

High Court comes to the rescue of beedi industry workers

- Special Correspondent

The Madras High Court Bench here has dismissed a batch of writ appeals filed by Beedi (country cigarette) manufacturers, including the famous Kajah Enterprises of Tirunelveli and Mangalore Ganesh Beedi Works based in Mysuru, with regard to a dispute over payment of wages less than that prescribed by the Minimum Wages Act, 1948.

Justices K.K. Sasidharan and B. Gokuldas rejected the appeals after holding that a competent authority under the Minimum Wages Act had rightly directed the employers to pay differential wage with penalty since the manufacturers themselves had conceded to have paid wages only as per a settlement reached between them and the employees and not as per the Act. Dismissing the appeals pending since 2008, the Bench also said that it did not find any infirmity in a single judge of the High Court having dismissed writ petitions filed by the manufacturers challenging the order of the authority under the Minimum Wages Act. "It is very clear that payment of wages in accordance with the settlement had resulted in short payment," the judges said.

Along with the appeals, the judges also took up a writ petition filed by Southern Cottage Beedi Manufacturers Association based in Tirunelveli Town seeking a direction to the Labour Secretary and Commissioner to fix minimum wages, for workers (other than those involved in beedi rolling) of beedi industries, zone-wise based on cost of index of either Madurai or Nagercoil.

Disposing of the writ, the Bench said: "There is no question of issuing a Mandamus directing the Government to exercise its power in a particular manner. The petitioner cannot be heard to say that the government would not follow the law while fixing the minimum wages.

"In fact, the learned Additional Advocate General K. Chellapandian fairly submitted that in case a representation is made by the petitioner association, the same would also be considered while fixing minimum wages.... We make it clear that the authority shall fix the minimum wages in accordance with the provisions of the Minimum Wages Act."

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