

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Civil Writ Petition No. 8986/2021

G4S Secure Solutions (India) Pvt. Ltd.

-----Petitioner

Versus

State Of Rajasthan

-----Respondent

For Petitioner(s)	:	Mr. Pallav Shishodia, Sr. Advocate assisted by Mr. Ankit Popli through VC Mr. Deepak S. through VC Ms. Shweta Bharti through VC Mr. Sukrit R. Kapoor through VC
For Respondent(s)	:	Mr. C.L. Saini, AAG through VC

**HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI
HON'BLE MR. JUSTICE SAMEER JAIN**

Order

20/01/2022

The petitioner has challenged the notification dated 30.07.2021 prescribing revised minimum wages only to the extent that such revised wages are applied with retrospective effect. In other words the petitioner challenges the applicability of the notification with effect from 01.07.2020.

Learned senior counsel for the petitioner submitted that the draft notification inviting objections specified that the minimum wages that may be revised would be applicable from the date of publication of final notification. The petitioner had no representation to make in relation to prospective revision of the minimum wages. Even today the petitioner has not challenged the revised rates of minimum wages for the prospective period. However he contended that the Government in exercise of powers under Section 5 of the Minimum Wages Act, 1948 does not have

the power to apply the revision in the minimum wages with retrospective effect. In any case it would be impossible for the industry to carry an additional burden of higher wages for the past period when its contracts with other agencies had factored in the then existing minimum wages.

Issue requires consideration, hence the petition is admitted.

Interim relief granted earlier shall continue till final disposal of the petition. The application for vacating the stay is dismissed.

(SAMEER JAIN),J

(AKIL KURESHI),CJ

KAMLESH KUMAR /72

