GOVERNMENT OF KARNATAKA

No. E-LD 4 LET 2019 (P)

Karnataka Government Secretariat,
Vikasa Soudha,
Bengaluru, Dated:-02/01/2021

NOTIFICATION

In exercise of the powers conferred by sub-section (1) of section 11 read with sub section (2) of section 12 of the Karnataka Shops and Commercial Establishment Act, 1961 (Karnataka Act 08 of 1962) and in partial modification of notifications issued in this behalf, the Government of Karnataka after holding an enquiry as required under sub section (2) of section 11 hereby permits all Shops and Commercial Establishments in the State employing ten or more persons to be open on 24 X 7 basis on all days of the year for a period of three years from the date of publication of this notification in the Official Gazette subject to the provisions of sub section (3) of section 12 and the following conditions, namely:-

1) The employer shall appoint additional staff in order to allow every employee to avail one day holiday in a week on rotation basis, and the details of every employee shall be exhibited by the employer at a conspicuous place in the shop or commercial establishment.
2) Every employer shall exhibit details of the employees who are on holiday/leave on daily basis in a conspicuous place in the shop or commercial establishments.
3) The wages including overtime wages of the employees shall be credited to their savings bank account as prescribed under the payments of wages Act, 1963.
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 hours in a period of three continuing months.
5) If employees are found working on any holiday or after normal duty hours without proper indent of overtime, penal action shall be initiated against the employer/ Manager as laid down in the Karnataka Shops and Establishments Act, 1961, and Karnataka Shops and Commercial Establishments Rules 1963.
6) Women employee shall not be allowed to work beyond 8.00 pm on any day in normal circumstances.

Provided that an employer after obtaining written consent from a women employee may allow her to work between 8.00pm and 6.00am subject to providing adequate protection to her dignity, honour and safety.

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7) Transport arrangements shall be provided to the woman employee who works in shifts. A notice to this effect shall be exhibited at the main entrance of the shop or commercial establishment indicating the availability of the transport.

8) The employees shall be provided with restroom, washroom, safety lockers and other basic amenities.

9) Every employer employing woman employee shall constitute internal complaints committee against sexual harassment of woman under the Sexual Harassment of Woman at Workplace (Prevention, Prohibition an Redressal) Act, 2013 (Central Act 14 of 2013) and the said committee shall be operative.

10) The above said terms and conditions shall be treated and implemented in addition to those provisions specified in the Karnataka Shops and Establishments Act, 1961. (Karnataka Act No. 8 of 1962) and The Workmen`s Compensation Act, 1923 (Central Act 8 of 1923).

11) In the case of violation of any statutory provision or any of the above terms and conditions noticed by the inspector or otherwise necessary penal action shall be initiated against the employer/ Manager as laid down in the Karnataka Shops and Commercial Establishments Act, 1961 and Karnataka Shops and Commercial Establishments Rules 1963

By order and in the name of the
Governor of Karnataka

(Sandhya L Nayak)
Deputy Secretary to Government,
Labour Department

To:
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2. The P.S. to Hon`ble Labour Minister, Vidhana Soudha, Bengaluru.
3. The P.S. to Secretary to the Government , Department of Labour, Vikasa Soudha, Bengaluru.
4. The P.A. to Additional Secretary to Governement, Labour Department, Bengaluru.
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