

ARVIND LIFESTYLE BRANDS LIMITED

A MEMBER OF THE LALBHAI GROUP

Du Parc Trinity, 8th Floor, 17, M.G. Road, Bangalore - 560 001

Tel : 91-80-4155 0650, Fax : 91-80-4155 0651

Website : <http://www.arvindmills.com>

**BEFORE THE ADDITIONAL LABOUR COMMISSIONER AND CONCELATION
OFFICER ,
INDUSRTIAL RELATIONS**

Karmika Bhavana Bannerughatta road Bangalore-560029

Case No IDA-1/CR-38/2020-21, dated 27.08.2020

BETWEEN

GARMENT AND TEXTILE WORKERS UNION

No 17/1 1st floor (next to balalji Kalyana Mantapa)

Gudadhahalli, Mysore road

Bangalore -560026

AND

Management of ARVIND LIFESTYLE BRANDS LIMITED

8th floor, Duparc Trinity Building,

17 M G Road, Banglore-560001

**OBJECTIONS FOR THE CLAIM PETITIONS dated 26.08.2020 made by the First
Party Union (GATWU)**

- 1 M/s Arvind Lifestyle Brands Limited is in the business of retailing, marketing and distribution of branded apparels and accessories having its retail outlets all over the country. We have a warehouse in Archakarahalli, Ramanagara District Karnataka. The finished goods of the readymade garments is brought to the warehouse in bulk, boxes. It will be unloaded opened and segregated, repacked in different quantities based on the need of our different outlets and showrooms these boxes will be sent to them accordingly.
2. The very nature of work in the warehouse is what exactly we have explained in para 1. Since it is a need based work and involves no skill we have engaged contract labours to do this work and wherever it is required we have employed our own staff to supervisor, guide and to look after the overall work.
3. We totally do not accept and we do deny the claim of the Union regarding recognising the Contract employees as Permanent workers. We have entered into a valid contract with the vendors and have registered in accordance with the Provisions of the Contract Labour (Regulation and abolition) Act and the Contactors also have obtained

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valid Licence to ~~deploy the contract employees~~ in our premises to work as per the above said Act.

4. The very nature of work over there is unskilled and any length of service would not help the person to gain additional experience and every work is pre monitored.
5. We have ensured that all the contract employees deployed to work in our establishment are paid minimum wages as applicable or even more, welfare benefits like Provident fund, ESI etc., along with the statutory bonus. The contractor has informed that he is paying gratuity also to the eligible employees who leave the service.
6. These employees are also paid overtime wages in accordance with Law, in case they happen to work extra hours under the circumstances the claim made by the First Party Union is false, baseless, fabricated and far from the truth. Hence the claim made is denied in toto.
7. As we all are aware, the Covid19 pandemic has adversely effected the entire fashion retail industry. As a result of which we are realigning few of our warehouses and surrendering few other warehouses as well.
8. The First Party Union cleverly have ignored their immediate employers and have tried to attack the principle employer to achieve their goals unlawfully. The question of issuing appointment letter or the copy of the certified standing orders of the company does not arise as there is no direct employee and employer relationship between the contract employees and the second party management.
9. It is unfair and pressure tactics to claim themselves as de-facto permanent employees as it is very clear even in the books of records of the contractors that these employees are on their roles and they were never on the rolls of our company. Hence the claim made by the First party has no bearing and it is far from reality.
10. The allegations made by the First Party saying that the Contract employees are deprived their rights and the management has fabricated and contracted is false and baseless. On the contrary to get their cake baked they have made false allegations against the management and have mislead this honourable authority with the false and mischievous allegations which are fabricated to cover up there short falls.
11. The second party management neither have any intention to nor have deprived the legitimate rights of any employee. The very classic example itself is they forming the Union. It is also clearly seen the contract employees going on the tool down strike every now and then putting fourth unwanted demands. Conciliation meetings held before the Labour Officer Ramanagaram in this regard itself reflects the high handedness of the First party employees and their union.

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12. The second Party management of Arvind Lifestyle Brands Limited has ensured from all aspects that all legal dues and benefits are given to the employees deployed to work in their premises and the records of the vendors are checked periodically to ensure the same. At any given point of time we do not violate the Provisions of the Law of the land and we ensure that we abide the same. The very petition made by the First Party Union clearly reflects that they are digging the ground to create a base in order to achieve their ulterior motives for which they have misguided these honourable authorities by not disclosing that both the Principle Employer and the Contractors have obtained valid registration and Licences. The employees engaged by the Contractors are paid Minimum wages and are covered under the provisions of PF and ESI Act. That the employees are paid bonus annually and the resigned eligible employees are paid gratuity.
13. The contract employees and the union have got the very bad habit of creating scene in the work place for nothing. Going on lightning tool down strike. Inciting other workmen to not to do their normal work. Abusing the supervisors with filthy language. Calling external forces, committees and media to tarnish and destroy the reputation of the company knowingly that they have to earn their bread form this company which reflects their attitude. This being the situation the question of unfair labour practice is only a mockery.
14. More than 2/3rd of the contents of this claim are repeated only in order to perhaps impress this honourable authority. They have seldom realised that all these claims are their imaginary brain child and has no existence in reality.

Under the above explained circumstances we categorically deny all the claims made by the First Party Union and we emphatically deny the claims made by them as they are fabricated with ulterior motive and they are far from reality.

We therefore humbly request this honourable authority to drop this matter in the interest of justice and fair play where by the precious time of this honourable court and others can be saved. We also request permission to submit additional documents if need be.

Thanking You,

For Arvind Lifestyle Brands Limited


Authorised Signatory

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