



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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25th August 2021
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No. 2487

GOVERNMENT OF KERALA Law (Legislation-C) Department NOTIFICATION

No. 15354/Leg.C2/2020/Law.

Dated, Thiruvananthapuram, 24th August, 2021
8th Chingam, 1197
2nd Bhadra, 1943.

The following Ordinance promulgated by the Governor of Kerala on the 23rd day of August, 2021 is hereby published for general information.

By order of the Governor,

V. HARI NAIR,
Law Secretary.



ORDINANCE No. 123 OF 2021**THE KERALA SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) ORDINANCE, 2021**

Promulgated by the Governor of Kerala in the Seventy-second Year of the Republic of India.

AN

ORDINANCE

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

Preamble.—WHEREAS, the Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2020 (75 of 2020) was promulgated by the Governor of Kerala on the 6th day of November, 2020;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala, during its session which convened on the 31st day of December, 2020 and during its session which commenced on the 8th day of January, 2021 and ended on the 22nd day of January, 2021;

AND WHEREAS, in order to keep alive the provisions of the said Ordinance, the Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2021 (6 of 2021) was promulgated by the Governor of Kerala on the 9th day of February, 2021;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala, during its session which commenced on the 24th day of May, 2021 and ended on the 10th day of June, 2021;

AND WHEREAS, in order to keep alive the provisions of the said Ordinance, the Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2021 (89 of 2021) was promulgated by the Governor of Kerala on the 1st day of July, 2021;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala, during its session which commenced on the 22nd day of July, 2021 and ended on the 13th day of August, 2021;

AND WHEREAS, under sub-clause (a) of clause (2) of Article 213 of the Constitution of India the said Ordinance will cease to operate on the 2nd day of September, 2021;



AND WHEREAS, difficulties will arise if the provisions of the said Ordinance are not kept alive;

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, 2021.

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

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 and 4.

3. *Amendment of section 2.*—In section 2 of 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;”.

4. *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.

5. *Repeal and saving.*—(1) The Kerala Shops and Commercial Establishments (Amendment) Ordinance, 2021 (89 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 Ordinance.

ARIF MOHAMMED KHAN,
GOVERNOR.

