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Separate paging is given to this part in order that it may be filed as a separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT— DEPARTMENT OF LAW,
JUSTICE AND PARLIAMENTARY AFFAIRS.

Jammu, the 1st November, 2025.

The following Act as passed by the Jammu and Kashmir Legislative Assembly received the assent of the Lieutenant Governor on 1st November, 2025 and is hereby published for general information :—

**THE JAMMU AND KASHMIR SHOPS AND ESTABLISHMENTS
(LICENSING, REGULATION OF EMPLOYMENT AND
CONDITIONS OF SERVICE) ACT, 2025
(Act No. VI of 2025)**

[1st November, 2025]

An Act to amend and consolidate the laws relating to regulation of employment and other conditions of service of workers employed in

shops and establishments and for matters connected therewith or incidental thereto.

CHAPTER I PRELIMINARY

1. Short title, extent, application and commencement. — (1) This Act may be called the Jammu and Kashmir Shops and Establishments (Licensing, Regulation of Employment and Conditions of Service) Act, 2025.

(2) It shall extend to the whole of Union Territory of Jammu and Kashmir.

(3) It shall come into force on such date as the Government may by notification in Official Gazette, appoint.

(4) It shall apply to all the shops and establishments in the Jammu and Kashmir.

2. Definitions. — In this Act, unless the context otherwise requires:-

- (a) "**Chief Inspector-cum-Facilitator**" means the Chief Inspector-cum-Facilitator appointed as such under sub-section (1) of section 23 of this Act;
- (b) "**day**" means a period of twenty-four hours beginning at mid night;
- (c) "**employer**" means an owner or a person who has ultimate control over the affairs of a shop or an establishment, and includes—
 - I. in the case of a firm or association of individuals, a partner or member of the firm or association;
 - II. in the case of a company, a director of the company;
 - III. in the case of a shop or an establishment owned or controlled by the Central Government or a Government of Union Territory of Jammu and Kashmir or local authority, the person or persons appointed to manage the affairs of such shop or establishment by the Central Government or the Government of Union Territory of Jammu and Kashmir or local authority, as the case may be;

- (d) "**establishment**" means any premises, not being the premises of a factory or a shop: -
 - (i) wherein any trade, business, manufacture, or any work in connection with, or incidental or ancillary thereto, or any journalistic or printing work, or business of banking, insurance, Residential Hotels, Restaurants, stocks and shares, brokerage or produce exchange, is carried on; or
 - (ii) which is used as theatre, cinema, or for any other public amusement or entertainment, to whom the provisions of the Factories Act, 1948 and Motor Transport Workers Act, 1970 does not apply;
- (e) "**Government**" means Government of the Union Territory of Jammu and Kashmir;
- (f) "**notification**" means a notification published in the Official Gazette;
- (g) "**prescribed**" means prescribed by rules made under this Act;
- (h) "**shop**" means any premises where goods are sold, either by retail or wholesale or where services are rendered to customers, and includes an office, a store-room, go-down, warehouse or workhouse or work place for distribution or packaging or repackaging or finished goods is carried on; but does not include a shop attached to a factory where persons employed in such shop are allowed the benefits provided under the Factories Act 1948;
- (i) "**wages**" means wages as defined in the Payment of Wages Act, 1936 (4 of 1936);
- (j) "**week**" means a period of seven days beginning at midnight on Saturday night or such other night as may be approved in writing for a particular area by the Chief Inspector cum Facilitator;
- (k) "**worker**" means any person (except an apprentice under the Apprentice Act, 1961) employed to do any manual, unskilled, skilled, technical, operational or clerical work for hire or reward, whether the terms of employment be express or implied.

3. Act not to apply to certain persons and premises: — (1) The provisions of this Act shall not apply to-

- (a) a person occupying position of confidential, managerial or supervisory character in a shop or in an establishment;
- (b) a worker whose work is inherently intermittent;
- (c) any office of the Government or the local authority;
- (d) any office of the Reserve Bank of India;
- (e) establishments for the treatment of care of the sick, infirm, destitute or mentally unfit running on no profit no loss basis;
- (f) bazars, fairs, or exhibitions for the sale of works for charitable or other purposes from which no profit is derived;
- (g) stalls and refreshments rooms at railway stations or railway dining cars;
- (h) any commercial establishment carrying on the business of transport of passengers and goods by motor vehicles and persons exclusively employed in such business;
- (i) clubs not being residential clubs;
- (j) offices of lawyers;
- (k) a member of the family of employer;

(2) A list of workers referred to in clause (a) of sub section (1) shall be displayed on the website of the shop or establishment and in absence of the website at a conspicuous place in the shop or establishment and a copy thereof shall be sent to the Inspector-cum-Facilitator.

4. Certain rights and privileges not to be affected:— Nothing contained in this Act shall adversely affect any right or privilege to which any worker is entitled, under any law, award, agreement, contract, custom or usage for the time being in force.

CHAPTER II

REGISTRATION AND RENEWAL OF REGISTRATION CERTIFICATES

5. Registration of establishments and renewal of registrations.—(1) Every shop and establishment to which this Act applies shall within a period of sixty days from the date of its commencement of trade or business or the date on which such shop or establishment comes into existences, apply for registration online to the

Inspector cum facilitator of the area concerned together with such fee and documents as may be prescribed and obtain a Registration Certificate:

Provided that the registration shall be optional for shops and establishments who have less than twenty employees:

Provided further that the shops and establishments already registered under the provisions of the Jammu and Kashmir Shops and Establishment Act, 1966 shall be deemed to have been registered under the provisions of this Act.

(2) The Inspector cum Facilitator shall, on receipt of an application under sub-section (1) duly accompanied by documents and fee register the shop or establishment after being satisfied about the correctness/genuineness and issue the registration certificate in such form as may be prescribed.

(3) The registration certificate shall initially be valid up to ten years ending 31st December of that year and may be renewed at a time up to a period of 5 years on payment of such fee/late fee as may be prescribed.

(4) In the event of any doubt or difference of opinion between an employer and the Inspector Cum Facilitator in respect of any provisions of this Act, the decision of the Assistant Labour Commissioner shall be final and binding on both the parties.

(5) The registration certificate shall be exhibited in the shop or establishment and be provided to the Inspector Cum Facilitator on demand.

6. Cancellation of Registration.—At any time if it is brought to the notice of Inspector Cum Facilitator that the registration of any shop or establishment has been obtained by misrepresentation or suppression of material facts or by submitting false or forged documents or false declaration or by fraud, therefore requires to be revoked, the Inspector Cum Facilitator shall, after giving an opportunity of being heard, to the employer of the shop or establishment, cancel the registration and remove such establishment from the register of establishments in the manner prescribed.

7. Closing of a shop or establishment to be communicated to the Inspector cum Facilitator.—The employer shall notify to the Inspector cum Facilitator within thirty days from the date of closing of the business that the establishment or the shop has been closed for the business in such form and manner as may be prescribed. The Inspector cum

Facilitator on receiving the information shall remove such establishment from the register and cancel the registration certificate so granted on being satisfied about the correctness of the information received shall remove such establishment from the register and cancel the registration certificate so granted:

Provided that, if the Inspector cum Facilitator does not receive the information but he is otherwise satisfied that any establishment has been closed, he may remove such establishment from the register and cancel its registration.

8. Change in the particulars of registration certificate or business. — The employer shall notify to the Inspector cum Facilitator within thirty days any change or amendment required in the registration certificate in such form and manner as may be prescribed. The Inspector cum Facilitator on receiving the information shall make necessary changes being satisfied about the correctness of the information received shall make necessary changes in the records and registration certificate so granted and communicate to the employer.

CHAPTER III

DUTIES OF EMPLOYER

9. Appointment Letter.— Notwithstanding anything contained in the Act, every employer shall issue an appointment letter to every employee at the time of engagement indicating his terms of employment and conditions of service in accordance provisions of law.

10. Notice for dismissal.— (1) No employer shall dispense with the service of an employee who has been in continuous employment for not less than two hundred and forty days, without giving such person at least one month's notice in writing or wages in lieu of such notice:

Provided that such notice shall not be necessary where the services of such employee are dispensed with for misconduct established as per the rules prescribed.

(2) No employee, who has been in the continuous employment of an employer for not less than two hundred and forty days, shall leave the service of such employer without giving him at least one month's notice in writing, and if he fails to give such notice, or gives notice of less than one month, he shall forfeit his wages for one month or for the number of days by which the notice falls short of one month as the case may be.

(3) Any employee in respect of whom the provisions of sub-section (1) are contravened may apply before Assistant Labour

Commissioner and if he/she is satisfied that such person has been dismissed without sufficient cause, he may for the reasons recorded in writing, direct the employer to pay one and a half months wages as compensation to the persons dismissed and thereupon the employer shall pay the amount of compensation to such person:-

- (a) The amount of compensation payable under this section shall, for the purpose of its recovery, be deemed to be a fine imposed under this Act,
- (b) Any person who has been awarded compensation under this section shall not bring any civil suit or proceedings in respect of the same claim and no civil court shall entertain any such suit or proceedings.

11. Prohibition of discrimination against woman worker.— (1) No woman worker shall be discriminated against in matters of recruitment, training, transfers or promotions or wages.

(2) the woman worker with her consent, shall be allowed to work during night shifts in any establishment in which adequate protection of their dignity, honour and safety, protection from sexual harassment and their transportation from the establishment to the doorstep of their residence as may be prescribed are provided by the employer or his authorised representative or manager or supervisor.

12. Health and Safety of Workers.— (1) Every employer shall take such measures relating to the health and safety (including cleanliness, lighting, ventilation and prevention of fire) of the workers as may be prescribed.

(2) Every employer shall be responsible for providing constant and adequate supervision of the workers 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.

13. Fixing of hours of work and spread over.— (1) No adult worker shall be required or allowed to work in a shop or establishment for more than forty-eight hours in any week and eight hours in a day and no worker shall be asked 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 of weekly rest may be relaxed in case of work of urgent nature with the previous permission of the

Assistant Labour Commissioner.

(2) The total number of hours of work in a shift including the rest interval shall not exceed ten and half hours in any shop or establishment and in case a worker is entrusted with intermittent nature of work or urgent work, the spread over shall not exceed twelve hours.

(3) Any working hour beyond eight hours a day or forty-eight hours a week shall be treated as overtime and the total number of overtime hours shall not exceed one hundred and forty-four hours in a period of three months.

(4) The Government shall make rules to: -

- a. subject to sub-section (1), fix the number of hours of work which shall constitute a normal working day for the workers employed in the shop or establishment, inclusive of one or more specified intervals;
- b. Provide for a day of rest in every period of seven days which shall be allowed to all the workers employed in the shop or establishment and for the payment of remuneration in respect of such days of rest.

(5) The provisions of sub-sections (1) and (2) shall, in relation to the following class of workers employed in such shop or establishment, apply only to such extent, and subject to such conditions, as may be prescribed, namely:

- a. workers engaged on urgent work, or in any emergency which could not have been foreseen or prevented;
- b. Workers engaged in the nature of preparatory or complementary work which must necessarily be carried on outside the normal hours of work laid down in the rules;
- c. Workers engaged in any work which for technical reasons has to be completed before the day is over;
- d. Workers engaged in a work which cannot be carried on except at times dependent on the irregular action for natural forces; and
- e. Highly skilled workers (such as workers working in the establishments of Information Technology, Bio-Technology, hospitals and medical Research institutes and Defence Development establishments).

14. Wages for overtime work.—Where any worker is required to work on any day in excess of **ten hours** with one hour rest and forty-eight hours in a week, he shall be entitled to wages at the rate of twice his ordinary rate of wages or such higher amount as may be prescribed.

15. Shift working and rest.— (1) A department or any section of a department of the shop or establishment may work in more than one shift and if more than one shift is worked, the worker may be required to work in any shift on rotational basis without overlapping the shift and subject to the conditions as may be prescribed under rules.

(2) 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 cum Facilitator electronically or otherwise.

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

Provided that a shop or an establishment to which this Act applies, in case of urgency/ exigency, may work on all days (24x7) in a week, subject to certain conditions, by a general or special order issued in this behalf by the Labour Commissioner for a period of one year in the first instance, which shall be further extended on two yearly basis subject to satisfactory implementation of the provisions contained in the Act and rules made there under and subject to the fulfilment of following conditions:-

- i. that every worker engaged in the establishment shall be allowed a weekly paid holiday of at least twenty four consecutive hours of rest.
- ii. if a worker is denied a weekly holiday in case of any exigency of work, he shall be allowed compensatory paid leave in lieu of such weekly holiday within next two months.
- iii. no worker shall be allowed to work for more than ten hours a day with one hour rest and forty-eight hours in a week.
- iv. the shifts of work as far as practicable be arranged on rotational basis without overlapping and in no case the spread over shall exceed twelve hours a day.
- v. a security amount of Rs. 1500/- (one thousand five

hundred) per worker in the shape of bank draft pledged towards the Assistant Labour Commissioner be submitted along with the application for permission. The security amount shall be refundable up to a period of two years subject to satisfactory compliance of the Labour laws in the establishment:

Provided further that a separate account for this purpose be opened in the office of Assistant Labour Commissioner, and the unclaimed amount shall be utilized for result oriented inspections under the Act, as may be prescribed under the rules.

CHAPTER IV

LEAVE AND HOLIDAYS

16. Annual leave, casual and sick leave and other holdings.—

(1) Every worker engaged in shop and establishment shall be entitled to a weekly holiday with wages:

Provided that the provision of weekly off shall not apply to certain shops and establishments as may be notified by the Labour Commissioner. This arrangement shall not dis-entitle the worker from getting weekly holiday with wages.

(2) Every worker shall be entitled to fourteen days casual leave with wages in every calendar year which shall lapse after the end of calendar year.

(3) Every worker who has worked for a period of two hundred and forty days or more in a shop or establishment during a calendar year shall be allowed during the subsequent calendar year, leave with wages for a number of days calculated at the rate of one day for every twenty days of work performed by him during the previous calendar year.

(4) Every worker shall be permitted to accumulate earned leave up to a maximum of thirty day.

(5) Where the employer refuses to sanction the leave due when applied fifteen days in advance, then the worker shall have a right to encash the leave in excess of thirty days:

Provided that if a worker is entitled to leave under this section, is discharged by his employer before he has been allowed the leave, or if,

having applied for and having been refused the leave, he quits his employment on account of retirement, resignation, death or permanent disability, the employer shall pay him full wages for the period of leave due to him.

(6) A worker shall be entitled to eight paid festival holidays in a calendar year, namely, the Independence Day, Republic Day and Gandhi Jayanti and five such other festival holidays as may be agreed to between the employer and the workers, before the commencement of the Calendar year.

(7) For the purpose of sub-section (3)-

- a) any day of lay-off, by agreement or contract or as permissible under the model standing orders or standing order certified under Industrial Employment (Standing Orders) Act, 1946;
- b) in the case of a female worker, the maternity leave under the provisions of the Maternity Benefits Act, 1961;
- c) the leave earned in the year prior to that in which the leave is availed; or
- d) the absence of the worker due to temporary disablement caused by accident arising out of and in the course of his employment, shall be counted for calculation of leaves.

(8) The leave admissible under sub-section (3) shall be exclusive of all holidays whether occurring during or at either end of the period of leave.

CHAPTER V WELFARE PROVISIONS

17. Health and Safety of workers.—Every employer shall be responsible for providing constant adequate supervision of the workers employed in the shop or the establishment and take such measures relating to the health and safety of the workers including cleanliness, lighting, ventilation and prevention of fire and accidents as may be prescribed.

18. Drinking water.—Every employer shall make effective arrangements to provide and maintain at suitable points conveniently situated for all persons employed in the shop or establishment, a sufficient supply of wholesome drinking water.

19. Latrines and Urinals.—Every employer shall provide sufficient latrine and urinal for male and female as may be prescribed which shall be so conveniently situated as may be accessible for the workers

employed in the shop or establishment:

Provided that several employers may provide common facilities, in case it is not possible in a shop or establishment due to constraint in space or otherwise,

20. Creche facility.— In every shop or establishment wherein thirty or more woman workers or fifty or more workers are ordinarily employed, there shall be provided and maintained a suitable rest room for workers and room or rooms as crèche for the use of children of such woman workers:

Provided that if a group of shops or establishments, so decide to provide a common crèche and rest rooms within a radius of one kilometre, then, the same shall be permitted by the Chief Inspector cum Facilitator, by an order, subject to such conditions as may be specified in the order.

21. First-aid.— Every employer shall provide at the place of work first-aid facilities as may be prescribed.

22. Canteen.—The Government shall require the employer to provide and maintain in the shop or establishment, wherein not less than one hundred workers are employed or ordinarily employed to maintain a canteen for the use of its workers:

Provided that if a group of shops or establishments, so decide to provide a common canteen, then the same shall be permitted by the Chief Inspector cum Facilitator by an order, subject to such conditions as may be specified in the order.

CHAPTER VI

INSPECTOR CUM FACILITATORS AND THEIR POWERS AND FUNCTIONS

23. Appointment of Chief Inspector/Inspectors-cum-Facilitators.— (1) The Government may, by notification, appoint such persons as possess the prescribed qualification to be Inspector cum Facilitator for the purposes of this Act and may assign to them such local limits as it may think fit:

Provided that the Government may, by notification, appoint a Chief Inspector cum Facilitator who shall, in addition to the powers conferred on a Chief Inspector cum Facilitator under this Act, exercise the powers of an Inspector cum Facilitator throughout the Union Territory of Jammu and Kashmir.

(2) The Government may prescribe a scheme for inspection of shops and establishments which shall provide for generation of a web-based inspection schedule.

(3) Every Inspector cum Facilitator and Chief Inspector cum Facilitator appointed under sub-section (1) shall be deemed to be public servants within the meaning of section 2 (28) of the Bharatiya Nyaya Sanhita, 2023.

(4) Subject to such conditions as may be prescribed, an Inspector cum Facilitator may, within the local limit for which he is appointed-

- i. advise the employers and workers and provide them such information as may be considered necessary for complying with the provisions of this Act effectively;
- ii. inspect the shop or establishment in accordance with the scheme for inspection referred to in sub-section (2), and may-
- iii. examine any person who is found in any premises of the shop or establishment and whom, the Facilitator has reasonable cause to believe, is a worker of the shop or establishment;
- iv. require any person to give any information, which is in his power to give with respect to the names and addresses of the persons;
- v. search, seize or take copies of such register, record of wages or notices or portions thereof as the inspector cum Facilitator may consider relevant in respect of an offence under this Act and which the Inspector cum Facilitator has reason to believe has been committed by the employer;
- vi. bring to the notice of the Government defects or abuses not covered by the law for the time being in force; and
- vii. exercise such other powers as may be prescribed:

Provided that no person shall be compelled under this section to answer any question or give any evidence tending to incriminate himself.

(5) Any person required to produce any document or to give any information required by an Inspector cum Facilitator under sub-section (4) shall be deemed to be legally bound to do so within the meaning of section 210 of the Bhartiya Nayaya Sanhita, 2023.

(6) The provisions of the Bhartiya Nagrik Suraksha Sanhita, 2023, so far as may be, shall apply as they apply to the search or seizure made under the authority of a warrant issued under section 97 of the said Sanhita.

CHAPTER VII

RECORDS AND RETURNS

24. Maintenance of register and records.—(1) Every employer shall maintain such registers and records as may be prescribed.

(2) The records may be maintained electronically or manually:

Provided that at the time of inspection by a Facilitator, a hard copy of such records if demanded, shall be submitted duly signed by the employer.

CHAPTER VIII

OFFENCES AND PENALTIES

25. Penalties for Contravention of provisions of the Act:-

(1). Whoever contravenes the provisions of this Act or the rules made thereunder shall be punishable with fine which may extend to fifty thousand rupees and in the case of a continuing contravention, with an additional fine which may extend to two thousand rupees for every day during which such contravention continues:

Provided that the total amount of fine shall not exceed two thousand rupees per worker employed with a minimum fine of Rupees One thousand per worker employed.

(2) If any person who has been convicted of any offence punishable under sub-section (1) is again guilty of an offence involving a contravention or failure of compliance of the same provision, shall be punishable on a subsequent conviction with fine which shall not be less than fifty thousand rupees but which may extend to one lakh rupees.

26. Obstruction to the Inspector-cum-Facilitator.—

(1) Whoever willfully obstructs an Inspector cum Facilitator in exercise of any powers conferred on him by or under this Act or refuses or willfully neglects to afford the Facilitator any reasonable facility for making any inspection, examination, inquiry or investigation authorized by or under this Act in relation to a shop or an establishment, shall be

punishable with fine which may extend to two lakh rupees,

(2) Whoever willfully refuses to produce on the demand of an Inspector cum Facilitator any register or other document kept in pursuance of this Act or the rules made thereunder or prevents or attempts to prevent or does anything which he has reason to believe to prevent any person from appearing before, or being examined by, a Facilitator acting in pursuance of his duties under this Act, shall be punishable with fine which may extend to two lakh rupees:

Provided that the total amount of fine shall not exceed two thousand rupees per worker employed with a minimum fine of Rupees One thousand per worker employed.

27. Cognizance of Offences.—(1) No Court shall take cognizance of any offence punishable under this Act and the rules made thereunder unless a complaint in respect thereof is made by the Inspector cum Facilitator within three months of the date on which the alleged commission of the offence came to the knowledge of the Inspector cum Facilitator and a complaint is filed in that regard thereby:

Provided that where the offence consists of disobeying a written order made by a Inspector cum Facilitator, complaint thereof may be made within six months of the date on which the offence is alleged to have been committed.

(2) Assistant Labour Commissioner shall try any offences punishable under this Act or the rules made there under.

28. Compounding of Offences.— (1) The Labour Commissioner or any officer not below the rank of Assistant Labour Commissioner, if so authorized by the Labour Commissioner, by notification generally or specially, may accept from any person who is reasonably suspected of having violated any of the provisions of Act and rules made there under, a sum of money which shall not be less than fifteen thousand and which may extended to one lakh rupees by way of composition of offence or offences.

2. On the composition of the offence, no further action in respect thereof shall be taken against the person accused of it and if any proceedings have already been instituted against him before any competent authority, the composition shall have the effect of acquittal of such person.

CHAPTER IX
MISCELLANEOUS

29. Protection to persons acting under this Act.—No suit, prosecution or other legal proceeding shall lie against any public servant or any other person in the service of the Central Government or the Government, acting under direction of any such public servant, for anything in good faith done or intended to be done in pursuance of the provisions of this Act or of any rule made thereunder.

30. Application of other laws not barred.—The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law for the time being in force.

31. Provisions of Workmen Compensation Act, 1923 and Maternity Benefit Act, 1961 to apply mutatis-mutandis:—The Provisions of the Workmen's Compensation Act, 1923 and the Maternity Benefit Act, 1961 and the rules made there under shall, mutatis mutandis, apply to every employee of a shop or commercial establishment.

32. Power to make Rules.—(1) The Government may, by notification, make rules for carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- a) the form and manner in which an application shall be made under sub-section (2) to the Inspector-cum-Facilitator for obtaining the registration of section 5;
- b) renewal of registrations as per section 5(3) the measures to be taken by the employer relating to the health and safety (including cleanliness, lighting, ventilation and prevention of fire) of the workers under section 12;
- c) the matters to be provided by rules under sub-section (4) of section 13;
- d) the condition subject to which the provisions of sub-section (1) and (2) of section 13 shall apply to certain class of workers under sub-section (5) of that section;
- e) rate of higher amount of wages under section 14;
- f) the provisions of sufficient latrine and urinals under section 19 and the provision of first-aid facility under section 21;

- g) the qualifications of Inspector cum Facilitators under sub-section (1), conditions subject to which an Inspector cum Facilitator shall exercise his powers under sub-section (4), and other powers exercisable by him under sub-clause (e) of clause (ii) of sub-section (4), of section 23;
- h) the registers and records to be maintained by the employers under sub-section (1) of section 24;
- i) Prescribing of close day, opening and closing hours for different type of shops and establishments, area wise, bazaar wise.
- j) Any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the Government under this Act shall be laid, as soon as may be after it is made, before the House of the Legislature.

33. Power to grant exemptions.— The Government may by notification in the Official Gazette exempt any shop and establishment, or class of establishments in any area or areas from any or all the provision of this Act by previous publication of two months of its intention to do so in the interest of general public.

34. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of two years from the date of the commencement of this Act .

(2). Every order made under this section shall be laid, as soon as may be after it is made, before the Legislative Assembly of the UT Legislature.

35. Repeal and savings.— The Jammu and Kashmir Shops and Establishments Act, 1966 is hereby repealed.

Provided that,—

(a) every appointment order, rule, bye-law, regulation, notification, registration or notice made, issued or given under the provisions of the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, issued or given under the provisions of this Act, unless and until superseded by any appointment, order, rule, bye-law, regulation, notification or notice made, issued or given under this Act ;

(b) any proceeding relating to the trial of any offence punishable under the provisions of the Act so repealed shall be continued and completed as if the said Act had not been repealed but had continued in operation and any penalty imposed on such proceedings shall be recovered under the Act so repealed.

Sd/-

ASHISH GUPTA
Special Secretary to Government,
Department of Law, Justice and
Parliamentary Affairs.