

Section 25-N → Conditions precedent to Retrenchment of workmen.

(1) Three months notice and prior permission of the Appropriate Govt. is required for retrenchment and no workman employed in an establishment who has been in service for not less than one year under an employer shall be retrenched by that employer until —

(a) the workman has been given 3 months notice in writing indicating the reason of retrenchment and the period of notice of expired or the workman has been paid in lieu of such notice, wages for the period of the notice and.

(b) the prior permission of the Appropriate Government is required which has been obtained on an application made in the prescribed manner.

(2) The Application made in the prescribed manner should clearly mention the reason of retrenchment. A copy of such

application should be served to the concerned workmen simultaneously.

- (3) When an application for permission has been made to the Appropriate Govt. Then the Appropriate Govt. shall in writing communicate to the employer and workmen about granting or refusing of such permission.
- (4) If the appropriate Govt. or the concern authority does not communicate the order their permission shall be deemed to have been granted after the expiry of 60 days.
- (5) The order of the Appropriate Govt. shall be final and binding upon the parties and shall remain in force for one year from the date of such order.
- (6) Where no application for permission to retrench workman is made or where the permission for retrenchment is has been refused and the retrenchment is given to the workmen, it would be an illegal retrenchment and the workman is entitled for all the benefits under the law.

(6) The order of the Appropriate Government shall be final and binding upon the parties and shall remain in force for one year from (7) the date of such order.

(4) If the work man is laid off without seeking any application for permission then such lay-off is illegal.

If the permission have been refused by the Appropriate Govt and such lay off is continued or then it is deemed to be illegal and the workmen is entitled for all the benefits under the law.

(8) If a reference is made to the Tribunal for adjudication — the tribunal shall pass an award within a period of 30 days from the date of such reference.