

Provided that, if the Inspector does not receive the information but he is otherwise satisfied that any shop or establishment has been closed, he may remove the entry of such shop or establishment from the register of establishments and cancel such certificate.

CHAPTER III

DUTIES OF EMPLOYER

**Health
and safety
of worker.**

11. (1) Every employer shall take such measures relating to the health and safety of the worker including cleanliness, lighting, ventilation and prevention of fire as may be prescribed.

(2) Every employer shall be responsible for providing constant adequate supervision of the worker employed in the shop or establishment and to ensure the compliance with the rules relating to health and safety made under sub-section (1) and for taking steps necessary to prevent accidents.

**Fixing of
hours of
work.**

12. Subject to the other provisions of this Act, no worker shall be required or allowed to work in any shop or establishment for more than nine hours in any day and forty-eight hours in a week. No worker shall be compelled to work continuously for more than five hours unless he has been given a break of not less than half an hour:

Provided that, the working hours or weekly holiday may be relaxed in case of work of urgent nature with the previous permission of the Inspector.

**Prohibition of
discrimination
of women.**

13. (1) No woman worker shall be discriminated in the matter of recruitment, training, transfer or promotion or wages.

(2) No woman worker shall be required or allowed to work in any establishment except between the hours of 6 a.m. and 9 p.m.:

Provided that, where the Inspector or any person, authorized by it in this behalf, is satisfied that the provisions of shelter, rest room, night *crèche*, ladies toilet, adequate protection of dignity, honour and safety, protection from sexual harassment, and their transportation from the shop or

establishment to the door step of their residence exists in such shop or establishment, it may, by order, after obtaining the consent of the woman worker, allow her to work between 9 p.m. to 6 a.m. subject to such conditions as may be specified in the order.

14. The spread-over of a worker in any shop or establishment shall not exceed ten and half hours in any day, and in case a worker entrusted with intermittent nature of work or urgent work, the spread-over shall not exceed twelve hours.

**Spread-over
of hours of
work.**

15. Where a worker is required to work in a shop or establishment beyond nine hours a day or forty-eight hours a week, he shall be entitled, in respect of the overtime work, wages at the rate of twice his ordinary rate of wages. The total number of overtime hours shall not exceed one hundred and twenty-five hours in a period of three months.

**Payment of
wages for
overtime.**

16. (1) A department or any section of a department of the shop or establishment may work in more than one shifts at the discretion of the employer and if more than one shifts are worked, the worker may be required to work in any shift at the discretion of the employer.

**Shift
working and
rest.**

(2) A shop or establishment may work on all days in a week subject to the condition that every worker shall be allowed weekly holiday of at least twenty-four consecutive hours of rest.

(3) If a worker is denied weekly holiday, the compensatory leave in *lieu* thereof shall be given within two months of such weekly holiday.

(4) The period and hours of work in a week for all classes of workers in such shift shall be informed to all workers in writing and shall be sent to the Inspector electronically or otherwise.

(5) Where a worker is required to work on a day of his rest, he shall be entitled to wages at the rate of twice his ordinary rate of wages.