



TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY PUBLISHED BY AUTHORITY

No. 216]

CHENNAI, TUESDAY, JULY 2, 2024
Aani 18, Kurothi, Thiruvalluvar Aandu-2055

Part II—Section 2

**Notifications or Orders of interest to a Section of the public
issued by Secretariat Departments.**

NOTIFICATIONS BY GOVERNMENT

LABOUR WELFARE AND SKILL DEVELOPMENT DEPARTMENT

TAMIL NADU SHOPS AND ESTABLISHMENTS (AMENDMENT) ACT, 2018.

[G.O. Ms. No.54, Labour Welfare and Skill Development (K2), 2nd July 2024,
ஆனி 18, குரோதி, திருவள்ளூர் ஆண்டு-2055.]

No. II(2)/LWSD/520(b-1)/2024.

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 (Tamil Nadu Act 27 of 2018), the Governor of Tamil Nadu hereby appoints the 02.07.2024, as the date on which the said Act shall come into force.

TAMIL NADU SHOPS AND ESTABLISHMENTS (AMENDMENT) ACT, 2023.

NOTIFICATION – II

[G.O. Ms. No.54, Labour Welfare and Skill Development (K2), 2nd July 2024,
ஆனி 18, குரோதி, திருவள்ளூர் ஆண்டு-2055.]

No. II(2)/LWSD/520(b-2)/2024.

In exercise of the powers conferred by sub-section (2) of section 1 of the Tamil Nadu Shops and Establishments (Amendment) Act, 2023 (Tamil Nadu Act 20 of 2023), the Governor of Tamil Nadu hereby appoints the 02.07.2024, as the date on which the said Act shall come into force.

KUMAR JAYANT,
Additional Chief Secretary to Government.

Under Rule 130 of the Tamil Nadu Legislative Assembly Rules, the following Bill which was introduced in the Legislative Assembly of the State of Tamil Nadu on 19th April, 2023 is published together with Statement of Objects and Reasons for general information:—

L.A Bill No. 16 of 2023

A Bill further to amend the Tamil Nadu Shops and Establishments (Amendment) Act, 2018.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-fourth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Amendment Act, 2023.

Short title.

Tamil Nadu Act
27 of 2018.

2. For section 3 of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018, the following section shall be substituted, namely:—

Substitution of
section 3.

“3. Registration of shops and establishments.— (1) On and from the date of commencement of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018, the employer of every establishment employing ten or more workers shall, within a period of six months from the date of commencement of his business, apply for registration and obtain a registration certificate.

(2) Every application for registration under sub-section (1) shall be made in such form and in such manner together with such fee as may be prescribed.

(3) The Inspector, on receipt of an application under sub-section (2), register the establishment and issue a registration certificate to the employer within twenty four hours in such form as may be prescribed. If the registration certificate is not issued within a period of twenty four hours from the date of receipt of application by the Inspector, the registration certificate shall be deemed to have been granted under this Act.

(4) The Inspector shall maintain a Register of establishments, in such form, as may be prescribed.

(5) The registration certificate shall be prominently displayed in the establishment by the employer.

(6) The employer shall give intimation to the Inspector, of any change in any of the particulars furnished in the application form submitted under sub-section (2) together with such fee as may be prescribed, within a period of thirty days of such change. The Inspector shall, on receipt of such intimation, amend the registration certificate or issue a fresh registration certificate.

(7) The employer shall, within a period of thirty days of the closure of the establishment, give intimation of such closure to the Inspector and on receipt of such intimation, he shall cancel the registration certificate:

Provided that where the Inspector is satisfied otherwise than on receipt of such intimation that the establishment has been closed, he shall cancel such registration certificate:

Provided further that no cancellation shall be made under the first proviso, unless the employer has been given an opportunity of making representation.

(8) Notwithstanding anything contained in sub-section (1), the employer of every existing establishment employing ten or more workers on the date of commencement of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 shall furnish the details of the establishment along with a self declaration in such form as may be prescribed to the Inspector, within a period of one year from the date of commencement of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018. The Inspector shall after recording the intimation furnished by the employer in the Register of the establishments, issue a registration certificate

(9) Where a registration certificate issued under sub-section (3) is lost, defaced or destroyed, the employer shall make an application to the Inspector together with such fee as may be prescribed for the issue of a duplicate registration certificate. The Inspector, on receipt of such application, shall furnish a duplicate copy of the registration certificate to the employer.”.

STATEMENT OF OBJECTS AND REASONS

The Tamil Nadu Shops and Establishments Act, 1947 (Tamil Nadu Act XXXVI of 1947) regulates the conditions of work such as working hours, weekly rest, holidays, health and safety etc., of the persons employed in shops and establishments.

2. Earlier, considering the suggestions of the Government of India, the said Tamil Nadu Act XXXVI of 1947 was amended *vide* Tamil Nadu Shops and Establishments (Amendment) Act, 2018 (Tamil Nadu Act 27 of 2018), so as to provide for registration of Shops and Establishments, for renewal of registration and for prohibition of discrimination against women employees etc., The said Amendment Act 27 of 2018 was thereafter amended, so as to dispense with the provision for renewal of registration and also to ensure that registration certificate is issued within a day from the date of application *vide* Tamil Nadu Act 26 of 2021. The said Amendment Act 27 of 2018 has not yet been brought into force.

3. The said Tamil Nadu Act XXXVI of 1947, as amended by the said Amendment Act 27 of 2018 does not provide, for prescribing fee for issue of registration certificate or amendment of registration certificate, and for issue of duplicate registration certificate. The Government have, therefore, decided to amend the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 for the said purposes.

4. The Bill seeks to give effect to the above decision.

C.V. GANESAN,
*Minister for Labour Welfare
and Skill Development.*

MEMORANDUM REGARDING DELEGATED LEGISLATION

Section 3 proposed to be substituted by Clause 2 of the Bill authorises the Government to make rules for the purposes specified therein.

2. The powers delegated are normal and not of an exceptional character.

C.V. GANESAN,
*Minister for Labour Welfare
and Skill Development.*

Secretariat,
Chennai-600 009,
19th April 2023.

K. SRINIVASAN,
Secretary.



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EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 186]

CHENNAI, FRIDAY, MAY 19, 2023
Vaikasi 5, Sobakiruthu, Thiruvalluvar Aandu-2054

Part IV—Section 2

Tamil Nadu Acts and Ordinances

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The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th May 2023 and is hereby published for general information:—

ACT No. 20 OF 2023.

An Act further to amend the Tamil Nadu Shops and Establishments Act, 1947.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-fourth Year of the Republic of India as follows:--

Short title and commencement.

1. (1) This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Act, 2023.

(2) It shall come into force on such date as the State Government may by notification, appoint.

Insertion of new sections 22-B, 22-C, 22-D and 22-E.

2. After section 22-A of the Tamil Nadu Shops and Establishments Act, 1947, the following sections shall be inserted, namely:--

Tamil Nadu Act
XXXVI of
1947.

“22-B. **Drinking water.**—Every employer shall make effective arrangement to provide and maintain at suitable points conveniently situated for all persons employed in the shop or establishment, sufficient supply of wholesome drinking water.

22-C. **Latrine and urinals.**—Every employer shall provide sufficient number of latrine and urinal accommodation as may be prescribed which shall be so conveniently situated as may be accessible for the persons employed, at all times during the working hours.

22-D. **Rest room and lunch room.**—(1) Every employer shall provide adequate and suitable rest room and lunch room with provision for drinking water, for the persons employed.

(2) The rest room and lunch room shall be sufficiently ventilated and lighted and shall be maintained in a clean and tidy condition.

(3) The rest room and lunch room shall be adequately furnished with chairs or benches with back-rests.

22-E **First-aid.**—Every employer shall provide at the place of work, first aid facilities, as may be prescribed.”.

(By Order of the Governor)

C. GOPI RAVIKUMAR,
Secretary to Government (Legislation),
Law Department.

The following Act of the Tamil Nadu Legislative Assembly received the assent of the Governor on the 17th May 2023 and is hereby published for general information:—

ACT No. 21 OF 2023.

An Act Bill further to amend the Tamil Nadu Shops and Establishments (Amendment) Act, 2018.

BE it enacted by the Legislative Assembly of the State of Tamil Nadu in the Seventy-fourth Year of the Republic of India as follows:—

1. This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Amendment Act, 2023.

Short title.

Tamil Nadu Act
27 of 2018.

2. For section 3 of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018, the following section shall be substituted, namely:—

Substitution of
section 3.

“3. Registration of shops and establishments.— (1)

On and from the date of commencement of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018, the employer of every establishment employing ten or more workers shall, within a period of six months from the date of commencement of his business, apply for registration and obtain a registration certificate.

(2) Every application for registration under sub-section (1) shall be made in such form and in such manner together with such fee as may be prescribed.

(3) The Inspector, on receipt of an application under sub-section (2), register the establishment and issue a registration certificate to the employer within twenty four hours in such form as may be prescribed. If the registration certificate is not issued within a period of twenty four hours from the date of receipt of application by the Inspector, the registration certificate shall be deemed to have been granted under this Act.

(4) The Inspector shall maintain a Register of establishments, in such form, as may be prescribed.

(5) The registration certificate shall be prominently displayed in the establishment by the employer.

(6) The employer shall give intimation to the Inspector, of any change in any of the particulars furnished in the application form submitted under sub-section (2) together with such fee as may be prescribed, within a period of thirty days of such change. The Inspector shall, on receipt of such intimation, amend the registration certificate or issue a fresh registration certificate.

(7) The employer shall, within a period of thirty days of the closure of the establishment, give intimation of such closure to the Inspector and on receipt of such intimation, he shall cancel the registration certificate:

Provided that where the Inspector is satisfied otherwise than on receipt of such intimation that the establishment has been closed, he shall cancel such registration certificate:

Provided further that no cancellation shall be made under the first proviso, unless the employer has been given an opportunity of making representation.

(8) Notwithstanding anything contained in sub-section (1), the employer of every existing establishment employing ten or more workers on the date of commencement of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 shall furnish the details of the establishment along with a self declaration in such form as may be prescribed to the Inspector, within a period of one year from the date of commencement of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018. The Inspector shall after recording the intimation furnished by the employer in the Register of the establishments, issue a registration certificate

(9) Where a registration certificate issued under sub-section (3) is lost, defaced or destroyed, the employer shall make an application to the Inspector together with such fee as may be prescribed for the issue of a duplicate registration certificate. The Inspector, on receipt of such application, shall furnish a duplicate copy of the registration certificate to the employer.”.

(By Order of the Governor)

C. GOPI RAVIKUMAR,
*Secretary to Government (Legislation),
Law Department.*