

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Andhra Pradesh Shops and Establishments Act, 1988 and the Andhra Pradesh Factories and Establishments (National Festivals and other Holidays) Act, 1974 – Exemption granted to M/s Shoppers Stop Private Limited, Hyderabad – Cancelled – Orders issued.

LABOUR, EMPLOYMENT, TRAINING & FACTORIES (Lab.II) DEPARTMENT

G.O.Ms.No. 105

Date:17.11.2008

Read the following:-

1. G.O.Ms.No.56, Labour, Employment, Training & Factories (Lab.II) Department, dated 29.10.1999.
2. Govt., Memo No.4690/Lab.II/A1/06-4, dt.7.6.2007 read with Govt., Memo No.7490/Lab.II/A1/07-3, Dt.12.3.2008.
3. Commissioner of Labour, Hyderabad S.C.N.No.I/8611/08, dt.4.7.2008.
4. From the Customer care Associate & Unit Head, Shoppers Stop Private Limited, Hyderabad, Lr. Dt.18.7.2008.
5. From the Commissioner of Labour, Hyderabad Lr.No.I/8611/2008, dt.5.7.2008.

ORDER

In the reference 1st read above, orders were issued (i) in exercise of the powers conferred under sub-section (4) of section 73 of the A.P. Shops & Establishments Act, 1988 granting exemption from the provisions of sections 12(1), 15(1) and 31(1) of the Andhra Pradesh Shops and Establishments Act, 1988 and without prejudice to Section 23 of the said Act, subject to the condition specified in the Schedule therein; and (ii) in exercise of the powers conferred under sub-section (ii) of section 11 of the A.P. Factories & Establishments (National Festival and other Holidays) Act, 1974 granting exemption from the provisions of section 3 of the Andhra Pradesh Factories and Establishments (National Festivals and other Holidays) Act, 1974 to M/s Shoppers Stop Private Limited, Hyderabad.

2. In the reference 2nd read above certain revised guidelines and conditions were issued for granting exemption to keep open the Shops and Establishments for all the 365 days a year. One of the conditions in the memo for granting exemption is that the period of exemption is to be 2 years.

3. Since the period of exemption was not mentioned in the G.O. and as it is contrary to the conditions issued in the reference second read above it has been proposed to cancel the exemption granted in the G.O.

4. In the reference 3rd read above a show cause notice has been issued to the management of M/s Shoppers Stop Private Limited, Hyderabad. In response to show cause notice, the said management has submitted representation in the reference 4th read above that the revised guidelines are not applicable to them and requested not to cancel the exemption granted to their establishment.

5. In the reference 5th read above the Commissioner of Labour, Hyderabad has submitted proposals to the Government to cancel the exemption ordered in the G.O. 1st read above as the reply of the management is not convincing and substantiating.

6. The Government after careful consideration of the matter has decided to cancel the exemptions granted, in G.O.Ms.No.56, Labour, Employment, Training & Factories (Lab.II) Department, dated 29th October, 1999 to M/s Shoppers Stop

Private Limited, Hyderabad from certain provisions of the Andhra Pradesh Shops and Establishments Act, 1988 and the Andhra Pradesh Factories and Establishments (National Festivals and other Holidays) Act, 1974.

7. Accordingly the following notification shall be published in the Andhra Pradesh Extraordinary Gazette.

NOTIFICATION

In exercise of the powers conferred under sub-section (5) of the section 73 of the Andhra Pradesh Shops and Establishments Act, 1988 (A.P. Act 20 of 1988) and sub-section 2 of section 11 of the Andhra Pradesh Factories and Establishments (National Festivals and other Holidays) Act, 1974 read with section 15 of the Andhra Pradesh General Clauses Act, 1891 (Act 1 of 1891) the Government of Andhra Pradesh hereby cancel the Notifications I & II issued in G.O.Ms.No.56, Labour, Employment, Training & Factories (Lab.II) Department, dated 29th October, 1999, granting exemption to M/s Shoppers Stop Private Limited, Hyderabad.

(BY ORDER IN HTE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Printing Stationery and Stores Purchase, Andhra Pradesh,
with a request to publish the notification extraordinary Gazette and supply 10
copies to Govt., and 25 copies to Commissioner of Labour, Hyderabad.
M/s Shoppers Stop Private Limited, Plot No.1-11-251/1, Alladin Mansion,
Begumpet, Hyderabad-500 015 through Director of Labour, Hyderabad.
The Director of Labour, Hyderabad.
Law (B) Department.
Sc/Sf.

//FORWARDED :: BY ORDER//

SECTION OFFICER