
REPORT OF THE SUBJECT COMMITTEE
ON
THE KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) BILL, 2021
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

Presented on 3rd November, 2021

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SUBJECT COMMITTEE VII
(ELECTRICITY, LABOUR AND LABOUR WELFARE)
(2021-2023)
Composition

Chairman:

Shri K. Krishnankutty,
Minister for Electricity.

Ex-officio Member:

Shri V. Sivankutty,
Minister for General Education & Labour.

Members:

Shri Anwar Sadath, M.L.A.
Shri A. K. M. Ashraf, M.L.A.
Shri M. M. Mani, M.L.A.
Shri P. Nandakumar, M.L.A.
Shri A. Prabhakaran, M.L.A.
Shri K. K. Ramachandran, M.L.A.
Shri Vazhoor Soman, M.L.A.

Legislature Secretariat:

Shri S. V. Unnikrishnan Nair, Secretary
Shri Shah Nawas P. P., Joint Secretary
Smt. Sheena Sivadas, Deputy Secretary
Smt. Deepa N. G., Under Secretary.

THE KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS (AMENDMENT) BILL, 2021

Report of the Subject Committee

Subject Committee VII (Electricity, Labour and Labour Welfare) to which The Kerala Shops And Commercial Establishments (Amendment) Bill, 2021 was referred, considered the Bill (Bill No. 65) clause by clause and now submits its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Shops And Commercial Establishments (Amendment) Bill, 2021 was published as a Gazette Extraordinary dated 30th September, 2021. The Bill was introduced in the Assembly on 1st November, 2021 and was referred to the Subject Committee on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on 1st November, 2021 and recommends to adopt the bill without modifications.

4. All other changes are either verbal or consequential.

5. The minutes of dissent and the Bill as reported by the Subject Committee are appended.

Thiruvananthapuram,
1st November 2021.

K. KRISHNANKUTTY,
Chairman,
Subject Committee VII.

APPENDIX I

വിയോജനക്കുറിപ്പ്

ഈ സ്പെഷ്യൽ റിപ്പോർട്ടിന് വിവിധതരം വിവരങ്ങൾ ശേഖരിച്ചു കിട്ടിയതിനാൽ പരിഷ്കാരങ്ങളുടെ ഭാഗമായി ലേബർ കമ്മീഷണറേറ്റ് ഓട്ടോമേഷൻ സിസ്റ്റം മുഖേന സ്ഥാപനങ്ങളുടെ രജിസ്ട്രേഷൻ അപേക്ഷ നൽകുന്നതിനും, രജിസ്ട്രേഷൻ പുതുക്കുന്നതിനും, ഓൺലൈനായി സംവിധാനം ഏർപ്പെടുത്തുന്നതിന് വ്യവസ്ഥ ചെയ്യുന്നതിനാണ് ബിൽ അവതരിപ്പിച്ചിരിക്കുന്നത്. രജിസ്ട്രേഷൻ നടപടികൾ ഓൺലൈനാക്കുന്നത് സ്വാഗതാർഹമാണ്. എന്നാൽ തൊഴിലാളികളുടെ താല്പര്യങ്ങൾ സംരക്ഷിക്കുന്നതിനും, തൊഴിലിടങ്ങളിലെ ചൂഷണങ്ങൾ അവസാനിപ്പിക്കുന്നതിനും പ്രധാന ആക്ടിലെ വ്യവസ്ഥകൾ ഫലപ്രദമായി നടപ്പിലാക്കുന്നതിന് നടപടി സ്വീകരിക്കാത്തതിനാൽ ഈ ബില്ലിനോട് വിയോജിപ്പ് രേഖപ്പെടുത്തുന്നു.

അൻവർ സാദത്ത്

(ഒപ്പ്)

എ. കെ. എം. അഷ്റഫ്

(ഒപ്പ്)

APPENDIX II

THE KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) BILL, 2021
(As reported by the Subject Committee)

A

BILL

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 (34 of 1960) for the purposes hereinafter appearing;

BE it enacted in the Seventy-second Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Shops and Commercial Establishments (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 9th day of November, 2020.

2. *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) after clause (9), the following clauses shall be inserted, namely:—

“(9A) “Labour Administrator” means officers of the Labour department of the State notified as Inspectors under this Act;

(9B) "Labour Commissionerate Automation System" means a software owned and operated by the Labour department to cater end to end solutions to the employers, employees and Labour Administrators;"

3. *Amendment of section 5A.*—In section 5A of the principal Act,—

(1) in sub-section (1), after the words “make an application”, the words “through Labour Commissionerate Automation System” shall be inserted;

(2) for sub-section (6), the following sub-section shall be substituted, namely:—

“(6) An application for the renewal of a registration certificate granted under this Act shall be made at least thirty days before the expiry of the period thereof and on payment of such fees, as may be prescribed through Labour Commissionerate Automation System, the registration certificate shall be renewed automatically.”;

(3) sub-section (7) shall be omitted;

(4) in sub-section (8), after the words “granted or renewed”, the words “through Labour Commissionerate Automation System” shall be inserted.

4. *Repeal and saving.*—(1) The Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2021 (123 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Kerala Legislature Secretariat,
Thiruvananthapuram,
1st November 2021.

S. V. UNNIKRIISHNAN NAIR,
Secretary.