



**Circular No – 006 / 2024**

Date: 12.01.2024

**KEA IN THE NEWS**

**MINIMUM WAGE REVISION IN FOUNDRY: EMPLOYERS' BODY  
MOVES APPEAL AGAINST NOTIFICATION**

Deccan Herald Bengaluru, edition dated 12.01.2024 has published the above news report stating that "A division bench of the high court has directed that there shall be no precipitation in the matter after the single bench quashed the notification revising the rates of Minimum Wages in Foundry (with or without Machine Shop) Industry. The division bench headed by Chief Justice Prasanna B Varale has posted further hearing to February 23. The appeal was filed by Karnataka Employers' Association and two others challenging the September 26, 2023, single bench order in a petition filed by the All Indian Trade Union Congress and Engineering and General Workers' Union. The members of the appellants claimed to be under the ambit of The Minimum Wages Act in the scheduled employment of Foundry (with or without Machine Shop) Industry. They have been paying wages in accordance with the Minimum Wage Notifications issued from time to time, the appellants stated."

KEA is proud of this and is encouraged to continue to dedicate itself to the cause of employers in the State of Karnataka and continue its efforts with renewed enthusiasm and commitment.

1. A clipping of a news report published by Deccan Herald is given below:

## Minimum wage revision in foundry: Employers' body moves appeal against notification

**BENGALURU, DHNS:** A division bench of the high court has directed that there shall be no precipitation in the matter after the single bench quashed the notification revising the rates of Minimum Wages in Foundry (with or without Machine Shop) Industry. A division bench headed by Chief Justice Prasanna B Varale has posted further hearing to February 23.

The appeal was filed by Karnataka Employers' Association and two others challenging the September 26, 2023 single bench order in a petition filed by the All Indian Trade Union Congress and Engineering and General Workers' Union.

The members of the appellants claimed to be under the ambit of Minimum Wages Act in the scheduled employment

of Foundry (with or without Machine Shop) Industry. They have been paying wages in accordance with the Minimum Wage Notifications issued from time to time, the appellants stated.

The state government had issued a final notification dated July 28, 2022 revising the rates of minimum wages in respect of the scheduled employment of Foundry (with or without Machine Shop) Industry in exercise of its power conferred under Sec 3(1)(b) and 5(1)(b) of the Minimum Wages Act, 1948.

The appellants contended that associations representing the employers were not made parties in the writ petition proceedings before the single judge. It was claimed that whenever petitions are filed in matters concerning fixing or revising

minimum wages, the employers' representatives/associations are made parties along with the trade unions. It was the contention before the single judge that notification revising minimum wages was contrary to the guidelines prescribed by the Apex Court in Reptakos Brett case.

The appellants claimed that the government has the power to decide the minimum wage by one of the methods, either forming a committee under section 5(1)(a) or the Advisory Board route under section 5(1)(b) depending on the availability or otherwise of the data. It is submitted that as the government chose to follow the Advisory Board route under section 5(1)(b) there was no requirement to follow Reptakos Brett guidelines.

**For KARNATAKA EMPLOYERS' ASSOCIATION  
Sd/  
[B C Prabhakar]  
President**



+91 9449183208



Bengaluru, Karnataka



kea@kea.co.in