

No. 6/32/2007-1GSI

From

The Chief Secretary to Government, Haryana.

To

1. All the Heads of Departments in Haryana.
2. The Registrar, Punjab and Haryana High Court.
3. The Commissioners Rohtak, Gurgaon, Hisar and Ambala Divisions and all the Deputy Commissioners in Haryana.

Dated, Chandigarh, the 17<sup>th</sup> January, 2008

Subject: - **Non compliance of Section 25- F of the Industrial Disputes Act, 1947.**

Sir/ Madam,

I am directed to invite a reference to Haryana Government instructions No 62/96/98-6GS1, dated 29.12.1998 wherein all the departments were directed that while retrenching the services of a workman falling within the ambit of the provisions of Section 25 F of the Industrial Disputes Act, 1947, due procedure laid down therein should be followed rigidly.

2. It has been observed that the Court cases pertaining to retrenchment of services of the workmen by the various departments are normally decided against the Government in the Courts of Law because of non-compliance of the procedure laid down in the Section 25 F of the Industrial Disputes Act, 1947. Resultantly, reinstatement is granted with continuity of service and back wages etc. burdening the State Exchequer.

3. It is, therefore, once again reiterated that the following procedure be meticulously adhered to while retrenching a workman:-

No workman employed in any Industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer without strictly observing the following formalities;

- (i) The employer will give one month's clear notice to the workman in writing indicating the reasons for his retrenchment;

OR


he will pay wages to the workman in lieu of notice period before passing order of his retrenchment.

- (ii) The principle of last come first go must be followed.


- (iii) The employer will also ensure that the compensation equivalent to fifteen days' average pay (for every completed year of continuous service) or any amount which has been paid to the workman

4. These instructions should be brought to the notice of all concerned for strict compliance. Non-compliance of these instructions would be viewed seriously by the Government and strict action will be taken against the erring officers/officials.

Yours faithfully,

  
Deputy Secretary General Administration,  
for Chief Secretary to Government Haryana

A copy is forwarded to all the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana for information and necessary action.

  
Deputy Secretary General Administration,  
for Chief Secretary to Government Haryana


To

All the Financial Commissioners and Principal Secretaries/ Commissioners and Secretaries to Government Haryana

U.O.No. 6/32/2007-1GSI  
Endst.No.6/32/2007-1GSI

Dated Chandigarh, the 17<sup>th</sup> January, 2008  
Dated, Chandigarh the 17<sup>th</sup> January, 2008

- A copy is forwarded to the following for information and necessary action:-
1. The Managing Directors/ Chief Administrators/ Executives/Member Secretaries of all Boards and Corporations in Haryana.
  - 2.. The Registrars, Maharishi Dayanand University, Rohtak, Kurukshetra University Kurukshetra, Ch. Charan Singh Haryana Agriculture University, Hisar, Guru Jambheshwar University, Hisar and Ch. Devi Lal University, Sirsa, Bhagat Phool Singh Mahila Vishav Vidhyalya, Khanpur (Sonapat).

  
Deputy Secretary General Administration,  
for Chief Secretary to Government Haryana