Andhra Pradesh Shops and Establishments Act, 1988 – Exemption from the provisions of Sections 15, 16, 21, 23, 31 and in respects of section 47 (1) (2) (3) and (4) of the Andhra Pradesh Shops and Establishments Act, 1988 to all Information Technology Enabled Services (ITES) and Information Technology Establishment in the State of Andhra Pradesh – Extension of exemption for a further period of five years with effect from 30.05.2013 – Orders – Issued.

LABOUR EMPLOYMENT TRAINING AND FACTORIES (LAB.IV) DEPARTMENT

G.O.Ms.No.22 Dated: 21.06.2013

Read the following:-

1. G.O.Ms.No.16, LET&F (Lab.II) Department, dated: 30.05.2002.
9. From the COL Lr.No.N2/2230/2012, dated 22.05.2013

ORDER:

In the G.O. 1st read above, Information Technology Enabled Services and Information Technology Establishments were granted exemption from the provisions of sections 15, 16, 21, 23, 31, and 47 (1) (2) (3) and (4) of the Andhra Pradesh Shops and Establishments Act, 1988 (Andhra Pradesh Act 20 of 1988) for a period of (5) years from 30.05.2002 and also granted exemption in GO 6th read above for further period of 5 years with effect from 30.05.2007 subject to the conditions laid down therein and further amendments issued subsequently.

In the G.O. 8th read above Govt., have extended the exemption for a further period of one year with effect from 30.05.2012 and also requested to furnish proposals for constitution of a Tripartite Committee. In the meanwhile the IT&C Department has requested not to conduct surprise checks on IT & ITES Industry in the State of Andhra Pradesh and requested for exemption.

3. On the request of the Information Technology & Communications Department, and the report thereon of the Commissioner of Labour, Andhra Pradesh, Hyderabad Government have decided to extend the exemption for a further period of five years with effect from 30.05.2013.

3 Accordingly, the following notification will be published in the Andhra Pradesh Gazette:

NOTIFICATION

In exercise of the power conferred by sub-section (4) of section 73 of the Andhra Pradesh Shops and Establishments Act, 1988 (Andhra Pradesh Act 20 of 1988), the Government of Andhra Pradesh hereby exempts from the provisions of Contd…
sections 15, 16, 21, 23, 31 and sub-sections (1) (2) (3) and (4) of section 47 of the
Andhra Pradesh Shops and Establishments Act, 1988 to all Information
Technology Enabled Services (ITES) and Information Technology Establishments
in the State of Andhra Pradesh that are defined in G.O.Ms.No.5, Information
Technology and Communication Department dated; 28.01.2002, for a further
period of five years with effect from 30.05.2013 subject to the following conditions
namely:-

a) Weekly working hours for an employee shall be 48 hours. For the work
done beyond 48 hours, employee is entitled for overtime wages.

b) Every employee shall be given a weekly off.

c) The management is permitted to engage young and women employees
during the night shift subject to provision of adequate security during the
course of employment and to and fro transport from their respective
residences.

d) Every employee shall be provided with identity cards and all other welfare
measures to which they are eligible as per the rules in force.

e) Every employee shall be given a compensatory holiday in lieu of notified
holidays, with wages under the provision to sub-section (2) of section 31 of
the Andhra Pradesh Shops and Establishments Act 1988 if they work on
notified holidays.

f) The companies shall obtain Bio-data of each driver and conduct pre-
employment screening of the antecedents of all drivers employed on their
own or through outsourcing. The details such as driving license,
photographs, address, telephone No/Mobile No. etc. of drivers shall be
available with the respective companies.

g) The schedule and route of the pick up and drop shall be decided by the
supervisory officer of the company on every Monday (if Monday is holiday
the next working day in a week). In case of exigencies change of
drivers/routes/shifts shall be allowed only with the prior knowledge of
supervisory officers/employees.

h) The telephone number particularly mobile phone numbers and addresses of
the women employee shall not be disclosed to unauthorized persons.

i) Careful selection of routes shall be made in such a way that no women
employees shall be picked up first and dropped last.

j) It is desirable that the company shall provide security guards for night shift
vehicles.

k) The designated supervisors of the company shall randomly check the
vehicle on various routes.

l) Company shall have a control room/ travel desk for monitoring vehicle
movements; and

m) The exemption granted in these orders may be revoked at any time without
any prior notice.

n) The time after / before which security should be provided to women
employees for cab drop offs / pic ups should be specified. Suggested as
before 6 am and after 8 pm.

Contd..
o) General exemption from maintenance of various statutory registers in hard copies and recognition of soft copy of Registers as sufficient compliance.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C. SHARMA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Printing, Stationery & Stores Purchase, Andhra Pradesh, Hyderabad with a request to publish in the A.P. Gazettee and furnish 10 copies to Government and 25 copies to Commissioner of Labour, Andhra Pradesh, Hyderabad.

The Commissioner of Labour, Andhra Pradesh, Hyderabad.
Copy to:
The Information Technology and Communications Department, Andhra Pradesh, Hyderabad.
The Law (B) Department
SF/SC

//FORWARDED:: BY ORDER//

SECTION OFFICER