



# TAMIL NADU GOVERNMENT GAZETTE

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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 6th September, 2021 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 29 of 2021**

**A Bill 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-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Act, 2021.

Short title and commencement.

(2) It shall come into force at once.

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

Insertion of new Section 22-A.

“22-A. Seating facilities.-The premises of every establishments shall have suitable seating arrangements for all employees so that they may take advantage of any opportunity to sit which may occur in the course of their work and thereby avoid ‘on their toes’ situation throughout the working hours.”.

Tamil Nadu  
Act XXXVI  
of 1947.



**STATEMENT OF OBJECTS AND REASONS.**

Persons employed in shops and establishments in the State are made to stand throughout their duty time resulting in varied health issues. Considering the plight of the employees who are on their toes throughout their duty time, it is felt necessary to provide seating facility to all the employees of the shops and establishments.

2. The subject of providing seating facility to the employees was placed in the State Labour Advisory Board Meeting held on 04.09.2019 and the same was unanimously approved by the members of the Board.

3. The Government have, therefore, decided to amend the Tamil Nadu Shops and Establishments Act, 1947 (Tamil Nadu Act XXXVI of 1947) suitably for the above said purpose.

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

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

Chennai-600 009,  
6th September 2021.

K. SRINIVASAN,  
*Secretary.*

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 6th September, 2021 is published together with Statement of Objects and Reasons for general information:—

**L.A. Bill No. 30 of 2021**

**A Bill 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-second Year of the Republic of India as follows:-

1. This Act may be called the Tamil Nadu Shops and Establishments (Amendment) Act, 2021. Short title.

Tamil Nadu Act 27 of 2018. 2. For Section 3 of the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 (hereinafter referred to as the Amendment Act), the following section shall be substituted, namely:- Substitution of Section 3.

Tamil Nadu Act 27 of 2018. 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 in such form and in such manner 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), 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 establishments, issue a registration certificate.”.

Tamil Nadu Act  
27 of 2018.

Substitution of  
section 3.

3. For Section 6 of the Amendment Act, the following section shall be substituted, namely:-

“6. In Section 45 of the principal Act, for the expression “Sections 7 to 11, 13 to 23, 25, 26, 29 to 41 and 47”, the expression “Sections 3,7 to 11, 13 to 23, 25, 26, 29 to 41, 47, 47-A and 50-A” shall be substituted.”.

**STATEMENT OF OBJECTS AND REASONS.**

The Government of India has suggested Model Shops and Establishment (Regulation of Employment and Conditions of Service) Bill, 2016, which provides for freedom to operate 365 days in a year; freedom for opening / closing time of establishment enabling women to attend night shift, if provision of shelter, rest room, adequate protection of their dignity and transportation etc, exists; non discrimination against women in the matter of recruitment, training, transfer or promotions; online registration through a simplified procedure; safety and welfare measures for employees etc, and has requested the State Governments to modify the State Shops and Establishments Act either by adopting the said Model Bill as it is, or after modifying its provisions as per the requirement of the State. Based on the suggestions of the Government of India, the Government amended the Tamil Nadu Shops and Establishments Act, 1947 (Tamil Nadu Act XXXVI of 1947) by the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 (Tamil Nadu Act 27 of 2018). But, the said Amendment Act has not yet been brought into force.

2. In the meantime, Ministry of Labour and Employment, Government of India has requested all the State Governments to do away with the provision for renewal of registration in the State Shops and Establishments Act. Further, the guidelines of the Department of Industrial Policy and Promotion also suggested to dispense with the provisions for renewal of registration in the State Shops and Establishments Act and also to ensure that the registration certificate is issued within a day from the date of application. The Government have, therefore, decided to amend the Tamil Nadu Shops and Establishments (Amendment) Act, 2018 (Tamil Nadu Act 27 of 2018) for the above said purpose.

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

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

Chennai-600 009,  
6th September 2021.

K. SRINIVASAN,  
*Secretary.*