



Off : 26607167 / 42103360 / 26613091
Fax : 080-26500284
Email : kea@kea.co.in
Web : www.kea.co.in

KARNATAKA EMPLOYERS' ASSOCIATION

NO.74, SHANKARA ARCADE, VANIVILAS ROAD, BASAVANAGUDI
BENGALURU - 560 004
Reg. No. TU 507 / 20-3-1962

Date : 18-04-2014

CIRCULAR No.29/2014

To
All Members of the Association

**Sub: HON'BLE HIGH COURT HOLDS THAT COMPANY'S NAME BOARDS
NEED NOT BE IN KANNADA.**

Rule 24A of the Karnataka Shops and Commercial Establishment Rules provide as under;

"24A, Exhibition of name Board – The name Board of every establishment shall in Kannada and wherever other languages are also used, the versions in such other languages shall be below the Kannada version. The name Board in Kannada version shall be written more predominantly by providing more space than for other languages, if any".

Rule 26 provides penalty for contravention of the Rule 24A. Some of the establishments who had spent substantial amount in display of sign boards of the company were directed by the Labour Department to remove all the sign board and display fresh name boards printed in Kannada. Some of the establishments who were aggrieved by the directions of the Labour Court challenged the rule itself by filing Writ Petition before the Hon'ble High Court of Karnataka. Vodofone which has operation in over 60 countries throughout the globe also filed the Writ Petition in W.P.No.1901/2009. The main contention in the petition was that the rule framed is not contemplated under the provisions of the Act. The learned single judge quashed the above rule by its order dated: 5.8.2009.

The Government and the Department of Labour challenge the decision of the Learned Single Judge by filing Writ Appeal in W.A N03428/2009. The Hon'ble Division Bench by its order dated: 17.3.2014 upheld the orders of the learned single judge and held as under;

"The learned Single Judge after considering the aims and objects of the Act and the Amended Rules and in consideration various decisions cited by the learned counsel appearing for both the parties, has allowed the writ petition. Therefore, this Court cannot hold that an error is committed by the learned Single Judge, more particularly, in the background of the Act. When an Act is enacted to regulate the working conditions of the common workmen and employees working in the shops and commercial establishment in Karnataka, the State could not have framed the rules in the manner in which the name board of such establishments shall be there. Therefore, we do not find any merit in this appeal. Accordingly, the appeal is dismissed."

for KARNATAKA EMPLOYERS' ASSOCIATION

sd/-
(B.C. PRABHAKAR)
PRESIDENT