



Secretariat,
Chennai-9

LABOUR AND EMPLOYMENT DEPARTMENT

Letter No.9172/K2/2015 - 6, dated 30.05.2016

From

Thiru. Kumar Jayant, I.A.S.,
Principal Secretary to Government.

To

✓ Thiru. S.Karpagavinayagam,
Organiser,
Puthiya Jananayaga Thozhilalar Munnani,
No.110/63, NSK Salai,
Kodambakkam, Chennai – 24.

Sir,

Sub: IT Companies – Enforcement of Labour Law in IT
Companies and demands of Puthiya Jananayaga
Thozhilalar Munnani – report called for – Reg.

Ref: Your petition dated 24.03.2015.

I am directed to invite attention to your petition in the reference cited wherein you have raised certain demands and requested appropriate action of the government.

2. On the above demands I am to inform you as follows:-

- (i) All the Labour Welfare Legislations are applicable to all the IT and ITES companies and they are being monitored by the enforcement officials for proper implementation of Labour legislations and thereby ensures the welfare of the employees. The IT company employees also are free to form trade union and can redress their grievances through evoking the provisions of Industrial Disputes Act 1947. It is also informed that, no IT industry has been exempted from the provisions of Industrial Disputes Act 1947. The affected employees can approach the conciliation officers to redress their problems regarding retrenchment or termination or for

any other grievance. Any trade union with the IT employees as its members can rise industrial disputes under section 2(k) of the Act and seek remedy.

- (ii) The Inspectors of Labour are inspecting IT companies. In case of any contravention of the provisions of the Act, IT employee may approach the concerned conciliation officer through their union and file an Industrial Dispute against the erring employer.
- (iii) It is also informed that routine inspections are being carried out by the Inspectors. In case of emergent situation, a team of officials will inspect the IT firm depending upon the magnitude of the problem. As a trade union, the union will be informed by its members regarding any grievance. The trade union can represent it to Labour Department / Government.
- (iv) The Government cannot organize public hearing, since alternate remedies through different forums are statutorily available. It is open for the employee and trade union to approach appropriate forums and seek remedy.
- (v) It is pertinent to note that already 9 IT employees have sought remedy for their non-employment issue under the Industrial Disputes Act, 1947. Hence no further action in this regard is required at, Government level.

Yours faithfully,


for Principal Secretary to Government


30.5.16

30.5.2016