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## LABOUR & EMPLOYMENT DEPARTMENT

### NOTIFICATION

The 13th October 2008

No. 10797-LL-II-SC-4/08 /LE.— In exercise of the powers conferred by sub-section (2) of Section 3 of the Orissa Shops and Commercial Establishments Act, 1956, the State Government do hereby exempt the establishment such as Information Technology (IT) and Information Technology Enabled Services (ITES) operating in the State of Orissa from the purview of sections 9, 10, 11, and 23 of the said Act, subject to the following conditions :—

- (1) That these exemptions shall not affect the application of any other law for the time being in force to the concerned establishment;
- (2) That these exemptions shall not be applicable to the employees of the concerned establishment, who are working on piece-rated basis on written contract, signed between the employer and employees;
- (3) That the employees shall be provided with all the Welfare measures to which they are eligible;
- (4) That the management is permitted to engage women employees during night shift subject to following conditions, namely :-
  - (a) The women employees are willing to work during night shift;
  - (b) There shall be Atleast five women employees in one night shift;
  - (c) The transport facilities to such women employees from residence to work place and back shall be provided free of cost with adequate security;
  - (d) The employment of women employees shall be on rotation basis;
  - (e) Adequate number of security guards shall be posted during night shift;
  - (f) Sufficient rest rooms, latrines and washing facilities with adequate water supply shall be provided separately for women employees so as to secure privacy; and

- (g) The establishment should bear the cost of crèche facility obtained by the women employees from voluntary or other organizations.
- (5) That the above exemptions shall remain valid for a period of two years from the date of publication of this Notification in the Official Gazette.

By order of the Governor,  
P. MALLICK  
Under-Secretary to Government