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Government of Kerala
2014



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കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണ
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 11534/Leg. C2/2014/Law. Dated, Thiruvananthapuram, 13th Chingam, 1190
7th Bhadra, 1936.

The following Ordinance promulgated by the Governor of Kerala on the 29th day of August, 2014 is hereby published for general information.

By order of the Governor,

C. REMANI,
Special Secretary (Law).

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33/3611/2014/S-8.

ORDINANCE No. 20 OF 2014**THE KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) ORDINANCE, 2014**

Promulgated by the Governor of Kerala in the Sixty-fifth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Shops and Commercial Establishments Act, 1960.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Shops and Commercial Establishments Act, 1960 for the purposes hereinafter appearing;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2014.

(2) It shall come into force at once.

2. *Act 34 of 1960 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 7.

3. *Amendment of section 2.*—In section 2 of the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) (hereinafter referred to as the principal Act),—

(i) after clause (1), the following clause shall be inserted, namely:—

“(1A) “big establishment” means a shop or commercial establishment which employs twenty or more employees.”;

(ii) for clause (8), the following clause shall be substituted, namely:—

“(8) “establishment” means a shop or commercial establishment which may be a small establishment, a medium establishment or a big establishment.”;

(iii) after clause (10), the following clause shall be inserted, namely:—

“(10A) “medium establishment” means a shop or commercial establishment which employs six or more, but less than twenty employees.”;

(iv) after clause (15), the following clause shall be inserted, namely:—

“(15A) “small establishment” means a shop or commercial establishment which employs no employee or not more than five employees.”.

4. *Insertion of Chapter 1B.*—After Chapter 1 A of the principal Act, the following Chapter shall be inserted, namely:—

“ CHAPTER 1B

CONDITIONS FOR ENGAGING EMPLOYEES

5D. *Issue of appointment letter.*—Every employer in a big establishment shall issue an appointment letter, in such manner as may be prescribed, to his employees at the time of appointment.

5E. *Prohibition of retaining education certificate or experience certificate.*—No educational certificate or experience certificate in original received from an employee shall be retained by the employer of any establishment at the time of appointment or during the course of employment.

5F. *Issue of service certificate.*—Every employer shall provide service certificate to the employee engaged by him, in such manner as may be prescribed, at the time of resignation or retrenchment or superannuation of the employee or while applying for another job.”.

5. *Insertion of section 21A.*—In Chapter VI of the principal Act, after section 21, the following section shall be inserted, namely:—

“21A. *Hostel facilities.*— Every employer of a big establishment employing more than fifty employees shall provide hostel facilities to such employees, in such manner as may be prescribed.”

6. *Amendment of section 29.*—In Chapter VIII of the principal Act, in section 29,—

(1) in sub-section (1),—

(i) in clause (a),—

(a) for the words “two hundred and fifty rupees” the words “five thousand rupees” shall be substituted;

(b) for the words “ten rupees” the words “one hundred rupees” shall be substituted.

(ii) in clause (b) for the words “ten rupees” the words “one hundred rupees” shall be substituted.

(2) in sub-section (1A),—

(a) before the figure “6” the following figures and letters, “5D, 5E, 5F” shall be inserted;

(b) after the figure “21” the following figure and letter “21 A” shall be inserted;

(c) for the words “two hundred and fifty rupees” the words “five thousand rupees” shall be substituted;

(d) for the words “five hundred rupees” the words “ten thousand rupees” shall be substituted.

(3) in sub-section (2), for the words “fifty rupees” the words “two thousand and five hundred rupees” shall be substituted.

7. *Amendment of section 34.*—In sub-section (2) of section 34, after the word “health”, the word “sanitation”, shall be inserted.

SHEILA DIKSHIT.
GOVERNOR.