

Government of West Bengal
Labour Department
I.R. Branch
N. S. Buildings, (12th Floor),
1, K. S. Roy Road, Kolkata – 700 001.

No.Labr./816/LC-IR)
IR/7S-09/10

NOTIFICATION

Dated, Kol., the 30th Oct. 2018

WHEREAS, it was under active consideration of the Government to allow the Shops & Establishments situated within the state of West Bengal to remain open for all seven days a week in public interest without affecting the rights and interests of the workers.

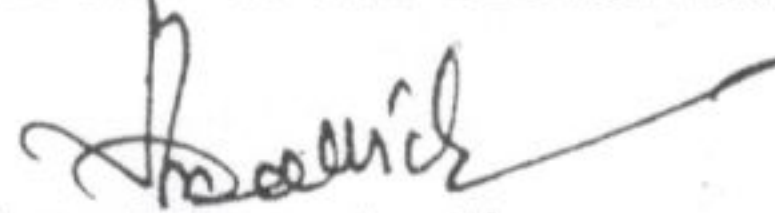
NOW THEREFORE, in exercise of the power conferred by sub-section (2) of section 4 of the West Bengal Shops & Establishments Act'1963 (hereinafter referred to as the said Act), the Governor is hereby pleased to grant exemption (hereinafter referred to as the said exemption) to all classes of shops and establishments situated in whole of West Bengal (Notification No. 218-IR/EIL/1A-03/02 dated 17th February 2011) from operations of provisions of clause (a) of sub-section (1) of section 5 of the said Act, in the public interest until further orders subject to the following conditions :-


- 1) Every employee shall be given one and half day holiday in a week in rotation without making any deduction from his/her wages on account thereof and the list of the time table of such holidays for a month shall be placed on the notice board/ or in a conspicuous place in advance. In case of National Holidays or Holidays under NI Act, a compensatory paid holiday will have to be given to that employee who works on that particular day.
- 2) All employees are to be provided with Appointment Letters and copy of the same will be furnished to the Inspector of the area and acknowledgement shall be preserved in the Shop or Establishment for inspection at any time.
- 3) Visit Book shall be maintained exhibiting a copy of the exemption for verification by the Inspector for compliance with conditions for exemption.
- 4) The employers shall co-operate in implementing the Duties of Inspectors under Rule 41 of the West Bengal Shops & Establishments Rules 1964, especially with regard to the conditions laid down for exemption and also the provision of other relevant Labour laws for the workers employed in their Shops & Establishments.
- 5) All the shopkeepers shall comply with all provisions laid down under Section 6 and sub-section (2), (3), and (4) of section 7 of the said Act.
- 6) If violation of any statutory provision of the Shops & Establishments Act and any other relevant Labour Laws comes to the notice of the Govt., the exemption for that particular shop or the Establishment will be suspended/cancelled and an order will be specially issued to the Employer.

The Governor is further pleased to order that while the said exemption is general in nature every individual employer intending to avail of this exemption will have to apply to the Govt. seeking permission for grant of such exemption along with detail of documents like upto date registration certificate, list of employees containing wages paid to the employees, P.F. & ESI if any, copies of appointment letters issued to it's employees.

The Govt. after considering the merit of such application may grant or refuse to grant permission accordingly.

By Order of the Governor


Secretary to the
Govt. of West Bengal.


31/10/18
/um. 30.10.18.