

PRINCIPLES OF CONSTITUTION AND ITS APPLICABILITY IN GRSE LTD.

1. Garden Reach Shipbuilders & Engineers Ltd. (in short “GRSE”) is a Government Company within the meaning of the Companies Act 2013. The Hon’ble President of India acting through the Government of India holds 74.5% shares of the paid up capital of the Company. GRSE functions under the administrative control of the Ministry of Defence and the policies/guidelines issued by Deptt. of Public Enterprises, Government of India are applicable to it.

2. Accordingly being under the majority control of the Government of India GRSE is classified as a “State” within the meaning of Article 12 of the Constitution of India, which is now a settled position in view of the various pronouncements of the Hon’ble Supreme Court of India.

3. Therefore being a State and/or a Public Authority as per the Constitution of India GRSE follows the principles enshrined in the Constitution of India as are applicable to GRSE. Some of the provisions of the Constitution of India that are interalia applicable and followed by GRSE are highlighted hereunder:

(i) Part –III of the Constitution that deals with Fundamental Rights in general with the following provisions in particular

(a) **Article 14** : Equality before law

(b) **Article 16** : Equality of opportunity in matters of public employment
(This Article also provides for reservation of posts for SC, ST & OBC’s in employment)

(c) **Article 19 (1) (c)** : Right to form associations or unions

(d) **Article 24** :Prohibition of employment of children in factories

(ii) **Article 42** : Provision of just and humane condition of work and maternity relief

(iii) **Articles 148-151** : Related to Comptroller and Auditor General of India
(Check & Balance)

4. GRSE follow interlia the above Constitutional provisions which are applicable to it being a State as aforesaid.
