

**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

[INTERNET AND MOBILE ASSOCIATION OF INDIA (IAMAI) AND  
OTHERS VS. STATE OF KARNATAKA AND OTHERS]

03.07.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE M.NAGAPRASANNA

**ORAL ORDER**

The petitioners, led by the Internet and Mobile Association of India, are at the doors of this Court calling in question the constitutional validity and operational enforcement of the legislation promulgated by the State Government, namely, the **Karnataka Platform Based Gig Workers (Social Security and Welfare) Act, 2025** (hereinafter referred to as "*the Act*" for short).

2. Sri C.K. Nandakumar, learned senior counsel, and Sri Dhyan Chinnappa, learned senior counsel, appearing for the petitioners, would vehemently contend that the impugned enactment trenches upon a field already occupied by parliamentary legislation. Their principal submission is that the Union of India has already enacted a comprehensive framework in the form of the **Code on Social Security, 2020** (hereinafter

referred to as "*the Code*"), which encompasses within its fold gig workers, platform workers, workers in the unorganised sector, and other similarly situated classes of labour.

3. The learned senior counsel taking this Court Taking this Court through the provisions of the Code, learned senior counsel submit that the very subject sought to be regulated by the State legislation already stands subsumed within the parliamentary enactment. According to them, though labour welfare may lie in the Concurrent List, the State enactment unmistakably invites the rigours of **Article 254 of the Constitution of India**, as the State law, in their submission, runs into direct repugnancy with the law enacted by Parliament.

4. Learned senior counsel would further submit that though the Act came into force on 11.09.2025, its implementation was not aggressively insisted upon until recently. It is urged that a series of communications and representations had been exchanged between the petitioners and the State authorities, requesting a reconsideration of the statutory framework on the ground that it directly overlaps with the occupied legislative field covered by the Code. They therefore seek interim protection, if not against the Act itself, at

least against all consequential notices and coercive steps issued pursuant to the Act.

5. *Per contra*, Sri Shashikiran Shetty, learned Advocate General appearing for the State, would stoutly refute the submissions advanced on behalf of the petitioners. He would contend that there exists no conflict, much less repugnancy, between the parliamentary Code and the State enactment. According to the learned Advocate General, the petitioners cannot feign surprise, nor can the legislation be portrayed as a bolt from the blue.

6. The learned Advocate General would submit that even prior to the promulgation of the legislation, the petitioners themselves had participated in extensive deliberations concerning the welfare architecture for gig workers, including deliberations on the welfare contribution relatable to each ride undertaken by delivery personnel and riders. Having participated in such consultations, the petitioners, according to him, cannot now turn around and challenge the legislation on grounds of repugnancy.

7. He would further contend that similar welfare legislations had already been introduced in other States during

the years 2023–2024, including the States of Rajasthan, Bihar and Telangana. According to him, the very entities who now stand before this Court are complying with such welfare measures in those States and are making requisite contributions. He submits that documentary material to that effect would be placed on record.

8. This assertion, however, is seriously disputed by learned senior counsel for the petitioners, who submit that they are unaware of any such implementation in the States referred to by the learned Advocate General.

9. Sri Arvind Kamath, learned Additional Solicitor General of India, appearing on behalf of the Union of India, would support the challenge laid by the petitioners. He submits that the impugned State legislation is in direct conflict with the provisions of the Code and therefore squarely attracts the doctrine of repugnancy under Article 254 of the Constitution. According to him, a provision-by-provision examination would reveal substantial overlap, if not replication, between the Code and the impugned Act. He therefore submits that the State enactment cannot be permitted to operate in the teeth of the constitutional mandate.

10. For proper adjudication of these competing submissions, filing of a detailed statement of objections by the State Government becomes imperative. Learned Advocate General seeks time to file such statement of objections.

**11. At this stage, the issues that arise for consideration are of considerable constitutional and social significance. The question is whether the twin legislations—each professedly born from the womb of social justice and intended to secure welfare for gig workers—can coexist harmoniously, or whether one must yield to the other by operation of constitutional doctrine. The answer to that question must await final adjudication after pleadings are complete.**

**12. Equally pressing is the issue concerning coercive consequences that may visit the petitioners should they fail to comply with the obligations imposed under the Act during pendency of these proceedings.**

13. The learned Advocate General submits that the contribution contemplated under the Act is modest in monetary terms: ₹0.50 per ride for a two-wheeler delivery, ₹0.75 per ride for a three-wheeler, and ₹1 per ride for a four-wheeler.

According to learned Advocate General these contributions are intended solely for the welfare and social security of delivery personnel and riders who constitute an economically vulnerable class.

14. Learned senior counsel for the petitioners do not dispute that such welfare measures may ultimately benefit gig workers. Their contention, however, is that the benefit remains presently theoretical, for no concrete scheme has yet been framed governing disbursement or utilisation of the collected funds. In the absence of a formulated scheme, they contend, compulsory contribution serves no immediate welfare purpose.

15. The learned Advocate General, on the other hand, submits that any complete interdiction of collection would irreparably prejudice gig workers whose welfare the legislation seeks to secure.

16. At this stage, learned senior counsel submitted that deposit before this Court would prematurely deplete the petitioners' coffers and impact their financial statements. This Court is unable to accept the submission in its entirety.

**17. The amount demanded by the State is not sought as charity, benevolence, or voluntary contribution. It is demanded pursuant to a statutory mandate flowing from a duly promulgated legislation. That legislation is presently under constitutional scrutiny before this Court.**

18. Therefore, in order to balance the equities between the petitioners, the State, and the class of gig workers who may ultimately become beneficiaries of the welfare measure, this Court directs that the contribution relatable to the previous quarter shall be deposited before this Court on or before **23.07.2026.**

19. The statement of objections shall be filed on or before **31.07.2026.**

20. Re-joinder if any, to the statement of objections by **10.08.2026.**

21. In the interregnum, and in view of the aforesaid directions requiring preservation and deposit of the disputed amount, **no coercive steps shall be taken against the petitioners until the next date of hearing.**

22. List this matter on **14.08.2026** for further hearing.

**(M.NAGAPRASANNA)**  
**JUDGE**

nvj

List No.: 3 Sl No.: 23