

In pursuance of clause (3) of Article 348 of the Constitution of India, the following translation in English of the Government Notification, Industries, Energy & Labour Department No. MSA-03/2015/CR47/Lab-10, dated 17th March 2017 is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

To,
Retailers Association
of India

(Shweta Singhal)
Deputy Secretary to Government

NOTIFICATION

Industries, Energy & Labour Department,
Mantralaya, Mumbai - 400 032.

Dated the 17th March 2017.

Maharashtra Shops and Establishment Act, 1948 No. MSA-03/2015/CR47/Lab-10, In exercise of the powers conferred by the proviso to Section 4 of the Maharashtra Shops and Establishment Act, 1948 (Bom.LXXIX of 1948) hereinafter referred to as the said Act the Government of Maharashtra hereby amends Schedule II of the said Act as follows, namely :

In Schedule II of the said Act, after entry " 767 " the following Entry shall be added namely;

" 768

All shops registered under Section 18 subject to the following Maharashtra Shops and Establishments Act, 1948. conditions :

- 1) This exemption shall remain in operation for **the period of one year** from the date of Notification published in Govt. Gazette.
- 2) Every employee shall be given one day holiday in a week without making any deductions from his/her wages on account thereof and list of the time table of such holidays for a month shall be placed on the notice board in advance.
- 3) Every employee shall be given a rest period of one hour after 5 hours of continuous work.
- 4) No employee shall be required to work for more than 9 hours in a day or 48 hours in a week.
- 5) **The shop shall not remain open after 10.00 pm on any day.**


- 6) Every employee shall be provided Identity Card, according to the Section 25.
- 7) As **shop** is given permission to keep open for all days, new staff shall be appointed for the extended timing.
- 8) Female employees shall be provided separate lockers, security and rest rooms at the work place.
- 9) Complaint redressal committee against sexual harassment of women should be established.
- 10) Female employees will not be allowed to work after 9.30 p.m.**
- 11) No Child labour shall be permitted to work in the shop.
- 12) The employees shall be provided all the facilities mentioned in the concerned labour laws.
- 13) Consent letters shall be taken from the employees and it should be kept as record in the shop.
- 14) The employees shall be entitled to overtime wages in accordance with Section 63 of the said Act.
- 15) The spread over of an employee shall not exceed 11 hours in a day.
- 16) Employees shall be given national and festival holidays with wages.
- 17) This exemption is related only to Maharashtra Shops and Establishments Act, 1948.
- 18) In spite of these terms and conditions, all the provisions of this Act shall applicable to the establishment duly.
- 19) In case of violation of any of the above terms and conditions noticed by shop inspector the exemption shall be cancelled after giving notice to the shop.

By order and in the name of the Governor of Maharashtra.



(Pravin Gaikwad)
Section Officer

To be published in the Maharashtra Government Gazette, Part I-L. Extra Ordinary, dated the 17 March 2017 and to be returned with 20 copies of the print to Government and 20 copies of the print may be sent to the Commissioner of Labour, Mumbai, direct.


(Pravin Gaikwad)
Section Officer

Copy to :

1. The Commissioner of Labour, Bandra Kurla Complex, Bandra East, Mumbai – 51.
2. The Commissioner, Brihan Mumbai Municipal Corporation, Mahanagarpalika Marg, Mumbai – 400 001.
3. Select File (Lab-10).