

The General Manager,
M/s Viva Global,
Plot No. 413, Phase III, Udyog Vihar,
Gurgaon, Haryana.

Amethur - 3

Sub: Demand Notice to the management of M/s Viva Global for your unjustified action of illegal lock out through the Garment and Allied workers Union under section 2L and 2K of the Industrial Disputes Act, 1947.

Sir,

It is submitted:-

1. That, we, the undersigned workmen of the M/s Viva Global, Plot No. 413, Phase 3, Udyog Vihar, Gurgaon, Haryana are serving this "collective demand notice" to your management through you under section 2L and 2K of the ID Act, 1947 for your management's illegal, improper and unjustified action of lock out of the company on 23rd August 2010 without any reason or without any cause for such an action.
2. That you have locked out the company with vengeance, during the process of an ongoing tripartite negotiation and process of an agreement regarding the implementation of essential labour laws in the company, in order to punish and suppress the 375 workmen's genuine grievances related to non implementation of essential labour laws.
3. That you have violated the principles of commonly agreed conciliation proceedings and instructions of labour officer Suresh Yadav related to unconditional reinstatement of all workmen on 25th August 2010. Instead, you have attacked innocent workmen, who were trying to enter the company premises to perform their duty, by

Annexure 1

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- having professional goons and henchmen threaten them with canes, firearms and hockey sticks without any provocation. During the attack, women workers were not even spared and brutally beaten up and goons even tore their clothing in the day light. Your hired goons and henchmen also abducted a workman named Anwar Ansari and kept him in their custody for more than 14 hours and beat him badly. Only after the intervention of DCP, Gurgaon, Mr. A. Isar was released by the goons with threat of dire consequences.
4. That you have locked the company on 23rd August 2010 to compel the workmen to leave the Garment and Allied Workers Union and also to suppress workmen's genuine, legitimate and legal demands.
 5. Your management have neither paid earned wages for the month of August nor any compensation while workers have been locked out of your company whimsically.
 6. That you have locked out the company without taking any prior permission from the labour department or without giving any notice to the workmen of the company.
 7. That your management has been compelling workmen to resign from the company and leave the union immediately.
 8. Your management has also been continuously using money and muscle power to harm the union leaders and to prevent their legal and legitimate activities related to their legal demands.
 9. That your management has compelled all the workmen to live under starvation and unbearable pain and has also compelled them to face unbearable suffering. In view of the above mentioned circumstances, premises and incidents, it is therefore, clear that your management has not only blatantly violated 2L and 2K of the ID Act by imposing lock out without prior permission from the labour department but also engaged in unfair labour practice and arrogant violation all essential

labour laws with the connivance of anti-worker forces. Therefore, it is demanded to your management:

- a. To lift the illegal and unjustified lock out immediately;
- b. To pay earned wages immediately for the month of August;
- c. To pay wages from the date of lockout till the date when the lockout is lifted;
- d. to reinstate all the workmen unconditionally with continuity of service and other benefits;
- e. To pay compensation for your action of illegal lock out immediately to all workmen;
- f. To make an amicable settlement with the union for implementation of labour laws in the company immediately;
- g. To punish the real culprits of Anwar Ansari's abduction and also to give him monetary compensation for his treatment and suffering;
- h. To abolish all contract labour system immediately;
- i. To stop all kinds of unfair labour practices immediately.

It is demanded accordingly.

Thanking you;

Sd/-

Ms. Anannya Bhattacharjee

President

Garment and Allied Workers Union,

Plot No. 48, First Floor,

Opp. Maruti Gate No. 2, Old Delhi,

Gurgaon Road, Gurgaon. Haryana.

Sd/-

Mr. Matin Ahmad

General Secretary

Garment and Allied Workers Union