

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
RAJYA SABHA
UNSTARRED QUESTION NO. 90
TO BE ANSWERED ON 02.02.2023**

UNETHICAL AND ILLEGAL LAYOFFS OF EMPLOYEES

90. SHRI VIKRAMJIT SINGH SAHNEY:

Will the Minister of Labour and Employment be pleased to state:

- (a) whether Government is aware about the unethical and illegal layoffs of the employees by the online retailers, if so, the details thereof;**
- (b) the number of people laid off by such online retailers during the last five years, year-wise;**
- (c) the details of steps taken by Government to address this issue during the last five years, year-wise;**
- (d) whether Government has conducted any study on unethical and illegal layoffs by companies, if so, the details thereof and if not, the reasons therefor; and**
- (e) the details of Government guidelines for layoffs by companies?**

ANSWER

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)**

(a) to (e): Matters relating to lay-off and retrenchment in industrial establishments are governed by the provisions of the Industrial Disputes Act, 1947 (ID Act) which also regulates various aspects of lay-off and conditions precedent to retrenchment of workmen. As per the ID Act, establishments employing 100 persons or more are required to seek prior permission of the appropriate Government before effecting closure, retrenchment or lay-off. Further, any retrenchment and lay-off are deemed to be illegal which is not carried out as per the provisions of ID Act. ID Act also provides for right of workmen laid off and retrenched for compensation and it also contains provision for re-employment of retrenched workmen. Based on their respective jurisdictions as demarcated in the ID Act, Central and State Governments take actions to address the issues of the workmen and protect their interests as per the provision of the Act. In the establishments that lie in the jurisdiction of Central Government, the Central Industrial Relations Machinery (CIRM) is entrusted with the task of maintaining good Industrial relations and protects the interest of workers including on the matters relating to lay off. The jurisdiction in the matters with regard to online retailers lies with the respective State Government.
