

Supreme Court of India

Kanta Devi vs State Of Haryana on 15 April, 1993

Equivalent citations: 1994 SCC, Supl. (2) 508

Author: Ahmadi

Bench: Ahmadi, A.M. (J)

PETITIONER:

KANTA DEVI

Vs.

RESPONDENT:

STATE OF HARYANA

DATE OF JUDGMENT 15/04/1993

BENCH:

AHMADI, A.M. (J)

BENCH:

AHMADI, A.M. (J)

YOGESHWAR DAYAL (J)

CITATION:

1994 SCC Supl. (2) 508

ACT:

HEADNOTE:

JUDGMENT:

WITH ELECTRIC CONSTRUCTION AND EQUIPMENT CO. LTD. V. STATE OF HARYANA ORDER Having heard Mrs Shayamla Pappu at length, we are not persuaded that any interference is called for in these two appeals. All that has been insisted upon is that if the category of Learners is brought into existence then the payment to that category shall not be less than the lowest minimum wage prescribed for an unskilled worker in that industry. We propose to make it clear that we do not go into the question whether the relationship of master and servant comes into being if any one is placed in the category of a Learner. All that the Department says is that although under the provisions of the Minimum Wages Act the category of Learners has not been included therein, if an industry creates such a category, it will not be permitted to pay less than the minimum for the lowest level employee in that industry, namely, an unskilled workman. The basic idea is to avoid exploitation by the management by creating different category outside the recognised categories of workers in respect of whom minimum wages are fixed under the law. This being the objective, we do not see any reason why we should interfere with the order of the court below. Hence, both appeals are dismissed with no order as to costs.