

UTTAR PRADESH SHOP AND COMMERCIAL ESTABLISHMENT RULES-1963 (INCLUDING THE NINTH AMENDMENT OF THE YEAR 2022)

THE UTTAR PRADESH DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963¹ In pursuance of the provisions of Article 348 (3) of the Constitution of India, the Governor of Uttar Pradesh is pleased to order the publication of the following English translation of Notification No. 2084 (LL)/XXXVI-B —489 (LL)-1962, dated May 1, 1963. In exercise of the powers under Section 40 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. 26 of 1962), the Governor of Uttar Pradesh is pleased to make the following rules, the same having been previously published as required by sub-section (3) of the said section

1. Short title and commencement.—(1) These rules may be called the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963. 2 (2) They shall come into force at once. 3[2. Definitions.—In these rules, unless there is anything repugnant in the subject or context— (a) (b) (c) (d) (f) (g) (h) (i) (j) (k) "the Act" means the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962; "financial year" means the period of twelve months commencing on the first day of April; "form" means a form appended to these rules; 'inspector concerned' in relation to a shop or commercial establishment, means an Inspector for the area within which the shop or commercial establishment is situated. "right" means the period of twelve consecutive hours beginning at 7 p.m. "Registration Certificate" means a certificate showing the registration of a shop or a commercial establishment; "Register of shops or commercial establishments" means a register maintained for the registration of shops or commercial establishments under Section 4-A of the Act. "Section" means a section of the Act; "State Government" means the Government of Uttar Pradesh; "Restaurant" means any premises in which the business or supply of meals or refreshments on payment to the public or a class of public for consumption on the premises is carried on wholly or mainly by whatever name called; and "Theatre" includes any premises intended mainly or wholly for the exhibition of pictures or other optical effects by means of cinematography or other suitable apparatus or for dramatic or circus performances or for any other public amusement or entertainment. I J, Vide Noti. No, dt. 01115.1963, published in the U.P. dt. 0105.1963. 2. 'The Rules came into force up to 01.05.1963, by No, dt. 03.02.198-1 (w.e.f 03.02.198-1). (20) 21 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 [SECTION 4-B 1[2-A. Form of Register to be kept by the Inspector concerned of the shop or commercial establishment and the fees charged for their registration and its The register of shops or commercial establishments shall be maintained in Form 'K'. 2[(2) The owner of every shop or commercial establishment shall, within the period as specified in sub-section (1) of Section 4-B of the said Act, make an application for registration of his shop or establishment on payment of requisite registration fee as specified below and in the manner as prescribed by the Labour Commissioner. The fee will be levied one time only on maximum number of employees employed during financial year. 1 1. 2. 3. 4. No. 1 1. 2 3. 4. 5. z Category of shop 2 Employing 1 to 5 employees Employing 6 to 10 employees Employing 11 to 25 employees Employing more than 25 employees PART-I One Time Fee for registration 3 Rs. 2,250 3,000 6,000 7,500 Category of Commercial establishment 4 Employing 1 to 5 employees Employing 6 to 10 employees Employing 11 to 25 employees Employing more than 25 employees One Time Fee for registration 5 Rs. 4500 6,000 15,000 30,000 PART-II 2 Commercial establishment which is used as theatre or cinema or for any other public amusement or entertainment or Barat Ghar or Guest house. Hotel up to three-starred standard. Four or five-starred hotels or hotels of like standard Any shop or commercial establishment having ownership of registered company employing 1 to 25 employees Non-Banking financial institution/ Adhishthan 3 15,000 30,000 75,000 15,000 30,000] subs. by Noti. No. dt. 03.02.1984 (w.e.f 03.02.1984). subs, by Noti. No. J 06[XXXVIO-2022-14 (Sa)-2019 dt. 03-08-2022. 22 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 (SECTION (3)1 (3) If the Inspector concerned is satisfied about the correctness of the statement made in the application as provided in sub-section (2) of Section 4-B, he shall register the shop or commercial establishment in the register of shops or commercial establishments and issue a registration certificate in Form 'M'. The registration certificate shall, on demand, by the Inspector concerned be shown to him by the owner. (i) Every owner of a shop or commercial establishment shall get his shop or commercial establishment registered one time. The shops and commercial establishments which are run on yearly contract basis shall apply for Licence for that year

and shall pay one-fifteenth (1/15th) of the above prescribed fee. (ii) The shops and commercial establishments which are already registered for five years shall be renewed once on deposition of fee prescribed under sub-rule (2) of rules 2-A. The owner shall communicate in Form "N" to the Inspector concerned any change in the name and address of the shop or commercial establishment, owner name of the employers or change in the number of employees within 15 days of the date of occurrence of such change together with registration certificate and treasury challan/bank draft (crossed) for Rs. 50.00 (Rs. Fifty) in the case of a shop or commercial establishment having no employee and Rs. 100.00 (Rs. One hundred) in the case of others and the amount, if any, payable as specified in sub-rule (2) above having regard to the increase in the number of employees. The Inspector concerned after being satisfied about the correctness of the change shall make necessary amendment in the register of shops and commercial establishment and in the registration certificate and issue a fresh registration certificate, if necessary.] [SECTION 4-CI 5(8) Late fee on application for Registration Certificate and its renewal—If an application for registration of a shop or commercial establishment is not received within the period specified under sub-section (1) of Section 4-B of the Act, as the case may be, such registration shall be made only on payment of a late fee at the rate of one percent of the fee of registration per month or part thereof, in addition to the prescribed fee. The late fee shall accompany the application.] 1. 2, 3

5. Subs. by Noti. No. 1106/XXXVI-03-2022-14 (Sa)-2019 dt. 03-08-2022. Omitted by Noti No. dt 3-08-2022. Subs. by Noti. No. dt 18.10.2016, published in the U.P. Gazette, Extra., dt. 18.10.2016 Prior to substitution, it stood as under : (6) Amendment of Registration Certificate. —The owner shall communicate in Form 'N' to the Inspector concerned any change in the name and address of the shop or commercial establishment, name or names of the employers or change in the number of employees within 15 days of the date of such change together with registration certificate and Treasury Challan/Bank Draft (crossed) for Rs. 5 in the case of a shop or commercial establishment having no employee and Rs. 10 in the case of others and the amount, if any payable as specified in sub-rule (1) above having regard to the increase in the number of employees. The Inspector concerned after being satisfied about the correctness of the change, shall make necessary amendments in the register of shops or commercial establishments and in the registration certificate and Issue a fresh registration certificate, if necessary.] Omitted by Noti No. I (Sa)/2019 dt 3-08-2022. by Noti No. dt 3-08-2022. obtain a for it. or renewed [Of] i.e., of treasury the cost' be, on with the the Inspector certificate duly marked ink (t through the of of Account (12) to be communicated to the Inspector within 15 days of the date of the shop or commercial writing to the (Inspector concerned. On receipt of the Intimation and having been satisfied that shop or commercial establishment actually been closed down, the Inspector concerned shall remove such or commercial establishment from the register of shops or commercial establishments and cancel the registration certificate. The registration fee/renewal fee shall, in no case, be refunded. (13) Display of the registration number in the shop or commercial establishment.— Every owner of the shop or commercial establishment shall display at a conspicuous place in his shop or commercial establishment the registration number on a plate with letters and figures at least 5 cms. height and 1 cm- thick written in white or luminous paint of any colour-I by Noti. dt 18.10.2016, published in the U.P. Extra., dt. 18.10.2016

102016. Prior to substitution, it stood as under (10) Issue of duplicate of Registration Certificate.— Where a registration certificate issued under Section 4-B or renewed under Section 4-C is lost, destroyed, torn, defaced, mutilated or otherwise becomes illegible, an application to the Inspector concerned for the issue of a duplicate copy thereof shall be made in Form 'O' accompanied by a Treasury Draft (Crossed) for Rs. 5 or Rs. 10, as the case may be, on account of as specified below :— For shops or commercial establishment :— (i) Without employee (ii) employees Rs. 10/- Upon receipt of such application together with the fee, the Inspector concerned shall issue a duplicate copy of the registration certificate duly marked 'DUPLICATE' in red ink. 24 THE UP DOOKAN AUR VANIJA ADHISHTHAN NIYAMAVALI, 1963 [SECTION 5 (1)1 [R. 3-7 3. Hours of business.—(1) No employer shall on any day open before 9 a.m. or keep after 8 p.m. any shop, not mentioned in Schedule 11 of the Act : Provided that in summer the employer may open before 10 a.m. but not before 9 a.m. Explanation.—For the purposes of the above proviso "summer" means the period from midnight of March 14th to midnight of September 14th, in any year • Provided further that shops exclusively or mainly dealing in food grains, pulses and oilseeds may open earlier but not before 8 a.m. (2) No employer shall on any day open before 9 a.m. or keep open after 7 p.m. any commercial establishment, not mentioned in Schedule 11 of the Act. (3) The shops and

commercial establishments wherein only wholesale business of food grains, pulses and oilseeds is carried on, and which are situated in a grain mandi specified in this behalf by the District Magistrate having jurisdiction over the area may open earlier, but not before 6 a.m. [SECTION 6 114. Information of overtime work.—Whenever any employer is required or allowed to work overtime under this first proviso to sub-section (1) of Section 6, the employer shall within twenty-four hours of the expiry of the period of such work, furnish information giving the name of the employee, and the duration of overtime work to the Chief Inspector and to the Inspector concerned.] [SECTION 8 (1) (b)] 215. Public holidays.—For the purposes of Clause (b) of sub-section (1) of Section 8 and Clause (i) of Section 9 the following shall be the public holidays— (1) Republic Day; (2) Holi Parewa; (3) Birthday of Dr. Ambedkar; (4) Independence Day; (3) [Birthday of Mahatma Gandhi; (6) Dj wali Parewa; (7) Kartik Poornima; and (8) Idu'l Fitr,] [SECTION 8 (2)] 1 Approval of an employer' 6 choice of a close day.—Every District LI/Ja;'j.tratÅ' f,) laJJ, for Ill" area within hib Jurisdiction, be the ditithority etnpowered fjnder (2) of Section P, to approve the choice by the employer Of day. (2) and (Ail 7. Notice of (Jose day and notice of alteration in close The notice approvaJ (J under (2) (A) of H Oi 25 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 [R. 8-10 (2) For fixation of a uniform close day for a locality under the first proviso to Section 8 or for altering the close day on a written request of the majority of the employers in a locality, under the second proviso to the said section, the authority appointed under sub-section (2) of Section 8, shall ascertain the views of the majority of the employers in the locality in regard to the proposed close day by callng a meeting of the employers or in such other manner as he may deem fit and shall fix or alter the close day for that locality after considering the views, if any, so ascertained. (3) A copy of the order passed by the aforesaid authority shall be sent to the Chief Inspector and the Inspector concerned, as soon as possible. [SECTION 8 8. Notice specifying close day.—(i) The notice specifying close days, shall be in Form, (ii) A copy of every such notice shall be sent by the employer to the Inspector concerned within two days of its being first displayed in the shop or commercial establishment. [SECTION (9)] 9. Notice of weekly holiday. —Every employer shall exhibit in his shop or commercial establishment a notice in Form "C" specifying the day or days of the week on which the employees shall be given holiday. The notice shall be exhibited before the persons employed cease work on the Saturday immediately preceding the week during which it will have effect. [SECTION 10] 10. (i) Earned leave— (a) Every application for earned leave shall be made in writing and in case of leave for more than three consecutive days shall ordinarily be made at least seven days before the date from which leave is required. An application for leave for three days or less shall ordinarily be made at least twenty-four hours before the date from which leave is required Provided that earned leave shall not be taken more than three åmes in a year. (b) The earned leave applied for, may be refused by the employer on grounds of exigency of work and reasons for giving refusal shall be recorded in writing and communicated to the employee concerned. (c) The order on an application, either accepting or refusing earned leave shall be passed and communicated to the employee before the date from which leave has been applied for. (d) Every application for earned leave and e orders of the employer passed thereon shaJl be retained by the employer for a period of not less than (e) employer shaJJ at the close of every year, communicate in writing to the employee, on demand made by him, the account of his earned Jeave including Jenve carried forward from the previous year, the leave earned during year, the leave availed during lthe year and the leave fo be carried forward to the next year, knesy, applic [roji) an ejJiJ)Joyee for Bicknes5 leave, in accordance with the (J (2) of 10 be -refused, but if in any case the t lthe (ruljl 01 the at;serlion set out therein, the 26 THE UP DOOKAN VANIJYA AOH'SHTHAN MIYAMAVALI. employer may require it to bc supportecJ by a certificate from a registered medical practitioner recommending the leave period for. (iii) Casual Icave— (a) Every application from an employee for casual leave •hall be in writing. The employer <hall record his ordere on all such applications and shall retain them for at least one year. (b) Ordinarily no application for casual leave for one day in any if due, Shall be refused by the employer. l/fInere, month, however, an employee has rendered mote than one month's service in any calendar he may apply for a part of the whole of the casual leave due to him, provided that such leave does not e«ced one day for every month of service tendered by him in that calendar year. (c) An employer may after recording his reasons in writing refuse an application for casual leave from an employee on grounds of exceptional pressure of work requiring his attendance on the day or days in respect of which casual leave has been asked for. Provided that leave shall not be refused where it has been asked for on account of accident, physical injury to the employee, death in

the family or sickness of the employee, his wife or child. (d) Where an application has been made on grounds of physical injury or sickness of the employee, his wife or child, an employer may get the employee or the wife or child of the employee, as the case may be, examined at his (employer's) own expense by a registered medical practitioner for the purpose of verifying the facts mentioned in the application for leave and may grant or reject the application on the basis of the certificate of such medical practitioner. (e) The medical certificate shall be retained by the employer for at least one year. (f) Where an application for casual leave is refused by an employer under Clause (c) the employer shall, therefore, grant equivalent leave to the employee in the same calendar year. (g) Any casual leave, not applied for, by an employee during a calendar year, shall lapse. [SECTION 131 11. Payment of wages.—(1) Wage period may be monthly, fortnightly, weekly or daily. Where the wage period consists of a month, every employer shall pay the wages of his employee, before the expiry of the seventh day after the last day of the wage period in respect of which the wages are payable. the wage period is either a fortnight or a week, payment shall be made by the employer before the expiry of three days after the last day of the wage period in respect of which the wages are payable, where the wage period is daily, payment shall be made by the employer before the expiry of 24 hours of the wage period • IR. 12 27 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 Provided that if an employee be absent on a day on which payment would have been made, but for such absence the payment shall be made within three days after the employer returns to work or demands payments. (2) All payment of wages shall be made on a working day. [SECTION 15] 12. Deduction from wages.—(1) No deduction shall be made by an employer from the wages of an employee except on account of— (a) fines; (b) absence from duty; (c) damages to or loss of goods expressly entrusted to the employee for custody, or loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default; (d) house accommodation supplied by the employer where the rent was being charged by the employer from the employee on the date the Act came into force. (e) such amenities and services as the State Government may, by general or special order, specify. Explanation.—The word "services" in this sub-rule does not include the supply of tools and raw materials required for the purposes of employment; (f) recovery of advance or of overpayment of wages; (g) income tax payable by the employee; (h) amounts required to be recovered by order of a Court or other (i) (j) (k) (l) (m) authority competent to make such order; subscription to, or repayment of advance from, any provident fund to which the Provident Funds Act, 1925 (Act No.19 of 1925), applies or any other provident fund recognised under Rule 3 of Part A of the Fourth Schedule to the Income Tax Act, 1961 (Act No. 43 of 1961), or approved in this behalf by the State Government during the continuance of such recognition or approval; payments to co-operative societies approved by the State Government; revenue stamps required to be attached to pay receipts; supply of cooked food or refreshment during the hours of employment in accordance with any scheme previously approved by the Chief Inspector. payment of any insurance premium on the employee's life insurance policy or of contribution to the National Defence Fund or any Defence Saving Scheme approved by the State Government, provided that prior written authorization in this behalf is obtained from the employee; (n) payment of security deposits agreed to in writing by an employee and any other fund approved previously in writing by the contribution to a superannuation fund approved under the Income Tax Act, 1961, or of any other fund agreed to in writing by the employee. 28 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI. 1963 (RM2) Every payment made by an employee to the employer or his agent shall, for the purposes of these rules, be deemed to be a deduction from wages. (ii) Every deduction made by an employer or his agent from any deposit taken from an employee as security for the purposes of employment shall be deemed to be a deduction from wages. (2) No fine shall be imposed on an employee— (a) except for an act or omission specified by the employer with the approval of the Chief Inspector or the Deputy Chief Inspector; or (b) without giving the employee concerned a reasonable opportunity of showing cause against the proposed fine : Provided that the employer may, if he is satisfied that for some reason to be recorded by him in writing it is reasonably practicable to give the employer an opportunity to show cause, dispense with such opportunity. (3)(a) Deductions may be made under Clause (b) of sub-rule (1) only on account of the absence of an employee from the place or places where, by the terms of his employment he is required to work, such absence being for the whole or any part of the period during which he is so required to work. (b) The amount of such deductions for absence from duty shall, in no case, bear on the wages payable to the employee in respect of the wage period for

which the deduction is made, a larger proportion than the period for which has been absent bears to the total period, within such wage period during which by the terms of his employment, he was required to work : Provided that, subject to any orders made in this behalf by the State Government, if ten or more employees or where the total number of employees is 20 or less, one-half of the total number acting in concert absent themselves without the due notice (that is to say without giving the notice which is required under the terms of their contract of employment); and without reasonable cause, such deduction from any employee may include such amount not exceeding his wages for eight days as may by any such terms be due to the employer in lieu of the notice. Explanation. —For the purpose of this sub-rule, an employee shall be deemed to be absent from the place where he is required to work if, although present in such place he refuses in pursuance of a stay-in-strike or for any other cause, which is not reasonable in the circumstances, to carry out his work. (4) A deduction under Clause (c) of sub-rule (1) shall not exceed the amount of damage or loss caused to the employer by the neglect or default of the employee and shall not be made until the employee has been given an opportunity of showing cause against such deduction. (5) A deduction under Clause (d) or Clause (e) of sub-rule (1) shall not be made from the wages of an employee unless the house accommodation, amenity or service has been accepted by him, as the term of employment or otherwise, and such deduction shall not exceed an amount equivalent to the value of the house accommodation, amenity or service supplied and in the case of a deduction under Clause (e) shall be subject to such conditions as the State Government may impose in the order specifying the amenities or services. [R. 13-15 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 29 (6) Deductions under Clause (f) of sub-rule (1) shall be subject to the following conditions— (i) recovery of an advance of money given before employment began shall be made from the first payment of wages in respect of a complete wage period, but no recovery shall be made of such advance for travelling expenses. (ii) recovery of advances of wages not already earned shall be subject to any order made by the State Government regulating the extent to which such advances may be given and the instalments by which they may be recorded; (iii) no instalments for recovery of advance shall exceed one-third or where the wages for any wage period do not exceed Rs. 20, one-fourth of the wages for the period in respect of which the deduction is made; and (iv) the amount and date of every advance and its repayment with the date thereof shall be entered in Form "G" prescribed under Rule 18. (7) Deductions under Clause (j) of sub-rule (1) shall be subject to such conditions as the State Government may, by order, impose. (8) All such deductions and realizations shall be recorded in a register in Form 'D'. [SECTION 17 (1) 13. Register of fines.—(1) Every employer shall maintain a register fines and realization thereof in Form (2) At the beginning of the register shall be entered serially numbered approved purposes for which the fines realised can be expended. [SECTION 17 14. Utilisation of fines for beneficial purposes.—(1) The Chief Inspector shall be the authority empowered under sub-section (2) of Section 17 of the Act' by the State Government to approve the purposes on which recoveries of fines may be applied. (2) The Chief Inspector may, by general or special order, direct that the recoveries of fines shall be expended in whole or part within such reasonable time as maybe specified by him. [SECTION 19 15. Acts constituting misconduct.—The following acts or omissions shall constitute misconduct for purposes of sub-section (2) of Section 19— (a) (b) (c) (d) (e) wilful insubordination or disobedience whether alone or in combination with another of any lawful order of a superior; striking work either singly or with any other employee without giving due notice prescribed by any law for the time being in force; inciting, whilst in the shop or commercial establishment, any employee to strike work; theft, fraud or dishonestly in connection with the employer's business or property; taking or giving bribe or any illegal gratification whatsoever; habitual absence without leave; 30 (g) (h) (i) (j) (k) (l) (m) [R.16-18 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 drunkenness, fighting, riotous or disorderly behaviour or conduct likely to cause a breach of peace, or conduct endangering the life or safety of any other person or any act subversive of discipline and efficiency and any act involving 'moral turpitude, committed within the shop or commercial establishment; habitual negligence or neglect of work; threatening or intimidating any employee in the shop or commercial establishment; disclosing to an unauthorised person any information in regard to the working process of the shop or commercial establishment which comes into the possession of an employee during the course of his work; gambling within the shop or commercial establishment; sleeping while on duty; and in subordination, malingering, deliberate delaying of production or carrying out of orders. Explanation. —No act of misconduct which is committed on less than three occasions within one year or a

lesser period shall be treated as "habitual" [SECTION 261 16. Maternity benefit.—(1) The maternity benefits payable to a woman employee under Section 26 shall be at the rate of her average daily wages calculated on the total wages earned on the day when full-time work was done during a period of three months immediately preceding the date on which she has given notice under sub-section (1) of Section 24 or at the rate of Rs. 1 per day whichever is more. (2) The payment of maternity benefit to a woman employee shall be made to her at any time not later than one week after the date of her delivery : Provided that if a woman dies during this period, the maternity benefit shall be payable only for the days upto and including the day of her death. (3) The amount payable to a woman employee as maternity benefit in accordance with the foregoing rules shall for the purpose of its recovery be deemed to be part of her wages, (4) Payment in respect of a claim of maternity benefits shall be made by the employer to the woman employee concerned or to a person nominated by her in writing or acting on her behalf, or in case of her death to the person Who the care of the child and if the child does not survive her, to her legal he-i r, ISECTION 211 0)l J 7, 'Jhe notice under bilb-t;ection (l) of Section 2'1 shall be in Forni IT". This forco be jrjade by lhe eguployer lo the einployee concerned at any firme during, working hourg. 321 q JU, Majnlenance of regit}ler, record, etc, l) livery etnployer shall iilh0 in respect (a) Jen evjployeeti t; hilli , ongl oj (ieclucti0119i leave taeilitiesi J'Oj11i JO))/XXVJ (00' f (R. 19-20 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 (b) employees exceeding ten but not exceeding twenty-five 31 shall maintain the register of attendance and wages in Form 'C' and also maintain a register of leave in Form 'I-I (c) Employing employees exceeding 25 shall be required to maintain register of attendance and wages in Form a register of leave in Form a register of deductions from wages in Form (2) Every employer employing more than 25 employees shall exhibit in his shop or commercial establishment a notice containing such extracts of the Act and these rules in Hindi, written in Devnagri Script, as the Chief Inspector may (3) Any notice required to be exhibited under these rules shall be exhibited in direct. such manner that it can readily be seen and read by any person whom it affects and shall be in Hindi, written in Devnagri Script. Every such notice shall be renewed promptly, whenever it becomes defaced or otherwise illegible. (4) In any register or record which an employer is required to maintain under these rules, the entries relating to any day shall, as far as possible, be made on that particular day. (5) The registers and notices to be kept by the employers relating to any year shall be preserved for six years after the expiry of the year to which they relate and shall be produced before an Inspector.] [SECTION 301 19. Manner of entry into premises and examination of records and registers, etc.—(1) An Inspector making entry under Section 30 may interrogate such persons as he may consider necessary. (2) The Inspector may also call for any information, document or record relevant to his examination and obtain a copy thereof. (3) Before seizing any register, record or document the Inspector shall record in vcHting his reasons for such seizure and shall as soon as may be after the seizure grant a receipt for the same and shall retain the same only for so long as may be necessary for examination thereof for prosecution. (4) After entry and on examination, the Inspector shall record an inspection note, in duplicate and shall furnish one copy thereof to the employer. The inspection note shall state any defects or defaults that may come to light at the time of examina tion. (5) An Inspector may require an employer to produce at his own expenyz a certificate of age in Form "I" of a registered medical practitioner in respect of any employee whose age he may have reason to doubt and whom considers to have been employed in contravention of the provisions Of the [SECTION 321 20. Inspector's Visit and Inspection Book.—Every employer shall maintain an tor's Visit and Inspection Book in shop or commercial establishment 'hull produci' the carne before the Inspector on demand. "IShe book shall all Jrvspecl;on notes recorded or issued by lmspector in respect of that • or establj%hrnent 32 THE UP DOOKAM AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 (R.21FORMB 21. Where the Chief Inspector is satisfied that the maintenance of any register in the form prescribed in these rules will entail particular hardship in the case of any shop or commercial establishment or class of shops and commercial establishments, he may allow the employers thereof to maintain the register in guch modified form as may be determined by him. 22. (1) Whenever the Collector is satisfied in respect of a shop that it deals exclusively or mainly in the material nceded for burial. funeral and cremation purposes, he shall issue a notification in Form 'J' in respect of the shop. (2) The notification be published by— (a) delivering a copy thereof to the employer of the shop and another to the Inspector concerned; and (b) being displayed on the notice-board of the office of the Collector. (3) A notification under sub-rule (1) may, for reasons to be recorded, be cancelled by the Collector after allowing the

employer of the shop an opportunity to show cause against the proposed cancellation. FORM "A" (See Rule 71 (Uttar Pradesh Doolan Aur V'anih/It Adhishthart Niyamat'dli, '1963) Notice of Weekly Close Day or an Alteration in Weekly Close Day Name and address of shop/commercial establishment Notice is hereby given that with effect from the above shop/ commercial establishment" proposes to observe as the weekly close day/all the existing weekly close day2 from to Dated 20 FORM [See Rule 8 Signature of Employer. Notice Specifying Close Days Name and address of shop/commercial establishment : Name and address of employer : The following days shall be observed as close days (weekly close day and public holidays) with effect from by the above shop/commercial establishment. Weekly close day Dated 20 Copy forwarded to the Inspector Dated 20 1. Strike out the words not applicable



2. Strike out 'the words not applicable.' Public Holidays Signature of Employer. for information.
Signattlre of Ernployer. 33 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963
FORM 'C" Rule 9] [Ilttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963) Notice of Weekly
Holiday Name and address of shop/commercial establishment Name and address of the employer (



FORM C-CC The persons employed in this shop/commercial establishment shall be given a holiday on the day mentioned below in the week following the date of this notice and until further notice. Date on which weekly holiday is allowed Serial No. Dated 20 Name of employee Signature of Employer. ILFORM [See Rule 18 (1) (Uttar Pradesh Dookgn Aur Vanijya Adhishtan Niyamavali, 1963) Register of Attendance and Wages Register Name of employee Man/Woman/young person/child Fa ther/Husband 's Name Address Nature of employment Whether employed on daily, monthly, contract or piece-rate wages with rate Wages period.... Signature or thumb- impression of the ernp!0'jee 2 ..Date of Employment Earned leave unavailed at the beginning of the month 3 Earned leave availed 4 Entitlement of leave and its sanction Casual leave Casual Medical Medical leave unavailed at leave leave availed unavailed the beginning availed of the month 5 6 at the beginning of the month 8 7 10,'1.)//n/.VJ J 7)? (6) 20 I 2/H4i99,l). 34 THE UP DOOI(AN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 Overtime worked Any other Deductions Advance Deductions Hous Wages of wotk 9 for absence 12 deductions 13 Total Deductions 14 10 (FORM D Total Amount payable at the end of the month 15 FORM "D" Itsee Rules 12 (8) and 18 (1) (Ilttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963) Register of Deduction From Wages (From to Name and address of the sho /commercial establishment Rate of wages Deduction imposed S. Name of No. employee including dearness 1 2 allowance 3 Number of instalments if any 8 Date 4 Amount 5 Rs. np. Reason for deduction if for damage or loss mention the nature of the damage or loss caused, with date 6 If deduction is for damage or loss, mention whether the employee showed cause against the deduction and, if so, the date of it 7 Amount realised Remarks Date 9 Rs. np. Amount 10 11 Signature of employee 12 1. subs. by Noti. No,1036 (1)/XXXV1-3-712 (S)-80, dt. 20.8.1994 (w.e.f. 208.1994). 35 Serial No. 1 Date 7 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 (FORM FORM "E" [See Rules 131 (Uttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963) Register of Fines and Realization Thereof Name and address of the shop/commercial establishment Name of employee Rate of with number in wages re ister em Io ee 2 Fines realised or remitted Act or mission for Fines imposed which fined Date Amount 3 Rate of realization or disbursement 10 Amount in hand in the Fund 15 FORM "F" [See Rule 171 4 5 6 Amount realized 8 Amount disbursed 13 Amount remitted 9 Object for which disbursed Amount realised 11 Remarks 16 Reference to serial number (Col. 1) 12 Signature of employer or of his a ent 17 (Ilttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963) Notice under Section 24 (1) of the u.p. Dookan Aur Vanijya Adhishtan Adhiniy•am, 1962 Name of employer : wife/duaghter, a woman worker in shop/commercial establishment hereby given notice to my the I will be employer that I accept to be confined within six weeks, from absent from the shop/commercial establishment from this date and that I shall not work in any employment during the period for which I receive maternity benefit. Signature of the wona?i entpoyee, 20... Dated 36 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 FORM "G" l[See Rule 18 (1) (b) and (Uttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963) Register of Attendance and Wages [FORM G-H Man/Woman/Young Person/Child Name of Orhpoyee Nature Address Father/Husband's name Whether employed on daily, monthly, contract employment Wage period Date piece-rate wages with rate Em Io ment of or of Date Work Rest From to 3 Work ends 5 Overtime worked 6 Wages earned Basic D.F.A. Overtime 1 be ins 2 To 4 7 Signature or thumb impression of em Io ee 10 Amount Advanced Advance Balance 9 Amount recovered Amount 11 Date 12 13 14 Fines or other deduction vide Forms D and E 15 Received Rs Net Amount due 16 Signature or thumb- im ression of em Io ee 17 in words Rupees on account of wages for the wage period from to Signature of employee FORM "H" Signature of employer 2[See Rule 18 (1) (b) and (c)l (Ilttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963) Register of Leave Period from to Nature of employment Name of employee Father's Date of employment name 1. subs. by Noti. No. dt. 20.08.1994 (w.e.f. 20.08.1994). 2. subs. by Noti. No. dt. 20.08.1994 (w.e.f. 20.08.1994). THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 [FORM I-J 37 Balance carried forward 1 Balance due 8 Date on which leave applied for 2 Date of application 9 Earned leave Date of availing leave Balance due 5 Sickness leave Date of availing leave From 3 To 4 Casual leave Whether application granted or refused 10 Date of availing leave From 11 To 12 From 6 Balance due 13 To 7 Signature of employee 14 Signature of Employer. FORM 1 [See Rule 19(5)] (Uttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963) Form of Certificate I hereby certify that I have personally examined (name) son/daughter of (case, etc.), residing at and that he/she has completed his/her twelfth/seventeenth year, his/her description marks are Dated 20

Medical Practitioner, FORM J [See Rule 22 (Uttar Pradesh Dookan aur Vanijya Adhishthan Niyamavali, 1963) Notification Name and address of the shop Name and address of the employer It is hereby notified that the above shop deals exclusively/mainly in material needed for burial, funeral and cremation purposes.

Dated 20 Collector, District 38 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 IIFORM [See Rule 2-A Part I-shops Part 11-Contmercial Establishments (Uttar Pradesh Dookan Aur Vanijya Adliishthan Niyamavali, 1963) Register of Shops or Comvnercial Establishlnents [FORM K

Region Class of sho s or commercial establishments Serial Name of the Location and Registration No. 1 certificate number shop/commercial and date of re istration 2 establishment 3 address 4 Name of the owner with address 5 Date of Name of the Partner(s) with address 6 Name of the Manager with address 7 Nature of business 8 commencement of business 9 Name of member(s) of employer's/Owner's family who are not employed within the meaning of Section 2 (b) Male 10 Female 11 Youn ersons 12 No. of other persons occupying managerial, confidential or supervisory positions within the meanin of Section 3 (1) (a) 13 Total Number of employee Date of renewal Details of fee- Date of Treasury inspection Female ersons 15 Young 16 Remarks 20 14 1. 17 challan/Indian Postal Order (Crossed)/Bank Draft (Crossed) Amount No. and date 18 19 Ins. by Noti. No. dt. 04.11.1976. 39 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 FORM "L" [See Rule 2-A (2)/Section 4-D (Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963) Application for registration—Statement of facts [FORM L 1. Name of the shop/commercial establishment

2. Location and postal address

3. Full name of the owner, including father's/husband's name and his/her residential address

4. Full name of the manager, if any, including his father's/husband's name and his/her residential address

5. Names of the partner(s), if any, and the residential address of each (if a partnership concern)

6. Nature of business

7. Date of commencement of business

8. Names of members of owner's family employed in the shop/commercial establishment.No. Male Female Young persons Total 9. Names of employees : Relationshi (1) in managerial, confidential and supervisory capacity. (2) Others (categorywise)

10. Total number of employees : No.Male Female Young persons Total 11. Previous Registration Certificate Number (Certificate to be attached to this application)

12. Year for which renewal is required

13. Details of remittance [enclose Treasury Challan obtained from Treasury or Indian Postal Order (Crossed) or Bank Draft (Crossed)].Treasury Challan/Indian Amount paid byway of Name of Treasury or Post Office or Bank Postal Order (Crossed/Bank 1 Draft (Crossed) No Date 2 Total Fee Penal 5 4 3 40

THE UP DOOKAN VAT1jJY/s 1/01 fIJYAM/sVACI, C (/tj/fq 1 hereby declare that the knowledge and belief. Place Date \$lgnafffe of 1/1/" (h VORM "M" [See Rule 2-A (3)/Section (Uttar Pradesh Dookan Aur Vanijya Ad/lig/llhan Nlyumuvali/ 1963) Registration Certificate of Shop or Commercial ruglabl18htnent

1. Name of the shop or commercial establishment, 2. Full postal address and location, 3. Name of the owner

4. Name of the business

5. Name of the employees

6. Registration number.It is hereby certified that the shop/commercial establishment, the particulars of which have been given above, has been registered under the U,P, Dookan Vanijya Adhisthan Adhiniyam, 1962 on this day 20 Date of renewals 1 1. 2

3. From 2 To 3 Signature of the Chief Inspector of Shops and Commercial Establishments Uttar Pradesh Renewals Signature of the Chief and 4 FORM "N" [See Rule 2-A (Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963) Notice of Change Name of the shop/commercial establishment already registered.Name of the owner. Registration Certificate Number. Address. Dated this day of 20 To, The Chief Inspector, Shops and Commercial Establishments, Sir, Notice is hereby given that the following change has taken place in r information forwarded to you in Form 'L' which please note. IE up DOOKAN AUR VANIJYA ADI IISIITHAN NIYAMAVALI, 1003 (FORM O Treagury

Challnn/Inclian Postal Order vegistt•ation certificate oncl (Crossed/llank Draft (Crossed) No , for Rs enclosed, Signal urc of Otoncr, Note.—The notice of change in this form Bhall be sent together with such fee as prescribed, FORM "0" Rule 2-A (l it-DI Notice of loss of registration cert i/icale and application for issue of duplicate certificate Name of the shop/commercial establishment Address. Registration number The Chief Inspector, Shops and Commercial Establishments, Sir, This is to inform you that the registration certificate of the shop/commercial lost/torn/destroyed/damaged/defaced duc establishment been has (here specify the reasons or circumstances). to Kindly issue a duplicate certificate. Treasury Challan/Indian Postal Order is enclosed. (Crossed)/Bank Draft (Crossed) No dated for Rs Yours faithfully, Signature of Owner, NOTIFICATIONS (1) Noti. No. dated February 9, 1990, published in the U.P. Gazette, Extra., Part 4, Section (kha), dated February 9, 1990. —In exercise of the powers under Section 29 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. 26 of 1962), read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act No. 1 of 1904) and in supersession of all previous notifications issued in this behalf, the Governor is pleased to appoint the officers and officials mentioned in Column 2 of the Schedule below to be 'Inspector' for the purposes of the said Act within the areas mentioned against their names in Column 3 thereof— No. 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14

15. SCHEDULE Officers/Officials Additional Labour Commissioner U.P. Kanpur Region, Kanpur Additional Labour Commissioners, Deputy Labour Commissioners and Assistant Lab- our Commissioners posted in head- uarters, Kan ur All Assistant Labour Commissioners posted in Kan ur Re •on Assistant Welfare Officer, Kanpur Region Chief Investigation, Kanpur Region All Trade Union Inspectors/Welfare Ins- pectors osted in head uarters, Kan ur All Chief/Senior Investigators posted at head uarters, Kan ur All Labour Enforcement Officers posted at head uarters, Kan ur All Labour Enforcement Officers posted in Kan ur Re •ons Deputy Labour Commissioner, Allahabad Re ion, Allahabad All Assistant Labour Commissioners posted in Allahabad Re •on Assistant Welfare Officer, Allahabad Assistant Trade Union Inspector and Welfare Ins ector, Allahabad Re ion Chief Investi ator, Allahabad Region All Labour Enforcement Officers posted in Allahabad Re ion (42) Area (showing local limits) Kanpur (Nagar), Kanpur (Dehat), Etawah, Farrukhabad and Unnao. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Ditto. Allahabad, Fatehpur and Prata arh. Ditto. Ditto. Ditto. Ditto. Ditto. THE UP DOOKAN AUR VANIJYĀ ADHISHTHAN NIYAMAVALI, i 963 43 Officers/Officials Area (showing local limits) No. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. '29. 30. 31. 32. 33. 34

35. Deputy Labour Commissioner, Meerut Meerut, Muzaffarnagar, Saharanpur and Har- Region, Meerut dvar.All Assistant Labour Commissioners posted in Meerut Re ion Assistant Welfare Officer, Meerut Region, Meerut Welfare Inspector and Assistant Trade Union Ins ector, Meerut Region, Meerut Chief Investi ator, Meerut Region, Meerut All Labour Enforcement Officers posted in Meerut Region Deputy Labour Commissioner, Agra Region, Agra All Assistant Labour Commissioners posted in Agra Region Assistant Welfare Officer, Agra Region, A ra Assistant Trade Union Inspector and Welfare Ins ector, Agra Region, Agra Chief Investigator, A a Re •on, A ra All Labour Enforcement Officers, posted in Agra Re •on Deuty Labour Commissioners posted in Gorakhpur Region, Gorakhpur All Assistant Labour Commissioners posted in Gorakh ur Region Ditto. Ditto. Ditto. Ditto. Ditto. Agra, Etah, Aligarh, Mainpuri, Mathura and Firozabad. Ditto. Ditto. Ditto. Ditto. Gorakhpur, Basti, Deoria, Azamgarh, Mau, Siddharth Nagar and Mahara• an' Assistant Welfare Officer, Gorakhpur Region, Gorakh ur Assistant Trade Union Inspector and Welfare Inspector, Gorakhpur Region, Gorakh ur Chief Investigator, Gorakhpur Region, Gorakh ur All Labour Enforcement Officers posted in Gorakh ur Re ion Deputy Labour Commissioner, Lucknow Re ion Lucknow All Assistant Labour Commissioners posted in Lucknow Region Ditto. Ditto. Ditto. Ditto. Ditto, Lucknow, Hardoi, Kheri, Rae Bareli and Sita ur. Ditto. 44 No. 36, THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54

55. Officers/Officials Assistant Welfare Officer, Lucknow Region, Lucknow Assistant Trade Union Inspector and Welfare Inspector, Lucknow Region, Lucknow Chief Investigator, Lucknow Region, Lucknow All Labour Enforcement Officers posted in Lucknow Re ion Deputy Labour Commissioners, Faizabad Region, Faizabad All Assistant Labour Commissioners posted in Faizabad Re •on Assistant Trade Union Inspector and Welfare Inspector and Chief Investigator, Faizabad Re •on, Faizabad All Labour Enforcement Officers posted in Faizabad Region Deputy Labour Commissioner, Bareilly Re ion, Bareill All Labour Enforcement Officers posted in Bareill

Re •on Assistant Trade Union Inspector and Welfare Inspector, Bareilly Region, Bareilly Chief Investigator, Bareilly Region, Bareilly All Labour Enforcement Officers posted in Bareilly Region Deputy Labour Commissioner, Moradabad Region, Moradabad All Labour Enforcement Officers posted in Moradabad Region Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Moradabad Region All Labour Enforcement Officers posted in Moradabad Region Area (showing local limits) Ditto. Ditto. Ditto. Ditto. Faizabad, Gonda, Bahraich, Barabanki and Sultanpur, Ditto. Ditto. Faizabad, Gonda, Bahraich, Barabanki and Sultanpur Bareilly, Badaun, Pilibhit and Shahjahanpur Ditto. Ditto. Ditto. Ditto. Moradabad, Bijnor and Ramgarh. Ditto. Ditto. Ditto. Additional Labour Commissioner, Varanasi Varanasi, Ghazipur, Region, Varanasi Ballia and Jaunpur. All Assistant Labour Commissioners posted in Varanasi Region Ditto. THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI 1003 45 No. 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72

73. Officer/Official Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Varanasi Region All Labour Enforcement Officers posted in Varanasi Region Deputy Labour Commissioner, Garhwal Region, Dehradun All Assistant Labour Commissioners posted in Garhwal Region. Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Garhwal Region All Labour Enforcement Officers posted in Garhwal Region Deputy Labour Commissioner, Kumaun Region, I-laldwani, Nainital All Assistant Labour Commissioners posted in Kumaun Region All Labour Enforcement Officers and Assistant Trade Union Inspectors and Welfare Inspectors and Chief Investigators posted in Kumaun Region Additional Labour Commissioner, Ghazipur Region, Ghaziabad All Assistant Labour Commissioners posted in Ghaziabad Region All Labour Enforcement Officers and Welfare Inspectors and Assistant Trade Union Inspectors and Chief Investigators posted in Ghaziabad Region Deputy Labour Commissioners, Mirzapur Region, Puri All Assistant Labour Commissioners posted in Mirzapur Region All Labour Enforcement Officers posted in Mirzapur Region Deputy Labour Commissioners posted in Jhansi Region All Assistant Labour Commissioners posted in Jhansi Region All Labour Enforcement Officers and Welfare Inspectors and Assistant Trade Union Inspectors and Chief Investigators posted in Jhansi Region Area (showing local limits) Ditto. Ditto. Dehradun, Chamoli, Garhwal, (Pauri), Tehri- Garhwal and Uttarkashi Ditto. Ditto. Ditto. Nainital, Almora and Pithoragarh Ditto. Ditto. Ghaziabad and Bulandshahr Ditto. Ditto. Mirzapur and Sonbhadra. Jhansi, Hamir Ditto. Ditto. Lalitpur, Banda, Meerut and Aligarh. Ditto. Ditto, 46 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 (2) Noti. No. 186/XXXVI-3—7(S)-85, dated January 30, 1997, published in the 'U.P. Gazette, Extra., Part 4, Section (Kha), dated January 30, 1997.—In exercise of the powers under sub-section (3) of Section 36 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. 26 of 1962), read with Section 8 of the Uttar Pradesh Criminal Law (Composition of Offences and Abatement of Trials) (Amendment) Act, 1979, and in supersession of Government Notification No. 1815/XXXVI-3-7(S)-85, dated May 1, 1987, the Governor is pleased to appoint the officers mentioned in Column 2 of the Schedule below to be the Prescribed Authority to compound offences punishable under the provisions of the said U.P. Act No. 26 of 1962 except the offence punishable under Section 21 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 with the areas mentioned against each in Column 3 thereof subject to the conditions given hereunder : SCHEDULE No 1. 2. 3. 4. 5. 6. 7. 8

9. Officer Chief Inspector of Shops, U.P. Deputy Chief Inspector of Shops, U.P., Kanpur Additional Labour Commissioner, All Assistant Labour Commissioners, Kanpur Region, Kanpur Deputy Labour Commissioner, All Assistant Labour Commissioners, Allahabad Region, Allahabad Deputy Labour Commissioner, All Assistant Labour Commissioners in Agra Region, Agra Deputy Labour Commissioner, All Assistant Labour Commissioners Meerut Region, Meerut Deputy Labour Commissioner, All Assistant Labour Commissioners, Gorakhpur Region, Gorakhpur Deputy Labour Commissioner, All Assistant Labour Commissioners in Lucknow Region, Lucknow Deputy Labour Commissioner, All Assistant Labour Commissioners in Faizabad Region, Faizabad Local Limit Whole of Uttar Pradesh Ditto. Kanpur Region consisting of districts of Kanpur Nagar, Kanpur Dehat, Etawah, Unnao and Farrukhabad. Allahabad Region consisting of districts of Allahabad, Prayagrah Agra Region consisting of districts of Agra, Aligarh, Etah, Mainpuri, Mathura and Firozabad. Meerut Region consisting of Districts of Meerut, Muzaffarnagar, Hardwar and Saharanpur. Gorakhpur Region consisting of districts of Gorakhpur, Basti, Maharajganj, Siddharth Nagar, Deoria, Padrauna. Lucknow Region consisting of districts of Lucknow,

Hardoi, Igeri, Rae-Bareilly Sitapur and Barabanki. Faizabad Region consisting of districts of Faizabad, Bahraich, Gonda, Sultanpur and Ambedkar Nagar. THE UP DOOKAN AUR VANIJA ADHISHTHAN NIYAMAVALI, 1963 47 No 10. 11. 12. 13. 14. 15. 16. 17

18. Officer Deputy Labour Commissioner, All Assistant Labour Commissioners in Bareilly Region, Bareilly Deputy Labour Commissioner, All Assistant Labour Commissioners in Moradabad Region, Moradabad Deputy Labour Commissioner, All Assistant Labour Commissioners in Varanasi Region, Varanasi Deputy Labour Commissioner, All Assistant Labour Commissioners in Garhwal Region, Dehradun Deputy Labour Commissioner, All Assistant Labour Commissioners in Kumaun Region, Haldwani (Nainital) Additional Labour Commissioner, All Assistant Labour Commissioners in Ghaziabad Region, Ghaziabad Deputy Labour Commissioner, All Assistant Labour Commissioners in Mirzapur Region, Mirzapur Deputy Labour Commissioner, All Assistant Labour Commissioners in Jhansi Region, Jhansi Deputy Labour Commissioner, All Assistant Labour Commissioners in Azamgarh Region, Azamgarh ANNEXURE Local Limit Bareilly Region consisting of districts of Bareilly, Badaun, Pilibhit and Shahjahanpur. Moradabad Region consisting of districts of Moradabad, Rampur and Bijnor Varanasi Region consisting of districts of Varanasi, Ghazipur and Bhadohi Garhwal Region consisting of districts of Dehradun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttarkashi Kumaun Region consisting of districts of Nainital, Almora, Pithoragarh and Udham Singh Nagar. Ghaziabad Region consisting of districts of Ghaziabad and Bulandshahr Mirzapur Region consisting of Mirzapur and districts Sonbhadra. Jhansi Region consisting of districts of Jhansi, Lalitpur, Banda, Hamirpur, Mahoba and Jalaun. Azamgarh Region consisting of districts of Azamgarh, Mau, Jaunpur and Ballia 1. The Prescribed Authority while compounding the offence shall take into consideration whether the offence has been committed for the first time or it is a subsequent offence

2. In case it is the first offence of the accused, the compounding of offences shall be done keeping in view the gravity of the offence, subject to the maximum penalty laid down for such offence

3. In case it is a subsequent offence, the composition-fee shall exceed the maximum penalty laid down for the first offence depending upon the gravity of the subsequent offence, subject to the maximum penalty laid down for such subsequent offence

4. The Prescribed Authority shall not compound any offence merely by giving warning or by admonishing

5. The compounding of offence shall be done within the limitation period, in case the prosecution has not been launched. If the prosecution has been 48 THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 launched, the compounding of offence shall be done by the Prescribed Authority before the prosecution concludes in evidence. (3) Noti.N0. 3052/XXXV1-3, dated December 24, 2004, published in the up Gazette, Extra., Part 4, Section (kha)r dated December 24, 2004.-In exercise of the powers under sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. 26 of 1962), the Governor is pleased to direct that all the provisions of the said Adhiniyam shall, with effect from the date of publication of this notification in the Gazette, apply to all shops (4) Noti. 'No. 173/XXXV1-3-2006, dated January 20, 2006, published in the U.p. Gazette, Extra.r Part 4, Section (kha), dated January 20, 2006.--In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. 26 of 1962), the Governor is pleased to exempt in public interest such shops and commercial establishments which are situated in the area of Nagar Nigam Parishad and are not related to manufacturing processes, from the operation of provisions of Sections 5, 8 and 22 of the said Adhiniyam read with Rule 2 (c) and Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963 with effect from the date of publication of this notification in the Gazette, in respect of man/woman working in the said establishment subject to the following conditions :— 1. 2. 3. 4. 5. 6, 7. S: If a District Magistrate finds that he is unable to implement the aforesaid order due to law and order problem or non-availability of electricity, in such a condiaon, the District Magistrate shall send the relevant proposal of not implementing the above order to the State Government for their appropriate dedsion. If otherwise not exempted from provisions of this Act the concerned establishment shall not remain open after 11 p.m. Employers who open their shops and commeräal establishments beyond the prescribed Hme under the I-I.P;• Dookan Aur Van-ijya Adhishthan Adhiniyam, 1962 read with Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963 in such case, he shall pay the additional 50% fee prescribed for Registration or Renewal. OverHme wages will be paid to eligible worker which will be double of ordinary rates prescribed in Secaon 6 of the said Act. If a worker has worked in one shift he will not be forced to do the work in the evening shift continuously or to do the work in two shifts in continuation. If the establishment remains open on all the seven days in a week, then the workers will be given weekly holiday by rotaüon and employer shall exhibit it in

Form C as prescribed in Rule 9 of the said Niyamavali. The workers working on any national holiday will be entitled to get compensatory leave besides overtime wages. No worker shall be required to work in a day more than eight hours and not more than 48 hours in any week. THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1003 9. The employers shall comply with all the provisions of the Act until and unless the employer is otherwise exempted

10. The conditions set out in Section 22 of the said Act, in respect of employment of a woman worker, shall be subject to the following conditions—61 0 A. B. C. D. E. F

11. The a woman worker may be allowed to work between 7 p.m. and 11 p.m. with her express consent given in writing. No woman worker will be forced to work without her consent, if a woman worker is called for work any time between 7 p.m. and 11 p.m., the employer shall make necessary arrangements on his account for her transport from her residence to working place and back. as woman worker who declines to work between 7 p.m. and 11 p.m. shall be removed from employment only on this account. the employer shall provide necessary facilities of mid-day and mid-night food and refreshment to all such workers as per requirement. before calling any woman worker to work between 7 p.m. and 11 p.m. in (sic at) night, the employer having met the aforesaid condition, will submit the prior information regarding proposed system to the authorised local Inspector declared under the said Act through affidavit. in case of violation of any of the above conditions by the employer, the exemptions provided to such employer shall be treated to be cancelled automatically employer shall be responsible for compliance of aforesaid conditions upon which the exemptions have been given and if violation of any such condition comes to knowledge, then such exemptions shall be treated to be cancelled automatically, The Government shall take appropriate actions under the provisions of the Act against such employer. (5) Noti. No. 12/1245-XXXV1-03-2014-19 (Pravartan)-2012, dated October 21, 2014.—In exercise of the powers under sub-section (3) of Section I of Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (Act No. XXVI of 1962) the Governor is pleased to direct that all the areas mentioned in Annexure-I shall be inserted in part 'A' of Schedule-I of the said Act and part 'A' of Schedule-I of the said Act shall be deemed to have been amended accordingly. If any of the areas mentioned in Annexure-I also find be mentioned in part 'B' of the Schedule-I of the said Act, the same shall stand deleted from part ANNEXURE-I SI Name of District Name of Tehasil Proposed new names of No. 1 1 2 of District 3 I.A ra 2, Kirawali places to be covered by the Act 4 1. Mal ura 2. Runakta 3. Vich uri TI UP 1/911 60 1 2. 3, 4, 5. 6. 2 Mathura Ferozabad Ali arh Hathrag Mahama Etah Azam arh 3, Jlfmodpur Kheragnrh 5, Bah L Mauth 2, Chhata , Shlkohabad 2, 'l'undula 3, aorana d, Ghiraur a Na ar d, Mjdnkur t}, Akola gj Kata roul 9, Jradotnagar IctJhwar T'I , NauheeJ J2, Ba ana 13, Chauma M, Sonai 15, Makkhan ur 16, Na Jabeech 17, Eka 18, Ghfraur 19, Gabhana 20, Chandaug 2L Pigwa 22. Kagim ur 23. Tum Je 24, Gan iri 25, Akarabad 26, Kauri a an 27, Flathrag Junction 28. Purdilna ar 29. Sah au 30. Kursanda 3L Hasa an 32. Bisawar 33. Ama ur 34. Sakeet 35, Mohan ura 36, Dumri 37. Mirhachi 38. Lal an' 39, Mehna ar 40, Rani-ki-Sarai 41. Ji an ur Town Area 42. Thekma 43. Lal hat '14. Ka tan an 45. Mahara a an TI UP VANIJYA ADI 1101 IAN NIYAMAVALI, 1003 51 8. 9. 10. 11, 12. 13. 2 Mau Allahabad Kaushambi Prata arh Fateh ur 1. Soraon 2. Karchhna 3. Phul ur 4. Bara 5, Korawan 1. Cha al 1. Kunda 2. Lal an 3, Pratapgarh Sadar 4. Patti 5. [Rani an" 1. Fateh ur Sadar Mehnz ur d8, nhnnn nn 50, 51. J lanumnn ron 52

53. Bairi 511.Ratgar 55 . Amrit aj 56. Sac Ira-Rasra 57. Chilak lar 58. Pa wainar 59 , Na ra 60, Ratan ur 6L Chirai akot 62, Madhuban 63. Soraon 64. Kaocljhar 65, Maheba-dadi Rewa Road 66, Karchhna 67, Sahgaon hoonsi 68, 69. Hanuman an' 70, Shankar arh asra 72. Korawanbazar 73. Manauri 74. Murat arc 75.Saini 76. Derwabazar 77. Pari ava 78. Lal an' Bazar 79. Mohanganj Bazar 80. Bihar an' Bazar 81. Kohdaur Bazar 82. Rani an Bazar 83. Bilanda 84. Husain an 85, Haswan 86, Bahuwa 87. Gazi ur 88, Asothar 89. Lalauli 52 1 14. 15. 16. 17

18. THE UP DOOKAN AUR VANIJYA ADHISHTHAN NIYAMAVALI, 1963 2 Shahjahanpur Pilibhit Badaun Faizabad Sultan ur 3 2.Bindki 3. Kha a 1. Faizabad Sadar 2. Bika ur 3. Sohawal 4. Milkpur 1. Sultan ur Sadar 2. Amethi 3. Kadi ur 4 90. Thari aon 91. Amauli 92. Aung 93. Bakewar 94. Hath aon 95. Dhata 96. Khakheru 97. Nagar Punchayat- Khudaganj 98. Banda 99. Khutar Nagar Punchayat- 100. Guldi a Bhindara Jahanabad 101. Kalina ar-Pooran ur 102. Barkhera-Bisal ur 103. Nagar Punchayat- 104. Wazirganj Rudayan 105. Kachhla 106. Faizganj Behata 107

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