

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No. OF 2026

(@ SPECIAL LEAVE PETITION (CIVIL) No.8375/2024)

THE PRINCIPAL SECRETARY, COMMERCE
AND INDUSTRIES DEPARTMENT & ORS

..... APPELLANT(S)

VERSUS

THE WORKMEN OF MYSORE PAPER MILLS
LTD. & ANR.

..... RESPONDENT(S)

O R D E R

1. Leave granted.

2. We have heard Mr. Sanjay Hegde, learned senior counsel for the appellant-State of Karnataka; Mr. Colin Gonsalves, learned senior counsel for the workmen; and Mr. Siddarth Agarwal, learned counsel for the management.

3. The workmen were engaged as forest watchers in the Mysore Paper Mills which is a Government of Karnataka undertaking. An industrial dispute arose pursuant to which the appropriate Government i.e., Government of Karnataka made a reference on 22.09.2005 under Section 10(1)(d) of the Industrial Disputes Act, 1947 to the Industrial Tribunal at Bangalore. The reference was made on the following questions:

1. Is the Mysore Paper Mills Forest Employees' Association, 5th Cross, Jail Road, Channel's Left side, Shimoga District, Mysore Paper Mills Forest Employees Union, Araga,

Thirthahally, represented by its General Secretary justified in demanding M/s Mysore Paper Mills Limited, Paper Town, Bhadravathi, Shimoga District to regularise the services of 529 Forest Field Watchers (workmen) mentioned in the list annexed to the reference order?

2. If not, to what relief the said workmen are entitled?

4. The said reference was registered as A.I.D. No. 16 of 2005 and was heard by the learned Additional Industrial Tribunal at Bangalore ('Industrial Tribunal' hereinafter). By the order dated 25.07.2008, the Industrial Tribunal passed the following award:

AWARD

Though the Ist Party workmen have been engaged by Mysore Paper Mills to work in Forest Divisions, since prior to 1992, they are not entitled for being absorbed against the posts of Forest Plantation Watchers and Drivers. They are entitled for wages and other benefits available to a workman under Industrial Disputes Act and as provided from time to time under settlement, reached between workmen and the IInd Party management.

5. The workmen assailed the aforesaid award before the High Court of Karnataka at Bangalore (briefly the 'High Court' hereinafter) in WP No.14012 of 2008 as well as in WP No.13284 of 2008. In the first writ petition i.e., WP No.14012 of 2008, the State of Karnataka and its concerned officials were arrayed as respondent Nos. 2, 3 and 4. The management also filed a writ petition assailing the award being

WP No.36195 of 2009. All the three writ petitions were heard together and were disposed of by a common order dated 14.12.2022.

6. In the writ proceedings before the learned Single Judge, learned counsel appearing for the workmen made a submission before the writ court that the workmen would not press for regularization or absorption of their service. Based on such submissions, learned Single Judge framed the following question for determination:

Whether the members of the petitioner Association would be entitled to the same wages as paid to Forest Watchers by the Forest Department on the principle of equal pay for equal work?

7. Ultimately, learned Single Judge while disposing of the three writ petitions, set aside the award and directed the State of Karnataka to make payment of wages to the workmen at the minimum of pay-scale granted to the Forest Watchers employed by the Forest Department, Government of Karnataka. Relevant portion of the order dated 14.12.2022 is extracted hereunder:

ORDER

1. W.P.Nos.14012/2008 and 13284/2008 are partly allowed in terms of the answer to point No.1.

a. The award passed by the Additional Industrial Tribunal, Bengaluru in AID No.16/2005 dated 25.07.2008 at Annexure-L is quashed.

b. The Respondent State is directed to make payment of wages (at the minimum of pay scale at the lower cadre in the regular pay scale)

extended to the Forest Watchers employed by the Forest Department from the date of publication of Vidheyaka on 20.02.2018 till date and going forward, in respect of the persons named in the Vidheyaka unless they having been superannuated.

c. The above payment to be made within a period of three months from the date of receipt of copy of this order.

d. The petitioner is permitted to serve a copy on the respondents. In the event of the respondents having any doubt about the order, the QR code appended to the judgment could be scanned to verify the authenticity or veracity of the judgment as also the contents thereof.

e. It is made clear that there is no opinion expressed as regards the regularization and/or absorption of the members of the petitioner-Union.

ii. W.P.Nos.36195/2009 is dismissed.

8. State of Karnataka being aggrieved by the aforesaid order of the learned Single Judge dated 14.12.2022 preferred Writ Appeal No.842 of 2023 before the Division Bench of the High Court. After thorough consideration of all aspects of the matter, the Division Bench dismissed the writ appeal *vide* the impugned judgment and order dated 03.01.2024 further granting a period of 3 months to the State to comply with the directions of the learned Single Judge.

9. It is this order which has been impugned in the present proceedings.

10. In the related Special leave petition, this Court had issued

notice *vide* order dated 15.04.2024 and had stayed the operation of the impugned judgment and order dated 03.01.2024.

11. In the course of the hearing today, our attention has been drawn to the Karnataka Daily Wage Employees Welfare Act, 2012. As per the preamble to the aforesaid Act, the same has been enacted to provide minimum security of tenure, better wages and certain social securities on termination from long public service to those category of daily wage employees who had rendered service for more than 10 years. As per Section 3(1) of the aforesaid Act, the daily wage employees in the establishments which would be notified by the State Government under the aforesaid Act shall be continued on daily wage basis till completion of 60 years of age. As per sub-Section (2), the State Government was mandated to notify the names of eligible daily wage employees of all establishments for the purpose of sub Section (1) within one year from the date of commencement of the Act.

11.1. Section 4(1) of the Act specifically provides that the pay of a daily wage employee within the ambit of the Act shall be the minimum of the time scale of pay of the post in which he is continued in service. He would also be entitled to various other entitlements and leaves as may be determined by the Government from time to time.

12. As per notification dated 20.02.2018, which has been revised from time to time revising the pay scale of the workmen, issued by the Ministry of Commerce and Industries, Government of Karnataka, the daily wage employees who have worked in M/s. Mysore Paper Mills Limited which came under the jurisdiction of the Commerce and

Industries Department for not less than 10 years and who were still working, have been notified. This notification contains the names of all the workmen of Mysore Paper Mills Limited whose industrial dispute was referred to the Industrial Tribunal for adjudication.

13. In the circumstances, we do not find any good ground to interfere with the order of the learned Single Judge as well as the impugned judgment and order of the Division Bench.

14. Accordingly, the Civil Appeal is dismissed.

15. Pending application(s), if any, shall stand disposed of.

.....J.

(UJJAL BHUYAN)

.....J.

(ATUL S. CHANDURKAR)

NEW DELHI;
September 17th, 2026.
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S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No. 8375/2024

[Arising out of impugned final judgment and order dated 03-01-2024 in WA No. 842/2023 passed by the High Court of Karnataka at Bengaluru]

THE PRINCIPAL SECRETARY, COMMERCE AND INDUSTRIES DEPARTMENT & ORS.
Petitioner(s)

VERSUS

THE WORKMEN OF MYSORE PAPER MILLS LTD. & ANR. Respondent(s)

FOR ADMISSION

Date : 17-09-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s) : Mr. Sanjay Hegde, Sr. Adv.
Mr. Prateek Chadha, A.A.G.
Mr. Sanchit Garga, AOR
Mr. Kunal Rana, Adv.
Mr. Shashwat Jaiswal, Adv.
Ms. Diksha Arora, Adv.
Mr. Bhanu Pratap Singh, Adv.
Mr. Vijender Kumar, Adv.
Ms. Oorja Goel, Adv.

For Respondent(s) : Mr. Colin Gonsalves, Sr. Adv.
Mr. Manik Gupta, Adv.
Ms. Puja Sharma, AOR

Ms. Hetu Arora Sethi, AOR
Ms. Lalit Mohini Bhat, Adv.
Mr. Siddarth Agarwal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. Civil Appeal is dismissed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

(IRAMNAZ)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)

(signed order is placed on the file)