

# Delhi exempts establishments from few Work Time provisions, doing away with Permission Requirement

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By way of a notification dated 7 August 2025, the Lieutenant Governor of the National Capital Territory (NCT) of Delhi has exempted all establishments other than liquor shops from Sections 14, 15 and 16 of the Delhi Shops and Establishments Act, 1954 (Delhi S&E Act), which marks an important shift from a permission-based regime that has existed thus far. This short update covers key developments emanating from this notification.

## Sections 14, 15 and 16 of Delhi S&E Act

Under Section 14 of Delhi S&E Act, women cannot be engaged in night shift (i.e., between 9 PM and 7 AM during the summer season and between 8 PM and 8 AM during the winter season). Under Section 15, the opening and closing hours of shops and commercial establishments are such as may be prescribed by the state government, and generally, these hours are 8 AM to 6 PM for commercial establishments within the urban, semi-urban and rural areas of the Union Territory of Delhi. Section 16 read with related notification requires every establishment to observe a closed day, (a) which would be every Sunday for commercial establishments, and (b) on 3 of the national holidays each year from amongst the national holidays notified by the state government.

## Permission regime to enjoy exemption from above requirements

Thus far, if an establishment were to enjoy an exemption from the above requirements, their authorised representative would have to apply for permission from the state government in this regard via the online portal (<https://dlabourwelfareboard.delhi.gov.in/shopexemption/>). The state government would then carry out an examination of the details provided and, if required, seek clarifications from the concerned establishment, before exercising its power under Section 4 to issue a notification to grant an exemption subject to certain conditions.

## Particulars and implications of the recent notification

Effectively, the above-mentioned process has been done away with by the recent notification. Establishments (other than liquor shops) will no longer have to seek approval from the state government to enjoy an exemption. The notification does subject the exemption to certain conditions, which are largely the same as those that the state government would impose on individual establishments when granting them exemption under the current regime. These conditions are:

- (a) adherence to daily and weekly working hour limits (i.e., 9 hours a day and 48 hours a week), unless overtime work is observed as per the law;
- (b) appropriate safety and transportation arrangements for all employees who are required to work additional hours over the standard working hours;
- (c) installation of CCTV cameras on the premises, to be preserved for a minimum of one month;
- (d) provision of compensatory off as well as overtime pay to employees working on national holidays;
- (e) provision of weekly off on a rotation basis;
- (f) compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013;

- (g) consent of women for working during night shifts;
- (h) provision of statutory benefits under various labour laws and display of reference to such compliance on the website of the establishment;
- (i) availability of washroom, safety lockers, and other basic amenities;
- (j) display of the exemption notification at the establishment's entrance / exit area; and
- (k) furnishing of details of the establishment (name of the entity, nature of the business, number of employees, etc.) together with an undertaking – addressed to the Labour Department, Government of NCT of Delhi – that the establishment shall follow the exemption conditions.

## Comments

The notification brings Delhi in alignment with few other industrialised states including Maharashtra where exemptions of this nature to establishments are provided not entity-wise but generally, subject to provision of safety, transportation and welfare provisions like the ones noted above, thus ensuring better operational flexibility. This helps avoid administrative delays and discretion in granting government approvals and / or conditions to such approvals.

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