHOTA
SULLA, DIST: DAKSHINA KANNADA
7. JAMES J MARTHA
CONTRACTOR, M/S J.M. ELECTRICALS
COURT ROAD, PUTTUR.
8. SRI PIYOOS
CONTRACTOR,
M/S LEVIN ELECTRICALS
BY PASS ROAD,
BANTWALA
DIST: DAKSHINA KANNADA
9. SULAIMAN
CONTRACTOR

M/S KARNATAKA TECHNICAL
POWER COMPANY KALLADKA
BANTWALA
DIST: DAKSHINA KANNADA

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2)

THIS WRIT APPEAL FILED U/S 4 OF THE KARNATAKA
HIGH COURT ACT PRAYING TO SET ASIDE THE PORTION OF
THE ORDER DATED 29/03/2019 i.e., [TO THE EXTENT OF
CONFIRMING THE NOTIFICATION PERTAINING TO
UNSCHEDULED EMPLOYMENTS] PASSED BY THE LEARNED
SINGLE JUDGE IN WP NOS.39940-48/2010 [L-MW] AND ALLOW
THE WRIT PETITION FILED BY THE APPELLANT.

W.A. NO. 2778/2019 & W.A. NOS. 2913-2915/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE & INDUSTRY
P.B. 9996, KEMPEGOWDA ROAD
BANGALORE 560009
REPRESENTED BY ITS SECRETARY
MR. M. LOKARAJ
2. REITZEL INDIA PRIVATE LIMITED
PLOT NO. 98-99
KIADB INDUSTRIAL AREA
ANCHEPALYA VILLAGE
KUNIGAL-572 13
REPRESENTED BY ITS
AUTHORISED SIGNATORY
S. N. MOHAN KUMAR
3. INNOVA DIESEL GENERATORS PVT. LTD.
REGD. OFFICE #61/1
12TH CROSS
MAHALAKSHMI LAYOUT
BANGALORE-560 086
REPRESENTED BY ITS DIRECTOR
MR. PRASHANTH SHETTY

4. PROFESSIONAL DIESEL POWER ENGINEERS
HEAD OFFICE 161/1
12TH CROSS
MAHALAKSHMI LAYOUT
BANGALORE-560 086,
REPRESENTED BY ITS PROPRIETOR
MR. PANKAJ S

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA KARMIKA
BHAVAN BANNERGHATTA ROAD
BENGALURU-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO. 27, 6TH CROSS
4TH MAIN, MALLESHWARAM
BENGALURU-560003
4. BHARATIYA MAZDOOR SANGHA
NO. 458,
OTC ROAD,
COTTONPET,
BENGALURU-560053
REP. BY ITS PRESIDENT
5. CITU
NO. 40/5, 2ND 'B' MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU 560027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
IMPUGNED FINAL JUDGMENT DATED 29/03/2019 PASSED BY
THE LEARNED SINGLE JUDGE IN WP NOS.19589/17, 19590/17,
19592/2017 & 19593/2017 IN SO FAR AS IT UPHOLDS THE
VALIDITY OF MINIMUM WAGE NOTIFICATION DATED
16/09/2016 ISSUED BY THE FIRST RESPONDENT IN NO.KAA E
13 LMW 2015, ANNEXURE-C & ETC.

W.A. NO. 2779/2019 & W.A. NOS. 2898-2900/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE & INDUSTRY
P.B. 9996, KEMPEGOWDA ROAD
BANGALORE-560009
REPRESENTED BY ITS SECRETARY
MR. M. LOKARAJ
2. M/S BRUHAT BANGALORE HOTELS ASSOCIATION
87, SHRESTA BHOOMI
UNIT NO. 307, 3RD FLOOR
K.R. ROAD, BANGALORE-560004
REPRESENTED BY ITS SECRETARY
MR. SUBRAMANYA HOLLA S
3. M/S HOTEL SHEETAL
S.C. ROAD
ANANDA RAO CIRCLE
BANGALORE-560009
REPRESENTED BY ITS PARTNER
MR A. PRABHAKAR RAO
4. BALLAL TOURIST HOTEL (P) LTD.
#4, MAGRATH ROAD
NEW NO.74/4, 3RD CROSS

RESIDENCY ROAD
BANGALORE-560025
REPRESENTED BY ITS MANAGING DIRECTOR
MR K. JAYAVARMARAJ BALLAL

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU-560001
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARNATAKA KARMIKA BHAVANA
BANNERGHATTA ROAD,
BENGALURU-560029
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC),
NO. 27, 6TH CROSS,
4TH MAIN, MALLESHWARAM
BENGALURU-560003
4. BHARATIYA MAZDOOR SANGHA
NO. 458, OTC ROAD
COTTONPET, BENGALRU-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO. 40/5, 2ND 'B' MAIN ROAD
16TH CROSS,
SAMPANGIRAMA NAGARA,
BENGALURU 560027
REPRESENTED BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE IMPUGNED FINAL JUDGMENT DATED 29/03/2019 PASSED BY THE LEARNED SINGLE JUDGE IN WP NO.17341/2017, 17342/2017, 17347/2017 AND WP NO.17363/2017 IN SO FAR AS IT UP HOLDS THE VALIDITY OF MINIMUM WAGE NOTIFICATION DATED 16/09/2016 ISSUED BY THE FIRST RESPONDENT IN NO.KAA E 18 LMW 2015 ANNEXURE -B IN WP & ETC.

W.A. NO. 2814/2019

BETWEEN

1. FEATHERLITE COLLECTIONS
#16-A, MILLRS ROAD,
VASANTH NAGAR,
BANGALORE-560052
REPRESENTED BY MS. NIKITA GOSWAMI
2. ASHWIN PRECISION PRODUCTS
PRIVATE LIMITED
A-158, 3RD CROSS
PEENYA INDUSTRIAL ESTATE
BANGALORE-560058
REPRESENTED BY: ASHWIN BABU
3. INNOVA DIESEL GENERATORS PRIVATE LIMITED
#163, GROUND FLOOR 12TH CROSS
OPP. ANJANEYA TEMPLE
MAHALAKSHMI TEMPLE, BANGALORE-560086
REPRESENTED BY
MR. PRASHANTHA SHETTY, DIRECTOR
4. PROFESSIONAL DIESEL POWER ENGINEERS
BRANCH OFFICE
#163, GROUND FLOOR, 12TH CROSS
OPP. ANJANEYA TEMPLE
MAHALAKSHMI TEMPLE, BANGALORE-560086
REPRESENTED BY MS. PANKAJA
ADMIN-MANAGER

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560003
BENGALURU CITY
4. PRESIDENT
BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD
COTTONPET
BANGALORE-560053
5. GENERAL SECRETARY
CITU NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS,
SAMPANGIRAMA NAGARA
BANGALORE-560027

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P. NO.8388/2017
(L-MW), IN SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM

WAGE NOTIFICATION DATED 30.12.2017 ISSUED BY THE FIRST RESPONDENT IN NO. KE 18 LMW 2017 AND ETC.

W.A. NOS. 2823-2831/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS COMMERCE & INDUSTRY
P.B. NO.9996, KEMPEGOWDA ROAD
BENGALURU-560009
REPRESENTED BY ITS SECRETARY
MR M. LOKARAJ
2. TEKNIC ELECTROMECHANICS PVT. LTD.
NO.93, ELECTRONICS CITY
HOSUR ROAD, BANGALORE-560100
REPRESENTED BY ITS SENIOR MANAGER
MR KERIYAPPA THIPPE
3. FEATHERLITE PRODUCTS PVT LTD
UNIT-III, SY NO.18, 19/1
CHOKKANAHALLI VILLAGE
ARAKERE GRAMA PANCHAYAT
RAJANKUTTE POST
BANGALORE-561263
REPRESENTED BY ITS
NOW SR. MANAGER
4. INDO-SPANISH TASTY FOODS PVT. LTD.
SREE VENKATESHWARA NILAYA
HOUSING BOARD, KUNIGAL
TUMKUR-571230
REPRESENTED BY ITS MANAGER
MR. JAGADISHTIMMANNA NAIK
5. SREE SITARAGHAVA VAIDYASALA
PB NO.235, CHAMARAJA DOUBLE ROAD
MYSORE-570024
REPRESENTED BY ITS AUTHORISED SIGNATORY
MR. S.SRIRAM
6. VISHAAL NATURAL FOOD PRODUCTS (I) PVT LTD
S.NO.26/1, G. NAGENAHALLI KASABA HOBLI

KORATAGERE TALUK
TUMKUR DISTRICT
REPRESENTED BY ITS
MANAGING DIRECTOR
MR. MADHUSUDHAN P S

7. INSTRUMENTS INDIA
B-8, ITI ANCILLARY INDUSTRIAL ESTATE
MAHADEVAPURA
BANGALORE-560048
REPRESENTED BY ITS PROPRIETOR
MR B.S. SATYAPRASAD
8. KOELEMEN INDIA PVT. LTD.
NO.99, 4TH CROSS, 2ND MAIN, 1ST BLOCK
KORAMANGALA
BANGALORE-560034
NOW REPRESENTED BY
MR. KRISHNA BHAT
9. NATURAL REMEDIES PVT. LTD.
PLOT NO.5B, VEERASANDRA INDUSTRIAL AREA
19 K.M. STONE HOSUR ROAD
BANGALORE-560 100
NOW REPRESENTED BY ITS
MANAGING DIRECTOR
MR ANURAG AGARWAL

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD

BANGALORE-560029
BENGALURU CITY

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESHWARAM
BANGALORE-560003
BENGALURU CITY

4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD
COTTONPET, BENGALURU-560053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU-560027
REPRESENTED BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THESE WRIT APPEALS ARE FILED U/S 4 OF THE
KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE
IMPUGNED FINAL JUDGEMENT DATED 29/03/2019 PASSED BY
THE LEARNED SINGLE JUDGE IN WRIT PETITION
NOS.17301/2017, 17303/2017, 17305/2017, 17317/2017,
17320/2017, 17325/2017, 17328/2017, 17331/2017 & 17336/2017,
IN SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE
NOTIFICATION DATED 29/02/2016 ISSUED BY THE FIRST
RESPONDENT IN NO.KAA E 123 LWA 2015 [ANNEXURE-C].

W.A. NO. 2909/2019

BETWEEN

1. FEDERATION OF KARNATAKA CHAMBERS OF
COMMERCE & INDUSTRY

P.B NO.9996, KEMPEGOWDA ROAD
BENGALURU-560009
REPRESENTED BY ITS SECRETARY
MR M LOKARAJ

2. HORIZON PACKS PVT. LTD.
PLOT NO.230, (CORNER)
2ND PHASE, HAROHALLI HOBLI
KANAKAPURA TALUK
RAMANAGAR DIST-562112
REPRESENTED BY MANAGER HR
MR ANANTH KULKARNI

3. FICUS PAX PVT LTD
SY.NO.95/2B, KORALURU
NADAVATTI, HOSKOTE
BENGALURU-560067
REPRESENTED BY ITS
MANAGING DIRECTOR
MR B.R. VIJAYENDRA

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA, BENGALURU-560001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU-560029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS(AITUC)
NO.27, 6TH CROSS
4TH MAIN, MALLESWARAM
BENGALURU-560003
BENGALURU CITY

4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD
COTTONPET
BENGALURU-560053
REPRESENTED BY ITS PRESIDENT
5. CITU
NO.40/5, 2ND B MAIN ROAD
16TH CROSS, SAMPANGIRAMA NAGARA
BENGALURU-560027
REPRESENTED BY GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P. NO. 35937/2018, IN
SO FAR AS IT UPHOLDS THE VALIDITY OF MINIMUM WAGE
NOTIFICATION NO. KAA E 31 LMW 2017 DATED 31.12.2017 AND
ETC.

W.A. NO. 2910/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE & INDUSTRY
P.B.NO. 9996
KEMPEGOWDA ROAD
BENGALURU - 560 009
REPRESENTED BY ITS SECRETARY
MR.M. LOKARAJ
2. SAVA HEALTHCARE LIMITED
#107-109, KIADB 3RD PHASE
INDUSTRIAL AREA
MALUR - 563 160

KOLAR DISTRICT
KARNATAKA STATE
REPRESENTED BY ITS
AUTHORISED SIGNATORY
MR. MADHUSUDHAN REDDY

3. OM PHARMACEUTICALS LTD.,
12TH MAIN, OLD MADRAS ROAD
VIRGO NAGAR POST
BENGALURU - 560 049
REPRESENTED BY ITS
SR. MANAGER
MR. LOKESH KODANCHA

4. LABORATORIES DAFFODIL PVT LIMITED
34, BAIKAMPADY
INDUSTRIAL AREAS
MANGALORE - 575 011
KARNATAKA
REPRESENTED BY MANAGING DIRECTOR
MR. DAMODAR SHANBHAG

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BENGALURU - 560 001
BENGALURU CITY

2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BENGALURU - 560 029
BENGALURU CITY

3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS, 4TH MAIN
MALLESWARAM

BENGALURU - 560 003
BENGALURU CITY

4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD
COTTONPET
BENGALURU - 560 053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO. 40/5, 2ND B MAIN ROAD
16TH CROSS
SAMPANGIRAMA NAGARA
BENGALURU - 560 027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P. NOS. 19584-
19588/2017. IN SC FAR AS IT UPHOLDS THE VALIDITY OF
MINIMUM WAGE FINAL NOTIFICATION NO. KAA E LMW 2015
DATED 16.09.2016 AND ETC.

W.A. NO. 2911/2019

BETWEEN

1. FEDERATION OF KARNATAKA
CHAMBERS OF COMMERCE AND
INDUSTRIES, P.B.NO.9996,
K.G.ROAD, BENGALORE-560 009
REPRESENTED BY ITS SECRETARY
SRI.M.LOKARAJ
2. MYSORE POLYMERS AND RUBBER
PRODUCTS LIMITED

20P, K.R.S. ROAD
METAGALLI, MYSORE-570 016
REPRESENTED BY ITS
EXECUTIVE DIRECTOR
SRI.V.SRIKANTHA

3. J.K.TYRE AND INDUSTRIES LIMITED
VIKRANT TYRE PLANT, K.R.S.ROAD
METAGALLI
MYSORE-570 016
REPRESENTED BY ITS GENERAL MANAGER
HR/IR, SRI. VIKRAM HEBBAR

4. RIGID INDUSTRIES
NO.152-A, 3RD CROSS
5TH MAIN, 2ND STAGE
INDUSTRIAL SUBURB
YESHWANTHPUR
BANGALORE-560022
REPRESENTED BY PARTNER
MR PRASHANTH RAO

... APPELLANTS

(BY SHRI PRAVEEN KUMAR HIREMATH, ADVOCATE)

AND

1. THE SECRETARY
LABOUR DEPARTMENT
GOVERNMENT OF KARNATAKA
VIKASA SOUDHA
BANGALORE-560 001
BENGALURU CITY
2. THE LABOUR COMMISSIONER
GOVERNMENT OF KARNATAKA
KARMIKA BHAVANA
BANNERGHATTA ROAD
BANGALORE-560029
BENGALURU CITY
3. PRESIDENT
ALL INDIA TRADE UNION CONGRESS (AITUC)
NO.27, 6TH CROSS,
4TH MAIN

MALLESHWARAM
BANGALORE-560 003
BENGALURU CITY

4. BHARATIYA MAZDOOR SANGHA (BMS)
NO.458, OTC ROAD,
COTTONPET
BANGALORE-560053
REPRESENTED BY ITS PRESIDENT

5. CITU
NO.40/5, 2ND 'B' MAIN ROAD
16TH CROSS,
SAMPANGIRAMA NAGARA
BANGALORE-560 027
REPRESENTED BY
GENERAL SECRETARY

... RESPONDENTS

(BY SHRI I. THARANATH POOJARI, AGA FOR R1 & R2,
SHRI K.B. NARYANA SWAMY, ADVOCATE FOR R3 &
SHRI K. SUBBA RAO, SENIOR COUNSEL A/W
SHRI K.N. SATHEESH, ADVOCATE FOR R5)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE
KARNATAKA HIGH COURT ACT, 1961, PRAYING TO SET ASIDE
THE IMPUGNED FINAL JUDGMENT DATED 29.03.2019 PASSED
BY THE LEARNED SINGLE JUDGE IN W.P.NOS.24865-
24870/2018 AND W.P.NOS.12457-12463/2018, IN SO FAR AS IT
UPHOLDS THE VALIDITY OF MINIMUM WAGE NOTIFICATION
DATED 30.12.2017 ISSUED BY THE FIRST RESPONDENT IN NO.
KAA E 41 LMW 2017 AND ETC.

THESE APPEALS, HAVING HEARD AND RESERVED FOR
JUDGMENT, COMING ON FOR PRONOUNCEMENT OF
JUDGMENT, THIS DAY, **THE CHIEF JUSTICE** DELIVERED THE
FOLLOWING:

JUDGMENT

OVERVIEW

These appeals take exception to the Judgment and order dated 29th March, 2019 by which, the learned Single Judge decided writ petition Nos.8388-8417/2017 and several other connected writ petitions.

2. The writ petitions arose out of the exercise of powers under Section 5 of the Minimum Wages Act, 1948 (for short “the said Act of 1948”). Under Section 3 of the said Act, the Appropriate Government is required to fix minimum rates of wages payable to the employees, employed in any employments specified in Part-I or Part-II of the Schedule to the said Act of 1948. Section 5 of the said Act of 1948 lays down the procedure for fixing and revising minimum wages.

3. In the writ petitions filed before the learned Single Judge, which were decided by the impugned Judgment and order, there was a challenge by the employers to the Notifications issued under Sub-Section (2) read with clause (b) of Sub-Section (1) of Section 5 of the said Act of 1948 by the

appropriate Government, which in this case is the State Government. These were notifications issued in respect of thirty seven (37) sectors of employment in the State in exercise of powers under Sub-Section (2) read with clause (b) of Sub-Section (1) of Section 5 of the said Act of 1948. The rates of minimum wages were fixed by the said notifications in respect of various categories of employments. Apart from that, there were three final notifications issued under sub-section (2) of Section-5 which were withdrawn by the State Government. One draft notification issued under clause (b) of Sub-Section (1) of Section-5 of the said Act of 1948 was also withdrawn. Those four notifications were withdrawn on 22nd March 2018. The three final notifications withdrawn were in respect of Textile (silk) industry, Spinning Mills Industry, Cloth Dyeing and Printing Industry respectively which were issued on 30th December, 2017. The withdrawn draft notification dated 22nd February 2018 was in respect of Tailoring Industry. W.P.No.18621/2018 was filed by a Union for challenging the withdrawal of the said four notifications. The said writ petition was rejected by the impugned Judgment and order. Writ Appeal No.1520/2019 filed by the Union of employees arises

out of said writ petition. The rest of the writ petitions were filed by the employers and/or their associations for challenging particular notifications out of the said 37 notifications. There were diverse challenges in the writ petitions which were considered by the learned Single Judge by a detailed Judgment and order which is impugned in this group of appeals. While dealing with the challenge to the Notifications by the employers, certain parts of the impugned minimum wages notifications were quashed by the learned Single Judge without disturbing the rates of minimum wages fixed there under. As far as the writ petition filed by the Union of employees is concerned, as stated earlier, the learned Single Judge has declined to interfere with the action of the Government of withdrawing the four notifications. However, a direction was issued to the State Government to accomplish the fixation/revision of minimum wages in respect of the sectors which were subject matter of the four withdrawn notifications within the outer limit of six months. For the sake of convenience, we are reproducing the operative portion of the impugned Judgment and order dated 29th March, 2019 which reads thus:

“For the reasons stated above, these Writ Petitions filed by the employers are allowed in part; a Writ of Certiorari issues quashing only the following parts of the impugned Minimum Wages Notifications;

(a) That part which directs payment of Service Seniority Allowance at the rate of 1% of the minimum wages for each completed year of service or otherwise, to the employees who have put in a service of ten or more years;

(b) that part which directs the employers to pay and to continue to pay the current wages that are above the notified minimum wages subject to the rider that the downward revision, if any, shall not be below the Minimum Wages prescribed under these notifications;

(c) that part which directs payment of Minimum Wages to the supervisory staff who do not prima facie answer the definition of ‘employee’ under Section 2(e) of the Minimum Wages Act, 1948, subject to the condition that the individual claim, if any, of such employees may be processed u/s 20 of the Act, regardless of their designation; and

(d) that part which directs the employer to constitute and appoint the Competent Officer and

the Appellate Authority for adjudication of Claims/Disputes relating to payment of minimum wages.

The interim orders granted earlier stand dissolved. The amount of wages that remain unpaid because of the interim orders shall be paid by the petitioners/employers within a period of eight weeks with interest at the rate of 6% p.a. from the date from which the same was otherwise payable.

The Writ Petitions filed by the Employers/Trade Unions challenging withdrawal of three Minimum Wage Notifications and one Draft Notification are disposed off without interference; however, a Writ of Mandamus issues to the official respondents to accomplish the fixation/revision of minimum wages in respect of the subject sectors of employment within an outer limit of six months by issuing the Minimum Wages Notifications with retrospective effect from the respective dates from which the minimum wages would have become payable, had the impugned withdrawal notifications were not issued.

No costs."

4. Before we go to the submissions made by the learned counsel representing the parties, it will be necessary to make a reference to some of the appeals which are the part of this group.

(i) Writ Appeal No.1611/2019 is filed by the Private Hospital and Nursing Homes Association which was the petitioner in various writ petitions. There are other appellants. The first appellant is the said association of the Hospitals and Nursing Homes. The appellants were aggrieved by the impugned notification by which the minimum wages were fixed for the employees working in the Hospitals and Nursing Homes. Therefore, they had filed a writ petition before the learned Single Judge

(ii) Writ Appeal No.1272/2019 is filed by the Petitioner-Employer who is the manufacturer of writing instruments. The appellant has challenged the relevant notification fixing the minimum wages by filing a writ petition.

(iii) Writ Appeal Nos.1481 to 1519/2019 and 2761 to 2769/2019 have been preferred by the Karnataka Employers' Association and the other appellants who are the

establishments under the Karnataka Shops and Establishments Act, 1961. They had filed writ petitions for challenging the minimum wages notification applicable to the said establishments.

(iv) Writ Appeal No.1520/2019 is an appeal preferred by the Union of the employees viz., All India Trade Union Congress (for short 'the Union'). The Union had filed a writ petition for challenging the notification dated 22nd March 2018 by which three final notifications dated 30th December 2017 in respect of Textile Manufacturing (silk) Industry, Spinning Mills Industry, Cloth Dyeing and printing industry and one draft notification dated 22nd February, 2018 in respect of tailoring industries, were withdrawn. By the impugned Judgment and order, the said petition has been dismissed.

(v) Writ Appeal Nos.1540 to 1566/2019 have been preferred by the Karnataka Drugs and Pharmaceuticals Manufacturers Association and others who had filed a writ petition for challenging the relevant minimum wages notification.

(vi) Writ Appeal Nos.1567 to 1601/2019 have been filed by the Karnataka Employers' Association and others. The

other appellants are running Bakery and Engineering Industries, who had filed a writ petition for quashing the relevant minimum wages notification.

(vii) Writ Appeal Nos.1602 to 1604/2019 has been filed by the Board of Management of an Educational Institution which had filed a writ petition for challenging the relevant minimum wages notification.

(viii) Writ Appeal Nos. 1612 to 1618/2019 have been filed by the Automobile Dealers/Industries who had filed writ petitions challenging the relevant notification, fixing minimum wages of the employees of Automobile Industries.

(ix) Writ Appeal Nos. 1619/2019 and 2744/2019 have been filed by the Rubber Industries. The appellants had filed writ petitions challenging the minimum wages notification concerning Rubber Industry.

(x) Writ Appeal No.1620/2019 is filed by Akhila Karnataka Federation of Petroleum Traders which represents the Petrol and Diesel Oil Pumps Industries. The appellant had challenged the relevant minimum wages notification by filing writ petitions before the learned Single Judge.

(xi) Writ Appeal No.1846/2019 has been filed by the appellant which is in the business of processing Granite slabs. Even the appellant had filed a writ petition before the learned Single Judge challenging the relevant minimum wages notification.

(xii) Writ Appeal Nos.1872 to 2214/2019 have been preferred by a Commercial Establishment M/s Coffee Day Global Limited which is having a chain of outlets for sale of Coffee, beverages and snacks. Even the said establishment had filed writ petitions before the learned Single Judge challenging the minimum wages notification applicable to its establishments.

(xiii) Writ Appeal Nos.2266 to 2267/2019 and 2272/2019 have been preferred by Federation of Karnataka Chamber of Commerce and Industries (for short 'FKCCI'), representing the commercial establishments. Even the appellants in these appeals were the petitioners before the learned Single Judge in writ petitions filed for challenging the relevant minimum wages notification.

(xiv) Writ Appeal No.1704/2019 has been preferred by a Commercial Establishment. The said appellant was a writ

petitioner before the learned Single Judge in a writ petition filed for challenging the minimum wages notification.

(xv) Writ Appeal Nos.1765 to 1792/2019 have been filed by the Karnataka Small Scale Industries Association (for short 'KSSIA'). The appellants in these appeals had challenged the minimum wages notification concerning some of the industries by filing writ petitions.

(xvi) Writ Appeal Nos.1794 to 1825/2019 have been preferred by the appellants who belong to the category of Foundry Industries who had challenged the relevant minimum wages notification before the learned Single Judge by filing writ petitions.

(xvii) Writ Appeal No.1621/2019 is filed by a limited company coming under the category of Brass, Copper, Aluminum, Steel Utensils manufacturing industry. Even this appellant is the writ petitioner before the learned Single Judge in which the challenge was to the minimum wages notification.

(xviii) Writ Appeal Nos.1623 to 1628/2019 are filed by the Industries claiming to be not specifically falling under any of the specific categories in the Schedule to the said Act of 1948.

Even these appellants partially succeeded before the learned Single Judge in a challenge to the minimum wages notification.

(xix) Writ Appeal Nos.1629 to 1653/2019 have been filed by the industries falling under the category of Employment of Petrol and Diesel Oil Pumps industries. Here again, the appellants are the writ petitioners before the learned single Judge who could not succeed in their challenge to the minimum wages notification.

(xx) Writ Appeal Nos.2280 to 2281/2019 have been preferred by KSSIA along with another. The second appellant is falling under the category of Chemical Industry. The appellants are the un-successful petitioners before the learned Single Judge.

(xxi) Writ Appeal Nos.2465/2019 and 2928 to 2937/2019 have been filed FKCCI and other industries that are in the category of Metal Re-Rolling (Ferrous) Industries. The appellants were the petitioners before the learned Single Judge.

(xxii) Writ Appeal No.2466/2019 is also filed by FKCCI and six industries which are the Chemical Industries which had

impugned the minimum wages notification before the learned Single Judge.

(xxiii) Writ Appeal No.2467/2019 is filed by the Manufacturers of Alcohol and distilleries. There was a challenge by the appellants before the learned Single Judge to the minimum wages notification, as in case of other industries.

(xxiv) Writ Appeal No.2468/2019 is preferred by FKCCI and other appellants belonging to the Plywood Industry who were un-successful before the learned Single Judge in challenging the relevant minimum wages notification.

(xxv) In Writ Appeal No.2546/2019, the appellant is a sugar industry which is aggrieved by the rejection of its prayer for quashing the applicable minimum wages notification.

(xxvi) Writ Appeal No.2547/2019 has been preferred by the appellant, a Sugar Industry which is manufacturing sugar. Even the appellant is the un-successful petitioner who had filed writ petition before the learned Single Judge for challenging the relevant minimum wages notification.

(xxvii) Writ appeal Nos.2667/2019 has been filed by the appellant who claims to be the manufacturer of absorbable and non-absorbable sutures, surgical meshes, gloves and other

surgical equipment. It is claimed that the appellant does not fall under any of the employments covered by Part-I or Part-II of the Schedule to the said Act of 1948.

(xxviii) Writ Appeal No.2745/2019 is filed by the appellant company which engaged in buying and distributing the electricity to consumers.

(xxix) In Writ Appeal No.2683/2019, the appellants are a part of the Food Processing industry i.e., processing of food material products like pickles and preserved vegetables. Even the appellants in this appeal are the un-successful petitioners before the learned Single Judge.

(xxx) Writ Appeal No.2778/2019 and 2913 to 2915/2019 have been preferred by FKCCI and others who are similarly placed writ petitioners representing electronics industry.

(xxxi) Writ Appeal No. 2909/19 is filed by FKCCI and two others who claim that they fall in the category of employments not covered by the Schedule under the said Act of 1948. They are also unsuccessful writ petitioners.

(xxxii) Writ Appeal No.2911/2019 is preferred by FKCCI and three others who are engaged in manufacture of rubber

products. The appellants were the petitioners who had challenged the relevant minimum wages notification.

(xxxiii) Writ Appeal Nos. 2779/2019 and 2898 to 2900/2019 have also been preferred by FKCCI , Bruhat Bengaluru Hotels Association and two other appellants belonging to the Hotel Industry, being aggrieved by the rejection of their prayer by the learned Single Judge for quashing the minimum wages notification.

(xxxiv) Writ Appeal No.2814/2019 is filed by Engineering Industries which claim to be covered by the provisions of Micro, Small and Medium Enterprises Development Act, 2006 (for short "the said Act of 2006"). The appellants had also challenged the relevant minimum wages notification before the learned single Judge.

(xxxv) Writ Appeal Nos. 2823 to 2831/2019 have been preferred by FKCCI and others who are concerned with the minimum wages notification applicable to the employment in security agencies. Even the appellants are un-successful petitioners who failed in their challenge to the minimum wages notification applicable to them.

(xxxvi) Writ Appeal No.2910/2019 is filed by FKCCI and three others who had filed a writ petition for challenging the relevant minimum wages notification.

(xxxvii) Writ Appeal Nos. 1681 and 1682/ 2019 have been preferred by the appellants who had challenged the relevant minimum wages notification by filing a writ petition before the learned Single Judge.

DELAY IN PRONOUNCEMENT OF JUDGMENT

5. We must note here that the submissions of the learned counsel in these appeals were initially concluded on 23rd August, 2019 and the judgment was reserved. The Judgment which was to be pronounced in December 2019 could not be pronounced till January 2020 due to ill health of one of us (Chief Justice). Before the Judgment could be pronounced, the learned counsel for the appellants in Writ Appeal No.1681 to 1682/2019 filed a memo dated 10th December, 2019. Along with the said memo, copies of the subsequent notifications issued by the Government on 31st October, 2019 were sought to be produced before the Court. The said notifications were in respect of four industries namely, Spinning Mills Industry,

Textile Manufacturing (Garments, Costumes and Tailoring) Industry, Cloth Dyeing and Printing Industry and Textile (Silk) Industry. In case of these four industries, the earlier notifications issued were withdrawn which were the subject matter of challenge in one of the writ petitions. On 20th January, 2020, IA No.2 of 2020 was filed by the appellants in Writ Appeal No.1681 of 2019 seeking permission to produce the said fresh notifications dated 31st October, 2019 published in the official Gazette dated 14th November, 2019. The appellants contended that they were desirous of relying upon the said notifications in support of their appeals. Under such circumstances, by virtue of the order passed by this Court on 16th January, 2020, the appeals were again fixed for further hearing on 23rd January, 2020 and after conclusion of further arguments, the Judgment was again reserved on 23rd January, 2020. The Judgment was kept ready and was to be pronounced on 31st March 2020. But, it could not be pronounced due to the closure of the Courts due to corona virus pandemic.

SUBMISSIONS OF THE APPELLANTS:

6. Very detailed submissions have been made by the learned counsel for the respective parties. We are reproducing the relevant submissions of the learned counsel.

7. In Writ Appeal No.1611 of 2019, which is filed by the Private Hospital and Nursing Homes Association, the learned Senior Counsel appearing for the appellants invited our attention to the impugned minimum wages notification issued by the Government dated 6th January, 2017 and in particular, clause-11 thereof which provided that wage rates stipulated in the Notification and the applicable rates of dearness allowance from time to time shall be entered in the respective columns and shall be paid. Inviting our attention to the definition of 'wages' contained in clause (h) of Section-2 of the said Act of 1948, he submitted that as long as the component of wages paid to the workmen falls within the definition of 'wages' defined in clause (h) of Section-2 and the aggregate paid is equal to or more than the aggregate of the minimum wages fixed under different heads, it should be taken that there is a sufficient compliance with the provisions of the said Act of 1948. Therefore, he submits that clause (11) of the impugned

Notification is liable to be quashed. He also invited our attention to clause (3) of the impugned Notification which provides that in the event the rate of wage paid at present is higher, the payment at the said rate shall be continued and the increase in dearness allowance from time to time also shall be remitted. In support of his contention, the learned counsel relied upon the decision of the Apex Court, in the case of ***Airfreight Limited –vs.- State of Karnataka***¹. He submitted that though the first part of clause (3) of the impugned Notification had been quashed by the learned Single Judge, the second part as regards the payment of increase in dearness from time to time has not been quashed.

7.1 He submitted that the portion of clause (3) of the impugned notification which requires the employer to pay increased dearness allowance from time to time, even though the rate of wages paid is higher than the minimum wages, also needs to be quashed. He pointed out that even the figure of the rent taken under cost of house rent for arriving at the minimum wages is very high. 40% of the minimum wage should not have been taken as cost of house rent. Inviting

¹ AIR 1999 SC 2459 = (1999)6 SCC 567

attention of the Court to paragraph 28 of the statement of objections filed by the State Government, he pointed out that the State Government has relied on the sixth pay Commission report of the Karnataka State and pointed out that even when the Government fixes living wage of its employees and not the minimum wages or fair wages, the rate of house rent is taken at 30%. The submission is that for fixation of minimum wages, the house rent should always be the rent corresponding to the minimum area provided under the Government Industrial Housing Scheme. He also invited our attention to the zone-wise statements relied upon by the State Government. He placed reliance upon the decision of the Apex Court in the case of ***Workmen represented by Secretary –vs.- Reptakos Brett and Company Limited and another***² which lays down that the rent corresponding to the minimum area provided for under Government Industrial Housing Scheme should be taken into consideration while fixing the minimum wages. He pointed out that the learned Single Judge, instead of taking recourse to the Government Industrial Housing Scheme, erroneously referred to affordable housing scheme for urban poor. He submitted

² (1992) 1 SCC 290

that said scheme provides for grant of loans for buying houses. He submitted that even in the seventh pay Commission, only around six percent (6%) had been allocated for house rent allowance.

7.2 He submitted that the fixation and neutralization of dearness allowance is contrary to law and direction to pay four paise per point increased for every point increase in State average consumer price index above 5780 point is incorrect. He submitted that when the impugned notification was issued, the consumer index was 6537 points as shown at page 676 of the paper book. He submitted that the figure of 5780 points was the average points for the year 2013 and therefore, the impugned notification should have provided for asking the employer to neutralize the increase in cost of living allowance at 6537 points.

7.3 He pointed out that for the Doctors, the earlier minimum wage fixed of Rs.6966.70 which has been increased to Rs.40908.40 which comes to increase at 487.20% and whereas in case of other categories, the increase is only 75%.

He submitted that an error has crept in as abnormal increase under the head cost of house (rent) has been given.

7.4 He urged that the Advisory Board constituted under section 5 (1) (b) of the said Act of 1948 has not tendered any advice to the State Government. He submitted that various other directions given under the impugned notifications regarding providing rest rooms, washing facilities, drinking water facilities, hand gloves, slippers and cleaning materials etc., are contrary to the provisions of the said Act of 1948. He pointed out that in case of three types of industries such as (i) Spinning Mills Industry, (ii) Cloth Dye and Printing Industry and (iii) Textile (Silk) Industry, the minimum wage notifications were withdrawn and in case of Tailoring Industry, the notification notifying the proposed revision of minimum wages has also been withdrawn and thereby, the State Government has indulged in hostile discrimination. He submitted that considerations for the withdrawal of the said notifications should also apply to other industries as well.

8. In Writ Appeal No.1612/2019, a memo has been filed by the learned Advocate for the appellants adopting the

arguments addressed in Writ Appeal No.1611/2019. Even in Writ Appeal No.1619/2019, by filing a memo, the appellants have adopted the arguments advanced in W.A. No.1611/2019. The same is the case in W.A.No.1620/2019. Even in Writ Appeal Nos.1621/2019, 1765 to 1792/2019, 1794 to 1825/2019 and 2280-2281/2019, the learned counsel appearing for the appellants have adopted the submissions made in Writ Appeal No.1611/2019.

9. In Writ Appeal Nos. 2266/2019, 2272/2019, 2465/2019, 2466/2019, 2467/2019, 2468/2019, 2778/2019, 2779/2019, 2814/2019, 2823/2019, 2909/2019, 2910/2019 and 2911/2019, common submissions have been made. The learned counsel appearing for the appellants in the said appeals invited attention of the Court to the decision of the Apex Court in the case of ***Bijay Cotton Mills Limited –vs- State of Ajmer***³ and pointed out that in the case before the Apex Court, the constitutional validity of the provisions of the said Act of 1948 was challenged. He pointed out that the Apex Court held that though the provisions of the said Act of 1948 interfere with the fundamental rights guaranteed under clause (g) of Article 19 (1) of the Constitution of India, the restrictions imposed therein

³ AIR 1955 SC 33

are reasonable and are in the interests of general public. He pointed out that therefore, the Apex Court held that the restrictions are protected by clause (6) of Article 19 of the Constitution of India. He submitted that in view of this position, the impugned notifications issued under the said Act of 1948 will have to be strictly scrutinized, as the same curtail the fundamental rights of the employer. He relied upon the decision of the Apex Court in the case of ***Subhash Chandra – vs.- Delhi Subordinate Services***⁴ and pointed out that the Apex Court held that the doctrine of strict scrutiny adopted by the Courts in United States of America will also be applicable in India. The Apex Court held that where a statute has been enacted restricting the fundamental rights of a citizen under Article 19 of the Constitution of India, the State will have to justify the reasonableness of such a statute. He, would, therefore submit that the learned Single Judge has committed an error by holding that the expression 'shall' used in Section-9 of the said Act of 1948 is not mandatory, but directory. Similarly, the findings recorded that Rules 16 and 17 of the Karnataka Minimum Wages Rules, 1958 (for short 'the said Rules of 1958') are also not mandatory is erroneous. He submitted that there is no presumption of validity exists in

4 (2009) 15 SCC 458

favour of the impugned notifications, as held by the learned Single Judge. He further submitted that if the view taken by the learned Single Judge that the Advisory Board need not specifically discuss each and every class or category of employment is upheld, the provisions of the said Act of 1948 and the Rules framed therein will become vulnerable. He submitted that the learned Single Judge has misread the ratio laid down by the Apex Court in the case of **Chandra Bhavan Boarding and Lodging, Bangalore –vs- State of Mysore and another**⁵. He urged that as the expression 'shall' has been used in Section-9 of the said Act of 1948, the defects in constitution of the Advisory Board are not curable. He submitted that in the present case, it was demonstrated that Rule-16 and 17 of the said Rules of 1958 mandate that any decision of the Advisory Board shall be arrived at after voting and the said Rules cannot be by-passed by holding that the same is not mandatory. He submitted that if the Advisory Board ignores the views of affected parties, the same will defeat the very object of the provisions of Section 5 (1) (b) of the said Act of 1948. He submitted that merely because the high functionaries of the State Government are involved in the decision making process, no presumption under law can be

⁵AIR 1970 SC 2042

attached to the said decision. He submitted that the fixation of minimum wages has to be a very strict process and therefore, the learned Single Judge could not have given approval to the retrospective operation of the impugned notification.

9.1 As regards the constitution of the Advisory Board, it was urged by the learned counsel appearing for the appellants that the representatives nominated to represent the employers have no intricate or full knowledge in relation to the nature of work and the problems faced by the specific industries. He submitted that the learned Single Judge has failed to note the relevant fact that persons appointed to the Committee to represent the employees are also required to fulfill the parameters laid down for appointment. He relied upon the observations made by the Apex Court in the case of ***Ministry of Labour and Rehabilitation and another –vs- Tiffin's Barytes Asbestos and Paints Ltd., and another***⁶. He submitted that the representation given to the employees was increased to twelve (12) members and it is not clear as to whether a member by name Mr. Raja Mohammad Fakrusabha Bhagawan was representing the employer or employees. He

⁶ (1985) 3 SCC 594

submitted that the relevant data furnished on behalf of the employers was not considered by the Advisory Board. He also made the same submissions about the increased house rent allowance which have been made in support of Writ Appeal No.1611/2019.

9.2 The learned counsel submitted that as compared to the neighboring States, the quantum of minimum wages in the State of Karnataka is highly excessive. He pointed out the discrepancies in the proceedings of the Advisory Board by pointing out that there was no effective participation of the Chairman of the Advisory Board. He reiterated the submissions made in Writ Appeal No.1611/2019 to the effect that there were no recommendations made about the proposed revision of minimum wages by the Advisory Board and that there was no proper consultation between the Advisory Board and the State Government before issuing the impugned notification and that the Advisory Board did not follow the mandatory procedure prescribed under Rule 16 and 17 of the said Rules of 1958. He relied upon the decision of the Apex Court in the case of ***State of Uttar Pradesh –vs- Babu Ram Upadhyay***⁷. He submitted that the Chairman of the Advisory Board ought to

⁷ 1971 SCR (2) 679

have followed the procedures laid down under Rules 16 and 17 of the said Rules of 1958. He relied upon the decision of this Court in the case of ***Karnataka Planters' Association –vs.- State of Karnataka***⁸. He submitted that when the Advisory Board has not given any recommendations, the Government should not have notified the revised rates of minimum wages by issuing the impugned notifications. He submitted that the impugned notifications suffer from non-application of mind, inasmuch as the Advisory Board did not apply its mind at all. He submitted that considering the extent/quantum of raise in the minimum wages proposed, the industries will have to close down. He submitted that considering the short time within which the impugned notifications were published from the date of recommendations made by the Advisory Board, an adverse inference ought to be drawn that the entire exercise was done by the State Government in a hurried manner, without application of mind. He submitted that rise of pay/wages on account of contribution of ESI, PF and Gratuity to an extent of 100% in some cases is in gross violation of Article 14 of the Constitution of India. He submitted that the rate of minimum wages enhanced/fixed in respect of Cinchona, Rubber, Tea and Coffee plantation industries are reasonable and affordable

⁸ ILR 1986 KAR 1787

and therefore, there is a hostile discrimination while fixing the minimum wages of different industries. He submitted that the enactment of said Act of 1948 is based on the concept of one male member feeding his wife and two children which is now outdated. He also argued that the concept of equal opportunity, equal pay for equal work ought to have been considered by the State Government to the industry.

10. The submission of the learned counsel for the appellants in Writ Appeal No.1846/2019 is more or less repetition of the submissions made in the aforesaid appeals. In addition, it is submitted that the Advisory Board has decided the cases of thirty seven (37) industries in one stretch in less than three hours. He repeated the submissions made in the other appeals that the Advisory Board did not render any recommendations. He submitted that the learned Single Judge has failed to consider the plea of the employer that indirect cost on the employer on account of exorbitant increase in the minimum wages is ignored by the State Government. He submitted that the increase of minimum wages leads to increase in contribution of the employer towards ESI, EPF and gratuity and therefore, the industries will not be in a

position to supply the products at an affordable price. He also criticized the direction of the learned Single Judge with regard to payment of interest at the rate of 6%. He submitted that the rate of increase in minimum wages at an average of 60% severely compromises the competitiveness and sustainability of the industries. In Writ Appeal Nos.1872-2214/2019, 2547/2019 and 2546/2019, more or less, similar submissions have been canvassed.

11. In Writ Appeal No. 1704/2019, the arguments made by the learned counsel for the appellant is more or less a repetition of the arguments canvassed by as above. Reliance was placed on some of the Judgments including the judgment of the Apex Court rendered in **Airfreight** (supra). It was submitted that the constitutional validity of the provisions empowering the State Government to revise the minimum wages was upheld by the Constitution Bench only in view of the safeguard provided in the said Act of 1948 of the Advisory Board tendering advice. The learned counsel relied upon the comparative statement of the minimum wages fixed in various States and submitted that this table would show that minimum

wages fixed in the State of Karnataka are much higher than what is fixed in the neighboring States. He pointed out that in the previous wage revision of 5th February, 2013, the average increase given was 5.61% and in July 2012, the average increase was of 20.55% and in the impugned notification, the average increase in minimum wages for skilled and semi-skilled workmen is about 75%. He pointed out that the notification pertaining to Textile Industry has been withdrawn, but the notification regarding the industries which are engaged in Textile retail business of selling clothes has not been withdrawn and thereby the Government practicing discrimination.

12. In Writ Appeal No.2683/2019, the learned counsel pointed out that the impugned notification dated 16th September, 2019 revising the minimum wages in respect of appellant's industry of food processing and packaging of food products including coffee, tea and spices, the State Government has classified Tumakuru city as Zone-1 area and the reason for designation of the said area is that it is a Corporation under Section-3 of the Karnataka Municipal

Corporation Act, 1976. He submitted that therefore, by the said notification, un-equals have been treated as equals by violating Article 14 of the Constitution of India. He submitted that there was no reason to classify Tumakuru city as falling in Zone-1 along with Bengaluru and in fact, in the subsequent notification, Tumakuru city has been placed in Zone-2. He relied upon the decision of the Apex Court in the case of ***Bhikusa Yamasa Kshatriya and another –vs.- Sangamner Akola Taluka Bidi Kamgar Union and others***⁹. He submitted that while fixing the rates of minimum wages, various local factors such as economic climate of the locality and general economic condition of the industrial development in the area, adequacy of wages paid and earnings in other comparable employments and similar other matters should be taken into account. He pointed out the manner in which the data from sixteen cities was collected. He submitted that the Court will have to see the economic and financial impact of its decision while deciding the cases relating to industries. He relied on the decision of the Apex Court in the case of ***Shivashakthi Sugars Limited –***

⁹ AIR 1963 SC 806

vs- Shree Renuka Sugars¹⁰. He submitted that the so-called data collected by the State Government of sixteen cities is self-prepared by the Government only with a view to give very high benefits to non-Bengaluru workmen. He submitted that the grounds which he urged in the pleadings and written and oral submissions made before the learned Single Judge have not been considered.

13. In support of the Writ Appeal No.1679-1682/2019, the learned counsel submitted that under the earlier notification dated 23rd January, 2012, the revision of wages for employees of the Engineering Industry was linked to the Consumer Price Index (for short 'CPI) (Industrial Workers) 1960 equivalent 100 series (CPI) (IW) and employers were liable to pay V.D.A at the rate of 4 paise per point over and above 3944 points in the CPI (IW), in addition to the basic wages to all four categories of employees in the Engineering Industries. He pointed out that since the CPI (IW) 1960 equivalent to 100 series does not exist in the State of Karnataka, the State Government has converted the CPI (IW) series of 2001 = 100 determined for five Centers in Karnataka to CIP (IW) series 1987-88 = 100 by multiplying a conversion/linking factor. He

¹⁰ (2017) 7 SCC 729

submitted that due to changes in consumption pattern, change in basket of goods of the CPI has resulted in highly unrealistic CPI if converted to 1960 = 100 series.

14. He pointed out that the earlier, the minimum wages Advisory Board, in its meeting dated 15th December, 2016 recommended to the State Government to form a Committee consisting of experts to review the Shanthappa Committee report. He pointed out that the State Government has constituted a Committee to submit a report which is yet to be received. It is submitted that the proposal to revise the minimum wages was formulated on the basis of the minimum wages revised for twenty six (26) scheduled employments in the year 2015-16 by claiming that the same were made following Shanthappa Committee report. He submitted that they arrived at erroneous figure of Rs.11, 587/- per month instead of Rs.10, 918/- per month for un-skilled workers of zone-1. He submitted that the proposed revision for semi-unskilled workers of zone-1 was erroneously made at Rs.735.46 per month and for the skilled workers, the enhancement of Rs.809/- per month was made. He submitted that even in case of highly skilled worker of zone-1, salary was

erroneously enhanced. He submitted that this enhancement by very high percentage is without any basis.

15. He submitted that the notes on the file clearly demonstrate that there was no material available before the Government to enable it to proceed under Section 5 (1) (b) of the Act of 1948. His submission is that the act of the Government in following the procedure under clause (b) of sub-section (1) of Section-5 is highly erroneous and in fact, the procedure under clause (a) of sub-section (1) of Section-5 ought to have been followed.

16. He criticized the very constitution of the Advisory Board and made similar submissions which are made by some of the learned counsel representing the other appellants. He submitted that the constitution of the Board itself was illegal, as sufficient number of independent members were not there. He would urge that in case of Beedi, cashew, handloom and power loom (cotton) industry, the State Government had constituted a tripartite Committee for revision of minimum wages. He submitted that appointing members of these industries on the Board was itself illegal. He also pointed out

the manner in which the proceedings were conducted on 6th December, 2017. He submitted that the minutes of the proceedings reveal that the Advisory Board never discussed the objections filed to any of the 37 proposals. He pointed out that the extent of minimum wages fixed in respect of other industries. He urged that the rates revised minimum wages are abnormally high which have been finalized without considering the paying capacity of the employers. He submitted that the impugned notification fixing the minimum wages for Managers, Personal Officer, Assistant Manager Etc., even though the same are out of the purview of the said Act of 1948, is illegal. He submitted the contribution made by the employer towards Provident Fund, Gratuity, need of education, recreation are being met through bonus. He stated that medical care of the employee and his family members are being met through State Insurance and the same should have been kept out while fixing the minimum wages.

17. In Writ Appeal No.1272 of 2019, while adopting the arguments addressed by the learned counsel representing the employer in Writ Appeal No.1611/2019, it was submitted that

the learned Single Judge has ignored the grounds urged in writ petition No.11863/2018 filed by the appellant. The challenge was to the notification dated 30th December, 2017 in respect of the employment not covered in any of the scheduled employments. He submitted that the appellant which is the manufacturer of Pens and Pen-Pencils was never intended to be brought under Part-I or Part-II of the schedule. He submitted that the impact of such sudden increase to the extent of Rs.3,000/- to Rs.4000/- in the wages of fresh employees will have a cascading effect on the permanent employees who have put in several years of service. He submitted that the exorbitant increase in minimum wages ranging from 52.22% to 72.88% has been granted. The learned Single Judge ignored that the State Government had already notified the basic wages and the VDA (Variable Dearness Allowance) which increases based on the cost of living index. He submitted that the necessity of having to pay cost of living allowance over consumer price index of 6537 is misconceived and in fact, any increase over and above 6843 is required to be neutralized. He submitted that Micro, Small and Medium Enterprises (MSMEs) are providing more employment to the citizens and if

they are not in a position to pay the minimum wages, they will migrate to the neighboring States. Such an exorbitant increase would not only adversely affect the economic viability of the industry but also would even lead to closure of some of the industries as unviable.

18. In Writ Appeal No.2667/2019, while adopting some of the arguments made by the learned Senior Counsel appearing for the appellants in Writ Appeal No.1611/2019, additional submissions are made which are similar to the submissions made in Writ Appeal No.1272/2019, as the appellant in the said appeal also falls in the same category of employment which is not covered in any of the Scheduled employment.

19. In Writ Appeal No.1611/2019 and connected matters, the learned Senior Counsel appearing for the employee-respondent No.11 has made detailed submissions. He submitted that FKCCI, KASSIA and Karnataka Employers' Association who are the part of the Minimum Wages Advisory Board, are the parties to the recommendations made by the Advisory Board and therefore, they are stopped from challenging the impugned notifications. He submitted that while fixing or revising the minimum wages, the various factors

will have to be taken into consideration including the directive principles of State policy as enshrined in Part-IV of the Constitution of India particularly, Articles 39, 39 (e), 42 and 43. He submitted that under Article-21 of the Constitution of India, right to life of dignity and the right to livelihood for all persons is guaranteed. He submitted that the rights envisaged under Article-21 can be protected only through the assurance of minimum wages commensurate with such life. He urged that said view is reiterated by the Apex Court in the case of ***Bijou Cotton Mills Ltd. --vs- State of Ajmer*** (supra). He submitted that in the case of ***Standard Vaccum Refining Co. of India – vs.- Its Workmen***¹¹, the Apex Court adopted five norms for calculation of the minimum wages. Subsequently, the Apex Court expanded the same by adding a sixth norm to be considered for fixation of minimum wages in the case of ***Reptakos*** (supra). He submitted that in the case of ***Unichoyi (U) and others –vs- State of Kerala***¹², the Apex Court clarified that the minimum wage is not a bare subsistence wage, but it lies above that and below the fair wage. He submitted that in the present age, a family requires a minimum of about Rs.21, 000/- per month to survive. He urged that the exercise of fixation of minimum wages is a part of Legislative Function and

¹¹ AIR 1961 SC 895

¹² AIR 1962 SC 12

therefore, it cannot be decided solely on the basis of the compliance with the principles of natural justice. He relied on the decision of this Court in the case of **Mangalore Ganesh Beedi and Allied Beedi Factories Workers Association –vs- State of Karnataka and others**¹³ and **Karnataka Planters Association** (supra). He submitted that the State Government is not bound to record its reasons for fixation or revision of minimum wages. He submitted that the Apex Court, in the case of **Ministry of Labour and Rehabilitation and another -vs- Tiffin's Barytes Asbestos and Paints Ltd and another** (supra) held that fixation of minimum wages being a social welfare measure undertaken to further the directive principles of the State policy, such action of the State cannot be struck down on mere technicalities. Relying upon the decision of the Apex Court in the case of **Unichoyi (U)** (supra), he submitted that the Writ Courts cannot sit as a Court of Appeal over the policy decision of the State Government of fixation or revision of minimum wages. He submitted that the Court does not have expertise to decide in what manner the minimum wages should be fixed and what should be the quantum thereof.

20. He submitted that any error in the composition of Advisory Board will not be a fatal to the impugned notifications issued pursuant to the advice of the Advisory Board. He submitted that the recommendations of the Advisory Board are not binding on the State Government. He relied upon the decision of the Apex Court in the case of ***Edward Mills Co. Ltd., Beawar and other -vs- State of Ajmer and another***¹⁴. He submitted that a note of each and every objections received by the Board was taken. He relied upon a chart which is annexed to the written submissions. He pointed out that in the meeting dated 13th May, 2016, the objections relating to the Hospitals and Nursing Homes were considered. He relied upon the decision of the Bombay High Court in the case of ***Arbuda Bhuvan Tea Shop and others -vs- State of Maharashtra and others***¹⁵.

21. He submitted that the State Government has an option to take recourse either to clause (a) of sub-section (1) of Section-5 or clause (b) of sub-section (1) of Section-5 of the said Act, 1948. He submitted that as held in the case of

¹⁴ AIR 1955 SC 25

¹⁵ (1992) ILLJ 807 Bom.

Chandrabhavan Boarding (supra), both the provisions are nothing but the procedure for collecting necessary information/data. He pointed out that in the proceedings of the meeting of the Advisory Board dated 17th April, 2015, the employers' representatives accepted the revised rates of wages unanimously and as reflected from the proceedings of the Advisory Board meeting dated 2nd January, 2016, the representatives of the employers accepted the calculation of components of minimum wages. Drawing the attention of the Court to the various proceedings of the Advisory Board, he pointed out that in many cases, voting has been taken.

22. As regards the allegation that the rates of minimum wages fixed are on the higher side and exorbitant, he submitted that the wages fixed are consistent with the notifications issued by the Central Government, revising the minimum wages. He also pointed out the recommendations made by the 7th Pay Commission regarding minimum pay fixed in the Government service. He submitted that in any case, the writ Court cannot sit in appeal over the rates of minimum wages fixed by the State Government. He urged that the

argument that the rates of minimum wages in the neighboring States are much less is not at all relevant, in the light of the law lay down by the Apex Court in the case of **Unichoyi (U)** (supra).

23. He submitted that the rates proposed in the draft notifications can be increased in the final notifications, as held by the Apex Court, in the case of **Chandra Bhavan** (Supra) and also in the decision of this Court in the case of **Mangalore Ganesh Beedi** (supra). His submission is that on the basis of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 there is a statutory obligation on the persons to maintain their parents and hence, instead of taking three consumption units, five consumption units should be taken into consideration accounting for the liability to maintain the parents.

24. As regards the component of housing, he submitted that the rent of Rs.4,000/- per month taken is extremely on the lower side. He pointed out that Industrial Housing Scheme does not exist at present and therefore, Affordable Housing for the Urban Poor scheme introduced by the Ministry of Housing

and Urban Poverty Alleviation has been adopted, which prescribes an area of 300-400 square feet.

25. Lastly, he relied upon the primary object of the said Act of 1948 and also the speech delivered by Doctor B.R. Ambedkar in the Constituent Assembly on 25th November, 1948. He also relied on the principle of transformative constitutionalism and therefore, he would submit that no interference is called for with the impugned order passed by the learned Single Judge.

26. In Writ Appeal No.1520/2019 which is preferred by the Union which arises out of the writ petition filed by the said Union, the learned counsel appearing for the appellants pointed out that the revised rate of minimum wages notification issued in respect of the Textile (silk) industry, Spinning Mills Industry and Cloth Dying and Printing Industry were illegally withdrawn. Similarly, a draft notification in respect of Tailoring Industry was withdrawn and these withdrawals were subjected to a challenge by the appellant in the writ petition before the learned Single Judge. He submitted that three final notifications clearly provided that they would come into force at

once and therefore, a vested right was created in favour of the employees as per the said three notifications. He submitted that there is no provision for withdrawal of the said notifications and hence, withdrawal of notifications is illegal, inasmuch as said withdrawal is against the very scheme of the said Act of 1948. He submitted that the learned Single Judge has rightly negated the arguments based on Section-21 of the General Clauses Act. He submitted that even if Section-21 of the General Clauses Act was applicable, even before withdrawing the final notification, an opportunity to submit objections ought to have been granted to the employees, but however, that was not done. He submitted that there was no reason to withdraw the draft notification, as necessary modification could have always been made by the State Government while issuing the final notification. He submitted that withdrawal of the notifications is arbitrary and is, therefore, violative of Article-14 of the Constitution of India.

27. The submissions made by the learned counsel appearing for the appellant in Writ Appeal No.1520/2019 were countered by the learned senior counsel representing the employer in the said writ petition. He urged that as far as the

draft notification is concerned, there is no prejudice to the employees, as the action of fixing the rate of minimum wages was not completed. He supported the findings recorded by the learned Single Judge on the issue of withdrawal of the notifications. He placed reliance on section 21 of the General Clauses Act as well as the decision of this Court in the case of ***L.T. Komatsu Ltd vs All India Trade Union Congress***¹⁶ and urged that withdrawal can be made by taking recourse to Section 21. He urged that no interference is called for with the decision to withdraw the notifications.

28. In this behalf, we must refer to documents subsequently filed and taken on record in Writ Appeal No.1681/2019 along with memo dated 10th December, 2019. An application being IA-1/2020 was made in the said appeal seeking permission of the Court for production of the said documents by way of additional evidence. The said documents which are produced are four notifications dated 30th October, 2019, fixing the minimum wages in respect of Spinning Mills Industry, Textile (silk) Industry, Cloth Dyeing and printing Industry and Textile Manufacturing and Tailoring Industry. The learned counsel

¹⁶ ILR 2012 KAR 2411

appearing for the appellant in Writ Appeal No.1681/2019 made submissions on the basis of the said fresh notifications. His submission is that before issuing those fresh notifications, recourse was taken to clause (a) of sub-section (1) of Section-5 by constituting Tripartite Committees. He submitted that before issuing impugned notifications in respect of the other industries, recourse ought to have taken to clause (a) of sub-section (1) of Section-5. He submitted that four notifications show that after recourse was taken to clause (a) of sub-section (1) of Section-5, the minimum wages fixed earlier drastically came down. He would submit that the act of the State Government in taking recourse to clause (b) of sub-section (1) of Section-3 only in respect of selected few industries amounts to hostile discrimination which is violative of Article 14 of the Constitution of India.

29. The submission of the respondents in Writ Appeal No.1681/2019 is that the said four notifications are entirely relating to the different industries which are other than the industries in respect of which the notifications have been challenged by the employers. For countering the above

arguments, learned counsel appearing for the appellants in Writ Appeal No.1520/2019 submitted that four notifications issued are subject to final outcome of Writ Appeal No.1520/2019 where there is a challenge to withdrawal of the notifications and therefore, he submitted that said notifications have no relevance at all. He urged that if this Court accepts that the withdrawal of the notifications was bad in law, the new notifications will cease to exist.

30. The learned Additional Government Advocate submitted that the writ appeals preferred by the employers is a legal ploy adopted by them to delay the payment of reasonable minimum wages to millions of workers in Karnataka and their intention is to thwart the efforts of the State Government to achieve its constitutional obligations/objects of social and economic justice. He submitted that as can be seen from the notification, the minimum wages have been enhanced in a range of Rs.8000/- to Rs.15, 000/- and the wages have been revised after four to five years. He relied on the decisions of the Apex Court in the case of **Reptakos Brett** (supra) and **Unichoy (U)** (supra). He pointed out that minimum wages in respect of

scheduled employment have been fixed separately for three zones and wage structure is arrived at on the basis of the scientific research and empirical data collected by the State agencies in April, 2015. He pointed out that for three zones, the cost of food, cost of clothing, cost of miscellaneous, cost of housing and the additional components as per the decision of the Apex Court in the case of **Reptokas Brett** (supra) are different and in fact, the amounts in respect of said five components are highest in zone-1, followed by zone-2 and 3.

31. He submitted that as regards 37 draft notifications, as many as 521 objections were received and those objections were considered in the meetings of the Advisory Board held on seven different dates in relation to various industries. He pointed out that wherever needed, voting was done in the meetings of the Advisory Board. He submitted that the note sheets of the Government show that the Secretary of the Government, after making verification and also after discussions, placed the files before the Hon'ble Minister concerned, who accepted the recommendations of the Advisory Board on 23rd December, 2016. He submitted that there is nothing wrong with the constitution of the Advisory Board which has been done in strict compliance of the said Act

of 1948. He submitted that the employers are bound to pay their part of contribution towards ESI and PF which is their statutory obligation.

32. As regards challenge to the withdrawal of the notifications, he submitted that firstly, there is a direction issued to the State Government by the learned Single Judge to complete the exercise of the revision of minimum wages within a period of six months. Secondly, by virtue of Section-21 of the General Clauses Act, the State Government had the authority to withdraw the notifications, especially when the notifications were in respect of the industries which were on the verge of closure due to huge losses. He would, therefore, submit that no interference is called for with the impugned order of the learned Single Judge.

CONSIDERATION OF THE PROVISIONS OF THE SAID ACT OF 1948:

33. Firstly, it is necessary to consider the objects of the said Act of 1948 which are summed up in the case of U.Unichoi (supra) by the Apex Court as under:

“What the Act purports to achieve is to prevent exploitation of labour and for that purpose authorizes the appropriate

Government to take steps to prescribe minimum rates of wages in the scheduled industries. In an underdeveloped country which faces the problem of unemployment on a very large scale it is not unlikely that labour may offer to work even on starvation wages. The policy of the Act is to prevent the employment of such sweated labour in the interest of general public and so in prescribing the minimum wage rates the capacity of the employer need not be considered. What is being prescribed is minimum wage rates which a welfare State assumes every employer must pay before he employs labour.”

Even in the case of ***Y.A. Mamarde vs Authority***¹⁷, the Apex Court observed thus:

“Let us first deal with this question. The Act which was enacted in 1948 has its roots in the recommendation adopted by the International Labour Conference in 1928. The object of the Act as stated in the preamble is to provide for fixing minimum rates of wages in certain employments and this seems to us to be clearly directed against exploitation of the ignorant, less

¹⁷ (1972)2 SCC 108

organised and less privileged members of the society by the capitalist class. This anxiety on the part of the society for improving the general economic condition of some of its less favoured members appears to be in supersession of the old principle of absolute freedom of contract and the doctrine of laissez faire and in recognition of the new principles of social welfare and common good. Prior to our Constitution this principle was advocated by the movement for liberal employment in civilised countries and the Act which is a pre-Constitution measure was the offspring of that movement. Under our present Constitution the State is now expressly directed to endeavour to secure to all workers (whether agricultural, industrial or otherwise) not only bare physical subsistence but a living wage and conditions of work ensuring a decent standard of life and full enjoyment of leisure. This Directive Principle of State Policy being conducive to the general interest of the public and, therefore, to the healthy progress of the nation as a whole, merely lays down the foundation for appropriate social structure in which the labour will find its place of dignity, legitimately due to it in lieu

of its contribution to the progress of national economic prosperity. The Act has since its enactment been amended on several occasions apparently to make it more and more effective in achieving its object which has since secured more firm support from the Constitution."

(underlines supplied)

**CONSIDERATION OF THE RELEVANT PROVISIONS
OF THE SAID ACT OF 1948:**

34. Now we turn to the scheme of the said Act of 1948.

Clause (b) of Section-2 of the said Act of 1948 which is very relevant reads thus:

2. Interpretation –

"(b)"appropriate Government" means –

- (i) in relation to any scheduled employment carried on by or under the authority of the Central Government or a railway administration, or in relation to a mine, oil-field or major port, or any corporation established by a Central Act, the Central Government, and
- (ii) in relation to any other scheduled employment, the State Government;"

35. The term “wages” has been defined in clause (h) of Section-2 of the said Act which reads thus:

“(h) “Wages” means all remuneration, capable of being expressed in terms of money, which would, if the terms of the contract of employment, express or implied, were fulfilled, be payable to a person employed in respect of his employment or of work done in such employment and includes house rent allowance, but does not include-

- (i) the value of
 - (a) any house accommodation, supply of light, water, medical attendance, or
 - (b) any other amenity of any service excluded by general or special order of the appropriate Government;
- (ii) any contribution paid by the employer to any Pension Fund or Provident Fund or under any scheme of social insurance;
- (iii) any travelling allowance or the value of any travelling concession;
- (iv) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment; or
- (v) any gratuity payable on discharge;”

36. The power of the appropriate Government to fix the minimum rates of wages and its review or revision is provided under section-3 of the said Act of 1948 which reads thus:

“3. Fixing of minimum rates of wages. – (1) The appropriate Government shall, in the manner hereinafter provided,-

- (a) fix the minimum rates of wages payable to employees employed in an employment specified in Part I or Part II of the Schedule and in an employment added to either Part by notification under section 27:

Provided that the appropriate Government may, in respect of employees employed in an employment specified in Part II of the Schedule, instead of fixing minimum rates of wages under this clause for the whole State, fix such rates for a part of the State or for any specified class or classes of such employment in the whole State or part thereof;

- (b) review at such intervals, as it may think fit, such intervals not exceeding five years, the minimum rates of wages so fixed and revise the minimum rates, if necessary:

Provided that where for any reason the appropriate Government has not reviewed the minimum rates of wages fixed by it in respect of any scheduled employment within any interval of five years, nothing contained in this clause shall be deemed to prevent it from reviewing the minimum rates after the expiry of the said period of five years and revising them, if necessary, and until they are so revised the minimum rates in force immediately before the expiry of the said period of five years shall continue in force.

(1A) Notwithstanding anything contained in sub-section (1), the appropriate Government may refrain from fixing minimum rates of wages in respect of any scheduled employment in which there are in the whole State less than one thousand employees engaged in such employment, but if at any time, the appropriate Government comes to a finding after such inquiry, as it may make or cause to be made in this behalf, that the number of employees in any scheduled employment in respect of which it has refrained from fixing minimum rates of wages has risen to one thousand or more, it shall fix minimum rates of wages payable to employees in such employment as soon as may be after such finding”.

37. In the present case, there is no dispute that the appropriate Government is the State Government. As per clause (b) of Sub-Section (1) of Section-3, the minimum wages fixed in accordance with clause (a) can be revised at such intervals which can be of maximum five years. The proviso makes it clear that even if the rates of minimum wages are not revised for a period of five years, it will not prevent the State Government from revising it. If the State Government does not revise the same for unreasonably long time, it may amount to forced labour of the concerned employees thereby resulting in violation of Articles 21 and 23 of the Constitution of India.

Section-4 which empowers the Government to fix the rates of minimum wages is also relevant which reads thus:

“4. Minimum rate of wages. – (1) Any minimum rate of wages fixed or revised by the appropriate Government in respect of scheduled employments under section 3 may consist of –

- (i) a basic rate of wages and a special allowance at a rate to be adjusted, at such intervals and in such manner as the appropriate Government may direct, to accord as nearly as practicable with the variation in the cost of living index number applicable to

such workers (hereinafter referred to as the “cost of living allowance”); or

(ii) a basic rate of wages with or without the cost of living allowance, and the cash value of the concessions in respect of supplies of essential commodities at concession rates, where so authorized; or

(iii) an all-inclusive rate allowing for the basic rate, the cost of living allowance and the cash value of the concessions, if any.

(2) The cost of living allowance and the cash value of the concessions in respect of supplies of essential commodities at concession rates shall be computed by the competent authority at such intervals and in accordance with such directions as may be specified or given by the appropriate Government.”

38. The most relevant section for our consideration is Section-5 of the said Act of 1948 which reads thus:

“5. Procedure for fixing and revising minimum wages. – (1) In fixing minimum rates of wages in respect of any scheduled employment for the first time under this Act or in revising minimum rates of wages so fixed, the appropriate Government shall either-

- (a) appoint as many committees and sub-committees as it considers necessary to hold enquiries and advise it in respect of such fixation or revision, as the case may be, or
- (b) by notification in the Official Gazette, publish its proposals for the information of persons likely to be affected thereby and specify a date, not less than two months from the date of the notification, on which the proposals will be taken into consideration.

(2) After considering the advice of the committee or committees appointed under clause (a) of sub-section (1), or as the case may be, all representations received by it before the date specified in the notification under clause (b) of that sub-section, the appropriate Government shall, by notification in the Official Gazette, fix, or, as the case may be, revise the minimum rates of wages in respect of each scheduled employment, and unless such notification otherwise provides, it shall come into force on the expiry of three months from the date of its issue:

Provided that where the appropriate Government proposes to revise the minimum rates of wages by the mode specified in clause (b) of sub-section (1), the appropriate Government shall consult the Advisory Board also.”

39. The word 'either' used in sub-section (1) of Section-5 clearly indicates that there are two options provided to the Appropriate Government under clause (a) and (b). The Appropriate Government has a discretion either to take recourse to clause (a) or clause (b) of sub-section (1) of Section 5. Under clause (a), the Appropriate Government has an option for appointing a Committee or sub-Committees to hold an enquiry and advise the Government in respect of fixation of minimum wages or its revision. The Appropriate Government has a choice of the aforesaid of two options. If the option under clause- (b) is opted for, the Appropriate Government has to publish its proposals of fixation of minimum wages for the information of the persons likely to be affected thereby. When clause (b) is adopted, it is mandatory for the Appropriate Government to consult the Advisory Board. When recourse is taken to clause (a) of Sub-Section (1) of Section 5, still the Advisory Board has some role to play in view of Section 7 which provides that the said Board has the responsibility of coordinating the work of Committees and Sub-Committees appointed under clause (a) of Sub-Section(1) of Section 5 of the said Act of 1948.

The provision regarding composition of the Committees and Advisory Board is under Section-9 of the said Act of 1948 which reads thus:

“9. Composition of committees, etc. –

Each of the committees, sub-committees and the Advisory Board shall consist of persons to be nominated by the appropriate Government representing employers and employees in the scheduled employments, who shall be equal in number, and independent persons not exceeding one-third of its total number of members; one of such independent persons shall be appointed the Chairman by the appropriate Government.”

40. As can be seen from clause (a) of sub-section (1) of Section-3 of the said Act of 1948, the power to fix the rates of minimum wages can be exercised in relation to the employees employed in the employments specified in Part-I or Part-II of the schedule to the said Act of 1948 and in respect of employments added to one of the two parts of the shedule by exercising the power under Section-27.

IMPORTANT DECISIONS OF THE COURTS

41. Before we specifically deal with the submissions canvassed across the Bar, it will be necessary to refer to some

of the well known decisions of the Apex Court which have interpreted the provisions of the said Act of 1948. We have already quoted two decisions of the Apex Court which elaborately lay down the objects sought to be achieved by the said Act of 1948.

42. A leading judgment on what constitutes the minimum wages is in the case of ***Reptakos Brett*** (supra). In paragraph-8, the Apex Court held that the wage structure can be divided into three categories – (i) minimum wage which provides bare subsistence, (ii) fair wage and (iii) living wage. The Apex Court quoted with the approval the five norms for fixation of minimum wages laid down by the Tripartite Committee of the Indian Labour Conference. The norms were laid down in the year 1957. Apart from five norms prescribed by the Tripartite Committee, the Apex Court added an additional norm. Paragraphs-10, 11, 12 and 13 of the said decision of the Apex Court which are relevant read thus:

“10. The Tripartite Committee of the Indian Labour Conference held in New Delhi in 1957 declared the wage policy which was to be followed during the Second Five Year Plan. The Committee accepted

the following five norms for the fixation of 'minimum wage':

“(i) In calculating the minimum wage, the standard working class family should be taken to consist of 3 consumption units for one earner; the earnings of women, children and adolescents should be disregarded.

(ii) Minimum food requirement should be calculated on the basis of a net intake of calories, as recommended by Dr Aykroyd for an average Indian adult of moderate activity.

(iii) Clothing requirements should be estimated at per capita consumption of 18 yards per annum which would give for the average workers' family of four, a total of 72 yards.

(iv) In respect of housing, the rent corresponding to the minimum area provided for under Government's Industrial Housing Scheme should be taken into consideration in fixing the minimum wage.

(v) Fuel, lighting and other 'miscellaneous' items of expenditure should constitute 20 per cent of the total minimum wage.”

11. This Court in *Standard Vacuum Refining Company case* [(1961) 3 SCR 536 : AIR 1961 SC 895 : (1961) 2 LLJ 227] has referred to the above norms with approval.

12. The concept of 'minimum wage' is no longer the same as it was in 1936. Even 1957 is way behind. A worker's wage is no longer a contract between an employer and an employee. It has the force of collective bargaining under the labour laws. Each category of the wage structure has to be tested at the anvil of social justice which is the live-fibre of our society today. Keeping in view the socio-economic aspect of the wage structure, we are of the view that it is necessary to add the following additional component as a guide for fixing the minimum wage in the industry:

"(vi) children's education, medical requirement minimum recreation including festivals/ceremonies and provision for old age marriages etc. should further constitute 25 per cent of the total minimum wage."

13. The wage structure which approximately answers the above six components is nothing more than a minimum wage at subsistence level. The employees are entitled to the minimum wage at all times and under all circumstances. An employer who cannot pay the minimum wage has no right to engage labour and no justification to run the industry".

(underlines supplied)

As per the above dictum of the Apex Court, the wage structure which approximately answers the above mentioned six components is nothing more than a minimum wage at subsistence level. We must note that five components laid down by the Tripartite Committee were approved by the Apex Court, in its earlier Judgment in the case of **Standard Vaccum Refining** (supra).

43. In the case of **Bijay Cotton Mills** (Supra), the Apex Court considered the challenge to the constitutional validity of various provisions of the said Act of 1948 on the ground of violation of fundamental rights guaranteed under sub-clause (g) of clause (1) of Article-19 of the Constitution of India. The argument of the employer was that the provisions of the said Act of 1948 put unreasonable restrictions upon the rights of the employer to carry on business and that employer has been prevented from carrying on business or trade unless he is prepared to pay minimum wages fixed under the said Act of 1948. While rejecting the said challenge, in paragraphs-4 and 5, the Apex Court held thus:

“4. It can scarcely be disputed that securing of living wages to labourers which ensure not only bare physical subsistence but also the maintenance of health and decency, is conducive to the general interest of the public. This is one of the Directive Principles of State Policy embodied in Article 43 of our Constitution. It is well known that in 1928 there was a Minimum Wages Fixing Machinery Convention held at Geneva and the resolutions passed in that convention were embodied in the International Labour Code. The Minimum Wages Act is said to have been passed with a view to give effect to these resolutions [*Vide SI Est etc. v. State of Madras*, (1954) 1 MLJ 518 at page 521] . If the labourers are to be secured in the enjoyment of minimum wages and they are to be protected against exploitation by their employers, it is absolutely necessary that restraints should be imposed upon their freedom of contract and such restrictions cannot in any sense be said to be unreasonable. On the other hand, the employers cannot be heard to complain if they are compelled to pay minimum wages to their labourers even though the labourers, on account of their poverty and helplessness are willing to work on lesser wages.

5. We could not really appreciate the argument of Mr Seervai that the provisions of the Act are bound to affect harshly and even oppressively a particular class of employers who for purely economic reasons are unable to pay the minimum wages fixed by the authorities but have absolutely no dishonest intention of exploiting their labourers. If it is in the interest of the general public that the labourers should be secured adequate living wages, the intentions of the employers whether good or bad are really irrelevant. Individual employers might find it difficult to carry on the business on the basis of the minimum wages fixed under the Act but this must be due entirely to the economic conditions of these particular employers. That cannot be a reason for the striking down the law itself as unreasonable.”

(underlines supplied)

44. In the case of **Chandra Bhawan Boarding** (supra), the challenge was to clauses (a) and (b) of sub-Section (1) of Section-5 of the said Act of 1948 on the ground that the same infringe the fundamental rights guaranteed by Article-14 of the Constitution of India. It was urged that Section 5 confers unguided and uncontrolled discretion on the Government to follow one of the two procedures prescribed under clause (a) and (b) of Sub-Section (1) of Section-5 of the said Act of 1948

to enquire into the matter of fixing the minimum rates of wages. If recourse to clause (a) is not taken, then it will amount to fixing the minimum wages arbitrarily. Further, it was contended that fixation of minimum wages is *quasi judicial* act and therefore, the principles of natural justice must be followed. In the said case, the power of the appropriate Government to fix the different minimum wages for different industries and its power to fix the different rates of minimum wages for different zones was also questioned. In paragraph-9, the Apex Court negated the challenge on the ground that the decision taken by the Government under sub-section (1) of Section-5 cannot be termed as either unguided or arbitrary. Paragraph-9 of the decision of the Apex Court read thus:

“9. We have earlier noticed the circumstances under which the Act came to be enacted. Its main object is to prevent sweated labour as well as exploitation of unorganised labour. It proceeds on the basis that it is the duty of the State to see that at least minimum wages are paid to the employees irrespective of the capacity of the industry or unit to pay the same. The mandate of Article 43 of the Constitution is that the State should endeavour to secure by suitable legislation or economic organization or in any other

way, to all workers, agricultural, industrial or otherwise work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities. The fixing of minimum wages is just the first step in that direction. In course of time the State has to take many more steps to implement that mandate. As seen earlier that resolutions of the Geneva Convention of 1928, which had been accepted by this country called upon the covenanting States to fix minimum wages for the employees in employments where the labour is unorganised or where the wages paid are low. Minimum wages does not mean wage just sufficient for bare sustenance. At present the conception of a minimum wage is a wage which is somewhat intermediate to a wage which is just sufficient for bare sustenance and a fair wage. That concept includes not only the wage sufficient to meet the bare sustenance of an employee and his family, it also includes expenses necessary for his other primary needs such as medical expenses, expenses to meet some education for his children and in some cases transport charges etc. see *Unnicheyi v. State of Kerala*. [(1962) 1 SCR 946] The concept of minimum wage is likely to undergo a change with the growth of our economy and with the change in the standard of living. It is not a static concept. Its concomitants must necessarily increase with the

progress of the society. It is likely to differ from place to place and from industry to industry. That is clear from the provisions of the Act itself and is inherent in the very concept. That being the case it is absolutely impossible for the legislature to undertake the task of fixing minimum wages in respect of any industry much less in respect of an employment. That process must necessarily be left to the Government. Before minimum wages in any employment can be fixed it will be necessary to collect considerable data. That cannot be done by the legislature. It can be best done by the Government. The legislature has determined the legislative policy and formulated the same as a binding rule of conduct. The legislative policy is enumerated with sufficient clearness. The Government is merely charged with the duty of implementing that policy. There is no basis for saying that the legislature had abdicated any of its legislative functions. The legislature has prescribed two different procedures for collecting the necessary data, one contained in Section 5(1)(a) and the other in Section 5(1)(b). In either case it is merely a procedure for gathering the necessary information. The Government is not bound by the advice given by the committee appointed under Section 5(1)(a). Discretion to select one of the two procedures prescribed for collecting the data is advisedly left to the Government. In the case of a particular

employment, the Government may have sufficient data in its possession to enable it to formulate proposals under Section (5)(1)(b). Therefore it may not be necessary for it to constitute a committee to tender advice to it but in the case of another employment it may not be in possession of sufficient data. Therefore it might be necessary for it to constitute a committee to collect the data and tender its advice. If the Government is satisfied that it has enough material before it to enable it to proceed under Section 5(1)(b) it can very well do so. Which procedure should be adopted in any particular employment depends on the nature of the employment and the information the Government has in its possession about that employment. Hence the powers conferred on the Government cannot be considered as either unguided or arbitrary. In the instant case as seen earlier the question of fixing wages for the various categories of employees in residential hotels and eating houses was before the Government from 1960 and the Government had taken various steps in that regard. It is reasonable to assume that by the time the Government published the proposals in pursuance of which the impugned notification was issued it had before it adequate material on the basis of which it could formulate its proposals. Before publishing those proposals, the Government had consulted the advisory committee

constituted under Section 7. Under those circumstances we are unable to accede to the contention that either the power conferred under Section 5(1) is an arbitrary power or that the same had been arbitrarily exercised".

(underlines added)

The Apex Court did not specifically examine the question whether the power to grant minimum wages is a *quasi judicial* power or not. The Apex Court dealt with the contention that after the proposals containing the rates of minimum wages are published, the State Government was not competent to enhance the rates of minimum wages. In paragraph-15, the Court held thus:

"15. Taking into consideration the provisions of the Act, the objective behind the Act, the purposes intended to be achieved and the high authority on whom the power is conferred, we have no doubt that the procedure adopted was adequate and effective. We have equally no doubt that reasonable opportunity had been given to all the concerned parties to represent their case. We are unable to agree that the impugned order is vitiated because of the Government's failure to constitute a committee under Section 5(1)(a). We see no substance in the

contention that the Government is not competent to enhance the rate of wages mentioned in the proposals published. If it has power to reduce those rates, as desired by the employers, it necessarily follows that it has power to enhance them. There is no merit in the contention that the Government must go on publishing proposals after proposals until a stage is reached where no change whatsoever is necessary to be made in the last proposal made".

(underlines supplied)

In the above case, the Apex Court held that different zones can be fixed on rational basis.

45. Another decision which is relevant is in the case of **Unichoyi (U)** (supra) in which again, the Apex Court considered what are the components of minimum wages. In paragraph-13, the Apex Court has considered this aspect and ruled thus:

“13. It is, therefore, necessary to consider what are the components of a minimum wage in the context of the Act. The evidence led before the Committee on Fair Wages showed that some witnesses were inclined to take the view that the minimum wage is that wage which is essential to cover the bare physical needs of a worker and his family, whereas

the overwhelming majority of witnesses agreed that a minimum wage should also provide for some other essential requirements such as a minimum of education, medical facilities and other amenities. The Committee came to the conclusion that a minimum wage must provide not merely for the bare subsistence of life but for the preservation of the efficiency of the worker, and so it must also provide for some measure of education, medical requirements and amenities. The concept about the components of the minimum wage thus enunciated by the Committee have been generally accepted by industrial adjudication in this country. Sometimes the minimum wage is described as a bare minimum wage in order to distinguish it from the wage structure which is 'subsistence plus' or fair wage, but too much emphasis on the adjective "bare" in relation to the minimum wage is apt to lead to the erroneous assumption that the maintenance wage is a wage which enables the worker to cover his bare physical needs and keep himself just above starvation. That clearly is not intended by the concept of minimum wage. On the other hand, since the capacity of the employer to pay is treated as irrelevant, it is but right that no addition should be made to the components of the minimum wage which would take the minimum wage near the lower level of the fair wage, but the contents of this concept must ensure for the

employee not only his sustenance and that of his family but must also preserve his efficiency as a worker. The Act contemplates that minimum wage rates should be fixed in the scheduled industries with the dual object of providing sustenance and maintenance of the worker and his family and preserving his efficiency as a worker”.

(underlines added)

On the question of interference by the writ Court with the minimum wages fixed by the appropriate Government, the Apex Court, in paragraph-17 of the said decision held thus:

“17. Mr Nambiar no doubt wanted to attack the merits of the notification on the ground that the wage rates fixed by it are unduly high. In that connection he relied on the fact that the minimum wage rates prescribed by the Madras Government by its notification published on February 25, 1952, as well as the wage rates prevailing in other industries in Kerala were slightly lower. He also pointed out that the wage rates awarded by industrial adjudication and even the claims made by the employees themselves would tend to show that what has been awarded by the notification is higher than the prescribed minimum wages. It is not possible for us to entertain this contention. The

determination of minimum wages must inevitably take into account several relevant factors and the decision of this question has been left by the Legislature to the Committee which has to be appointed under the Act. We have already referred to the composition of the Committee and have reviewed very briefly its report. When a Committee consisting of the representatives of the industry and the employees considers the problem and makes its recommendations and when the said recommendations are accepted by the Government, it would ordinarily not be possible for us to examine the merits of the recommendations as well as the merits of the wage structure finally notified by the Government. The notification has accepted the recommendations of the Committee to categorise the workers and that obviously was overdue. The fact that wages paid in other industries in Kerala, or in other States in comparable concerns, are lower and would have been relevant for the Committee to consider when it made its recommendations. In appreciating the effect of the prevalence of lower rates it may also be relevant to bear in mind that in some places and in some industries, labour is still employed on wages much below the standard of minimum rates. In fact, in its report the Committee has pointed out that in Kerala the bargaining position of the workers has all along been very weak

and wages have tended to remain in a deplorably low level. Therefore, the fact that lower wages are paid in other industries or in some other places may not necessarily show that the rates prescribed by the notification are unduly high. In any event these are considerations which ordinarily cannot be entertained by us because obviously we are not sitting in appeal over the recommendations of the Committee or the notification, following upon them. That is why the grievance made by Mr Nambiar on the merits of the wage structure prescribed by the notification cannot succeed”.

(underlines supplied)

The Apex Court was of the view that when the Committee consisting of the representatives of the industry/employers and the representatives of the employees considers the problem and makes its recommendations and when the recommendations are accepted by the Government, it would ordinarily not be possible for the writ Court to examine the merits of the recommendations as well as the merits of the wage structure finally notified by the Government.

46. Another case which needs to be noted at this stage is ***People’s Union for Democratic Rights and others –vs-***

Union of India and others¹⁸ which is popularly known as 'Asian Games workers' case'. In the said decision, the Apex Court held that when an employer provides labour or service to another for a remuneration which is less than the prescribed minimum wages, the labour or service provided by the employer clearly falls within the scope and ambit of the words "forced labour" under Article-23.

47. In its decision in the case of ***Association of Planters of Kerala –vs- State***¹⁹, the Kerala High Court held that in view of the provisions of Section 3 (1) (b) and Article-23, it is the duty of the appropriate Government to revise the rates of minimum wages retrospectively.

48. In the case of ***Ministry of Labour and rehabilitation*** (supra), the Apex Court held that notification fixing the rates of minimum wages are not be lightly interfered with under Article-226 of the Constitution of India on the ground of some irregularities in constitution of the Committee or in the procedure adopted by the Committee. It was held that the Committee acts only as a recommendatory body to

¹⁸ AIR 1982 SC 1473

¹⁹ 1996 (74) FLR 2288

recommend the structure of minimum wages and ultimately, the decision has to be taken by the appropriate State Government. It was also held that a notification fixing minimum wages, in a country where wages are already minimal, should not be interfered with under Article 226 of the Constitution of India except on the most substantial of grounds. It was held that the minimum wages fixed pursuant to the social welfare legislation undertaken to further the Directive Principles of State Policy cannot be struck down on the ground of mere technicalities.

49. In the light of the broad legal principles laid down by the Apex Court as well as the High Court which are referred above, now we proceed to deal with the submissions canvassed by the respective counsel on merits of the controversy.

**CONSIDERATION OF SUBMISSIONS: LEGALITY OF
WITHDRAWAL OF FOUR NOTIFICATIONS**

50. Firstly, we deal with the issue involved in Writ Appeal No.1520/2019. This appeal arose out of writ petition No. 18621/2018 filed by the Union. In the said writ petition, the challenge was to the order/notification dated 22nd March, 2018

passed by the State Government, withdrawing four notifications. By the said order, the four notifications were withdrawn with immediate effect. The English translation of the said notification reads thus:

“Proceedings of the government of Karnataka

Sub:Regarding formation of tripartite committee to decide withdrawal of Notification issued under provisions of Minimum Wages Act 1948 Section (1) (b) and fixing of Minimum Wages as per Minimum Wages Act 1948 Section 5 (1) (b) for the four notified trades of “Spinning Mill Industries, Cloth Dyeing and Printing, Tailoring Industry and Textile (Silk) Industry”.

Read with: Letter No. Ka.VeKa-2/Eathare-33/Spi.Mi/2017-18 dated 01.02.2018 of Labour Commissioner:

Preamble: With reference to the above, while comparing the Minimum Wages as published in the final notification dated 30.12.2017 by the Government of Karnataka with Minimum Wages of other States in respect of “Spinning Mill Industries, Cloth Dyeing and Printing, Tailoring Industry and Textile (Silk) Industry” is observed to be higher and this would affect adversely the trade, the Textile and Garments industry is facing competition at the international level, in this trade labour expenses being 25 to 30 percent, it was appealed by the employers that this notification be withdrawn.

The appeal was forwarded to Labour Commissioner for information and instructed to furnish report. Hence, the Labour Commissioner has furnished the report under reference. It is explained that works in Spinning Mill Industries, Cloth Dyeing and Printing, Tailoring Industry and Textile (Silk) Industry being similar in nature, if all these specified employments notified industries are in one section, when workers receive differing wages, discrimination feeling would arise, industrial disputes may emerge. Hence, Minimum Wages revised in one stretch, chances of arising of industrial disputes is less. Considering these aspects specified employments in "Spinning Mill Industries, Cloth Dyeing and Printing, Tailoring Industry and Textile (Silk) Industry and Tailoring Industries may fix common minimum wages, withdrawal of notification under Minimum Wages Act 1948 Section. 5(1)(b), to constitute a tripartite committee under Minimum Wages Act 1948 Sec. 5(1)(a).

Government of Karnataka has taken action to revise minimum wages for these four (4) scheduled employments.

Table-1 minimum wages notification of Government of Karnataka

S I N o	Scheduled employment in	Notification No and Date	Remarks
1	Textiles Industry (Silk)	KaEe 22 LMW 2017 Dated 30-12-2017	Final Notification Issued
2	Spinning Industry Mills	KaEe 21 LMW 2017 Dated 30-12-2017	Final Notification Issued

3	Cloth Dyeing and Printing industry	KaEe 29 LMW 2017 Dated 30-12-2017	Final Notification Issued
4	Tailoring industry	KaEe 76 LMW 2017 Dated 22-02-2018	Draft Notification Released

The above Notifications are issued as per Minimum Wages Act 1948 Section (1) (b). In the combined Textile industry, rates of Minimum wages finalized for some scheduled employments and for others the processes of fixing Minimum Wages are under revision. The Government is convinced that this may lead to discrimination in the workers in the combined Textile industry and create industrial relation problems. In this background, the Government in exercise of the powers conferred under Minimum Wages Act 1948 has decided to withdraw the above Notifications in Table – 1. In the same circumstance, the Government in exercise of its powers conferred by the Minimum Wages Act 1948 Sec.5 (1) (a) has decided to constitute general tripartite committee to revise common minimum wages for the combined scheduled employments indicated in Table-1, and constituted the tripartite committee vide Government Order No.KaEe21 LMW 2017, Bengaluru, dated 22-03-2018.

Considering the Labour Commissioners precludes and all related factors, the following order is issued.

Government Order No. KaEe 21 LMW 2017 (1), Bengaluru

Date.22-03-2018

In the background of the above proposal, the following Notifications are withdrawn with immediate effect. It is ordered that till the Government issues further notification based on the report of the tripartite committee, for the scheduled employment applicable minimum wages as per existing minimum wages notifications would be implemented.

Sl No	Scheduled employment in	Notification No and Date	Remarks
1	Spinning Mills Industry	KaEe 21 LMW 2017 Dated 30-12-2017	Final Notification withdrawn
2	Cloth Dyeing and Printing industry	KaEe 21 LMW 2017 Dated 30-12-2017	Final Notification withdrawn
3	Textiles (Silk) Industry	KaEe 29 LMW 2017 Dated 30-12-2017	Final Notification withdrawn
4	Tailoring industry	KaEe 76 LMW 2017 Dated 22-02-2018	Final Notification withdrawn

By order in the name of
The Governor of Karnataka
Sd/-
(G.M. Siddaraju)
Under Secretary to Government,
Labour Department.

Date:22-03-2018”

(Underline added)

51. As stated therein, the first, second and third notifications withdrawn were of 30th December, 2017 issued under Sub-

Section (2) of Section 5 of the said Act of 1948, fixing the rates of minimum wages in respect of (i) Textile (silk) industry, (ii) Spinning Mills Industry and (iii) Cloth Dyeing and Printing Industry. The fourth notification which was withdrawn is of 22nd February, 2018 which is not a final notification but it is a draft notification issued by the Government, as contemplated by clause (b) of Sub-Section (1) of Section-5 of the said Act of 1948, by which, the State Government published its proposals for revision of minimum wages in respect of the Textile Manufacturing (Garments, Costumes and Tailoring) Industry. It is observed in the impugned notification/order of withdrawal of the four notifications that the rates of minimum wages fixed under three notifications dated 30th December, 2017, in respect of the aforesaid three industries were higher than the rates of minimum wages fixed in the other States. It is also observed therein that an appeal was made by the employers seeking withdrawal of the notification. Therefore, a report was called from the Labour Commissioner and ultimately, it was decided to withdraw the notifications and resolved to constitute Tripartite Committees, as contemplated under clause (a) of sub-section (1) of Section-5.

52. It must be noted here that by the said three withdrawal notifications dated 30th December, 2017, the rates of minimum wages fixed there under were made effective from the date of publication of the said notifications. Thus, in the writ petition subject matter of Writ Appeal No.1520/2019, the issue raised was regarding the existence of power vesting with the State Government to withdraw a final notification as well as a draft notification. The submission of the appellants is that a vested right was created in favour of the employees with effect from 30th December, 2017, as the employees became entitled to minimum wages fixed under the three final notifications with effect from 30th December, 2017 and said vested rights could not be taken away nearly three months thereafter by issuing the impugned notification on 22nd March, 2018.

53. The learned Single Judge negated the challenge to the impugned notification of withdrawal for the reasons contained in paragraph-25 of the impugned judgment. Firstly, the learned Single Judge held that by exercising power under Section-21 of the General Clauses Act, 1897 or Section-21 of the Mysore General Clauses Act, 1899, the notifications could not have been withdrawn, as the same created a vested right in

the employees. However, the learned Single Judge, by referring to the power of the State Government under clause (b) of sub-section (1) of Section-3 of the said Act of 1948 which empowers the Government to review the minimum wages fixed, held that as the impugned notification/order mentioned the reasons necessitated for such review, the withdrawal of the said notifications amounts to review and it was a step in aid of revising the minimum wages. The learned Single Judge held that the power to fix the minimum wages is not a quasi judicial power and such exercise of fixing the minimum wages is a Legislative/Quasi Legislative function. Therefore, there was no question of giving an opportunity of being heard to the employees affected by such withdrawal.

54. Firstly, we deal with the arguments based on Section-21 of the General Clauses Act, 1897 (for short "the said Act of 1897). Section-21 of the said Act reads thus:

"21. Power to issue, to include power to add to, amend, vary or rescind notifications, orders, rules or bye-laws. – Where, by any Central Act or Regulations a power to issue notifications, orders, rules or bye-laws is conferred, then that power includes a power, exercisable in the like manner and

subject to the like sanction and conditions if any, to add to, amend, vary or rescind any notifications, orders, rules or bye-laws so issued.”

(underlines supplied)

55. Section-21 of the said Act has been judicially interpreted in several decisions of the Apex Court and those decisions were considered by a Division Bench of this Court, in the case of ***L and T Komatsu Ltd.***(supra). After considering large number of the decisions of the Apex Court, in paragraph-38, the Division Bench summarized the law as under:

“38. From the aforesaid discussion it is clear that Section 21 of the General Clauses Act applies only when in an enactment there is no specific provision providing for what is provided in Section 21 of the Act. In order to find out whether such a provision exists, the scheme of the Act is to be scrutinized. If there is no indication of any such power expressly or by implication then Section 21 of the General Clauses Act has to be read into the said enactment. If an order is passed under a particular statute and if it is given effect to, acted upon, consequential further steps are taken in accordance with law, and third party interests are created, then rescinding or revoking such an order, at that stage, would have

serious consequences. Then in those circumstances it cannot be said that the power to issue notification includes the power to rescind or revoke. In the absence of a specific provision providing for such recession or revocation and an express or implied bar for such recession or revocation, Section 21 of the General Clauses Act applies, and such a power is to be read into such enactment. Otherwise, the very object of enacting this piece of Legislation becomes redundant. Ultimately the applicability of Section 21 of the Act depends on the scheme of the Act, the nature of power conferred, the object sought to be achieved and the language employed in the said provision. Broadly stated, Section 21 of the Act, applies as a rule, non application is an exception. To exclude the application of the general rule, there must be an exceptional circumstance. Section 21 is based on the principle that power to create includes the power to destroy and also the power to alter what is created. The power to rescind a notification is inherent in the power to issue the notification without any limitations or conditions. Section 21 embodies a rule of construction. The nature and extent of its application must be governed by the relevant statute which confers the power to issue the notification. When a power is conferred on an authority to do a particular act, such power can be

exercised from time to time and carries with it the power to withdraw, modify, amend or cancel the notifications earlier issued, to be exercised in the like manner and subject to like conditions, if any, attached with the exercise of the power. This legal position is in no way deruded merely because the notification issued under an enactment was the subject matter of litigation and the validity of such notification has been upheld by a Court.”

(underlines supplied)

56. As held by the Division Bench of this Court, Section-21 will apply only when in a statute, there is no specific provision providing for what is provided in Section 21. Section 21 provides that when there is a power to issue notifications or orders, such power includes a power to vary or rescind such notifications or orders. However, the said power to vary or rescind is exercisable in the like manner and subject to like conditions, on which, the notifications or orders are issued. The decision of the Division Bench holds that power conferred under Section 21 can be exercised only when there is no specific provision to do what can be under Section-21 of the said Act of 1897. The exception to the exercise of power under Section 21 of rescinding notifications or orders is in a case

where an order passed under a particular statute is already given effect and third party interests are created. The reason is that in such a case, the exercise of the power of rescinding the notifications or orders will have serious consequences. In such contingency, it cannot be said that the power to issue notifications includes the power to rescind or revoke the same.

57. Therefore, we will have to ascertain whether under the said Act of 1948, there is a power to do what can be done under Section-21 of the said Act of 1897. Under clause (b) of Sub-Section (1) of Section-3 of the said Act of 1948, which is already quoted above, the appropriate Government is empowered not only to fix the rates of minimum wages but also to revise the rates of minimum wages, if necessary. As can be seen from sub-section (2) of Section-5, it confers on the appropriate Government, a power to fix the rates of minimum wages in respect of the scheduled employment and power to revise such rates of minimum wages. In the case on hand, the statute has itself conferred a power on the appropriate Government to review/revise the rates of minimum wages and such power also includes power to increase or reduce the rates

of minimum wages. Therefore, when a final notification is issued under sub-section (2) of Section-5 of the said Act of 1948 of fixing or revising the rates of minimum wages in respect of a scheduled employment, the power to revise the same either by enhancing the rates or reducing the rates vests with the Appropriate Government. There is a power to revise the rates of minimum wages even by reducing the same by exercise of power conferred under Sub-Section (2) of Section-5, after following the procedure under Sub-Section (1) of Section-5. The power to review or revise the minimum wages fixed, however, cannot be exercised by withdrawing the final notifications. Hence, the act of withdrawal of the final notifications cannot be termed as a step in aid of revision of the rates. The revision can be made only by following the procedure prescribed in Section 5 of the said Act of 1948. Therefore, in case of a final notifications fixing the rates of minimum wages under sub-section (2) of Section-5, there is a specific power conferred on the government to review or revise the same and therefore, in case of final notifications issued fixing the rates of minimum wages, for revising or reviewing the same, recourse to Section 21 of the said Act of 1897 cannot be

taken. However, in case of a notification published under clause (b) of sub-section (1) of Section-5 of the said Act of 1948, by which, the proposals of the State Government are published, the legal position may be different which we are discussing separately.

58. Even assuming that the power under Section-21 of the said Act of 1897 can be exercised for rescinding the final notifications issued fixing the rates of minimum wages, as provided in Section-21, the procedure prescribed under Section of 5 of said Act of 1948 which is required to be adopted for revising the rates of minimum wages will have to be followed. Therefore, the action of the withdrawing the notifications could not have been taken only on the basis of the report of the Labour Commissioner, but the State Government was required to follow the procedure prescribed by Section-5 which is applicable for fixing the rates of minimum wages either for the first time or for revising the same. Therefore, even assuming that the State Government could have invoked Section 21 of the said Act of 1897, the State Government was required to follow the procedure under Section 5 of the said Act of 1948 by

taking recourse either to clause (a) or clause (b) of sub-section (1) of Section-5 before rescinding the final notifications. In the case in hand, that was admittedly not done.

59. Even assuming that the power under Section-21 of the said Act of 1897 could be exercised for rescinding the final notifications issued for fixing the rates of minimum wages, in the facts of the case, the three notifications dated 30th December, 2017 which came into force on 30th December, 2017 vested a right in the employees of the concerned industries in respect of which notifications were issued, entitling them to get the minimum wages at the rates fixed by the said three notifications. Hence, the vested right created in the employees to get the wages as per the rates fixed under the three final notifications could not be taken away without revising the rates as provided under section 3 read with section 5 the said Act of 1948. The vested right could not have been taken away by taking recourse to Section 21 of the said Act of 1897. Therefore, as held by the Division Bench of this Court, in the case of **L and T Komatsu** (supra), the three notifications could not be rescinded by exercising the power under Section-

21 of the said Act of 1897, as the right vested in employees cannot be taken away by exercise of such power. Hence, the action of withdrawal of the said three notifications is *ultra virus* the provisions of the said Act of 1948 as well as the said Act of 1897 and is liable to be set aside.

60. However, the situation in case of the fourth withdrawn notification being a draft notification dated 22nd February, 2018 in respect of Tailoring industry is different. The said notification did not fix the rates of minimum wages but, by the said notification, only the proposals of the State Government of fixing the rates of minimum wages were published in accordance with clause (b) of Sub-Section (1) of Section-5. Thus, it was a draft notification published proposing to revise the rates of minimum wages in case of Tailoring Industry and the proposed rates were mentioned therein. While fixing the rates of minimum wages after consulting the Advisory Board, the State Government had a power to enhance or reduce the rates mentioned in the draft notification. The notification dated 22nd February 2018 contained only a proposal to revise the rates of minimum wages fixed earlier and therefore, while

issuing final notification, the State Government had a power to reduce the rates of minimum wages mentioned in the draft notification. As the reason for withdrawal of the said notification was that the proposed rates of minimum wages mentioned therein were on the higher side, the said rates could have been reduced while issuing the final notification. Therefore, the statute itself confers a power on the Appropriate Government to do something which could have been done in exercise of the powers under section-21 of the said Act of 1897. Hence, recourse to the power under Section-21 could not have been taken for withdrawing the draft notification. Therefore, withdrawal of the draft notification also cannot be sustained as even this action is *ultra virus* the provisions of the said Act of 1948 as well as under the said Act of 1897.

61. On 23rd August 2019, submissions in this group of appeals were heard and therefore, further action taken by the State government on the basis of the withdrawal of the notifications by the order dated 22nd March 2018 was always subject to final outcome of this appeal. The State Government, during the pendency of the appeal, in pursuance

of the directions issued by the learned Single Judge under the impugned Judgment and order, had published a fresh notification dated 31st October, 2019 after taking recourse to clause (b) of Sub-Section (1) of Section-3 read with clause (a) of Sub-Section (1) of Section-5, for fixing the rates of minimum wages in respect of the Spinning Mills. Another final notification was published on the same day for fixing the rates of minimum wages in respect of Garments, Costumes and Tailoring industry. The third final notification was also issued on the same date, fixing the rates of minimum wages in respect of Cloth Dyeing and Printing industry. The fourth notification was published fixing the rates of minimum wages in respect of Textiles (silk) industry. The final notifications in relation to Textiles (silk) industry, Spinning Mills Industry, Cloth Dyeing and Printing were made effective from 30th December, 2017 i.e., the date on which the earlier three final notifications were withdrawn were brought into force. The notification in respect of Tailoring industry was also brought into force with effect from 30th December, 2017. As we have already held that those three final notifications dated 30th December, 2017 were illegally withdrawn, the corresponding three final notifications

issued during the pendency of these appeals on 31st October 2019 in respect of the same industries will be of no legal effect. We have held that the draft notification in respect of Tailoring industry was illegally withdrawn. Hence, the final notification dated 31st October 2019 in respect of the said Tailoring industry will have no effect at all. As the three final notifications dated 30th December 2017 will stand revived, the corresponding new notifications dated 31st October, 2019 will be rendered inoperative, inasmuch as, there cannot be two sets of notifications in respect of the same industries fixing the different rates from 30th December, 2017. As the preliminary notification of 22nd February 2018 in case of Tailoring industry will stand revived, the final notification dated 31st October, 2019 will be rendered inoperative. Hence, the State Government will have to take further steps on the basis of the revived draft notification in accordance with Sub-Section (2) of Section 5. In case of revived notifications dated 30th December, 2017, the State Government can always take action of revision of the rates fixed therein in accordance with the law. The said action can be taken on its own or on the application made by the

employers. To the above extent, the Writ Appeal No.1520/2019 will have to be allowed in part.

CONSIDERATIONS OF SUBMISSIONS IN THE APPEALS BY EMPLOYERS

APPROACH OF THE COURT WHILE DEALING WITH SUBMISSIONS AND THE ISSUE OF NATURE OF POWER EXERCISED BY THE APPROPRIATE GOVERNMENT

62. By the impugned notifications challenged by the employers, the rates of minimum wages were approximately enhanced by Rs.8000/- to Rs.15,000/- per month after the lapse of 4 to 5 years. Only in case of Doctors, the enhancement was more as it was fixed at Rs.40,908.40/- per month with effect from 30th December 2017 which cannot be *per se* excessive. The concept of minimum wages is not a static concept. 72 years back when the said Act of 1948 was enacted, the said concept was different. Thereafter, it has gradually changed. The world has changed very fast during the last decade. The concept of necessities of life has undergone a drastic change. The concept of what is required for subsistence has also changed. The rate of minimum wages must be such that it ensures health and decency which concepts have also undergone a change. In the case of

workmen vs. Retakes Brett and Co (supra), in paragraph 25, it was observed as under:

“25. in any case we are of the opinion that purchasing power of today's wage cannot be judged by making calculations which are solely based on 30/40 years old wage structure. The only reasonable way to determine the category of wage structure is to evaluate each component of the category concerned in the light of the prevailing prices. There has been sky-rocketing rise in the prices and the inflation chart is going up so fast that the only way to do justice to the labor is to determine the money value of various components of the minimum wage in the context of today.”

(Underline supplied)

The aforesaid principles will have to be kept in mind, when we decide the challenge by the employers. If we peruse the submissions made by the employers, it can be said that most of the submissions are made on the footing that this Court is going to act as the Appellate Authority. We will have to examine the challenge by employers, by keeping in mind the changing world and the well settled constraints on the exercise of writ jurisdiction in the matters involving fixation of minimum wages. Looking to the scheme of the said Act of 1948, it

appears that the Legislature has left the act of determination of the rates of minimum wages to the Appropriate Government. If we look at Section 5, the exercise of the power by the Appropriate Government of fixing the rates of minimum wages is neither quasi-judicial nor administrative. The Legislature has delegated its power to the Appropriate Government to fix the rates of minimum wages. Hence, fixation of minimum wages is a legislative function. In the case of Mangalore Ganesh Beedi (supra), it was held by a Division Bench of this Court that the minimum wage fixation is a legislative act. Hence, it follows that the requirement of giving reasons and giving hearing are ruled out.

THE CONTENTION THAT NOT ADOPTING OPTION UNDER CLAUSE (a) OF SUB-SECTION (1) OF SECTION 5 WAS DISCRIMINATORY:

63. Now we go to the arguments canvassed in the appeals preferred by the employers. There was one argument canvassed especially in Writ Appeal No.1681-1682/2019 that out of two options available to the State Government under clause (a) and (b) of sub-section (1) of Section-5 of the said Act of 1948, the option under clause (a) ought to have been adopted. The other argument is that in case of four industries

in respect of which the notifications issued earlier were withdrawn, the State Government has taken recourse to clause (a) of sub-section (1) of Section-5 of the said Act of 1948 by appointing Tripartite Committees to hold enquiry and advise the Government in respect of fixation or revision of rates of minimum wages. The submission of the learned counsel appearing for the appellant in Writ Appeal No.1681/2019 was that the action of adopting option of clause (a) of Sub-section (1) Section-5 in case of selected four (04) industries and the action of the Government of adopting the option under clause (b) of Sub-Section (1) of Section-5 in respect of other industries is a hostile discrimination which is violative of Article 14 of the Constitution of India. He submitted that in case of four notifications which were withdrawn, the State Government has now fixed very reasonable rates of minimum wages after considering the advice of the Tripartite Committees.

64. We have already recorded our conclusions on the issue of the Appropriate Government's power to take recourse to either of the two options contemplated under sub-clauses (a) and (b) of Sub-Section (1) of Section-5. The procedure for

fixing the rates of minimum wages for the first time or for revising the same has been laid down therein. The word 'either' is used in sub-section (1) of Section-5. Therefore, there are two options available to the appropriate Government under the statute. One is under clause (a) and another is under clause (b). Where recourse is taken under clause (a) of sub-section (1) of Section-5 for fixing or revising the rates of minimum wages, the State Government has to consider the advice of the Committee or Committees constituted under clause (a). Where an option under clause (b) is exercised, a notification containing the proposed rates of minimum wages is required to be published. As narrated earlier, by publishing a notification in the official gazette, the proposed rates are required to be notified and the date of its effect is required to be specified in the notification inviting representations in respect of such proposed rates. After considering the representations so received and after consulting the Advisory Board constituted under Section-7, the State Government is required to take a decision of fixing the rates of minimum wages. Ultimately, the power is vested with the Government to fix the rates of minimum wages. By appointing/constituting the Committees

under clause (a) or by following the procedure under clause (b) of sub-section (1) of Section-5, all that the Government gets is the factual details or data as well as the views of all the stake holders. It is necessary to look at the composition of the Committee and the composition of the Advisory Board as provided in section 9. Perusal of Section 9 shows that, both in the Committee and in the Advisory Board, there is a representation given to both the employers and employees and there are independent persons as well. It can be said that both the Committee and the Advisory Board only render advice to the State Government. They collect the data for the Appropriate Government. In case of Advisory Board, the practice followed is that even the representations made on the basis of the draft notifications under clause (b) of sub-section (1) of Section-5 are placed before it. When the statute itself provides for two options, merely because the State exercises one option in case of one category of industry and the other option in case of other categories of industries, the action taken by the Government cannot be held to be discriminatory. Different yardsticks will have to be applied to different

industries. It will not amount to violation of Article 14 of the Constitution.

65. At this juncture, it is necessary to refer to the dictum of the Apex Court in the case of **Chandra Bhavan** (supra) wherein there was a specific challenge to the constitutional validity of the provisions of sub-section (1) of Section-5 of the said Act of 1948 on the ground that it was arbitrary and violative of Article 14 of the Constitution of India, as it confers unguided and uncontrolled discretion on the Appropriate Government to follow either of the alternative procedures prescribed in clauses (a) and (b) of sub-section (1) of Section-5 of the said Act of 1948. The challenge was rejected by the Apex Court for the reasons recorded in paragraph-9 of the judgment, which we have already quoted. As observed in the said Judgment, when two modes are provided in the statute under clauses (a) and (b) for collecting the necessary data, the Appropriate Government is empowered to opt for either of options. In either case, it is merely a procedure for gathering the necessary information/data which will be useful for the State Government in fixing the rates of minimum wages. Therefore, as observed by the Apex Court, which procedure

should be adopted in case of a particular employment depends upon the nature of the employment and the information the Government has in its possession about such employment. Thus, giving choice of the two alternatives to the Government under clause (a) and (b) of sub-section (1) of Section-5 of the said Act of 1948 is not at all arbitrary, as held by the Apex Court.

66. The contention of the learned counsel is that in case of few industries, the Government has opted for the option under clause (a) and has opted for the option under clause (b) in respect of other industries which is discriminatory. As held by the Apex Court, when the statute itself confers a choice of such options on the State Government as provided in clauses (a) and (b) of Sub-Section (1) of Section-5 of the said Act of 1948, opting for either of the options by the Government cannot be termed as violative of Article-14 of the Constitution of India and therefore, the employers cannot find fault with the action of the Government in adopting the option under clause (a) in respect of four industries and taking recourse to clause (b) in respect of other industries. Therefore, the argument canvassed by the

learned counsel for the employer, based on the discrimination, cannot be accepted.

ARGUMENTS ON THE ILLEGALITY IN THE CONSTITUTION OF THE ADVISORY BOARD AND THE ILLIGALITY IN THE PROCEEDINGS OF THE BOARD

67. Another argument canvassed is in respect of improper constitution of composition of the Advisory Board. The argument, in substance is that the representatives of the employer and employees were not equal in number. The argument is that it was not clear whether one particular member is a representative of the employers or employees or that whether he is an independent member. In the case of ***Ministry of Labour and Rehabilitation*** (supra), the Apex Court held that the Committee constituted under clause (a) of sub-section (1) of Section-5 of the said Act of 1948 acts only as a recommendatory body and final decision of fixing the rates of minimum wages has to be made by the Government with reference to the facts of the case. The Apex Court held that the exercise of fixing the rates of minimum wages should not be interfered with in exercise of writ jurisdiction under Article-226 of the Constitution of India solely on the basis of the

irregularities in constitution of the Committees or on the ground of mere technicalities, as the case may be. The same view is taken by the Apex Court in the case of **Edward Mills** (supra). The same law must apply to the Advisory Board. We must note here that assuming that there was no equal representation to the employers and employees on the Board, it will be a mere technicality. Moreover, while we deal with the argument of the employers, we must note that the representatives of the Federation of Karnataka Chamber of Commerce and Industry ('FKCCI'), Karnataka Small Scale Industries Association ('KSSIA') and Karnataka Employers' Association (KEA) were, admittedly, a part of the Minimum Wages Advisory Board. The averments made in the writ petitions filed by the FKCCI show that it had membership of large number of employers of different categories. The same is the case with KSSIA and KEA. Thus, the employers had a strong representation in the form of the representatives of their Associations.

68. Another argument was that one person by name Mr. Raja Mohammad who was earlier nominated to be a representative of employees was re-designated as a

representative of capital/employers. The material on record shows that in the enquiry, it was found that he was a registered class-I contractor. Hence, he cannot be a representative of the employees or an independent person. Another argument canvassed was that the Chairman of the Board was a class-I contractor. We must note here that as observed by the learned Single Judge, in this case, constitution of the Board was put on the public domain and no one raised any objection to the constitution of the Advisory Board. Moreover, the three Associations of the employers referred above along with other representatives of the employers participated in the proceedings of the Board without raising any objection to the constitution of the Board. Moreover, assuming that there were some illegalities in the composition and constitution of the Advisory Board, it is not shown that it has resulted into a formation of an opinion which is against the employers. The appellants have not demonstrated any prejudice caused to them due to such technical error or improper composition of the Advisory Board. Therefore, it cannot be concluded that the entire proceedings of the Advisory Board were vitiated due to improper constitution or composition of the Advisory Board.

Moreover, on that ground alone, interference with the decision of the State Government in fixing the rates of minimum wages cannot be made in exercise of jurisdiction under Article-226 of the Constitution of India, especially when three major bodies of the employers representing the large number of classes of employers were a part of the Advisory Board. Therefore, this argument of the employers deserves to be rejected.

69. Now we deal with the submissions about the manner in which the meetings of the Advisory Board were conducted. As pointed out by the State Government, in case of thirty seven draft notifications, 521 objections/representations from various affected parties were received by the Labour Department. The Advisory Board conducted meetings on different dates and discussed about the draft notifications and objections regarding the rates proposed regarding various categories of employments. The tabular statement giving the details reads thus:

Sl No	Scheduled Employment	Date of Meeting
1	Public Motor Transport	13.05.2016
2	Manufacture of Ayurveda and Allopathy Medicine	25.04.2016
3	Food Processing	13.05.2015
4	Foundry	17.04.2015

5	Automobile Engineering	17.04.2015
6	Printing Press	17.04.2015
7	Hospital and Nursing Homes	13.05.2016 15.12.2016
8	Hostels	17.04.2015
9	Laundry	13.05.2016
10	Electronics	25.04.2016
11	Steel Almirahas, tables, chairs, and other steel furniture industry	25.04.2016
12	Plastic, Polly Plastic, rubber and PVC pipes manufacturing industry	25.04.2016
13	Film Industry	13.05.2016
14	Tobacco Industry Tobacco Processing	06.12.2017
15	Wood work including Carpentry industry and saw mill industry	06.12.2017
16	Employment not covered under any Scheduled Employments	06.12.2017
17	Petrol and diesel oil pumps Industry	06.12.2017
18	Brass copper and Aluminum utensils manufacturing Industry	06.12.2017
19	Spinning Mills	06.12.2017
20	Rubber, products (including foam and coir rubberized products) Industry	06.12.2017
21	Plantation Labour: Cinchona rubber tea or coffee plantations (Non-staff)	06.12.2017
22	Shops and commercial establishments	06.12.2017
23	Wood work including Plywood Industry	06.12.2017
24	Engineering Industry	06.12.2017
25	Pulp papers, paper, card board, straw board including news print	06.12.2017
26	Objections pertaining to all the 37 Scheduled Employments	06.12.2017

70. For the sake of illustration, we are referring to minutes of some of the meetings of the Advisory Board. Firstly, we are

referring to the meeting dated 17th April 2015. There is a discussion about calculation of rates of minimum wages and the discussion relating to how many units should be consumed, how many calories were required for an employee for his daily livelihood, how much cloth is required for the family of one employee. It discusses the house rent payable as fixed by the Government under the Government Housing Project. It discusses about the fuel, electricity and other miscellaneous expenses and records that under the calculation of minimum wage, 25% should be allocated towards children's education, medical, social security and marriage. The rates for food and cloth were arrived at after calculating the price fixed by the the State run Janatha Bazar at various centers in the State. Then, the calculations were made of the actual amount required for food grains, clothes, house rent and other miscellaneous expenses etc. The minutes record the figures in respect of Zone-1, 2 and 3. Paragraph-3 of the minutes of the meeting shows that the discussion was about the draft notifications in respect of the revision of rates of minimum wages relating to the following industries:

- i) Automobile Engineering Industry

- ii) Foundry Industry
- iii) Veneer Industry
- iv) Hostel Industry
- v) Printing Press
- vi) Oil Mills
- vii) Ceramic Industry
- viii) Ice factory industry.

The discussion which took place has been reproduced in the minutes and a detailed tabular statement has been incorporated of the proposed rates of minimum wages of various categories of employees. It is noted specifically in the minutes that there was a consensus amongst all the members present in the meeting. There was discussion on other topics such as suggestions for certain amendments to the said Act of 1948.

71. In the meeting held on 2nd January, 2016 again there was a detailed discussion about the draft notifications issued in respect of the security agencies. There is a reference to the objections raised to the draft notification. The proposal for rates of minimum wages has been incorporated in the minutes in which it has been recorded that out of the eleven members

present in the meeting, seven members have agreed for the proposals made by the Chairman.

72. In the meeting held on 25th April 2016, there was a discussion on various categories of industries such as electronic and electroplating industries, plastic, poly plastic, rubber, PVC pipe manufacturing and some other industries. Here again, the minutes show that there was an in-depth discussion and thereafter, the recommendations were made on the rates of minimum wages for different categories of employees. The decision taken includes the decision in respect of the employees of steel almiraha, tables, chairs and steel furniture industry and there is a reference to the several suggestions received which are reproduced in the minutes.

73. We have carefully perused the minutes of the meeting held on 13th May, 2016 wherein there was a discussion regarding the draft notification issued by the State Government in relation to sixteen industries. It refers to the suggestions made in respect of the draft notifications dated 14th January 2016 pertaining to various industries. The minutes deals with the draft notifications regarding various employers viz.,

Hospital and Nursing Home, Hotels, Construction, Cinema, Club, Distilleries, food processing as well as packing food items including packing of coffee and sambar items, glass and glassware, laundry, electronic and electro plating, timber depot, aerated water, public motor transport etc. The names of the participants, the gist of their suggestions and objections received from various parties are also incorporated in the minutes. The minutes, in detail, record the reactions and statements of various persons who were present. It records that out of sixteen members, fifteen members were present and after discussion, ten members have raised their hands favouring the draft notifications dated 14th January 2016 for revision of minimum wages for sixteen notified industries and for raise in the dearness allowance from four paise to five paise in case of all 16 draft notifications. The names of the representatives who voted accordingly have also been incorporated and the proposed rates of revised minimum wages in respect of various categories of employees of said sixteen industries have been set out. The minutes indicate that that the voting had indeed taken place. The minutes further provide that calculation of dearness allowance will be made

once in a year on the basis of the Consumer Price Index (CPI). The minutes record that the average CPI will be taken into consideration to determine the revision in the payment of dearness allowance. It is stated that the calculation on the basis of the CPI from January to December 2015 will be effective from first day of April, 2016.

74. On 15th December 2016, another meeting of the Advisory Board was held in which, four independent members, five representatives of the employees and six representatives of the employers participated. There was a debate in the meeting on the issue of fixing the rates of minimum wages in respect of the industries such as Private Hospitals and Nursing Homes, Road construction and management and maintenance of buildings. It is noted in the minutes that the representatives of the employees who were present in the meeting, with one voice, welcomed the action of fixing minimum wages of Rs.40,000/- to the Doctors, on par with the wages paid by the Employees' State Insurance Scheme (ESI). It is specifically recorded that more number of members present in the meeting have expressed their opinion that minimum wages for Doctors

and other personnel of private hospital and nursing home should be on par with the wages paid to the Doctors and other staff in ESI and the representatives of the owners who were present expressed their opposition. Though in the minutes it is recorded that as there was no consensus, the Board recommended to the Government to take suitable decision and issue final notification, the majority view is reflected from the minutes.

75. Similarly, after detailed discussion, the majority of the members expressed their opinion to fix the minimum wages of the Engineers working in the Roads Construction or Management and Maintenance of Buildings on the lines of the pay-scales of the Engineers of the Public Works Department. The representatives of the owners opposed the same.

In this meeting, there was also a discussion as regards the decision taken in the earlier meeting of taking the average consumer price index as 5780 points effective from first April 2016. Even on the said decision, there was a discussion in the meeting dated 15th December, 2016. It is noted that the representatives of the employers have stated that CPI has

been merged with 5780 points but in reality, it must be merged with 6205 points. As can be seen from the minutes, the majority was with the representatives of the employees. There was a decision taken regarding formation of the Committees and sub-Committees which has been disapproved by the learned Single Judge.

76. On 6th December 2017, there was a meeting of the Advisory Board attended by thirty three members. The representatives of KCCI, KSCI, Karnataka Employer's Association and representatives of some other organizations of Industries were present. The minutes of the meeting record that the objections and suggestions were received in respect of the scheduled 37 industries. It is noted that copies of draft notifications and suggestions and objections received by the Government to the draft notifications were already served to the members of the Board. The list of draft notifications has been incorporated in the minutes. views expressed by each and every member who actively participated in the meeting have also been recorded. The issue of retrospectively revising the minimum wages was also discussed. There was a

discussion based on the provisions of the Guardians and Maintenance and Welfare of Parents and Senior Citizens Act, 2007 and in the context it was suggested that the family should be in the domain of more than three units. The English translation of ultimate resolution passed by the Board records that the draft notifications fixing the rates of minimum wages for thirty seven (37) industries were discussed in the meeting from all angles and in the background of expert's opinion and suggestions, it was unanimously decided that the Karnataka State Government will take suitable and fair decision.

77. An argument was canvassed that there were no recommendations made in the meeting held on 6th December 2017. A perusal of the minutes will show that the views expressed by each and every member who participated in the deliberations in the meeting have been recorded and a recommendation was made to the State Government to take a decision after considering the views expressed in the meeting. Thus, the views of the members who attended the meeting of 6th December 2017 were before the Government. Apart from that, the Advisory Board was not expected to record reasons

and pass an order containing its recommendations like quasi judicial or judicial authority. The views expressed by the members of the Advisory Board and other factual details recorded in the proceedings were before the State Government. It is true that Rules 16 and 17 of the Karnataka Minimum Wages Rules, 1958 provide that the decisions of the Advisory Board shall be taken by majority of the votes of the members present and voting and that the voting shall be ordinarily by show of hands unless the Chairman decides to have it by a secret ballot. Both Rules 16 and 17 are procedural Rules. The non-compliance with the same will not vitiate the process especially when there was an elaborate consideration of the issues in the meetings of the Advisory Board and the views expressed were recorded in the minutes. The fact that the last meeting continued for only three hours is not a relevant consideration. There were elaborate deliberations in the earlier meetings as well. The object of setting up Advisory Board is to collect the data to enable the State Government to fix the rates of minimum wages. The elaborate discussions on the proposed rates were recorded in the minutes. Hence, it cannot be said that the action of the Government of fixing rates of

minimum wages is vitiated because there was no specific recommendation made by the Advisory Board. Consultation does not mean meeting between the members of the Advisory Board and Government officials. The material in the proceedings of various meetings of the Board was placed before the decision making authority of the State.

Assuming that there was any flaw in the consultation contemplated by Section 5 or in the procedure adopted by the Advisory Board, we will be guided by what is held by this Court in the case of *Mangalore Ganesh Beedi*(supra). This Court held that

“26. A notification fixing minimum wages, in a country like ours where wages are already minimal should not be interfered with under Article 226 except on the most substantial of grounds. The Act is a social welfare legislation undertaken to further the directive principles of State policy and action taken pursuant to it cannot be struck down on mere technicalities such as some irregularities in constitution of, or in procedure followed by the committee appointed under Sections 5(1)(a) and 9. In *Sree Kalyanarama Company Mine v. Government of India* [(1980) 56 FJR 79 (AP)(DB).] , the minimum wages notification was impugned, *inter alia*, on the ground that the increase in the minimum wages fixed by

that notification as compared to the earlier one was disproportionate and highly unreasonable. Rejecting that plea, a Division Bench of Andhra Pradesh High Court observed:

“.... It is not competent for this Court to go into and say as to what is the minimum wages *vis-a-vis* a particular industry or for that matter, *vis-a-vis* a particular category of employees. It is well-settled that it is perfectly competent for the concerned authorities to fix the minimum wage if it is in compliance with statutory requirements”.

27. The fixation of minimum rates of wages in respect of any scheduled employment by the appropriate Government is an administrative act which is final and not subject to judicial review on the question of the quantum of wages fixed on humanitarian ground. The notification fixing the minimum wages can be interfered by the Court only where the fixation of minimum wages by the appropriate Government is *ultra vires* the Act.”

(underline supplied)

Hence, following the aforesaid principles, it is not possible to interfere on the ground of procedural illegalities in the functioning of the Advisory Board or its constitution.

78. The note sheets produced by the State Government along with the memo dated 20th August 2019 show that on the

basis of the minutes of the meetings of the Advisory Board, the Deputy Secretary to the State Government in Labour Department prepared a note on 16th December 2017. The Secretary has signed it on the same day. Thereafter, there is a noting by the Deputy Secretary made on 20th December 2017 that there was a discussion with the Secretary. Thereafter, there is a note by the Deputy Secretary stating that records in respect of all the notifications be placed before the Hon'ble Minister for approval. There is a note dated 23rd December 2017 which records that after discussion with the Secretary, Labour Department, steps have been taken to submit all the notifications for the approval of the Hon'ble Minister. It further records that separate 37 files were maintained in respect of 37 employments. It also records that a separate proposed notification in respect of Cotton Ginning and pressing industry is prepared after a report was submitted by the Labour Commissioner. Thus, in all 37 files were before the Hon'ble Minister on 23rd December 2017. After considering the material, Hon'ble Minister approved the same.

The minutes of the proceedings of the Advisory Board along with the proposals for fixation of final rates of minimum wages were placed before the State Government and from the note sheet it appears that there were due deliberations at the level of Secretary of the State Government and necessary verification was made. Thereafter, the Hon'ble Minister approved the proposals on 23rd December 2016.

79. The State Government had the benefit of the views expressed by the members of the Advisory Board which were recorded in the minutes of meetings and the minutes were placed before the State Government. The noting made in the note sheets clearly indicates that at various levels, the issue was considered and ultimately, the Hon'ble Minister of the concerned department granted approval and thereafter, the impugned final notifications were issued.

80. The recommendations or the opinion of the Advisory Board, as can be seen from the Scheme of the said Act of 1948, always remain in the realm of opinion or advice and there is no statutory obligation on the part of the Appropriate Government to act upon the recommendations made by the

Board, for fixing or revising the rates of minimum wages. All that the proviso to Sub-Section (2) of Section-5 of the said Act of 1948 requires is that the State Government must consult the Advisory Board. The ultimate decision is with the State Government. Even prior to 6th December 2017, there were effective discussions in the meetings of the Advisory Board which we have discussed earlier. In the facts and circumstances, it is not possible for this Court to accept the argument canvassed that there was no effective consultation with the Advisory Board.

ISSUE OF CONSUMER PRICE INDEX:

81. There are arguments canvassed regarding the figure of the Consumer Price Index (CPI) which should be considered and that the action of the Government in merging CPI with 5780 points is erroneous. We must note here that as per the dictum of the Apex Court, when the rates of the minimum wages are fixed by the Appropriate Government, a writ Court cannot sit over in appeal, make a detailed factual scrutiny and examine the merits of the recommendations as well as the merits of the wage structure finally notified by the Government.

This Court does not have expertise to decide in what manner CPI should be computed for the fixation of the minimum wages and what should be the quantum of the minimum wages. But it is for the persons having expertise in the matter to take a call on that. A writ Court cannot act like an expert in the field and adjudicate on the said issues which should be normally left to the decision making authority which has the benefit of the opinion expressed by the members of the Advisory Board.

COST OF HOUSING

82. As regards the cost of housing (rent), the same has been taken as per the relevant housing scheme for the poor prevailing at that particular point of time. The rent is taken at the rate of Rs.4000/-, Rs.2750/- and Rs.2500/- per month in respect of Zone-1, 2 and 3 respectively. It is not in dispute that the Industrial Housing Scheme which was prevalent earlier is no longer in existence. The Apex Court in its decision has referred to the housing scheme which was in existence at that time. As pointed out by the State Government in its statement of objections, the said scheme is no longer in existence and therefore, scheme of Affordable Housing for the Urban Poor

introduced by the Ministry of Housing and Urban Poverty Alleviation has been rightly adopted, which prescribes an area of house of 300-400 square feet. Thus, the State Government has considered the concept of housing as per the existing scheme of Affordable Housing for the Urban Poor introduced by the Ministry of Housing and Urban Poverty Alleviation and has fixed the rates of rent. In any case, as of December 2017, the aforesaid rates of rent cannot be termed as unreasonable. Ultimately, what this Court is required to see is whether the rate of rent fixed by the Government is unreasonable and arbitrary. If we look at the rates fixed as quoted above, by no stretch of imagination, the rates can be termed as unreasonable which will amount to violation of Article 14 of the Constitution.

DIRECTION IN CLAUSE(3) OF THE NOTIFICATION REGARDING DEARNESS ALLOWANCE

83. Now we deal with the argument regarding direction to pay the dearness allowance in clause (3) of the impugned Notification. The dearness allowance has always a nexus with the Consumer Price Index (CPI). The argument is that the reasons given by the learned Single Judge for setting aside one percent (1%) addition by way of service seniority

allowance of the minimum wages are applicable even to the component of dearness allowance. The said argument is erroneous. The learned Single Judge has dealt with this argument stating that such allowances (1%) are paid for preserving the efficiency of an employee. The learned Single Judge took a view that including such an incentive in the concept of minimum wages is erroneous. He held that the appropriate Government was not competent to include 1% in the minimum wages. However, as far as the dearness allowance is concerned, it stands on a different footing, inasmuch as, it has direct nexus with the Consumer Price Index. The ultimate object of fixing or revising the minimum wages is that the employees must survive and therefore, the dearness allowance cannot be equated with the one percent (1%) incentives.

84. In the impugned final notifications, there is a direction in Clause (3) that in the event the rate of wage paid now is higher, the payment at the said rate shall be continued and increase in dearness allowance from time to time also shall be remitted. The first part of the said direction has been already set aside

by the learned Single Judge by the impugned judgment and order. The second part of clause (3) is a direction which is applicable only to the payment of higher wages in terms of the first part of clause (3). As the first part is set aside, the second part must go. To that extent, the appeals by the employers will have to be allowed.

However, the direction regarding payment of 4 paise per day for every point increase in the State average CPI over 5780 points cannot be disturbed. Perusal of the impugned notifications show that dearness allowance payable as per CPI prevailing is already taken into consideration while fixing the rates of minimum wages as it is mentioned that the rates published by the notifications are merged to the State average CPI (1960-100) 5780 points. In fact a direction has been issued that for every one point increase in future in State average CPI over 5780 points, the workers of all categories shall be paid dearness allowance at the rate of 4 paise per day. The basic rate of minimum wages includes dearness allowance. As on the date of the impugned notification, a separate amount is not made payable on account of dearness allowance. It is specifically observed that rates published by the notification

have been merged to the State average consumer price index (1960-100) 5780 points. Reliance is placed by the employers on the decision of the Apex Court in the case of **Airfreight Limited** (supra). As it is clear from the facts of the case before the Apex Court, in the final notification fixing rates of minimum wages, additional component of dearness allowance was added. The Apex Court observed thus:

“But while deciding the question of payment of minimum wages, the Competent Authority is not required to bifurcate each component of the costs of each item taken into consideration for fixing minimum wages, as lump sum amount is determined for providing adequate remuneration to the workman so that he can sustain and maintain himself and his family and also preserve his efficiency as a worker. Dearness allowance is part and parcel of cost of necessities. In cases where the minimum rates of wages is linked up with VDA, it would not mean that it is a separate component which is required to be paid separately where the employer pays a total pay package which is more than the prescribed minimum rate of wages.”

(underline supplied)

The said decision will not help the employers as in the notified rates dearness allowance is already included and there is no

separate component of the dearness allowance. The direction to pay 4 paise per day on every one point increase in State average CPI over 5780 points will apply if there is such increase in CPI after the date of notification. Hence, there is nothing wrong in the said direction and consequently, there is nothing wrong in the direction contained in paragraph (11) of the notifications.

INDUSTRIES NOT SPECIFICALLY COVERED UNDER ANY SPECIFIC ITEMS OF THE SCHEDULE

85. Some argument is made regarding the act of fixing rates in respect of some industries though the same are not covered by both the parts of the Schedule to the said Act. In the case of Airfreight Ltd (supra), in paragraph 14, the Apex Court observed thus:

“14. For considering this contention, we would first refer to the notifications issued by the State Government. By notification dated 27-1-1971/28-1-1971, the Karnataka State Government in exercise of powers conferred by Section 27 of the Minimum Wages Act directed that in Part I of the Schedule to the said Act, after Item 27, the following item shall be added, namely:

“28. Employment in shops and commercial establishments.”

Thereafter, in exercise of the powers conferred by sub-section (1) of Section 3 and sub-section (1) of Section 5 of the Act, the State Government has fixed the rates of minimum wages payable to the categories of employees who are employed in any kind of work throughout the State of Karnataka in any of the shops and commercial establishments as specified in the Schedule.”

(underline supplied)

In the same decision, the Apex Court gave a very wide meaning to the term commercial establishment. In paragraph 6, the Apex Court held thus:

“6. In our view the contention that the appellant Company is not covered by the expression “shops and commercial establishments” has no merit. It is admitted by the appellant Company before the Competent Authority (Labour Officer) that the appellant Company is engaged in import and export clearance and forwarding of cargo, travel and tourism, import, consolidate and courier services and is having several offices situated at various places including New Delhi, Bombay, Calcutta, Madras, Ahmedabad, Bengaluru etc. It is also admitted that it is registered as a commercial establishment which is engaged in courier, cargo, travel and related services. In the petition filed before the High Court, it was submitted by the appellant that the main activity of cargo division is handling incoming and outgoing shipment by

air concerning clearing and forwarding; the type of services rendered are processing of custom clearance and export formalities; booking of space of air shipment; consolidation of inward air cargo, international/domestic door to door express delivery of documents, parcels and packages; clearing and forwarding of goods entrusted to it for safe delivery by way of personal services and such other activities. For this purpose, the High Court has appreciated the evidence that was placed before the Labour Officer and we do not find any error that would call for interference. The High Court has also rightly referred to the common parlance meaning of the expression "shops and commercial establishment" on the ground that Item 28 is added in the Central Act where the said expression is not defined. In our view, the activities which are carried out by the appellant leave no doubt that they would be covered by the expression "shops" and/or "commercial establishment" as understood in the ordinary common parlance. What the appellant establishment is doing is purely a commercial activity with profit motive, hence, commercial establishment. It can also be termed as a shop where services are sold on a retail basis. For this purpose, it is not necessary to refer to various decisions of this Court in detail which deal with the meaning of the expression "shops and/or commercial establishment". In *Hindu Jea Band v. Regional Director, ESI Corpn.* [(1987) 2 SCC 101 : 1987 SCC (L&S) 88] a shop was held to be "a

place where services are sold on retail basis” and, therefore, making available on payment of a stipulated price the services of musicians employed by the petitioner on wages made the petitioner's establishment a “shop”. In *International Ore and Fertilizers (India) (P) Ltd. v. ESI Corpn.* [(1987) 4 SCC 203 : 1987 SCC (L&S) 391] the petitioner carried on activities facilitating the sale of goods by its foreign principals to the State Trading Corporation or the Minerals and Metals Corporation; it arranged for the unloading of such goods and their survey; upon delivery it collected the price payable and remitted to its foreign principals. These were considered to be trading activities, although the goods imported were not actually brought to the petitioner's premises but were delivered to the purchaser there and the premises was held to be a shop. In the case of *Cochin Shipping Co. v. ESI Corpn.* [(1992) 4 SCC 245 : 1992 SCC (L&S) 85] wherein the Company was engaged in the business of clearing and forwarding at the Port of Cochin situated in Willingdon Island the question was whether the establishment with the Company is a “shop” within the meaning of the expression as used in the notification under the ESI Act. The Court held that the Company was rendering service to cater to the needs of exporters and importers and others who want to carry the goods further. Therefore, it is a shop carrying on systematic, economic or commercial activity. Further, in the case of *ESI*

Corpn. v. R.K. Swamy [(1994) 1 SCC 445 : 1994 SCC (L&S) 586] the Court held that “the word ‘shop’ has acquired an expanded meaning and means a place where services are sold on retail basis”. The Court further observed that the Employees' State Insurance Act, 1948 was a beneficial legislation and, therefore, it was reasonably possible so to construe the word “shop” as to include the activity of an advertising agency within it.”

(underlines supplied)

None of the appellants who are falling in the category of commercial establishments have come out with the case that they are not carrying on commercial activities with the intention to make profit. Hence, there is no merit in this grievance.

ARGUMENT OF DISCRIMINATION BETWEEN DIFFERENT CATEGORIES OF EMPLOYMENTS AND THE ARGUMENT THAT THE RATES FIXED ARE HIGHER THAN THE RATES FIXED IN OTHER STATES

86. In some of the appeals, a grievance has been made that different yardsticks have been applied while dealing with different employments. There is a common argument that rates of minimum wages fixed in the State are higher than the rates

fixed in other States. In the case of ***Bhikusa Yamas Khatriya*** (supra), the Apex Court in paragraph 4 and 5 has held thus:

4. The plea that fixation of minimum rates by notification under Section 3 violates the fundamental freedom under Article 19(1)(f) is in view of the decisions of this Court not open to be canvassed by the appellants. But it is urged that in enacting Section 3(3)(iv) which conferred upon the State authority to fix varying minimum rates of wages for different localities, the legislature gave no indication of the matters to be taken into account for that purpose, and entrusted the State with arbitrary and uncontrolled power, exercise whereof was likely to result in discriminatory treatment between different employers carrying on the same business in contiguous localities. The Act undoubtedly confers authority upon the appropriate Government to issue notifications fixing and revising rates of minimum wages in respect of diverse industries for the whole or part of the State. Having regard to the diversity of conditions prevailing and the number of industries covered by the Act the legislature could obviously not fix uniform minimum rates of wages for all scheduled industries, or for all localities in respect of individual industries. Working out of detailed provisions relating to the minimum rates, the advisability of fixing rates for different industries, ascertainment of localities in which they were to be applied, and the time when they were to be effective, and

fixation of time rate, piece rate, or guaranteed time rate had from the very nature of the legislation to be delegated to some authority. In considering the minimum rates of wages for a locality diverse factors such as, basic rates of wage, special allowance, economic climate of the locality, necessity to prevent exploitation having regard to the absence of organisation amongst the workers, general economic condition of the industrial development in the area, adequacy of wages paid and earnings in other comparable employments and similar other matters would have to be taken into account. Manifestly the legislature could not ascertain whether it was expedient to fix minimum wages in respect of each scheduled industry for the entire territory or for a part thereof and whether uniform or varying rates should be fixed having regard to the conditions prevailing in different localities. Again of necessity, different rates had to be fixed in respect of the work performed by adults, adolescents, children and apprentices.

5. The object and policy of the legislature appear on the face of the Act. The object of the Act is to prevent exploitation of the workers, and for that purpose it aims at fixation of minimum wages which the employers must pay. The legislature undoubtedly intended to apply the Act to those industries or localities in which by reason of causes such as unorganised labour or absence of machinery for regulation of wages, the wages paid to workers were, in the light of the general level of wages, and subsistence

level, inadequate. Conditions of labour vary in different industries and from locality to locality, and the expediency of fixing minimum wages, and the rates thereof depends largely upon diverse factors which in their very nature are variable and can properly be ascertained by the Government which is in charge of the administration of the State. It is to carry out effectively the purpose of this enactment that power has been given to the appropriate Government to decide, with reference to local conditions, whether it is desirable that minimum wages should be fixed in regard to any scheduled trade or industry, in any locality, and if it be deemed expedient to do so, the rates at which the wages should be fixed in respect of that industry in the locality. By entrusting authority to the appropriate Government to determine the minimum wages for any industry in any locality or generally, the legislature has not divested itself of its authority, nor has it conferred uncontrolled power upon the State Government. The power conferred is subordinate and accessory, for carrying out the purpose and the policy of the Act. By entrusting to the State Government power to fixing minimum wages for any particular locality or localities the legislature has not stripped itself of its essential legislative power but has entrusted what is an incidental function of making a distinction having regard to the special circumstances prevailing in different localities in the matter of fixation of rates of minimum wages. Power to fix minimum rates of wages does not by itself invest the appropriate Government with authority to make unlawful discrimination between employers in different industries. Selective

application of a law according to the exigencies where it is sanctioned, ordinarily results in permissible classification. Article 14 forbids class legislation but does not prohibit reasonable classification for the purpose of legislation. If the basis of classification is indicated expressly or by implication, by delegating the function of working out the details of a scheme, according to the objects of the statute and principles inherent therein, to a body which has the means to do so at its command, the legislation will not be exposed to the attack of unconstitutionality. In other words, even if the statute itself does not make a classification for the purpose of applying its provisions, and leaves it to a responsible body to select and classify persons, objects, transactions, localities or things for special treatment, and sets out the policy or principles for its guidance in the exercise of its authority in the matter of selection, the statute will not be struck down as infringing Article 14 of the Constitution. This principle is well recognized: see *Kathi Raning Rawat v. State of Saurashtra* [(1952) SCR 435]"

(underlines supplied)

Even in the case of Chandra Bhawan Boarding (supra), this issue has been dealt with. In paragraph 16, it is held thus:

"16. The contention that the Government has no power to fix different minimum wages for different industries or in different localities is no more available in

view of the decision of this Court in *Bhaikusa Yamasa Kahatriya v. Sangamner Akola Taluka Bidi Kamgar Union*. [(1963) Supp 1 SCR 524] The fixation of minimum wages depend on the prevailing economic conditions, the cost of living in a place, the nature of the work to be performed and the conditions in which the work is performed. The contention that it was impermissible for the Government to divide the State into several zones is opposed to Section 3(3) as well as to the scheme of the Act.”

(underlines supplied)

Thus, in view of the law laid down by the Apex Court, the contentions raised by the employers deserve to be rejected.

THE CONTENTION THAT ZONES HAVE BEEN FIXED ARBITRARILY

87. Another contention of the employers is that the three zones adopted by the State are arbitrary. The grievance is that inclusion of Tumakuru in Zone I along with Bengaluru is irrational. The proximity in terms of distance of Tumakuru from Bengaluru, its accessibility from Bengaluru, the all around development in the outskirts of Bengaluru, etc may be the relevant factors. Even the fact that the area of Tumakuru falls in Municipal Corporation constituted under the Karnataka Municipal Corporations Act, 1976 is also one of the several

relevant considerations. In the case of Chandra Bhavan Boarding, the Apex Court has considered a similar argument in paragraph 17 which reads thus:

“17. On the basis of the material before us we are unable to say that the various zones had not been made on any rational basis. The Government has given good reasons in support of the steps taken by it. Bengaluru is the capital of the State and Mangalore is a major port. Therefore they may stand on a different footing. In matter like the preparation of zones we have to trust the State Government unless it is shown that collateral considerations have influenced its decision. No such plea was taken. The argument based on cost of living index showing that cost of living index was higher in several other towns in the State than Bengaluru or Mangalore is not a well founded argument. The cost of living is one thing, cost of living index is another. What is relevant is the former and not the latter. The latter depends on the base year, which is not the same in all the towns and the prices of certain selected goods in each of the towns concerned in the base year and thereafter which again is likely to differ from town to town.”

(underline supplied)

It is pointed out that in subsequent notifications, Tumakuru is placed in Zone 2. The considerations for placing a

particular area in a particular zone keep on changing with the passage of time. The Government is the best judge to decide which area should be included in which zone. It is not for the writ Court to decide which area should fall in which zone. Therefore, we cannot find fault with inclusion of the town Tumakuru in zone 1.

OTHER SUBMISSIONS

88. There was an argument canvassed that the State Government has constituted a Committee to reconsider the recommendations made by Shanthappa Committee and without waiting for the recommendations of the said Committee, the rates of minimum wages have been fixed. We may note here that the rates of minimum wages have been fixed after considering several factors. One of the factors taken into consideration while fixing the rates may be recommendations of the Shanthappa Committee. Merely because a Committee has been constituted for reconsideration of recommendations of Shanthappa Committee, the process of determination of rates of minimum wages is not vitiated even

assuming that the recommendations of Shanthappa committee have been considered.

89. Some criticism has been made that the minimum wage of doctors has been fixed at the rate of Rs.40,908.40/- per month. This rate is applicable from 30th December 2017. The deliberations in the Advisory Board to which a reference has already been made shows that the members were of the view that for determining the minimum wages of doctors, the wages fixed under the Employees' Insurance Scheme Establishments be taken into consideration. It is true that the minimum wages for doctors have been substantially increased. But, it cannot be said that as of 30th December 2017, the rate of minimum wages of doctors fixed as above is arbitrary or unreasonable or capricious.

90. Another criticism is made about the direction of the learned Single Judge to pay interest at the rate of 6% per annum on the minimum wages fixed from 30th December 2017. The learned Single Judge has given the reasons for the said direction. The impugned minimum wages notifications were not implemented on account of interim relief granted in the

petitions filed by the employers. After finding that there was no illegality in the rates of minimum wages fixed under the impugned notifications, for compensating the employees, this reasonable direction of payment of interest at the rate of 6% has been issued. The employees became entitled to wages at the revised rates from 30th December 2017. Hence, they are entitled to interest at the reasonable rate of 6% per annum.

91. In the case of Mangalore Ganesh Beedi (supra), this Court summarized the law on the limitations on interference with fixation of rates of minimum wages in writ jurisdiction under Article 226 of the Constitution of India. This Court held thus:

“31. Thus, it is well-settled that the notification fixing the minimum wages cannot lightly be interfered with by the High Court under Article 226 and that the High Court can interfere with such notification only where it finds the concerned appropriate Government has exceeded its jurisdiction and/or acted *ultra vires* the provisions of the Act.”

(underline supplied)

To conclude, except the issue regarding withdrawal of the notifications where the action of the State Government is

found to be *ultra vires* the said Act of 1948, we do not find any error in the view taken by the learned Single Judge as far as the challenge to the fixation of rates of minimum wages is concerned. The view taken by the learned Single Judge is within the four corners of the law as far as the rates are concerned. It cannot be said that while fixing the rates of minimum wages, the State Government has exceeded the jurisdiction vested in it or the action is *ultra vires* the provisions of the said Act of 1948. However, it is always open for the State Government to revise the rates of minimum wages after following the procedure under the said Act of 1948. The State Government can do so on its own or on the representation made by the employers. Hence, we pass the following:

ORDER

(i) The impugned judgment and order insofar as it relates to W.A.No.1520/2019 is hereby set aside and W.P.No.18621/2018 is allowed. The impugned notification dated 22nd March 2018 is hereby set aside and three final notifications dated 30th December 2017 as well as the preliminary notification dated 22nd February 2018 which were

the subject matter of the said order dated 22nd March 2018 stand revived. Hence, the notifications dated 31st October 2019 in relation to the employments covered by the four notifications subject matter of the order dated 22nd March 2018, are rendered inoperative;

(ii) The State Government shall take further steps on the basis of the draft notification dated 22nd February 2018 in accordance with Section 5 of the said Act of 1948 as expeditiously as possible;

(iii) This order will not prevent the aggrieved parties from challenging the three revived final notifications dated 30th December 2017 in accordance with law. Moreover, it will be always open for the State Government to undertake the revision of the rates of minimum wages fixed under the said three notifications dated 30th December 2017 in accordance with the provisions of the said Act 1948;

(iv) So far as writ appeals preferred by employers are concerned, the impugned judgment and order passed on the writ petitions filed by the employers stands confirmed with the modification that the entire Clause (3) of the impugned

notifications shall stand set aside subject to the observations and clarification made in paragraph 84 . Only to that extent, the appeals preferred by the employers are partly allowed;

(v) Considering the present situation, to enable the aggrieved parties to approach the higher Court, this Judgment will not be implemented for twelve weeks from today;

(vi) No orders as to costs.

Sd/-
CHIEF JUSTICE

Sd/-
JUDGE

VR