

## **WEEKLY HOLIDAYS ACT, 1942**

An Act to provide for the grant of weekly holidays to persons employed in shops, restaurants and theatres.

It shall come into force in a State or in a specified area within a State only if the State Government by notification in the Official Gazette so directs.

Every shop shall remain entirely closed on one day of the week, which day shall be specified by the shop-keeper in a notice permanently exhibited in a conspicuous place in the shop. The day so specified shall not be altered by the shop-keeper more often than once in three months.

Every person employed otherwise than in a confidential capacity or in a position of management in any shop, restaurant or theatre shall be allowed in each week a holiday of one whole day: Provided that nothing in this section shall apply to any person whose total period of employment in the week including any days spent on authorized leave is less than six days or entitle to an additional holiday a person employed in a shop who has been allowed a whole holiday on the day on which the shop has remained closed.

### **Additional half-day closing or holiday.**

The State Government may, by notification in the Official Gazette, require in respect of shops or any specified class of shops that they shall be closed at such hour in the afternoon of one week-day in every week in addition to the day provided for as may be fixed by the State Government, and, in respect of theatres and restaurants or any specified class of either or both, that every person employed therein otherwise than in a confidential capacity or in a position of management shall be allowed in each week an additional holiday of one half-day commencing at such hour in the afternoon as may be fixed by the State Government.

The State Government may, for the purposes of this section, fix different hours for different shops or different classes of shops or for different areas or for different times of the year.

The weekly day on which a shop is closed in pursuance of a requirement under sub-section (1) shall be specified by the shop-keeper in a notice permanently exhibited in a conspicuous place in the shop and shall not be altered by the shop-keeper more often than once in three months.

### **No deduction or abatement to be made from wages.**

No deduction or abatement of the wages of any person employed in an establishment to which this Act applies shall be made on account of any day or part of a day on which the establishment has remained closed or a holiday has been allowed in accordance with sections 3, 4 and 5, and if such person is employed on the basis that he would not ordinarily receive wages for such day or a part of a day he shall nonetheless be paid for such day or part of a day the wages he would have drawn had the establishment not remained closed or the holiday not been allowed on that day or part of a day.

The State Government may, by notification in the Official Gazette, appoint persons to be Inspectors for the purposes of this Act within such local limits as it may assign to each such persons.

Every inspector appointed under this section shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860).

### **Powers of Inspectors.**

Subject to any rules made in this behalf by the State Government, an inspector may, within the local limits for which he is appointed, -

- (a) Enter and remain in any establishment to which this Act applies with such assistants, if any, being servants of the Government as he thinks fit;
- (b) Make such examination of any such establishment and of any record, register or notice maintained therein in pursuance of rules made under clause (c) of sub-section (2) of section 10, and take on the spot or otherwise such evidence of any person as he may deem necessary for carrying out the purposes of this Act;
- (c) Exercise such other powers as may be necessary for carrying out the purposes of this Act.

Any person having the custody of any record, register or notice maintained in pursuance of rules made under clause (c) of sub-section (2) of section 10 shall be bound

### **F. A. Q**

1. What is the aim of this Act?

A. The aim of this Act to provide for the grant of weekly holidays to persons employed in shops, restaurants and theatres.

2. Who will get the weekly holiday?

A. Every person employed otherwise than in a confidential capacity or in a position of management in any shops, restaurants or theatres shall be allowed in each week a holiday of one whole day (section 4).

3. What provides in section 3 of this Act ?

A. Section 3 of this Act directs the closing of shops.

4. What tells about the closing of shop ?

A. As per section 3 of this Act, every shop shall remain entirely closed on one day of the week, which day shall be specified by the shopkeeper in a notice permanently exhibited in a conspicuous place in the shop.

5. Is the closing day changeable?

A. No, the day so specified shall not be altered by the shopkeeper more often than once in three months.

6. Is the weekly holiday a paid holiday?

A. Yes, it is a paid holiday. No deduction or abatement of the wages of any person employed in an establishment to which this Act applies shall be made on account of any day or part of a day on which the establishment has remained closed or a holiday has been allowed in accordance with section 3, 4 & 5.

7. What action to be taken for violation of this Act ?

A. In the event of any contravention of the provisions of this Act is punishable with fine up to twenty-five rupees, in the case of first offence and up to two hundred and fifty in the case of second and subsequent offence.