

IDA S. 2(oo), IDA S. 2(oo)(bb), IDA S. 25

Service Matter

Industrial Disputes Act, 1947, Section 2(oo), 25 – 240 days – It is not the law that on completion of 240 days of continuous service in a year, the employee concerned becomes entitled to regularization of his services and/ or permanent status – The concept of 240 days in a year was introduced in the industrial law for a definite purpose – Under the Industrial Disputes Act, the concept of 240 days was introduced so as to fasten a statutory liabilities upon the employer to pay compensation to be computed in the manner specified in Section 25-F of the Industrial Disputes Act, 1947 before he is retrenched from services and not for any other purpose – In the event a violation of the said provision takes place, termination of services of the employee may be found to be illegal, but only on that account, his services cannot be directed to be regularized – Direction to reinstate the workman would mean that he gets back the same status.

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