



ABSTRACT

Tamil nadu Shops and Establishment Act, 1947 (Tamil Nadu Act XXXVI of 1947) – Permitting all Shops and Establishments to keep open on all 365 days in a year initially for a period of one year – Orders – Issued.

Labour and Employment (K2) Department

G.O.(Ms) No: 55

Dated: 25.02.2016

மன்மத, மாசி - ,
திருவள்ளூர் ஆண்டு 2047

Read:

1. From Shri.Bandaru Dattatraya, Minister of State Government of India Letter No.D.O.No.S-63025/01/205-IR(PL), dated 28.08.2015.
2. Government Letter No.22632/K2/2015-1, dated 21.09.2015.
3. From the Commissioner of Labour, Chennai-600006 Letter No.S2/45965/2015, dated 29.10.2015.

ORDER:

In the letter first read above, the Government of India have requested to consider relaxation of working hours for Shops and Establishment including opening and closing hours without compromising with the Provisions under various Labour Laws as it would facilitate the business and employment environment in the state.

2. In the letter third read above, the Commissioner of Labour has sent proposal on permitting all Shops and Establishments in Tamil Nadu to keep open on all 365 days of the year initially for a period of one year, with specified conditions.

3. The Government after careful consideration, accept the above said proposal of the Commissioner of Labour.

4. Accordingly, the appended Notification will be, published in the Tamil Nadu Government Gazette.

(BY ORDER OF THE GOVERNOR)

**KUMAR JAYANT
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Works Manager, Government Central Press,
Chennai-600 009.(2Copies) (for publication in Tamil Nadu Government Gazette)

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The Commissioner of Labour, Chennai-600 006.
Shri.Bandaru Dattatray, Minister of State (Independent Charger, Labour and
Employment, Government of India, Sharam Sakthi Bhawan,
New Delhi – 110 119.

Copy to
The Special Personal Assistant to Hon'ble Minister for Rural Industries Labour,
Chennai-600 009.
The Private Secretary to the Principal Secretary, Labour and Employment
Department, Chennai – 600 009.
S.F/SC

// FORWARDED BY ORDER //


7.02.16.
SECTION OFFICER
29.2.16

APPENDIX
NOTIFICATION

In exercise of the powers conferred by section 6 of the Tamil Nadu Shops and Establishments Act, 1947 (Tamil Nadu Act XXXVI of 1947), the Governor of Tamil Nadu hereby exempts all the shops and establishments from the provision of sub - section (1) of section 11 of the said Act, and permits all the shops and establishment in Tamil Nadu to keep open on all 365 days of the year initially for a period of one year, in public interest with effect on and from the date of publication of this Notification in the Tamil Nadu Government Gazette, subject to the following conditions, namely:-

1. Every employee shall be given one day holiday in a week on rotation basis, and the details of every employee shall be provided in 'Form S' and shall be exhibited by the employer in a conspicuous place in the shops.
2. Every employer shall exhibit details of the employees who are on holiday / leave, on daily basis, in a conspicuous place in the shops.
3. The wages including overtime wages of the employees shall be credited to their savings bank account.
4. An employer shall not require or allow any person employed to work therein for more than eight hours in any day and forty eight hours in any week and the period of work including over time shall not exceed ten hours in any day and fifty four hours in a week.
5. If employees are found working on any holiday or after normal duty hours without proper indent of overtime, penal action will be initiated against the employer/manager as laid down in the Tamil Nadu Shops and Establishments Act, 1947 and the Tamil Nadu Shops and Establishments Rules, 1948.
6. Women employees shall not be required to work beyond 8.00 p.m. on any day in normal circumstances.
7. Transport arrangements shall be provided to the women employees who work in shifts. A notice to this effect shall be exhibited at the main entrance of the shops indicating the availability of transport.
8. The employees shall be provided with rest room, wash room, safety lockers and other basic amenities.
9. Every employer employing women employees shall constitute Complaints Committee against sexual harassment of women and the committee shall be operative.
10. The above said terms and conditions shall be treated and implemented in addition to those provisions specified in the Act.

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11. In case of violation of any statutory provision or any of the above terms and conditions noticed by the inspector or otherwise, penal action will be initiated against the employer/manager as laid down in the Tamil Nadu Shops and Establishments Act, 1947 and the Tamil Nadu Shops and Establishments Rules, 1948.
12. The exemption shall remain in operation initially for a period of one year from the date of publication of notification in the Tamil Nadu Government Gazette unless it is revoked.

KUMAR JAYANT
PRINCIPAL SECRETARY TO GOVERNMENT

//TRUE COPY//


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29.2.16