

SYNOPSIS

1. The present Public Interest Litigation, seeking direction of the Respondent state to issue a circular as to ensure that not to lay off or retrenchment of employees, placed under Private sector including but not limited to Information Technology under the guise of the Nation-Wide Lockdown.
2. This public interest litigation is being filed in order to avoid the inhuman treatment being meted out by employers to their employees and workers in the Private sector including Service sector, by arbitrarily issuing termination notices, imposing steep wage cuts unilaterally, sending workers and employees on indefinite unpaid leave thereby depriving the salary of the working class.
3. The Ministry of Labour and employment, Government of India had issued circular vide D.O.No.M-11011/08/2020 dated 20th of March 2020, sought the cooperation of the Public and Private establishment employers from not terminating their employees of all categories nor reduction in wages.
4. The Hon'ble Prime Minister of India had appealed, to all establishments and employers in the country not to terminate services or cut wages of their employees in his address to the nation on 14.4.2020.
5. The employees of all categories have been guaranteed with the Fundamental Right to Profession and Right to life as envisaged under Article 19(1)(g) and Article 21 of the Constitution of India respectively.
6. When the entire country is fighting this global pandemic, the arbitrary actions of certain private companies by adopting the practices of cost cutting and firing their employees will not serve the purpose but will only lead to mental distress and agony in the minds of the employees.

Therefore, for the reasons stated above, it is humbly prayed that this Hon'ble Court may be pleased to issue a writ in the nature of **WRIT OF MANDAMUS** directing the Respondent State Ministry of Labour & Employment to issue a circular/advisory so as to ensure that the employees of all categories in Private

sector not limited to service sector from not getting terminated and any arbitrary reduction in their wages and not to compel the employees to forcefully resignation under the guise of the Nation-Wide Lockdown, as directed by the Hon'ble Prime Minister of our country and the Ministry of Labour and employment circular vide D.O.No.M-11011/08/2020 dated 20th of March 2020 and pass such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.