

**The Mizoram Shops & Establishments
(Regulation of Employment and Conditions
of Service) (Amendment) Bill, 2023**

**Labour, Employment, Skill Development & Entrepreneurship
Department**

DRAFT OF THE “MIZORAM SHOPS & ESTABLISHMENTS (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) (AMENDMENT) BILL”, 2023.

A Bill

Further to amend the Mizoram Shops & Establishments (Regulation of Employment and Conditions of Service) Act, 2010.

Be it enacted by the Mizoram Legislative Assembly in the Seventy Third Year of the Republic of India as follows namely :-

1. Short title and Commencement.-
 - 1) This Act may be called the Mizoram Shops & Establishments (Regulations of Employment and Conditions of Service) (Amendment) Act, 2023.
 - 2) It shall come into force on such date as the State Government may, by notification in the Official Gazette appoint.

2. Amendment of section 1.-

Sub-section (2) of section 1 of the Mizoram Shops & Establishments (Regulation of Employment and Conditions of Service) Act, 2010 (herein after referred to as the principal) Act, shall be substituted by the following, namely-

“(2) It shall apply to the shops & Establishments employing 10 (ten) or more workers”.

3. Amendment of section 3.-

Clause (I) of sub-section (1) of section 3 of the Principal Act shall be substituted by the following namely,-

“(I) establishments under the Reserve Bank of India or any other bank, any Railway Administration and cantonment authorities.”

STATEMENT OF OBJECTS AND REASONS

The Mizoram Shops & Establishments Act is for small establishments which are not covered by any other Act-regulating the condition of service of employees i.e. Shops, Factories having more than 5 workers. There is no Central Legislation on this subject as it comes under the state preview. Almost all states have passed legislation on this subject. It normally provides “Registration of Shops & Establishments,” about employed workers and exempts bank. Generally, it also requires furnishing of Appointment Letters to employees and exempt bank of applicability. It also contains some job protection provisions.

The amendments are made as directed by the Ministry of Labour & Employment vide D.O No. N.S – 63011/2/2018-IR(PL) dated 28.12.2018 & Ministry of Finance vide D.O. No.7/19/2022-BOA-I dated 02.05.2022.

Place : Aizawl
Date : 23.02.2023

(LALCHHANDAMA RALTE)
Minister
Labour, Employment, Skill Dev. & Entrepreneurship Deptt.

**GOVERNMENT OF MIZORAM
LABOUR, EMPLOYMENT, SKILL DEV. & ENTREPRENEURSHIP DEPTT.
MIZORAM SECRETARIAT, AIZAWL**

FINANCIAL MEMORANDUM

The Mizoram Shops & Establishments (Regulation of Employment and conditions of Service) Act, 2022 will not incur any expenditure from the State Government.

Place : Aizawl
Date : 23.02.2023

(LALCHHANDAMA RALTE)
Minister,
Labour, Employment, Skill Dev. & Entrepreneurship Deptt.

COMPARISON STATEMENT

| Sl. No. | Section | Existing Provisions | Proposed Amendment | Justification |
|----------------|----------------|--|---|---|
| 1 | Section 1 (2) | Sub-section (2) of section 1 of the Principal Act, “it shall apply to the Shops and Establishments employing 5 (five) or more workers” | Sub-section (2) of section 1 of the Principal Act, shall be substituted by the following namely “(2) It shall apply to the Shops and Establishments employing 10 (ten) or more workers” | As directed by the Minister of Labour & Employment via D.O. No.N.S63011/2/2018-IR (PL) dated 28.12.2018 |
| 2 | Section 3(1) | In section 3 (1) (I) – “any office of the Reserve Bank of India (RBI)” | Clause (I) of sub-section (1) of section 3 of the Principal Act shall be substituted by the following namely “establishments under the Reserve Bank of India or any other Bank, any Railway Administration and cantonment authorities | As instructed by Minister of Finance via D.O. No. 7/19/2022 – BOA - I dated 02.05.2022. |