

# *The U.P. Dookan Aur Vanijya Adhishthan Adhiniyam, 1962*

(U.P. Act No. 26 of 1962)

Last Updated 9th March, 2020 [up728]

## LEGISLATIVE HISTORY ▼

*An Act to consolidate and amend the law relating to the regulation of conditions of work and employment in Shops and Commercial Establishments*

It is hereby enacted in the Thirteenth Year of the Republic of India as follows :

### CHAPTER I

#### *Preliminary*

- 1. Short title, extent and application.** - (1) This Act may be called the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962.  
(2) It extends to the whole of Uttar Pradesh.  
(3) The provisions of this Act referred to in Schedule I shall, in the areas mentioned in the said Schedule, apply to the extent specified therein and the State Government may from time to time, direct, by notification in the *Gazette*, that all or any of the provisions of this Act shall also apply in relation to such areas and to such extent as may be specified in the notification.

## Subject & Reasons ▼

**2. Definitions.** - In this Act, unless there is anything repugnant in the subject or context-

- (1) '*apprentice*' means a person, not being a person below the age of 12 years, employed for purposes of training, with or without wages, by an employer in any trade or calling;

[(1a) '*Chief Inspector*' means the Chief Inspector appointed under Section 29, and includes a Deputy Chief Inspector or Inspector appointed under that section;]

- (2) '*child*' means a person who has not completed his fourteenth year;

- (3) '*close*' means not open within the meaning of clause (13);

- (4) '*commercial establishment*' means any premises, not being the premises of a factory, or a shop, wherein any trade, business, manufacture, or any work in connection with, or incidental or ancillary thereto, is carried on for profit and includes a premises wherein, journalistic or printing work, business of banking, insurance, stocks and shares, brokerage or produce exchange is carried on, or which is used as theatre, cinema, for any other public amusement or entertainment or where the clerical and other establishment of a factory, to whom the provisions of the Factories Act, 1948, do not apply, work;

(5) '*day*' means the period of 24 hours beginning at midnight:

Provided that in the case of an employee, whose hours of work extend beyond midnight, day means the period of 24 hours beginning from the hour of commencement of his duty;

(6) '*employee*' means a person wholly or mainly employed on wages by an employer in, or in connection with any trade, business or manufacture carried on in a shop or commercial establishment and includes-

(a) caretaker, *mali* or a member of the watch and ward staff;

(b) any clerical or other staff of a factory or industrial establishment, which is not covered by the provisions of the Factories Act, 1948; and

(c) any apprentice or a contractor or piece-rate worker;

(7) '*employer*' means a person who owns, or who holds charge of, or has ultimate control over the trade or business or manufacture carried on in a shop or commercial establishment, as the case may be, and includes the manager, agent or any other person acting on behalf of the employer in the management or control of such trade, business or manufacture;

(8) '*factory*' shall have the meaning assigned to it in the Factories Act, 1948, so however as not to include the premises where the clerical or other establishment of a factory, to whom the provisions of that Act do not apply, work;

(9) '*family*' in relation to an employer means the husband or wife, as the case may be, son, daughter, mother, brother or sister of such employer, who lives with and is wholly dependent on him;

(10) '*inspector*' means an Inspector, Deputy Chief Inspector or the Chief Inspector, appointed under Section 20 of this Act;

(11) '*leave*' means the period of absence from duty with wages to which an employee is entitled under Chapter III of this Act;

(12) '*night*' means such period of twelve consecutive hours, so however as always to include the interval between 10 p.m. and 6 a.m., as may be prescribed;

(13) '*open*' in relation to a shop or commercial establishment means open for the service of any customer, or for the business, trade or manufacture, normally carried on in the shop or commercial establishment;

[(13A) '*owner*' in relation to a shop or commercial establishment, includes a person who runs or is in charge of such shop or commercial establishment;]

(14) '*prescribed*' means prescribed by the rules made under this Act;

(15) '*retail trade business*' means the business of sale of goods in small quantities and the rendering of services to customers, and includes the business of a barber or hair-

dresser, the sales of cooked food, refreshments or intoxicating liquors and retail sale by auction;

(16) '*shop*' means any premises where any wholesale or retail trade or business is carried on, or where services are rendered to customers, and includes, all offices, godown or warehouses whether in the same premises, or not, which are used in connection with such trade or business;

(17) '*State*' means the State of Uttar Pradesh;

(18) '*wages*' means all remuneration (whether by way of salary, allowances or otherwise) expressed in terms of money, or capable of being so expressed, which would, if the terms of employment, express or implied, were fulfilled, be payable to an employee, and includes-

(a) any bonus;

(b) any sum payable to the employee by reason of the termination of his employment; and

(c) any additional remuneration payable under the terms of his employment;

(19) '*week*' means a period between the midnight on Saturday, and the midnight on the following Saturday; and

(20) '*young person*' means a person who is not a child and has not completed his seventeenth year.

**3. The provisions of the Act not to apply to certain persons, shops and commercial establishments.** - (1) The provisions of this Act shall have no application to-

(a) employee occupying positions of confidential, managerial or supervisory character in shop or commercial establishment, wherein more than five employees are employed:

Provided that the number of employees so exempted in a shop or commercial establishments shall not exceed ten per cent of the total number of employees thereof;

(b) employees whose work is inherently intermittent, as in the case of a traveller or canvasser;

(c) officers of Government or local-authorities;

(d) officers of Reserve Bank of India;

(e) establishments for the treatment or care of the sick, infirm, destitute or mentally unfit; and

(f) members of the family of an employer.

(2) A list of the employees referred to in clause (a) of sub-section (1) shall be displayed at a conspicuous place in the shop or commercial establishment and a copy thereof shall be sent to the Inspector concerned.

(3) *Powers of the Government to exempt any class of shops or commercial establishment from the operation of the Act.* - The State Government may, in public interest, by notification

in the Gazette, exempt, subject to such conditions as it may impose in this behalf, any shop or commercial establishment or any class of shops or commercial establishments from the operation of all or any of the provisions of this Act.

(4) *Withdrawal of exemption by the State Government.* - The State Government may, likewise by notification in the Gazette, withdraw in whole or in part, permanently, or for such period as may be specified, any exemption granted under sub-section (3).

## [CHAPTER I-A]

### *Registration of Shops and Commercial Establishments*

**4A. Register of shops and commercial establishment.** - The Chief Inspector shall maintain in such form and containing such particulars as may be prescribed, a register of all shops and commercial establishments, to which this Act applies:  
Provided that different such registers may be maintained for different areas and for different classes of shops and commercial establishments.

**4B. Registration.** - [(1) Every owner of the shop or commercial establishment where the employees are working, within six months of commencement of such business or within six months of the commencement of the Uttar Pradesh Dookan Aur Vanijya Adhishtan (Sanshodhan) Adhiniyam, 1976, whichever is later, apply to the Inspector for registration of his shop or commercial establishment and if their application is complete in all respect, the registration of shop or commercial establishment shall be granted within one day from the date of submission of application, in such manner as may be prescribed:

Provided that if the Registering Officer fails to grant or refuse to grant or object to grant or pass an order of amendment, the registration shall be deemed to be granted, after the time mentioned under this sub-section.

(1-A) The applicant may submit his application on departmental web-portal along with necessary documents and payment of fees. In such case, if the application is complete and applicant is eligible automatic registration shall be granted by web-portal and registration certificate shall be sent to applicant on his e-mail:

Provided that if the registration is obtained by misrepresentation or concealment of facts or on the basis of forged documents, such registration shall be deemed null and void and may be cancelled by Registering Officer and legal action may be taken against the applicant:

Provided further that the registration granted shall not be considered in relation to ownership of shop or commercial establishment.]

(2) Every application for registration under sub-section (1) shall be in such form and shall be accompanied by such fees as may be prescribed.

(3) The Chief Inspector shall, on being satisfied that the prescribed fee has been deposited, register the shop or commercial establishment in the register maintained under Section 4-A and shall issue a certificate of registration to the owner in such form and in such manner, as may be prescribed.

**[4C. Validity of registration certificate.** - The registration certificate granted under Section 4-B shall be valid for the duration for which the shop and commercial establishment is in existence.]

**4D. Duplicate Registration certificate.** - When a registration certificate is lost, destroyed or torn, or is defaced or otherwise becomes illegible, the Chief Inspector shall in the manner prescribed and on payment of the prescribed fee, issue a duplicate registration certificate.

## CHAPTER II

## **Hours of Business**

**5. Hours of business.** - (1) No shop or commercial establishment, not being a shop or commercial establishment mentioned in Schedule II, shall, on any day, open earlier, or close later than such hours as may be prescribed in this behalf.

(2) Notwithstanding the provisions of sub-section (1), earlier opening, or later closing, hours may be prescribed for different classes of shops or commercial establishment, or for different areas, or for different periods of the year.

(3) The State Government may, at any time, by notification in the Gazette, add to or remove from Schedule II, any class of shops or commercial establishments.

**6. Hours of work and overtime.** - (1) No employer shall require or allow any employee to work on any day for more than-

- (a) five hours in the case of a child,
- (b) six hours in the case of a young person, and
- (c) eight hours in the case of any other employee :

Provided that any employee, not being a young person or a child, may be required or allowed to work longer than the aforesaid hours of work, so however, that the total number of hours of work including overtime does not exceed ten on any one day except on a day of stock-taking or making of accounts :

Provided further that the total number of hours of overtime work shall not exceed **[one hundred and twenty five]** in any quarter.

*Explanation.* - "Quarter" means a period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October.

(2) An employee, who has worked in excess of the hours of work fixed under clause (c) of sub-section (1), shall be paid by his employer wages at twice the ordinary rate, for every hour of such overtime work.

*Explanation 1.* - For the purposes of this sub-section "ordinary rate" means the basic wages *plus* such allowances, including the each equivalent to the advantage accruing through the concessional sale to employees of foodings and other articles, as the employee is for the time being entitled to, but does not include bonus.

*Explanation 2.* - In calculating the wages payable to an employee overtime work, a day shall be reckoned as consisting of eight working hours.

**7. Intervals for rest and spread-over of working hours in a day.** - The working hours in a shop or commercial establishment shall be so arranged that each employee gets an interval of not less than half an hour for rest after not more than five hours of continuous work, and the periods of work and intervals of rest of an employee do not spread over more than twelve hours in one day :

Provided that the State Government may, in public interest and subject to such conditions as it may consider necessary or expedient, increase the said spread-over period either generally or for a class of shops or commercial establishments.

## **CHAPTER III**

### **Holidays and Leave**

**8. Close days.** - Every employer shall keep his shop or commercial establishment, not included in Schedule II, closed on-

(a) one day in a week, and

(b) such public holidays in a year as may be prescribed, to be hereinafter referred to, as close days.

(2) The choice of a close day not being a close day which is a public holiday shall, subject to the approval of the authority appointed by the State Government in this behalf, rest with the employer. A notice specifying all close days shall be prominently displayed by the employer in a conspicuous place in the shop or commercial establishment.

(3) The close day shall not be altered by the employer except once in a year and with the approval of the authority appointed under sub-section (2), to be obtained in the manner prescribed. Any such alteration shall take effect as from the first day of January of the year following:

Provided that where the employers in one locality do not observe the same day of the week as the close day, the authority appointed under sub-section (2) may, in the manner prescribed, fix a day as the close day for such locality :

Provided further that the authority may, on the written request of the majority of the employers in a locality, at any time after six months from the date on which a close day was earlier fixed, alter, with effect from a date to be specified by him, the close day, not being a close day which is a public holiday.

*Explanation.* - 'Locality' means any compact area declared as such by public notice by the authority appointed under sub-section (2).

**9. Holidays.** - Every employee not being allowed by the employer holiday on-

(i) every close day which is a public holiday; and

(ii) one whole day in each week:

Provided that nothing in clause (ii) shall apply to any employee whose total period of employment in the week, including any day spent on leave or any holiday, is less than six days.

**10. Earned leave, sickness leave and casual leave.** - Every employee, who has been in continuous employment of the same employer for a period of twelve months or over, shall, in addition to any holiday allowed under section 9, be entitled to earned leave for not less than fifteen days for every twelve month of such service:

Provided that a watchman or a caretaker who has been in continuous employment for a period of twelve months or over shall be entitled to not less than sixty days earned leave for every twelve months of such service.

(2) Every employee, who has been in continuous employment of the same employer for a period of six months or over shall, subject to such conditions as may be prescribed, be further entitled to sickness leave for not less than fifteen days in any one calendar year.

(3) Every employee shall subject to such conditions as may be prescribed, be also entitled, in addition to earned leave and sickness leave, to casual leave for not less than ten days in any one calendar year.

(4) Subject to the provisions of the rules made under this Act, all leave shall be granted when applied for.

(5) Any earned leave not availed of in any year by an employee shall be added to such leave accruing to the employee in the year following :

Provided that the total period of earned leave admissible to an employee at any time shall not exceed 45 days.

(6) In computing the period of continuous employment of an employee within the meaning of sub-section (1) or (2), the period during which he has been on leave under this section shall be included.

(7) Where the services of an employee are terminated by his employer, or where the employee terminates the employment, the employer shall be liable to pay to the employee wages for the number of days for which the earned leave is due to him.

**11. Payment for leave refused.** - (1) When earned leave is refused to an employee having to his credit such leave for 45 days, he shall be entitled, in respect of the period covered by the refusal, to an amount which would have been payable to him as wages for the period in case he had been on leave during that period.

(2) The amount payable under sub-section (1) shall be in addition to the wages payable for the period.

(3) On an employee receiving the said amount, the earned leave to his credit shall be reduced by the number of days in respect of which such amount is received.

**12. Wages for holidays and leave.** - For every holiday, and for each day for leave allowed under this Act, the employees shall be entitled to wages at a rate not less than that rate to which the employee was entitled for the day immediately preceding the holiday or the day of leave availed by him, anything to the contrary contained in any other law, contract, custom or usage notwithstanding.

## CHAPTER IV

### *Wage Deductions and Notices of Discharge*

**13. Wage period.** - (1) Every employer shall fix a period, hereinafter referred to as the wage period, at the expiry, and in respect to which wages shall be payable to his employees.

(2) No wage period shall exceed one month.

(3) The wages of every employee shall be paid within such period as may be prescribed.

(4) The remuneration due to an employee in lieu of unavailed period of leave, and the wages earned by him shall be paid-

(a) where the termination of his employment is by or on behalf of employer, before the expiry of the second working day after such termination; and

(b) where the termination of his employment is by the employee, on or before the next pay day.

**14. Payment of wages for period of earned leave.** - (1) An employee proceeding on earned leave shall, on demand, be given advance payment of the wages for half the period of the leave, and the wages for the wage period immediately preceding such leave. The wages for the remaining , half period of such leave shall be payable to him along with the wages for the first wage period after he resumes duty.

(2) The wages for the period of sickness leave shall be payable to the employee along with his wages for the first wage period after he resumes duty.

**15. Deductions from wages.** - No deductions from the wages of an employee shall be made except to such extent, and in such manner, as may be prescribed.

**16. Fines on employees.** - No fines in excess of three per cent of the -wages payable to an employee for any wage period shall be imposed on him by the employer..

**17. Register of fines.** - (1) The employer shall maintain a register in the prescribed form, wherein shall be entered all fines imposed and recovery thereof.

(2) Fines recovered from employees shall be applied only to such purposes as may be beneficial to them and approved by the authority empowered in this behalf by the State Government.

**18. Recovery of wages.** - The wages of an employee, if not paid as provided by or under this Act, shall be recoverable in the manner provided in the Payment of Wages Act, 1936, as if the same wages were payable under that Act.

**19. Discharge of employee by his employer.** - (1) No employee, other than an employee engaged for a specified period in a leave vacancy, shall be discharged from service by his employer except on the ground that-

(a) the post held by him has been retrenched; or

(b) he is unfit to perform his duties on the ground of physical infirmity or continued ill-health;

and he has been served with a notice in writing containing the ground of discharge. The notice shall be for a period of not less than thirty days, or such longer period as may be required under the terms of employment:

Provided that the notice of discharge may be of a shorter period if the same is accompanied with payment of wages to the employee for the number of days the notice is short of the required period.

(2) Nothing in sub-section (1) shall apply to dismissal for misconduct.

**20. Termination of employment by an employee.** - (1) No employee, other than an employee engaged for a specified period or in a leave vacancy, shall terminate his employment, except after notice of thirty days, or of such longer period, as may be required under the terms of his employment.

(2) Where an employee fails to comply with the provisions of sub-section (1), his unpaid wages for a period not exceeding fifteen days may be forfeited to his employer.

## CHAPTER V

### *Employment of Children and Women*

**21. Prohibition of employment of children.** - (1) No child shall be required, or allowed, to work in any shop or commercial establishment except as an apprentice in such employment as may be notified by the State Government in the *Gazette*.

[22. Any employer if satisfied that the provision of shelter, rest room, night creche, ladies' toilet, adequate protection of their safety, and their transportation from the shop or commercial establishment to their residence exists in such shop or commercial establishment, he may, after obtaining the consent of the woman worker, allow her to work between 9 p.m. and 6 a.m.]

**23. Prohibition of employment of women during certain period.** - No employer shall knowingly require or allow a woman to work, and no woman shall work in any shop or commercial establishment during the period of six weeks following the day on which she is delivered of a child.

**24. Right of absence during pregnancy.** - (1) A pregnant woman employee may, by seven clear days' notice in writing, require her employer to relieve her from duty for a period not exceeding six weeks preceding the expected date of delivery.

(2) On receipt of the notice the employer shall, subject to the provisions of sub-section (3), permit such employer to remain absent from duty for a period of six weeks ending with the expected date of her delivery.



(3) (a) On receipt of the notice, the employer may require such employee to be examined at his cost by a lady doctor, if she so desires, or, otherwise, by any qualified medical practitioner or a midwife.

(b) If the woman employee-

(i) refuses to submit herself to medical examination, or-

(ii) on such examination is found not pregnant, or not likely to be delivered of a child within six weeks of the date from which permission for absence from duty is desired, the employer may refuse to relieve her from duty, so however that the employee, if found pregnant shall be allowed to remain absent from duty for a period of six weeks prior to the expected date of her delivery.

**[25.** In case of pregnancy a woman employee shall be entitled to maternity benefit and maternity leave under. The Maternity Benefit Act, 1961.]

**26. Maternity benefit.** - Every woman employee who has been, for a period of not less than six months preceding the date of her delivery, in continuous employment of the same employer whether in the same or different shops or commercial establishments, shall be entitled to receive from her employer for the periods of-

(a) six weeks immediately preceding the day of delivery; and

(b) six weeks following the date of delivery;

such maternity benefits and in such manner as may be prescribed :

Provided that no woman employee shall be entitled to receive such benefits for any day during any of the aforesaid periods, on which she attends work and receives wages therefor.

**27. Intervals for rest.** - A woman employee, during the period she is nursing her child, shall, in addition to the regular intervals of rest, be entitled to two breaks of half an hour each for the aforesaid purpose.

**28. Prohibition of discharged or removal from service during or on account of absence from duty owing to confinement.** - (1) No employer shall discharge or remove from service any woman employee on account of, or during the period of, absence from duty allowed to her under Section 26.

(2) No woman employee shall, as a result of her discharge or removal from service within six months of the day of her delivery, be deprived of the maternity benefits, which she would have, but for, the discharge or removal, been entitled to, if the same is held by the inspector to be without sufficient cause.

**[28A. Welfare Provisions.** - (1) Every employer shall make effective arrangements to provide and maintain at suitable points convenient for all persons employed in the shop or commercial establishment, sufficient supply of wholesome drinking water.

(2) Every employer shall provide for male and female separate latrine and urinal as may be prescribed which shall be so conveniently situated as may be accessible to the workers employed in the shop or establishment.

Provided that certain employers may provide common facilities in case it is not possible in a shop or establishment due to constraint of space or otherwise.

(3) In every shop or commercial establishment wherein twenty or more woman workers are ordinarily employed, there shall be provided and maintained rooms as creche for the use of children of such woman workers.

Provided that if a group of shops or commercial establishments, so decide to provide a common creche within a radius of one kilometer, then, the same shall be permitted by the Inspector, by an order, subject to such conditions as may be specified in the order.

(4) Every employer shall provide at the place of work such first-aid facilities as may be prescribed.

(5) The State Government shall require the employer to provide and maintain in the shop or commercial establishment, wherein not less than two hundred and fifty workers are employed or ordinarily employed to maintain a canteen for the use of its workers:

Provided that if a group of shops or commercial establishments, so decide to provide a common canteen, then the same shall be permitted by the Inspector by an order, subject to such conditions as may be specified in the order.

(6) Every employer shall take such measures relating to the health and safety (including cleanliness, lighting, ventilation and protection against fire) of the workers which are necessary.]

**29. Appointment of Inspectors.** - The State Government may appoint a Chief Inspector, and a Deputy Chief Inspector, for the whole of Uttar Pradesh and as many inspectors for different areas thereof as may be considered necessary.

**30. Power of the Inspectors to enter, etc.** - Subject to such conditions as may be prescribed, an Inspector may, at all reasonable times, enter any place which is or which he has reason to believe to be, a shop or commercial establishment, for the purpose of examining the register, records or other documents kept therein. The Inspector may take with him such persons to assist him as he may consider necessary, and the owner or the occupant, for the time being, of the place shall allow them to enter and examine the said register, records or documents. The Inspector may seize such of them as he require for the purpose of proving the contravention of any of the provisions of this Act or the rules made thereunder.

**31. Inspectors, etc., to be public servants.** - The Chief Inspector, the Deputy Chief Inspector and every Inspector appointed under Section 29, shall be deemed to be a public servant within the meaning of Section 21 of the Indian Penal Code.

**32. Maintenance of registers and records by the employers.** - An employer shall maintain such registers and records and display such notices, as may be prescribed.

**33. Contravention of provisions.** - Any person, who contravenes, or fails to comply with any of the provisions of this Act, or of the rules made thereunder, other than those of sub-section (1) of Section 20, shall be guilty of an offence under this Act.

**34. Offences of Companies, etc.** - (1) If the person committing an offence under this Act or the rules made thereunder is a company, the company as well as every person in-charge of, and responsible to, the company for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1) where an offence under this Act has been committed by a company, and it is proved that the offence under this Act has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be proceeded against and punished accordingly.

*Explanation.* - For the purposes of this section,-

(a) "company" means any body corporate and includes a firm or other association of individuals, and

(b) "director" in relation to a firm is a partner in the firm.

**35. Punishment.** - Any person guilty of an offence under the Act shall be liable to fine which may, for the first offence, extend to one hundred rupees, and for every subsequent offence, to five hundred rupees.

**36. Limitation of prosecution.** - (1) No court shall take cognizance of any offence under this Act or the rules made thereunder except on complaint in writing made within six months of the date which the offence is alleged to have been committed.

(2) *Courts empowered to try offence under this Act.* - No court inferior to that of a Magistrate of the Second Class shall try any offence under this Act, or the rules made thereunder.

[(3) The Chief Inspector may, subject to any general or special order of the State Government in this behalf, compound any offence punishable under this Act, either before or after the institution of the prosecution, on realisation of such amount of composition, fee as he thinks fit not exceeding the maximum amount of fine fixed for the offence; and where the offence is so compounded-

(i) before the institution of the prosecution, the offender shall not be liable to prosecution for such offence and shall, if in custody, be set at liberty;

(ii) after the institution of the prosecution, the composition shall amount to acquittal of the offender.]

## CHAPTER VII

### Miscellaneous

**37. Protection of action taken under this Act.** - No suit, prosecution or other legal proceedings shall lie against any officer or authority under this Act, for anything done, or intended to have been done, in good faith in pursuance of the provisions of this Act or the rules or orders made thereunder.

**38. Presumption.** - Whenever a shop or commercial establishment is actually opened, it shall be presumed that it is opened for the service of any customer or for the business, trade or manufacture normally carried on in the shop or commercial establishment.

**39. Application of Workmen's Compensation Act and Rules.** - The provisions of the Workmen's Compensation Act, 1923, and of the Rules made thereunder, shall *mutatis mutandis* apply to every employee of a shop or commercial establishment.

**40. Rule-making power.** - (1) The State Government [may by notification make rules] to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, the State Government may make rules regarding all or any of the following matters, namely-

(a) the registers and records to be maintained by an employer;

(b) the notices to be displayed by an employer;

[(b-1) the form of register of shops and commercial establishments under Chapter I-A;

(b-2) the fees of registration, for renewal of registration certificate and for issue of duplicate registration certificate under Chapter I-A;

(b-3) the form of registration certificate under Chapter I-A;]

(c) deductions that may be made from the wages of an employee;

(d) fines and dismissals;

(e) regulating the grant of casual leave and the payment of wages for the period of such leave;

(f) regulating the grant of other leave;

(g) maternity benefits and their payment;

(h) matters which are to be, or may be prescribed under this Act.

(3) The rules made under this section shall be subject to the condition of previous publication.

[\* \* \* ]

**41. Repeal.** - The United Provinces Shops and Commercial Establishments Act, 1947, is hereby repealed.

#### Schedule I

##### Part A

All the provisions of this Act shall apply to the shops and commercial establishments in the areas mentioned below :

	<i>Names</i>		<i>Areas in which all the provisions of this Act shall apply</i>
	1		2
1.	Agra	...	Municipal and Cantonment Areas
2.	Allahabad	...	Ditto
3.	Bareilly	...	Ditto
4.	Kanpur	...	Ditto
5.	Dehra Dun	...	Ditto
6.	Jhansi	...	Ditto
7.	Meerut	...	Ditto
8.	Mussoorie	...	Ditto
9.	Mathura	...	Ditto
10.	Naini Tal	...	Ditto
11.	Sitapur	...	Ditto
12.	Rampur	...	Ditto
13.	Shahjahanpur	...	Ditto

14.	Varanasi	...	Municipal and Cantonment Areas and contiguous areas of Lanka, Vidhyapith Road, Bhojubir, Shivpur and Pandepur.
15.	Lucknow	...	Municipal and Cantonment Areas Charbagh-Alambagh, Notified Area and contiguous areas of Chandganj-Kalan, Alambagh and Mawaiya.
16.	Farrukhabad-cum-Fatehgarh	...	Municipal and Cantonment Areas and contiguous areas Lalbagh, Barhpur, Nekpur and Bholepur.
17.	Aligarh	...	Municipal areas
18.	Firozabad	...	Ditto
19.	Faizabad	...	Ditto
20.	Gorakhpur	...	Ditto
21.	Hapur	...	Ditto
22.	Hathras	...	Ditto
23.	Muzaffamagar	...	Ditto
24.	Saharanpur	...	Ditto
25.	Gonda	...	Municipal areas
26.	Ghaziabad	...	Ditto
27.	Kaimganj	...	Ditto
28.	Mirzapur	...	Ditto
29.	Bulandshahr	...	Ditto
30.	Bara Banki	...	Ditto
31.	Banda	...	Ditto
32.	Hardoi	...	Ditto
33.	Jaunpur	...	Ditto
34.	Pilibhit	...	Ditto
35.	Orai	...	Ditto
36.	Bahraich	...	Ditto
37.	Sultanpur	...	Ditto
38.	Azamgarh	...	Ditto
39.	Etawah	...	Ditto
40.	Rae Bareli	...	Ditto

41.	Padrauna	...	Ditto
42.	Hamiipur	...	Ditto
43.	Basti	...	Ditto
44.	Mainpuri	...	Ditto
45.	Unnao	...	Ditto
46.	Pratapgarh	...	Ditto
47.	Dcoria	...	Ditto
48.	Lakhimpur-Kheri	...	Ditto
49.	Ghazipur	...	Ditto
50.	Bijnor	...	Ditto
51.	Fatehpur	...	Municipal area and contiguous areas of Collectorganj-Hariharganj, Railbazar, Deviganj and Radhanagar.
52.	Kannauj	...	Municipal area and contiguous areas of Saraimeran and Mekrandnagar.
53.	Ballia	...	Municipal Area.
54.	Chandausi	...	Ditto
55.	Kasganj	...	Ditto
56.	Bhadohi (Varanasi)	...	Ditto
57.	Ramnagar (Naini Tal)	...	Ditto
58.	Haldwani	...	Ditto
59.	Shamli (Muzaffamagar)	...	Municipal Area.
60.	Budaun	...	Ditto
61.	Shikohabad (Mainpuri)	...	Ditto
62.	Kashipur (Naini Tal)	...	Ditto
63.	Mahoba	...	Ditto
64.	Moradabad	...	Municipal area and Railway Settlement, Notified area, Railway Station and Railway Institute.
[65.]	Etah	...	Municipal Area]

[66.]	Maunath Bhanjan	...	Ditto]
[67.]	Roorkee (Sharanpur District)	...	Municipal and Cantonment area of Roorkee (Saharanpur District)]
[68.]	Khatuali (Muzaffamagar)	...	Municipal Area]
[69.]	Uttar Kashi	...	Ditto]
[70.]	Bisauli (Budaun)	...	Town Area]
[71.]	Bilsa (Budaun)	...	Municipal Area]
[72.]	Hydergarh (Barabanki)	...	Town Area]

**Part B**

Sections 2,3, 8, 9, 12, 13, 15, 19, [30] 32, 33, 34, 35 [36, 38, 39] and 40 shall apply to all the shops and commercial establishments in the areas mentioned below:

	<i>Names</i>		<i>Areas in which the said sections shall apply</i>
	1		2
1.	Roorkee	...	Municipal and Cantonment Areas.
2.	Khurja	...	Municipal Area.
3.	Haidwar	...	Ditto
4.	Balrampur (Gonda)	...	Ditto
5.	Maunath Bhanjan	...	Ditto
6.	Tihar	...	Ditto
7.	Nagina	...	Ditto
8.	Najibabad	...	Municipal Area.
9.	Dcoband (Saharanpur)	...	Ditto
10.	Shahabad (Hardoi)	...	Ditto
11.	Panditwari (Dchradun)	...	Ditto
12.	Jalaun	...	Ditto
13.	Amethi	...	Ditto
14.	Karvi (Banda)	...	Ditto
15.	Moghalsarai	...	Ditto
16.	Tanda (Faizabad)	...	Ditto
17.	Gaura Barhaj (Dcoria)	...	Ditto
18.	Kairana	...	Ditto

	(Muzaffanagar)		
19.	Baraut (Meerut)	...	Ditto
20.	Vrindaban (Mathura)	...	Ditto
21.	Mawana (Meerut)	...	Ditto
22.	Jalalpur (Faizabad)	...	Ditto
23.	Kotdwara (Garhwal)	...	Ditto
24.	Etah	...	Ditto
25.	Lalitpur (Jhansi)	...	Ditto
26.	Mauranipur (Jhansi)	...	Ditto
27.	Sambhal (Moradabad)	...	Ditto
28.	Amroha (Moradabad)	...	Ditto
29.	Chandpur (Bijnor)	...	Ditto
30.	Almora	...	Ditto
31.	Bisalpur (Pilibhit)	...	Ditto
32.	Biswan (Sitapur)	...	Ditto
33.	Gola Gokarannath (Kherei)	...	Ditto
34.	Konch (Jalaun)	...	Ditto
35.	Kalpi (Jalaun)	...	Ditto
36.	Khatauli (Muzaffanagar)	...	Ditto
37.	Auraiya (Etawah)	...	Ditto
38.	Dhampur (Bijnor)	...	Ditto
39.	Sikandrabad (Bulandshahr)	...	Ditto
40.	Rishikesh (Dchra Dun)	...	Ditto
41.	Ujhani (Budaun)	...	Ditto
42.	Bharthana (Eiawah)	...	Ditto
43.	Rasra (Ballia)	...	Notified Area
44.	Shahganj (Jaunpur)	...	Notified Area.
45.	Chibramau (Farrukhabad)	...	Town Area.
46.	Modinagar (Meerut)	...	Ditto



[47.]	Pilkhawa (Meerut)	...	Municipal Area]
48.	Mangalore (Saharanpur)	...	Ditto
[49.]	Robertsganj (Mirzapur)	...	Ditto]
[50.]	Kosi-Kalan (Mathura)	...	Ditto]
[51.]	Chunar (Mirzapur)	...	Village Tikaur and the road from Chunar Railway Cabin (West) to Chunar Town]
[52.]	Gosainganj (Lucknow)	...	Town Area]
[53.]	Lakhna (Etawah)	...	Ditto]
[54.]	Mahmudabad (Sitapur)	...	Ditto]

### **Part C**

All the provisions of this Act shall apply to commercial establishment of all the cane cooperative societies in the State.

### **Part D**

All the provisions of this Act shall apply to those employees of vacuum pan sugar factories in the State to whom the provisions of the Factories Act, 1948, do not apply.

**Note.** - For exemption from the operation of the provisions of sections 5(1), 6, 8(1) and 9 of the Act. See Notification No. 108(LL) (i)/XXXVI-(D)-674 (LL)-63, dated 18-2-1964.

### **Schedule II**

#### **(Shops and commercial establishments to which the provisions of Sections 5 and 8 shall not apply)**

1. Shops and commercial establishments exclusively or mainly dealing in meals, refreshments, newspapers and periodicals, medicines, medical and surgical appliances, vegetables, sweet-meats, milk, cooked food, flowers, pan (betel leaves and nuts), meat, poultry, game, eggs, ice, fresh fruits and green fodder.
2. Cinemas, theatres and other places of public amusement or entertainment.
3. Clubs and residential hotels.
4. Stalls and refreshment rooms at railway stations.
5. Shops for the sale of motor spirit and motor or aircraft spares and accessories.
6. Shops and establishments of barbers and hair dressers.
7. Government licensed shops or establishments dealing in spirituous liquors or narcotic drugs.

8. Such shops dealing exclusively or mainly in material need for burial, funeral and cremation purposes, as may be notified by the Collector in the manner prescribed.
9. Shops exclusively or mainly dealing in the business of hire of patromax bands and loudspeakers required for marriages and other ceremonial occasions.
10. Shops in any exhibition, public show, fairs or bazars run for charitable purposes.
11. Transport services.
12. Electric and water supply undertakings.
13. Shops dealing exclusively or mainly in repairs of cycles, rickshaws, tonga, *ekka*, and bullock-cart.

#### Notifications

**Notification No. 356 (LL)/XXXVI-B-47-(LL)-62, dated February 18, 1963, published in U.P. Gazette, dated February 23, 1963, Part I, page 337.** - In exercise of the powers under sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh, is pleased to direct that, with effect from the date of issue of this notification, all the provisions of the said Act shall apply also in relation to the area of Railway Station Ghaziabad, as described in the Schedule below :

#### Schedule

Area within the following boundaries :

*East* - Railway cabin.

*West* - Railway cabin.

*North* - Gate adjoining Municipal Area where there is Rickshaw, Tonga Stand.

*South* - Police post of the G.R.P. and the place from where boundaries of Bhood and Sunderpuri Mohallas begin.

**Notification No. 1403 (LL)/XXXVI-E-467-(LL)-62, dated May 23, 1963, published in U.P. Gazette, Part 1-A, dated 1st June, 1963, page 1042.** - In exercise of the powers conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, all the shops and commercial establishments situated in Uttar Pradesh exclusively or mainly dealing in the business of supplying, furnishings (which include furniture, shamiyanas and tents), crockery and utensils on hire required for marriages and other ceremonial occasions from the operation of sub-section (1) of Section 5 and sub-section (1) of Section 8 of the said Adhinyam subject to the following conditions :

- (i) No sale of any such article shall be effected and only hiring of the aforesaid article on ceremonial occasions shall be allowed.
- (ii) The employees who are required to work beyond the prescribed hours of work shall be paid wages at twice the ordinary rate for every hour of such overtime.

- (iii) If any employee is required to work on a close day or a public holiday, whether for the whole day or part thereof, he shall be given a full day's holiday in lieu thereof within a week following such day.

**Notification No. 5218 (LL)/XXXVI (D)-221-(LL)-62, dated September 25, 1963, published in Government of U.P. Gazette, dated 5th October, 1963, page 1857.** - It exercise of the powers conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt in public interest all the shops exclusively dealing in Mainpuri-Tobacco in Uttar Pradesh, from the operation of the provisions of sub-section (1) of Section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, and sub-section (1) of Section 8 and sub-clause (i) of Section 9 of the said Adhiniyam subject to the following condition-

- (a) every employee except a watchman or caretaker who is required to work on a public holiday shall be given leave of one whole day in lieu of such holiday;
- (b) the leave in lieu of public holiday shall, if applied for by the employee, be granted to him within the same calendar year. If the employee does not so avail himself of his leave or any part thereof during the calendar year, it will be carried over to the next calendar year but no further; and
- (c) the employment of an employee on the public holiday for a part only of the day shall entitle the employee to a whole day's leave.

**Notification No. 5114 (LL)/XXXVI-(D)-498 (LL)-62, dated September 30, 1963, published in Government of U.P. Gazette, Part I, dated 12th October, 1963, page 1883.** - In U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963 (English Version), published in Notification No. 2084 (LL)/XXXVI-(B)-498 (LL)-62, dated May 1, 1963 :

- (1) *Omit* the word 'and' occurring after the word 'Diwali Parewa' in Rule 5 (iii).
- (2) Place a 'Semi colon' in place of 'full stop' after the words 'Kartiki Poornima' and *add* the word 'and' thereafter in Rule 5 (iv).
- (3) *Read* the words 'object for which disbursed' for the words 'object for which disbursed' in Column 14 of Form E.

**Notification No. 108 (LL) (i)/XXXVI-(D)-674 (LL)-63, dated February 18, 1964, published in U.P. Gazette, Part I, dated 29th February, 1964, page 217.** - In supersession of Government Notification No. U.O. 899 (LL) (1)/XXXVI (D)-674 (LL)-63, dated December 6, 1963, and in exercise of the powers conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, all the shops and commercial establishments, employing employees of Vacuum Pan Sugar Factories in Uttar Pradesh to whom the provisions of Factories Act, 1948, do not apply, are granted exemption from the operation of the provisions of sub-section (1) of Section 5, Section 6, sub-section (i) of Section 8 and Section 9 of the said Adhiniyam subject to the following conditions :

- (1) An employee shall be allowed two days holidays in the course of each period of fourteen days of employment.
- (2) The total hours of work put in by an employee during the period of four weeks shall be such that his weekly average does not exceed 56 hours.
- (3) An employee working in excess of 8 hours a day shall be paid wages in respect of such additional hours at twice the ordinary rate, for every hour of such overtime work.
- (4) Overtime work shall not exceed 220 hours in the aggregate in any year.
- (5) When an employee is deprived of any public holidays for which provision is made in sub-section (1) of section 9 he shall be allowed equal number of compensatory holidays on full pay immediately after the close of the current crushing season in the factory.

**Notification No. 2764 (LL) (ii)/XXXVI-(D)-47 (LL)-1962, dated December 8, 1964, published in U.P. Gazette, dated 19th December, 1964, Part I, page 1841.** - In exercise of the powers conferred by Sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to direct that the provisions of Sections 2, 3, 8, 9, 12, 13, 15, 19, 30, 32, 33, 34, 35, 36, 38, 39 and 40 of the said Adhiniyam shall apply with effect from the date of this notification to all shops and commercial establishments in Robertsganj (Mirzapur).

**Notification No. 62 (LL) (ii)/XXXVI-(D)-345 (LL)-1963, dated June 5, 1965, published in U.P. Gazette, Part I, dated 26th June, 1965, page 1567.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan, Adhiniyam, 1962 (Uttar Pradesh Act No. XXVI of 1962), the Governor of Uttar Pradesh in public interest, is pleased to exempt with effect from the date of publication of this notification in the Uttar Pradesh Gazette all the shops and commercial establishments situated in Uttar Pradesh from the operation of the provisions of sub-section (1) of Section 8 and Section 9 of the said Adhiniyam subject to the following conditions-

- (1) the exemption shall be for the purpose only of unloading of trucks carrying foodgrains, oilseeds, pulses, *gur*, *khandsari*, edible oils, ghee, *atta ad suji*;
- (2) employees require to work on a close day, whether for the whole day or part thereof, shall get full day's holiday in lieu thereof within the week following such day; and
- (3) notice containing the names of employees required for work, the particular day on which they are required and the compensatory holiday proposed therefor shall be pasted on the premises of the shops and commercial establishments on a conspicuous place before work is taken on such day and a copy thereof shall be sent to the Labour Inspector concerned within twenty-four hours of the expiry of taking such work.

**Notification No. 718 (A)/XXXVI-(D)-340 (A)-65, dated October 15, 1968, published in U.P. Gazette, Part I, dated 26th October, 1968.** - 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. XXVI of 1962), the Governor is pleased to direct that the provisions of

Sections 2, 3, 8, 9, 12, 13, 15, 19, 30, 32, 33, 34, 35, 36, 38, 39 and 40 of the said Adhiniyam shall apply with effect from the date of this notification to all shops and commercial establishments in the contiguous area of Chunar (Mirzapur District) as indicated hereunder:

Village Tikaur and the road from Chunar Railway Cabin (West) to Chunar Town.

**Notification No. 386 (A)/XXXVI-(D)-389 (A)-70, dated April 17, 1971, published in U.P. Gazette, Part I, dated 17th April, 1971, page 1679.** - In exercise of the powers conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishtan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt in public interest all the shops and commercial establishments situated in the Vindiyachal Area of Municipal Board, Mirzapur from the operation of the provisions of Sections 5 (1), 8 (1) (a) and 9 (2) of the Act and Rules 3, 6 and 7 of the Niyamavali framed thereunder, for the period from March 27 to April 10, 1971 subject to the following condition that they will observe close days on April 14, 19 and 22, 1971 in lieu of March 27, April 3 and 10, 1971.

**Notification No. 960 (A)/XXXVI-(D)-360 (A)-69, dated September 9, 1971, published in U.P. Gazette, Part I, dated 18th September, 1971, page 5576.** - In exercise of the powers conferred under sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishtan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to direct that the provisions of Sections 5 and 8 of the said Adhiniyam shall apply, with effect from the date of this notification, to all shops and commercial establishments situated in the Municipal Areas of Tehri-Garhwal.

**Notification No. 817 (A)/XXXVI-(D)-31-69, dated September 25, 1971, published in U.P. Gazette, Part I, dated 6th November, 1971, page 6462.** - In exercise of the powers conferred under sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishtan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt in public interest all the shops and commercial establishments of photographers of Kanpur City from the operation of the provisions of clause (a) of sub-section (1) of Section 8 and clause (ii) of Section 9 for December 13, 1970 subject to their observing substituted close day on December 15, 1970 and allowing a full day leave to their employees on that day.

**Notification No. 1197 (A)/XXXVI-D-218 (A)-71, dated October 4, 1971, published in U.P. Gazette, Part I, dated 6th November, 1971, page 6462.** - In exercise of the powers conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishtan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt in public interest all the shops and commercial establishments situated in the Vindhyachal Area of Municipal Board, Mirzapur from the operation of the provisions of Sections 5 (1), 8 (1) (a) and 9 (2) of the Act and Rules 3, 5, 6 and 7 of the Niyamawali framed thereunder for the period from September 20 to October 4, 1971, subject to the condition that they will observe close day on October 6 and 13, 1971, in lieu of September 25 and October 2, 1971.

**Notification No. 1300-(A)/XXXVI-D-354-(A)-71, dated November 5, 1971, published in U.P. Gazette, Part I, dated 20th November, 1971, page 6700.** - In exercise of the powers conferred by sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishtan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to direct that the provisions of all sections of the said Adhiniyam shall apply, with effect from the date of this notification, to all shops and commercial establishments situated in the Town Area of Khalilabad (Basti).

**Notification No. 1217 (A)/XXXVI-D-376 (A)-71, dated November 17, 1971, published in U.P. Gazette, Part I, dated 4th December, 1971, page 6989.** - 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. XXVI of 1962), the Governor is pleased to direct that all the provisions of the said Adhiniyam shall apply with effect from the date of publication of this notification in the official Gazette in the Town Area of Modinagar, district Meerut.

**Notification No. 1334 (A)/XXXVI-D-376 (A)-71, dated November 17, 1971, published in U.P. Gazette, Part I, dated 4th December, 1971, page 6990.** - 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. XXVI of 1962), the Governor is pleased to direct that all the provisions of the said Adhiniyam shall apply with effect from the date of publication of this notification in the official Gazette to all shops and commercial establishments situated in the Municipal Area of Haridwar (Saharanpur District).

**Notification No. 599 (V)/XXXVI-S514 (V)-71, dated December 24, 1971, published in U.P. Gazette, Part I, dated 8th January, 1972, page 202.** - In exercise of the powers

conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), and in continuation of Government Notification No. 464 (V)/XXXVI-5-514(V)-71, dated December 20, 1971, the Governor is pleased to exempt, in public interest all the offices of the Life Insurance Corporation of India in the State of U.P. from the operation of the provisions of sub-section (1) of Section 5, sub-section (1) of Section 6 and provisions of Section 7 of the said Adhiniyam read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, dated December 20, 1971 also subject to the following conditions:

- (i) That the said offices may open from 7.30 a.m. till 12.00 noon but not thereafter, on December 20, 1971 also.
- (ii) That the total number of hours of overtime work shall not exceed 50 in the quarter, i.e. from October to December, 1971.
- (iii) That the employees working overtime on the day, i.e. on December 29, 1971 shall be paid wages at twice the ordinary rate for every hour of such overtime work.

**Notification No. 69 (A)/XXXVI-5-353 (A)-71, dated January 7, 1972, published in U.P. Gazette, Part I-ka, dated 22nd January, 1972, page 418** - 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. XXVI of 1962), the Governor is pleased to direct that the provisions of Section 5 of the said Adhiniyam shall also apply with effect from the date of this notification to all shops and commercial establishments situated in the Municipal Area, Dhampur, district Bijnor.

**Notification No. 277 (V)/XXXVI-5-702 (V)-72, dated March 9, 1972, published in U.P. Gazette, Part I, dated 18th March, 1972, page 1848.** - In exercise of the powers conferred

by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt in public interest all the industrial establishments, consuming less than 80 H.P. electricity, situated at Kanpur, Allahabad, Lucknow and Meerut from the operation of the provisions of sub-section (1) of Section 5 read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, sub-section (1) of Section 8 of the said Adhiniyam, for the period from January 22 to February 5, 1972, subject to the condition that they may upon or before the

prescribed hours, but not before 7 a.m. and shall not keep open after 8 p.m. on any day during the above period.

**Notification No. 700 (V)-36-5-715 (V)-72, dated April 7, 1972, published in U.P. Gazette, Part I, dated 22nd April, 1972, page 2279.** - In exercise of the powers under sub-section (3) of Section 10 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to direct that the provisions of Section 8 of the said Adhiniyam, shall apply with effect from date of publication of this notification in the Uttar Pradesh Gazette, to all shops and commercial establishments situated in the Municipal Area of Aonla, district Bareilly.

**Notification No. 612 (V) 36-5-566 (V)-73, dated April 1, 1975, published in U.P. Gazette, Part I, dated April 9, 1975, page 967.** - 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. XXVI of 1962), the Governor is pleased to direct that the provisions of Sections 2, 3, 8, 9, 12, 13, 15, 19, 30, 32, 33, 35, 36, 38, 39 and 40 of the said Adhiniyam shall, with effect from the date of publication of this notification in the U.P. Gazette, apply to all shops and commercial establishments situated in the Town Area Gosainganj, district Lucknow.

**Notification No. 522 (V)-73 (V)-73, dated April 15, 1975, published in U.P. Gazette Part I, dated 25th April, 1975, page 1000.** - 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. XXXI 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 and commercial establishments situate in the Nagarpalika Area of Khatauli, district Muzaffamagar.

**Notification No. 1107 (V)/XXX-5-566 (V)-73, dated May 22, 1975, published in U.P. Gazette, Part I, dated 7th June, 1975, page 1436.** - 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. XXVI of 1962), the Governor is pleased to direct that the provisions of Sections 2, 3, 8, 9, 12, 13, 15, 19, 30, 32, 33, 34, 35, 36, 38, 39 and 40 of the said Adhiniyam shall, with effect from the date of publication of this notification in the U.P. Gazette, apply to all shops and commercial establishments situate in the Town Area of Lahkana, district Etawah.

**Notification No. 1201 (V)/XXXVI-50-566 (V)-73, dated April 19, 1976, published in U.P. Gazette, Part I, dated May 1, 1976, page 1064.** - 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. XXVI of 1962), the Governor is pleased to direct that the provisions of Sections 2, 3, 8, 9, 12, 13, 15, 19, 30, 32, 33, 34, 35, 36, 38, 39 and 40 of the said Adhiniyam, shall with effect from the date of publication of this notification in the Uttar Pradesh Gazette, apply to all shops and commercial establishments situate in the Town Area, Mehmudabad, district Sitapur.

**Notification No. 4923 (V)/XXXVI-3-58 (V)-77, dated December 28, 1977, published in U.P. Gazette, Extraordinary, dated 28th December, 1977, page 2** - In exercise of the powers under Section 29 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXXVI of 1962), and in supersession of all the previous orders on the subject, the Governor is pleased to appoint the officer/official mentioned in Column 2 of the Schedule below to be the Inspector for the purposes of the said Act within the areas mentioned against each in Column 3 thereof:

**Schedule**

Sl.	Officer/Official	Local limit
-----	------------------	-------------

No.		
1	2	3
1	Labour Officer, Gorakhpur	Gorakhpur Region in which Azamgarh, Dcoria, Basti and Gorakhpur districts are included.

**Notification No. 1020 (V)/36-710 (S)-78, dated March 18, 1978, published in U.P. Gazette, Extraordinary, dated 18th March, 1978, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all shops and commercial establishments situate in Uttar Pradesh, from the operation of the provisions of Section 4-C of the said Adhiniyam read with Rule 2-A (7) of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that their owners shall apply for renewal of registration certificate for the financial year 1978-79 in Form 'L' in duplicate to the Chief Inspector of Shops and Commercial Establishments Jy April 15, 1978 and the fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

**Notification No. U.P. 9 (V)/36-3-78, dated March 22, 1978, published in U.P. Gazette, Extraordinary, dated 22nd March, 1978, page 2.** - In exercise of the powers under Clause II of the Uttar Pradesh Electricity (Regulation of Supply, Distribution, Consumption and Use) Order, 1977, issued with Government Notification No. 5009-P-3-77/XXIII, dated September 19, 1977, the Governor is pleased to exempt, in public interest, for a period of six months beginning from April 1, 1978, all the fair price shops in the State of Uttar Pradesh run by the authorised retail distributors appointed under the Uttar Pradesh Foodgrains Distributors Order, 1966, from the provisions of sub-clause (2) of Clause 4 of the said Order.

2. 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 further pleased to exempt in public interest, for a period of six months beginning from April 1, 1978, the said class of shops from the provisions of sub-section (1) of Section 8 and sub-section (1) of Section 9, subject to the following conditions, namely-

- (1) that they shall remain open on a weekly close day falling on the first or second or third day of any month subject to the condition that in lieu of every such weekly close day they shall observe a close day on such day within a period of six days from such weekly close day, as is fixed by the District Magistrate concerned, and
- (2) that they may remain open on a close day which is a public holiday falling on the first or second or third day of any month subject to the condition that in lieu of every such public holiday, they shall observe a close day on such day within a period of seven days from such public holiday, as is fixed by the District Magistrate concerned.

**Notification No. 680 (V)/XXXVI-3-701 (V)-72, dated April 26, 1978, published in U.P. Gazette, Part I, dated 13th May, 1978, page 1049.** - 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. XXVI 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 all shops and commercial establishments situate in the Town Area of Hydergarh, district Bara Banki.

**Notification No. 4923 (1) (V)/XXXVI-3-1050 (MW)-78, dated February 2, 1979, published in U.P. Gazette, Extraordinary, dated February 2, 1979, page 2.** - 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. XXVI of 1962), the Governor is pleased to exempt, in public interest, all the Khadi and Gramodyog institution run and/or controlled by the Uttar Pradesh Khadi and Village Industries Board or Khadi and Village Industries Commission, situate in the State of Uttar Pradesh, from the operation of all the provisions of the said Adhiniyam for the period of one year from the date of publication of this notification in the Gazette.

**Notification No. 2624 (V)/36-3-754 (S)-77, dated February 7, 1979, published in U.P. Gazette, Part I, dated 3rd March, 1979, page 605.** - 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. XXVI of 1962) read with clause 10 of the Uttar Pradesh Electricity (Regulation of Supply, Distribution, Consumption and Use) Order, 1977, published with Government Notification No. 5009-P/3-77-23-216-77, dated September 19, 1977, the Governor is pleased to exempt, in public interest, all shops and commercial establishments situate within the Municipal Area of Kotdwar, district Garhwal, from the operation of the provisions of sub-section (1) of Section 5 of the said Act and sub-clause (1) of Clause 4 of the said order subject to the conditions-(1) that Shops and Commercial Establishments may open before the prescribed hours but not before 6 a.m. and no use of electricity shall be made for purposes of lighting, etc. before the prescribed time-limits, (2) that every employer shall fix the hours to work of each of his employees and report the same on the 1st day of March each year to the Assistant Labour Commissioner, Dehra Dun and the Labour Inspector-in-charge of the area.

**Notification No. 713 (V)-36-3-79, dated March 28, 1979, published in U.P. Gazette, Extraordinary, dated 28th March, 1979, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all shops and commercial establishments situate in Uttar Pradesh, from the operation of the provisions of Section 4-C of the said Adhiniyam read with Rule 2-A (7) of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that their owners shall apply for renewal of registration certificate for the financial year 1979-80 in Form 'L' in duplicate to the Chief Inspector of Shops and Commercial Establishments by May 31, 1979, and the fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

**Notification No. 394/XXXVI-3-715 (S)-79, dated March 20, 1980, published in U.P. Gazette, Extraordinary, dated 20th March, 1980, page 2.** - 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. XXVI of 1962), read with Section 21 of the Uttar Pradesh General Clauses Act, 1904 (U.P. Act No. 1 of 1904), and in partial modification of Government Notification No. 3997 (V)/XXXVI-3-79, dated October 3, 1979, the Governor is pleased to exempt, in public interest, all the shops and commercial establishments not being shops and commercial establishments mentioned in Schedule II of the said Adhiniyam (U.P. Act. No. XXVI of 1962), situate in the State of Uttar Pradesh from the operation of the provisions of sub-section (1) of Section 5 of the said Adhiniyam (U.P. Act No. XXVI of 1962), read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan

Niyamavali, 1963, subject to the condition that such shops and commercial establishments may open not before 9.00 a.m. and shall not keep open after 7.00 p.m.

**Notification No. 83/36-3-81, dated February 20, 1981, published in U.P. Gazette, Extraordinary, dated 20th February, 1981, page 2.** - In exercise of the powers under sub-section (3) of Section 1 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to direct that all the provisions of the said Adhinyam shall, with effect from the date of publication of this notification in the Gazette, apply to all shops and commercial establishments situate in the Nagarpalika Area of Ayodhya, district Faizabad.

**Notification No. 1586/XXXVI-3-709 (S)-80, dated June 23, 1981, published in U.P. Gazette, Extraordinary, dated 23rd June, 1981, page 2.** - In exercise of the powers under sub-section (4) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), read with Section 21 of the U.P. General Clauses Act, 1904 (U.P. Act No. 1 of 1904), the Governor is pleased to rescind Government Notifications No. 3997 (V)/XXXVI-3-79, dated September 28, 1979, No. 3997 (V)/XXXV 1-3-79, dated October 3, 1979 and No. 394/XXXVI-3-715 (S)-79, dated March 20, 1980 with effect from the date of publication of this notification in the Gazette,-regarding the exemption granted to all shops and commercial establishments, not being shops and commercial establishments mentioned in Schedule II of the said Adhinyam, situate in the State of Uttar Pradesh.

**Notification No. 1148/XXXVI-3-1981, dated May 4, 1981, published in U.P. Gazette, Extraordinary, dated 4th May, 1981, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all shops and commercial establishments situate in Uttar Pradesh from the operation of the provisions of Sections 4-C of the said Adhinyam, read with Rule 2-A (7) of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamawali, 1963, subject to the condition that their owners shall apply for renewal of registration certificate for the financial year 1981-82 in Form 'L' in duplicate to the Chief Inspector of Shops and Commercial Establishments by May 31, 1981 and the fee chargeable for renewal for registration certificate shall be the same as for the grant thereof.

**Notification No. 1553/XXXVI-3-703 (S)-82, dated July 17, 1982, published in U.P. Gazette, Extraordinary, dated 17th July, 1982, pages 4-7.** - In exercise of the powers under Section 29 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), and in supersession, of Notification No. 2440/XXXVI-3-717 (S)-79, dated 23rd October, 1980, the Governor is pleased to appoint the officers/officials mentioned in Column 2 of the Schedule below to be 'Inspectors' for the purpose of the said Act within the areas mentioned against each in Column 3 thereof:

**Schedule**

Sl. No.	Officer/Official	Local limit
1	2	3
1.	Additional Labour Commissioner, Uttar Pradesh, Kanpur Region, Kanpur	Kanpur Region consisting of the district of Kanpur City, Kanpur Rural, Etawah, and

		Farrukhabad.
2.	Labour Officer (Enforcement), Kanpur Region, Kanpur	Ditto
3.	All Conciliation Officers, Kanpur Region, Kanpur	Ditto
4.	Labour Officer, Kanpur Region, Kanpur	Ditto
5.	Labour Officer (Welfare), Kanpur Region, Kanpur	Ditto
6.	Conciliation Officer, Farrukhabad	Ditto
7.	Assistant Welfare Officer, Kanpur Region, Kanpur	Ditto
8.	All Labour Inspectors posted at different places in Kanpur Region, Kanpur	Ditto
9.	Chief Investigator, Kanpur Region, Kanpur	Ditto
10.	All Labour Inspectors posted in Labour Commissioner's Office at Kanpur	Ditto
11.	All Assistant Trade Union Inspectors posted in Labour Commissioner's Office at Kanpur	Ditto
12.	All Chief/Senior Investigators, posted in Labour Commissioner's Office at Kanpur	Ditto
13.	Deputy Labour Commissioner, Allahabad Region, Allahabad	Allahabad Region consisting of the districts of Allahabad and Fatehpur.
14.	Labour Officer (Enforcement), Allahabad Region, Allahabad	Ditto
15.	Labour Officer, Allahabad Region, Allahabad	Ditto
16.	All Conciliation Officers of Allahabad Region, Allahabad	Ditto
17.	Assistant Welfare Officer, Allahabad Region, Allahabad	Ditto
18.	Assistant Trade Union Inspector, Allahabad Region, Allahabad	Ditto
19.	Chief Investigator, Allahabad Region, Allahabad	Ditto
20.	All Labour Inspectors posted at different	Ditto

	places in Allahabad Region, Allahabad	
21.	Deputy Labour Commissioner, Meerut Region, Meerut	Meerut Region consisting of the districts of Meerut, Muzaffanagar and Saharanpur.
22.	Labour Officer (Enforcement), Meerut Region, Meerut	Ditto
23.	Labour Officer, Meerut Region, Meerut	Ditto
24.	All Conciliation Officers, Meerut Region, Meerut	Ditto
25.	Conciliation Officer, Saharanpur	Ditto
26.	Assistant Welfare Officer, Meerut Region, Meerut	Ditto
27.	Assistant Trade Union Inspectors, Meerut Region, Meerut	Ditto
28.	Chief Investigator, Meerut Region, Meerut	Ditto
29.	All Labour Inspectors posted at different places in Meerut Region, Meerut.	Ditto
30.	Deputy Labour Commissioner, Agra Region, Agra	Agra Region consisting of the districts of Agra, Aligarh, Etah, Mainpuri and Mathura
31.	All Conciliation Officers, Agra "Region, Agra	Ditto
32.	Conciliation Officer, Aligarh	Ditto
33.	Conciliation Officer, Firozabad	Ditto
34.	Labour Officer, Agra Region, Agra	Ditto
35.	Assistant Welfare Officer, Agra Region, Agra	Agra Region consisting of the districts of Agra, Aligarh, Etah, Mainpuri and Mathura.
36.	Assistant Trade Union Inspector, Agra Region, Agra	Ditto
37.	Chief Investigator, Agra Region, Agra	Ditto
38.	All Labour Inspectors posted at different	Ditto

	places in Agra Region, Agra	
39.	Deputy Labour Commissioner, Gorakhpur, Region, Gorakhpur	Gorakhpur Region consisting of the districts of Gorakhpur, Basti, Deoria and Azamgarh.
40.	Conciliation Officer, Gorakhpur	Ditto
41.	Labour Officer, Gorakhpur Region, Gorakhpur	Ditto
42.	Assistant Welfare Officer, Gorakhpur Region, Gorakhpur	Ditto
43.	Labour Officer Mau (Azamgarh)	Ditto
44.	Assistant Trade Union Inspector, Gorakhpur Region, Gorakhpur	Ditto
45.	Chief Investigator, Gorakhpur Region, Gorakhpur	Ditto
46.	All Labour Inspectors posted at different places in Gorakhpur Region, Gorakhpur	Ditto
47.	Deputy Labour Commissioner, Lucknow Region, Lucknow	Lucknow Region consisting of the districts of Lucknow, Hardoi, Kheri, Rae Bareilly, Sitapur and Unnao.
48.	Conciliation Officer, Lucknow Region, Lucknow	Ditto
49.	Labour Officer, Lucknow Region, Lucknow	Ditto
50.	Conciliation Officer, Unnao	Ditto
51.	Assistant Welfare Officer, Lucknow Region, Lucknow	Ditto
52.	Assistant Trade Union Inspector, Lucknow Region, Lucknow	Ditto
53.	Chief Investigator, Lucknow Region, Lucknow	Ditto
54.	All Labour Inspectors posted at different places in Lucknow Region	Ditto
55.	Labour Officer, Faizabad Region, Faizabad	Faizabad Region consisting of the districts of Faizabad, Bahraich,

		Bara Banki, Gonda, Pratapgarh and Sultanpur
56.	All Labour Inspectors posted at different places in Faizabad Region	Ditto
57.	Deputy Labour Commissioner, Bareilly Region, Bareilly.	Bareilly Region consisting of the districts of Bareilly, Badaun, Pilibhit, and Shahjahanpur.
58.	Conciliation Officer, Bareilly Region, Bareilly	Ditto
59.	Labour Officer, Bareilly Region, Bareilly.	Ditto
60.	Assistant Welfare Officer, Bareilly Region, Bareilly	Ditto
61.	Assistant Trade Union Inspectors, Bareilly Region, Bareilly.	Ditto
62.	Chief Investigator, Bareilly Region, Bareilly.	Ditto
63.	All Labour Inspectors posted at different places in Bareilly Region, Bareilly.	Ditto
64.	Conciliation Officer, Moradabad Region. Moradabad	Moradabad Region consisting of the districts of Moradabad, Rampur and Bijnor.
65.	Conciliation Officer, Rampur.	Ditto
66.	All Labour Inspectors posted at different places in Moradabad Region, Moradabad.	Ditto
67.	Assistant Labour Commissioner, Varanasi Region, Varanasi.	Varanasi Region consisting of the districts of Varanasi, Ghazipur, Ballia and Jaunpur.
68.	Conciliation Officer, Varanasi Region, Varanasi	Ditto
69.	Labour Officer, Varanasi Region, Varanasi	Ditto
70.	All Labour Inspectors posted at different places in Varanasi Region, Varanasi.	Ditto

71.	Assistant Labour Commissioner, Garhwal Region, Dehra Dun	Garhwal Region consisting of the districts of Dehra Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttar Kashi.
72.	All Labour Inspectors posted at different places in Garhwal Region, Dehra Dun.	Ditto
73.	Assistant Labour Commissioner, Kumaun Region, Haldwani (Nainital).	Kumaun Region consisting of the districts of Naini Tal, Almora and Pithoragarh.
74.	All Labour Inspectors posted at different places in Kumaun Region.	Ditto
75.	Assistant Labour Commissioner, Ghaziabad Region, Ghaziabad	Ghaziabad Region consisting of Ghaziabad the districts of Ghaziabad and Bulandshahr.
76.	Conciliation Officer, Ghaziabad.	Ditto
77.	Labour Officer, Ghaziabad.	Ditto
78.	All Labour Inspectors posted at different places in Ghaziabad Region, Ghaziabad	Ditto
79.	Assistant Labour Commissioner, Mirzapur Region, Mirzapur.	Mirzapur Region consisting of the district of Mirzapur.
80.	Conciliation Officer, Pipri.	Ditto
81.	All Labour Inspectors posted at different places in Mirzapur Region, Mirzapur.	Ditto
82.	Assistant Labour Commissioner, Jhansi Region, Jhansi	Jhansi Region consisting of the districts of Jhansi, Lalitpur, Banda, Hamirpur and Jalaun.
83.	All Labour Inspectors posted at different places in Jhansi Region, Jhansi.	Ditto

**Notification No. 3280/XXXVI-3-702 (S)-82, dated November 10, 1982, published in U.P. Gazette, Extraordinary, dated 10th November, 1982, page 9.** - In exercise of the powers under Section 29 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962

(U.P. Act No. XXVI 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 Government Notification No. 3756 (V)/XXXVI-5-513 (V)-73, dated April 20, 1976, the Governor is pleased to appoint Sri B.N. Singh, Deputy Labour Commissioner, U.P., Kanpur, as Chief Inspector, for the whole of Uttar Pradesh, for the purposes of the said Act with effect from the date of publication of this notification in the official Gazette.

**Notification No. 837/XXXVI-3-2 (S)-83, dated March 26, 1983, published in U.P.**

**Gazette, Extraordinary, dated 26th March, 1983, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (Act No. XXVI of 1962), the Governor is pleased to exempt in public interest, all shops and commercial establishments situate in Uttar Pradesh from the operation of the provisions of Section 4-C of the said Adhinyam read with Rule 2-A (7) of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that their owners for the financial year 1983-84 shall apply for renewal of registration certificate in Form 'L' to the Chief Inspector of Shops and Commercial Establishments by April 30, 1983 and the fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

**Notification No. 3802/XXXVI-3-708 (S)-76, dated December 15, 1982, published in U.P.**

**Gazette, Extraordinary, dated 15th December, 1982, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all commercial banks situated in the State of Uttar Pradesh from the operation of the provisions of Sections 8, 9, 10, 11, 13, 14, 19, 20, 32 and 38 of the said Adhinyam.

**Notification No. 2161/XXXVI-3-706 (S)-82, dated September 16, 1983, published in U.P.**

**Gazette, Extraordinary, dated 16th September, 1983, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest to Sri Krishna Janam Asthan Sewa Sansthan, Mathura from the operation of all the provisions of the said Adhinyam.

**Notification No. 4272/XXXVI-3-83, dated December 9, 1983, published in U.P. Gazette,**

**Extraordinary, dated 9th December, 1983, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all the shops dealing in Lime, Paints and Distempers from the operation of the provisions of sub-section (1) of Section 5, read with sub-rules (1) and (2) of Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1962 and Section 8 of the said Adhinyam for the period of one month before Diwali every year subject to the following conditions :

- (i) no employer shall on any day during the period aforesaid open his shop before 8 a.m. or keep open after 10 p.m.;
- (ii) the employees who are required to work beyond the prescribed hours of work shall be paid wages at twice the ordinary rate for every hour of such overtime work;
- (iii) if any employee is required to work on a closed day or a public holiday, whether for the whole day or part thereof, he shall be given a full holiday in lieu thereof within a week following such day.



**Notification No. 2596/XXXVI-3-703 (S)-82, dated July 27, 1984, published in U.P. Gazette, Extraordinary, Part IV, Section (kha), dated 27th July, 1984, page 2.** - In exercise of the powers under Section 29 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to appoint the officers or the officials mentioned in Column 2 of the Schedule below to be the 'Inspectors' for the purposes of the said Act within the areas mentioned against each in Column 3 thereof:

**Schedule**

<i>Sl. No.</i>	<i>Officer or Official</i>	<i>Local limit</i>
1	2	3
1.	Chief Investigator, Faizabad Region, Faizabad.	Faizabad Region consisting of districts of Faizabad, Bahraich, Bara Banki, Gonda, Partapgarh and Sultanpur.
2.	Chief Investigator, Varanasi Region, Varanasi	Varanasi Region consisting of the district of Varanasi, Ghazipur, Ballia and Jaunpur.
3.	Chief Investigator, Jhansi Region, Jhansi.	Jhansi Region consisting of the districts of Jhansi, Lalitpur, Banda, Hamirpur and Jalaun.
4.	Chief Investigator, Garhwal Region, Dohradun.	Garhwal Region consisting of the districts of Dehra Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttar Kashi.
5.	Chief Investigator, Kumaun Region, Haldwani (Nainital).	Kumaun Region consisting of the districts of Naini Tal, Almora and Pithoragarh.

**Notification No. 2048/XXXVI-3-1(S)-83, dated July 31, 1984, published in U.P. Gazette, Extraordinary, dated 31st July, 1984, page 2.** - In exercise of the powers conferred by sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all the shops of Daraganj, Allahabad, located within the limits specified below from sub-section (1) of Section 5 and clauses (a) and (b) of sub-section (1) of Section 8 of the said Act during the period from Makar Sankrati (Khichri) to Magh Purnima every year subject to the conditions laid down below :

**Limits :**

1. EAST : G.T. Road ending the bank of river Ganga.
2. WEST : Radha Raman Inter College (Daut-Ka-pul, Chhoti Line).

3. NORTH : Bansi Nallah (Temple of Nag Basuki).

4. SOUTH : Sangam Nallah ending Baini Bandh.

**Conditions :**

1. Payment of wages at double rate for overtime work in excess of the hours fixed under Section 6 of the Adhinyam, shall be made by the employers to their employee for every hour of such overtime work.
2. Every employee shall be allowed full day's holiday in a week by rotation.
3. Every employee who is required to work on a public holiday shall be given compensatory leave within the same week in lieu of the holiday lost.

**Notification No. 846/XXXVI-3-11 (Sa)-85, dated February 15, 1985, published in U.P. Gazette, Extraordinary, dated 15th February, 1985, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt all the shops and commercial establishments in the areas where polling in connection with the General Elections to the Vidhan Sabha is to be held on March 2 and March 5, 1985, for the actual day of polling from the operation of the provisions of Section 8 of the said Act on condition that if the actual day of polling in the area in which a shop or commercial establishment is situate is not the normal weekly holiday to be observed by such shop or commercial establishment, the concerned shop or commercial establishment shall observe the actual day of polling as closed day and the normal weekly holiday following actual day of polling shall be observed as a working day.

**Notification No. 42-M/XXXVI-3-704 (S)-83, dated September 19, 1985, published in U.P. Gazette, Extraordinary, Part IV, Section (Kha), dated 19th September, 1985, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, all the units of Food Corporation of India, situate in Uttar Pradesh from the operation of the provisions of sub-sections (1) and (2) of Section 6 of the said Act

**Rates of Minimum Wages of Employees in Shops and Commercial Establishments [Vide Notification No. 735/XXXVI-3-1028 (M.W.)-76, dated June 21, 1984, published in U.P. Gazette, Extraordinary, dated 21st June, 1984, pages 3-4]** - In exercise of the powers under clause (b) of sub-section (1) and clause (c) of sub-section (2) of Section 3 read with clause (i) of sub-section (1) of Section 4 of the Minimum Wages Act, 1948 (Act No. II of 1948), the Governor is pleased to revise the minimum rates of wages for employees in the employment-(1) in Commercial Establishments in Uttar Pradesh , and (2) Shops in Uttar Pradesh after shaving considered the representations received in response to the proposals published with Government Notification No. 419/XXXVI-3-1028 (M.W.)-76, dated July 8, 1983 and No. 1922/XXVI-3-1028 (M. W.)-76 dated July 8, 1983 and having consulted the Advisory Board also, with effect from the date of publication of this notification in the Gazette, as below :

Minimum rates of wages in respect of employees employed in employments - (1) in Commercial Establishments in Uttar Pradesh; and (2) in shops in Uttar Pradesh.

1. *Basic rates of wages payable to adult employees for different classes of work will be as follows :-*

Sl. No.	Class of work	Minimum monthly rates of wages payable to adults employees in towns of Uttar Pradesh with population of one lakh or more	Annual increment in the monthly rates of Column 3	Minimum monthly rates of wages payable in rest of Uttar Pradesh	Annual increment in the monthly rates of Column 5
1	2	3	4	5	6
1.	Manual unskilled	299.00	5.00	273.00	4.00
2.	Manual semi-skilled	351.00	8.00	325.00	5.00
3.	Clerical Grade-				
	(A) Grade-1	490.00	17.00	464.00	14.00
	(B) Grade-2	425.00	12.00	399.00	10.00

**Note.** - The classification of above-mentioned employees is shown in the Appendix.

**2. Special Allowance.** - For rise in the cost of living Index over or fall up to 400 points to 510 points All-India Working Class Consumers, Cost of Living Index Series (1960-100) cost of living allowance at the rate of 50 paise per point per mensem and on increase over 510 points at the rate of rupee one per point per mensem shall be payable provided that the adjustment in cost of living allowance will be made in February and August each year on the basis of the average of the cost of living Index for July to December of the preceding year and January to June of the year in question respectively.

**3.** If any employee is in receipt of supplies of essential commodities at concessional rates, adjustments towards minimum wages could be made to the extent mutually agreed in writing between employer and the employee concerned.

**4.** The daily rates of wages shall not be less than 1/26th of the corresponding monthly rates for the respective categories.

**5.** The hourly rates of wages shall not be less than 1/6th of the daily rates.

**6.** The time-rates of wages payable to children and adolescents shall not be less than two-thirds and three-fourths respectively of the time-rates applicable to adult employees of concerned categories.

**7.** The employees, whose hours of work, including interval for rest, are less than six hours a day or thirty-six hours a week will be treated as part-time employees and their hourly rate shall not be less than one-sixth of the corresponding daily rate.

**[8.** The above rates of wages shall not in any way operate to the prejudice of any employee. If the rate of wages (minimum wages including annual increment and dearness allowance) prevailing before coming into force of these rates are higher than the wages payable according to the above rates, the same shall be continued and paid as if they have been so fixed under the said Act as minimum wages and they shall get further annual increment and

dearness allowance accordingly and in no case the same shall be reduced by any employer.]

9. The time-rates of minimum wages given above include remunerations in respect of the day of rest as contemplated under clause (b) of sub-section (1) of Section 13 of the Minimum Wages Act, 1948.

### Appendix

**Manual unskilled.** - Palledar, packer, bundlers, loaders, unloaders, peon, mazdoor, chowkidar, sweeper and employees doing work of similar nature by whatever name called or such ordinary works, which require least or no work efficiency or experience are also included.

**Manual semi-skilled.** - Driver, Godown-keeper, weighman, rezedar, mistri, cycle repairers, scrapers of gold and silver jewellery, silver purifiers and employees doing any kind of such works by whatever named called or which includes up to some extent skill and efficiency attained by work experience and work which is completed under supervision and guidance of skilled employee that also includes unskilled supervisory work.

**Clerical Grade-1.** - Head munim, chief accountant, accountant, head cashier, senior salesman, head clerk, office superintendent, stenographer, sales representative and employees doing any of the above types of work by whatever name called.

**Clerical Grade-2.** - Munim, accountant, cashier, typist, clerk, salesman, ugahi, tagadagir, employees doing either of these works by whatever name called.

**Notification No. 574 (LL)/XXXVI (D)-630(LL)-62, dated November 24, 1966.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhistan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, the shops and commercial establishments mentioned in the Schedule below from the operation of the various provisions of the said Adhiniyam subject to the conditions specified therein :

### Schedule

<i>Sl. No.</i>	<i>Name of the shop or commercial establishment granted</i>	<i>Section of the Adhiniyam for which exemptions granted</i>	<i>Conditions subject to which exemption is granted</i>
1	2	3	4
1.	All shops and commercial establishments in U.P. in respect of watchmen and caretakers employed by them.		The periods of work and interval of rest of an employee do not spread over more than 12 hours in one day.
2.	All shops and commercial establishments in Aligarh which come under the categories of Groups A and B and 'Off Peak or night	5 (1), read with Rule 3 of the U.P. Dookan aur Vanijya Adhishtan Niyamavali, 1963	So long as the Aligarh Town Electricity Control Order, 1948 remains in force in Aligarh.

	consumers' under the Aligarh Town Electricity Control Order, 1948.			
3.	Book stalls at Railway Stations in Uttar Pradesh owned by Messrs. A. H. Wheeler Co.	3(1) (a)	(1)	Not more than one employee in each book stall shall be treated as occupying a position of confidential, managerial or supervisory character.
			(2)	Every such employee shall be paid, in addition to his monthly wages, two months extra wages at the ordinary rate on completion of every one year's continuous service or proportionate amount for broken periods of service if the employee's service during any year is not continued.
4.	All factories in Uttar Pradesh	Section 5 (1), read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963, Sections 8 (1) (b) and 9(1).	(1)	Every employee (except a watchman or caretaker) who is required to work on a public holiday shall be given equivalent leave of one whole day in lieu of such holiday, and as such leave accruing to the employee shall be entered within three days of its thus occurring in the leave register of the factory as well as in the holiday book, a copy of the relevant entry whereof shall be given to every such employee.
			(2)	The leave so credited to the account of an employee during any one calendar year shall, if applied for the employee,

				be granted to him within such calendar year.
				If the employee does not so avail himself of the leave or any part thereof during the calendar year, it will be carried over to the next calendar year, but no further.
			(3)	The employment of an employee on a public holiday for a part only of the day shall entitle the employee to a whole day's leave.
5.	(i) Messrs, Burmah Shell Co. of India, and (ii) Vacuum Pan Sugar Factories in Uttar Pradesh in respect of their drivers of motor vehicles when they are on duty out-stations from their headquarters.	Section 5 (1), read with Rule 3 of the Niyamavali, 6 (1) (c) and (7).	(1)	No driver shall be required to work overtime exceeding 75 hours in any quarter or 300 hours in one year.
			(2)	Any driver employed in excess of the hours of work fixed under clause (c) of sub-section (8) of Section 6 shall be paid wages at twice the ordinary rate for every hour of such overtime work.
6.	All the electric concerns in Uttar Pradesh	Section 5 (1), read with Rule 3 of (1) the Niyamavali, 6 (1) (c), 8 (1) and 9.	(1)	The employees shall be allowed two days' holidays in the course of each period of 14 days of employment.
			(2)	The total hours of work put in by a worker during a period of 4 weeks shall be such that his weekly average does not exceed 56 hours.
			(3)	Payment of wages for overtime work in excess

			of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhnyam shall be made by the employer to the employee at twice the ordinary rate for every hour of such overtime work.
			(4) Overtime work shall not exceed 220 hours in the aggregate in any year.
			(5) Where a worker is deprived of a holiday for which provision is made in Section 9 (i) he shall be allowed equal number of holidays during that calendar year in lieu of the holidays so lost.
7.	Temporary exhibition and/or fairs	From all sections of the Adhnyam	Permission in writing shall be obtained from the District Magistrate of the district concerned or the Chief Inspector of Shops for holding such temporary exhibitions and/or fairs.
8.	All the waterworks maintained by Private Companies in Uttar Pradesh	Section 5 (1), read with Rule 3 of the Niyamavali, 6 (1) (c), 8 (1) (a) and 9 (ii).	(1) Employees shall be allowed two days' holidays in the course of each period of 14 days of employment.
			(2) The total hours of work put in by an employee during a period of 4 weeks shall be such that his weekly average does not exceed 56 hours.
			(3) Payment of wages for overtime work in excess of the hours fixed under clause (c) of sub-section

				(1) of Section 6 of the Adhiniyam shall be made by the employer to the employee at twice the ordinary rate for every hour of such overtime work.
				(4) Overtime work shall not exceed 55 hours in any quarter.
9.	The electric supply companies in Uttar Pradesh in respect of their sub-station attendance, motor drivers, telephone attendants and persons attending to complaints on breakdowns in the main services and street lights.	Section 7		<i>Nil.</i>
10.	All such shops and commercial establishments as allowed their watchmen or caretakers a weekly holiday in accordance with Section 9 (ii) of the said Adhiniyam.	Proviso to sub-section (1) of Section 10		Every such watchmen or caretaker shall be given the benefit of 15 days ordinary leave provided for in sub-section (1) of Section 10 of the Adhiniyam.
11.	The grain procurement centres opened in connection with the grain procurements scheme.	Section 8 (1) (a) and 9 (ii)		<i>Nil.</i>
12.	All shops and commercial establishments in U.P. in regard to the close-day if it falls on Dushhera or Holi festival.	Section 8 (1) (a)		The employers concerned shall observe some other day as close-day during the same week which will be fixed by the District Magistrate concerned.
13.	All shops and commercial	Section 5 (1), read with Rule 3	(1)	They may open before 10 a.m. but not before 8 a.m.



	establishments in Uttar Pradesh for three days from the day of Dhanteras to Diwali and for three days preceding the Id festival.	of the Niyamavali and 8 (1) (a)		and close after 8 p.m. but not after 11 p.m.
			(2)	They shall pay to such of their employees, as are required to work overtime wages and twice the ordinary rate for every hour of such overtime work, and
			(3)	They shall, in lieu of a weekly close-day falling during the said period of three days, observe close day within a period of 15 days after the Id/Dewali festival [as is fixed by the District Magistrate concerned] and also allow a full day's leave to their employees on that day.
			[(4)	In the event of a public holiday as prescribed under clause (b) of subsection (1) of Section 8 or mentioned in clause (i) of Section 9 falling within three days preceding Diwali or three days preceding Id festival, the shops and commercial establishment in lieu of the said public holiday, may observe an additional close-day as may be fixed by the District Magistrate concerned in this period of 15 days of the day on which the public holiday in question ordinarily have been observed.]
14.	All the branches of State Bank of India, Uttar Pradesh.	Sections 6 (1) (c), 8 (1) (b) and 9(i)	(1)	The extra hours of work of an employee in other than a young person in excess of the hours of work

			prescribed-in Section 6 of the Adhiniyam shall not exceed 50 hours in a quarter.
			(2) Overtime for such extra hours of work in excess of the hours fixed under clause (c) of sub-section (1) of Section '6 of the Adhiniyam shall be paid by the employer at twice the ordinary rate for every hours of such overtime work or according to such higher rate, if any, as may be for the time being in force under any award or order or settlement under the Industrial Disputes Act, 1947, or any other legislation relating to industrial disputes in respect of the bank and its branches.
			(3) Any employee who is called to work on a public holiday whether for the whole day or part thereof shall be given one whole day's holiday in lieu thereof during the same calendar year:
			Provided that, if under any award or order or settlement under the Industrial Disputes Act, 1947 (Act No. XIV of 1947), or any other legislation relating to industrial disputes the banks are required to pay overtime at any specified rate to such employees for work on the holidays, the above conditions shall not apply for so long as such

				settlement or award or order is in force and complied with.
				Before the 15th of the month following the month in which any holiday prescribed under Section 8 (1) (b) of the Adhiniyam falls, the employers shall send to the Chief Inspector of Shops and Commercial Establishments, Uttar Pradesh, Kanpur, and to the Inspector concerned a list of the persons required to work on that holiday together with details of the compensation in lieu of such working allowed or proposed to be allowed to the employees.
15.	All established of Ferozabad which operate Pakki Bhatties (Firing furnace) for brightening and painting of glass bangles.	Section 8 (1) (a)		<i>Nil</i>
16.	All shops and commercial establishments which have been performing religious and other other ceremonies for celebrating the functions of opening of new Bahi Khatas, on the days which such ceremonies are usually performed if such days on a close day or on a public holiday prescribed under the Adhiniyam.	Sections 8 (1) and 9 (1)	(1)	The Shops and Commercial Establishments opening on the close-day or public holiday shall observe another close-day or holiday within the same week or in the following in week as is approved by the District Magistrate concerned.
			(2)	The employees shall obtain previous approval for the change of the close-day or the public holiday from the District

				Magistrate and communicate approval to the Inspector concerned at least 24 hours before the change is effected.
			(3)	A copy of the notice notifying the change shall be displayed in the shop and commercial establishment at a conspicuous place before the change is effected.
17.	Messrs. Caltex (India) Limited in respect of their drivers and helpers of motor vehicles, when they are on duty out of station from their headquarters.	Section 6 (1) (c)	(1)	No driver or helper shall be required to work overtime exceeding 75 hours in any quarter.
			(2)	Any driver or helper employed on overtime shall be entitled to receive paid wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhiniyam by the employer at twice the ordinary rate for every hour of such overtime work.
18.	The shops and commercial establishments of stamp vendors situated in towns in U.P., where the Act is in force.	Section 8 (1)	(1)	The employees from whom work is taken on the close-day and which is also their weekly holiday shall be allowed another weekly holiday in the same week in accordance with Section 9 (ii) of the Adhiniyam.
			(2)	The employers made to work on any public holiday prescribed under Section 8 (1) (b) of the Adhiniyam, shall be given

				a whole day's holiday in lieu thereof in the same week.
			(3)	A notice of the holiday proposed to be given in lieu of a prescribed public holiday shall be displayed in the employer's premises at a conspicuous place before work is taken from the employees on the prescribed public holiday, and a copy of the said notice shall be sent also to the Inspector concerned at least 24 hours before such work is taken from the employees.
19.	All shops and commercial establishments at Taj Mahal, Agra, the archaeological area, Agra Fort and the Tomb of Itimad-ud-daula, Agra, dealing in the following articles:	Section 5 (1), read with Rule 3 of the Niyamavali, 8 (1) and 9(i)		The employees required to work on a public holiday whether for a whole day or part shall get a full day's holiday in lieu thereof within a week following such day.
	<i>A-Taj Mahal compartments with verandahs below Saheli Burj at the south-west end of outer Fore-court, on the south of the road running from Fatehpuri Gate of Fatehabad Gate :</i>			
	(1) Photos, pictures, postcards, albums of views, films and guide books.			
	(2) Marble, alabaster and soapstone articles.			

	(3) Brassware.			
	(4) Tea, coffee, aerated water, sharbat, biscuits and cakes.			
	<i>B-Agra Fort, 1st floor west of Machchi Bhawan:</i>			
	(1) Photos, picture-postcards, albums of views, films, paintings (excluding paintings on ivory) and guide books, but the sale of the latter will not entitle the lessees to raise any objection to the sale of departmental guide books at the Amar Singh Gate.			
	(2) Marble, alabaster and soapstone articles, but no articles of jewellery made from any other stones.			
	(3) Old and new shawls, carpets (floor coverings) made of wool or cotton, furs, cotton, woollen and silken thread embroidery printed purdahs, tiedye scarfs (but no embroidery of any other kind).			
	(4) Ivory (obtained from elephant tusks and other substances resembling ivory or made in imitation of it exclusive,			

	however, of objects made from plastic material) and woodwork including jewellery made from them, painting on ivory, papierry mache, imitation fruits and small toys of Lucknow pattern (but no dolls).			
(5)	Brassware, including jewellery made of brass as basic material but including jewellery made of chemical gold, rolled gold or any other material.			
(6)	Jewellery excluding that made from marble, alabaster, soapstone wood, brass, plastic and ivory (obtained from elephant tusks or other substances resembling ivory or made in imitation of it) as basic material gold, silver and tinsel embroidery.			
	<i>C-Agra Fort, portion of verandah adjoining the south gateway of the Diwan-i-Am quadrangle.</i>			
	Tea, coffee aerated water, sharbat, biscuits and cakes.			
	<i>D-Itimad-ud-Daula, sideways at the entrance gateway:</i>			
(1)	Photos, picture-			

	postcards, albums Of views, films, guide books and brassware.			
	(2) Marble, alabaster and soapstone articles.			
	<i>E-Shops in Tajganj area situated outside the Taj Mahal compartments below Saheli Burj at the south-west end of outer forecourt which mainly deal in handicraft, jewellery, marble goods, embroidery and photo exclusively for the tourists.</i>			
20.	Shops and commercial establishments carrying the business of Gur-Khandsari manufactured in U.P.	Section 8(1) (a)		<i>Nil</i>
21.	All shops of authorised retail distributors of Government foodgrains and controlled in U.P.	Section 8(1) (a)		<i>Nil</i>
22.	The banks situated in U.P. for two days preceding the day of closing of the half- yearly and annual accounts in June and December each year, respectively.	Section 5 (1), read with Rule 3 of the Niyamavali, 6 (1) (c), 8 (1) (a) and 9 (ii).	(1)	The employees shall not be required to work after twelve midnight.
			(2)	Payment of wages for overtime work in excess of the hours fixed under clause (c) of sub-section (i) of Section 6 of the Adhiniyam, shall be made by the employer to the employee at twice the ordinary rate for every hour of such overtime work.



			(3)	The limit of overtime work taken from any employee shall not exceed 50 hours in any quarter.
			(4)	Where any of the two days for which the exemption has been allowed under this notification falls on the close day the entire work taken from any employee on such day shall then be treated as overtime and payment at not less than double the normal rate of remuneration shall be made therefor.
23.	All hotels, restaurants and shops and commercial establishments of Halwais situated in Municipal and Cantonment areas of Naini Tal and Mussoorie for the months of May, June, September and October every year.	Sections 6 (1) (c) and 9 (ii)	(1)	The limit of hours for overtime work for the employees in a year shall be 200 hours.
			(2)	Payment of wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhiniyam shall be made by the employer to the employee at twice the ordinary rate for every hour of such overtime work.
			(3)	The employees shall be paid along with their monthly wages one day's extra wages for each weekly holiday not given to them in addition to their wages for such holidays under Section 12 of the Adhiniyam.
24.	All shops and commercial	Sections 8(1) (a) and 9 (ii)		In lieu of that day, the employer shall close his

	establishments in U.P. if weekly close-day falls on Republic Day on January 26, or Independence Day on August 15.			shop or commercial establishment and give a full day's holiday to his employees on such other day in the week as may be fixed by the District Magistrate.
25.	All shops and commercial establishments in the Municipal and Cantonment areas of Mathura on the day of 'Diwali Parewa'.	Sections 8 (1) (b) and 9 (i)		The employers shall close their shops and commercial establishments and allow a full day's holiday to their employees in lieu thereof on such other day during the following week as may be fixed by the District Magistrate.
26.	All shops and commercial establishments of glass, silicate and salt refineries in U.P.	Sections 8 (1) and 9 (1)	(1)	The exemptions shall apply to the process of manufacturing and to the employees employed therein and to no other process carried on in the factory.
			(2)	The employees who are required to work on any public holiday under Section 8 (1) (b) of Adhinyam, shall be given leave in lieu thereof within a fortnight of such holiday and an intimation shall be sent to the Inspector concerned at least 24 hours in advance before taking such work on public holiday.
			(3)	Payment of wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhinyam shall be made by the employer to the

				employees at twice the ordinary rate for every hour of such overtime work.
27.	All the Cane Co-operative Societies in U.P. which are registered under Co-operative Societies Act, 1912 for the period of Cane Crushing Season from November 15 to April 30 each year.	Section 5 (1) read with Rule 3 of the Niyamavali, 6 (1) (c), 8(1) and 9.	(1)	Payment of wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhiniyam shall be made by the employer to the employees at twice the ordinary rate for every hour of such overtime work.
			(2)	Overtime work shall not exceed 220 hours in the aggregate in any year.
			(3)	When an employee is deprived of a holiday for which provision has been made in Section 9 (i) he shall be allowed an equal number of compensatory holidays on full wages immediately after the close of the current cane-crushing season.
			(4)	The employees shall be allowed two days' holidays in the course of each period of 14 days.
28.	Messrs. Imperial Tobacco Co. of India Ltd., Kanpur Branch, Kanpur.	Section 5 (1) read with Rule 3 of the Niyamavali, and Section 7.		No employee shall be required by the employer to work before 7.15 a.m., and after 1.15 p.m. without any interval for rest or meals in between during the above period.
29.	The brick-kilns and lime-kilns which are situated in the Municipal and	Sections 8 (1) and 9 (i)		Public holidays on which an employee is required to work shall be paid at a rate not less than double the

	Cantonment areas of those towns where provisions of the said Act are in force in so far as the process of burning bricks and lime is concerned.			rate of his normal remuneration calculated by the hour.
30.	All shops and commercial establishments situated in Pratappura locality of Agra and dealing in marble goods and jewellery for the period from November to March each year.	Sections 8 (1) and 9 (i)	(1)	Every employee shall be allowed one full day's holiday in a week by rotation.
			(2)	Every employee who is required to work on a public holiday shall be given compensatory holiday within the same week in lieu of the holiday so lost.
31.	Establishment of Indian Air Lines Corporation in U.P.	Sections 6(1) (c), 7 and 9 (ii)	(1)	No employee shall be required to work for more than 48 hours in a week and in case employee is required to work for more than the prescribed hours, viz. 8 hours per day, he shall be paid wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhinyam by the employer at twice the ordinary rate for every hour of such overtime work.
			(2)	Sunday allowance shall be paid at the rate and in accordance with the Rules 56-57 of the service rules of the corporation even if the employee has to work for one Sunday in a month.
32.	All shops and commercial	Section 8 (1) (a)		The employers shall in lieu of such holiday

	establishments situated in the Municipal area of Chitrakut Dham excluding the area formerly comprising the Town Area of Chitrakut of Ram Naumi and every Amavasya every year.			observe close holiday on the day following such holiday and also allow a full day's holiday to their employees on that day.
33.	All cycle stands situated on the Railway Road, Bazaria area, Ghaziabad.	Sections 8 (1) and 9 (i)		When an employee is deprived of any public holiday under Section 8 (1) (b) of the Act he shall be allowed compensatory holiday in the same week in which that holiday occurs.
34.	Shops and commercial establishments of- (i) Messrs. Ganeshi Lal & Sons. (ii) Messrs. Munshi Lal & Sons. (iii) Messrs. Munshi Krishna Lai & Sons situated on M.G. Road, Agra, and dealing in marble goods and jewellery.	Sections 8 (1) and 9 (i)	(1)	Every employee shall be allowed one full day's holiday in a week by rotation.
			(2)	Every employee who is required to work on a public holiday shall be given compensatory holiday within the same week in lieu of the holiday so lost.
35.	Messrs. ESSO Standard Eastern Inc. in respect of drivers and helpers of motor vehicles in their depots in U.P. when they are on duty outstation from their Headquarters.	Section 6 (1) (e)	(1)	No driver or helper shall be required to work overtime exceeding 75 hours in any quarter.
			(2)	Any driver or helper employed on overtime shall be paid wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhinyam at twice the ordinary rate for every hour of such overtime work.

36.	The shops and commercial establishments situated in the Municipal area, Hardwar and engaged in the manufacturing of Catechu from November 15 to March 15 every year.	Section 8 (1) (a)	<i>Nil</i>						
37.	All shops and commercial establishments engaged in the work of handloom weaving in the State.	Section 8 (1) (a)	<i>Nil</i>						
38.	All shops and commercial establishments in the Municipal area, Kannauj, which are engaged in the extraction of Sandal Oil (Chandan).	Section 8 (1) (a)	<i>Nil</i>						
39.	All shops and commercial establishments situated within the Municipal Areas of Gola Gokarannath (Kheri) on the following occasions: <table border="1" data-bbox="370 1367 672 1877"> <tr> <td>(1)</td> <td>Shivratri Mela (from Phalgun Badi 10 to Phalgun Sudi 2)- 8 days.</td> </tr> <tr> <td>(2)</td> <td>Chaitra Mela (from Chaitra Badi 10 to Chaitra Sudi 15)-21 days.</td> </tr> <tr> <td>(3)</td> <td>Shravan Mela (from Shravan Badi 1 to Shravan Sudi 15)-30 days.</td> </tr> </table>	(1)	Shivratri Mela (from Phalgun Badi 10 to Phalgun Sudi 2)- 8 days.	(2)	Chaitra Mela (from Chaitra Badi 10 to Chaitra Sudi 15)-21 days.	(3)	Shravan Mela (from Shravan Badi 1 to Shravan Sudi 15)-30 days.	Section 8 (1) (a) and 9 (ii)	Any employee of shops and commercial establishments who will be deprived of any weekly holidays shall be allowed compensatory holidays for as many days as he has lost weekly holidays during the above period (as given in Column 2) within a month of the end of the respective period with at least three days' notice to the Labour Inspector. The employers shall in lieu of that close-day observe another close-day on the next day and also allow a full day's holiday to their employees on that
(1)	Shivratri Mela (from Phalgun Badi 10 to Phalgun Sudi 2)- 8 days.								
(2)	Chaitra Mela (from Chaitra Badi 10 to Chaitra Sudi 15)-21 days.								
(3)	Shravan Mela (from Shravan Badi 1 to Shravan Sudi 15)-30 days.								

	(4) Amawasya Mela and Jeshthan Dashehra Mela if they fall on weekly close days.			day.
40.	All shops and commercial establishments of those photographers at Pratappura, Agra, who are granted special import licence under Tourist Coupon Scheme.	Sections 8 (1) and 9 (i)	(1)	Every employee shall be allowed one full day's holiday in a week by rotation.
			(2)	Every employee who is required to work on a public holiday shall be given compensatory holiday, within' the same week in lieu of the holiday so lost.
41.	Government U.P. Handicraft Show Rooms throughout the State of U.P.	Sections 12, 14 and 39		Nil
42.	The following shops and commercial establishments of the National Small Industries Corporation Ltd., New Delhi situated in U.P.	Sections 6 (1) (c) and 14	(1)	The overtime work taken by the employers from their employees shall not exceed 200 hours in the aggregate in any year.
	(1) Footwear Export Cell, National Small Industries Corporation Ltd., 17, The Mall, Agra, Cantt.		(2)	Payment of wages for overtime work in excess of the hours fixed under clause (c) of sub-section (1) of Section 6 of the Adhinyam shall be made by the employer to the employees at twice the ordinary rate for every hour of such overtime work.
	(2) Agra Depot, National Small Industries Corporation Ltd., 17, The Mall, Agra Cantt.			
	(3) Khuraj Depot, National Small Industries			

	Corporation Ltd., G.T. Road Khurja.			
43.	All shops and commercial establishments of Sri Gandhi Ashram throughout the State of U.P.	Sections 14 and 39		<i>Nil</i>
44.	Sugar godowns of Messrs. Govind Sugar Mills Ltd., Aira, district Kheri, situated in Lakhimpur.	Section 8 (1) (a)	(1)	The employees working in the godowns shall be allowed by mill authorities one full day's holiday in a week by rotation.
			(2)	The mill authorities shall prepare for this purpose a register of weekly holidays of each worker and submit to the Labour Commissioner prior to the enforcement of the above exemption.
			(3)	The above exemption is for the loading and unloading of sugar bags and for no other purpose.
45.	Shops and commercial establishments exclusively dealing in hire of rickshaws and cycles.	Section 5 (1), read with Rule 3 of the Niyamavali and 8 (1)		<i>Nil</i>

**Notification No. 313 (LL) (V)/XXXVI-(D)-556 (LL)/63, dated April 27, 1964.** - *Fairs and festivals.* - In supersession of Notification No. 6007 (LL) (iv)/XXXVI (D)-556 (LL)/63, dated November 27, 1963, and 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. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt in public interest, the shops and commercial establishments mentioned in the Schedule below from the operation of the various provisions of the said Adhiniyam every year subject to the condition specified therein:

#### Schedule

<i>Sl. No.</i>	<i>Name of the shop or commercial establishments</i>	<i>Section of the Adhiniyam for which exemptions granted</i>	<i>Conditions subject to which exemption is granted</i>
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1	2	3	4
1.	<p>All shops and commercial establishments situated in the municipal and cantonment areas of Mathura, on the following occasions :</p> <p>(i) Mundia Puno Fair at Govardhan- six days (from Ashadh Shukla 13 to Shrawan Krishna 3).</p> <p>(ii) Shrawan Jhoola-seventeen days (from Shrawan Shukla 9 to Bhadrapad Krishna 10).</p> <p>(iii) Kartiki Mela-eighteen days (from Kartiki Krishna 8 to Kartiki Shukla 10).</p>	Sections 5 (1) (c), 6 (1) and 9.	<p>(1) The limit of overtime work taken from any employee shall not exceed 200 hours in the aggregate in any year.</p> <p>(2) The employees of the shops and commercial establishments who shall be required to work for more than 8 hours on any days, shall be paid for such additional hours of work on that day at the rates which shall not be less than twice the ordinary rate, for every hour of such overtime work.</p> <p>(3) Any employee of shops and commercial establishments, who will be deprived of any weekly or public holiday, shall be allowed compensatory holiday for as many days as he has lost weekly or public holidays during the above period within fortnight of the respective period.</p>
2.	<p>All shops and commercial establishments situated in Ayodhya (area of Faizabad Municipality to the east of Jalpa Nala) on the following occasions :</p>	Ditto	Ditto
	<p>(1) Shrawan Jhula Fair from Shrawan Sudi 1 to Bhadon Badi 5.</p>		

	(2) Kartiki Mela from Kartiki Sudi 7 to Agahan Badi 3.		
	(3) Ram Naumi Mela from Chaitra Sudi 6 to Chaitra Sudi 13.		
3.	All shops and commercial establishments situated in Hardwar on the following occasions:  (1) Ganga Dashehra from Jyeshth Shukla 1 to Jyeshth Shukla 15.  (2) Beginning of the Shrawani month. Shrawani Ashnan and Pumamashi from Shrawan Krishna 1 to Shrawan Shukla 15.	Sections 8 (1) (a) and 9 (ii)	Employees of shops and commercial establishments who shall be deprived of any weekly holiday falling within the period for which this exemption is granted shall in lieu of those holidays be allowed by the employer, compensatory holidays, for as many days as they are deprived of weekly holidays within a fortnight of the end of the respective periods.
4.	All shops and commercial establishments Ditto in Brindaban on the following occasions :	Ditto	Ditto
	(1) Holi and Rath Mela from Phalgun Shukla 11 to Chaitra Krishna 11.		
	(2) Sri Banke Behari Ka Charan Darshan from Vaishakh Shukla 2 to Vaishakh Shukla 5.		
	(3) Jhula and Krishna Janmaashtami from Shrawan Shukla 2 to Bhadrapad Krishna 10.		
	(4) Dipawali from Kartiki Krishna 12 to Kartiki Shukla 15.		

**Notification No. 2996/XXXVI-3-706(S)-83, dated October 23rd, 1984, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 23rd October, 1984, page 2. -**

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. XXVI of 1962), the Governor is pleased to exempt, in public interest, Messrs Agra Mandal Vikas Nigam Limited, Agra along with all its branches at (1) Mainpuri, (2) Tundla (Agra), (3) Shikohabad (Mainpuri), (4) Fatchpur Sikri (Agra), (5) Mathura, (6) Hathras (Aligarh), (7) Sikandrabad (Aligarh), and (8) Awagarh (Etah) in Uttar Pradesh from the operation of the provision of Section 5 (i), 8, 10 and 32 of the said Adhiniyam subject to the conditions specified against each :

- 1. Sections 5(i), 8.** - (1) Exemption from these sections is granted only for the months of April, May and June every year.  
(2) The employers shall allow weekly rest to each of their employees by rotation and shall communicate the information regarding the days of rest of each of their employees to the Labour Inspector of the area and the Deputy Labour Commissioner, Agra, prior to the month of April every year.
- 2. Section 10.** - The employers shall allow leave benefits as per rules of the Nigam to only those of their employees who opt in writing for the same in preference to the relevant provisions under the Adhiniyam and shall submit a list of such employees to the Labour Inspector of the area and the Deputy Labour Commissioner, Agra.
- 3. Section 32.** - The employers shall continue to maintain the attendance register, wage register and the service book in the same proforma and in the same manner as they are maintained in the case of State Government employees at present

**Notification No. 1655/XXXVI-3-12(S)-85, dated May 31, 1986, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 31st May, 1986, page 2.** - 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. XXVI of the 1962), the Governor is pleased to direct that all the provisions of the said Adhiniyam shall, with effect from the date of the publication of this notification in the Gazette, apply to all the shops and commercial establishments situated in the 'Industrial Development Area' to be called New Okhla Industrial Development Area by Government Notification No. 4157/Hi/XVIII-(II), dated April 17, 1976, under the provisions of Uttar Pradesh Industrial Area Development Act, 1976.

**Notification No. 2363/XXXVI-3-15(S)-84, dated August 22, 1986, published in the U.P. Gazette (Extraordinary), Part-4, Section (Kha), dated 22nd August, 1986, page 2.** - In exercise of the powers of under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt in public interest the Industrial Development Bank of India, Kanpur, from the operation of all the provisions of the said Adhiniyam.

**Notification No. 2605/XXXVI-3-703(S)-82, dated September 4, 1986, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 4th September, 1986, pages 4-7.** - In exercise of the powers under Section 29 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. 26 of the 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/officials mentioned in Column 2 of the Schedule below to be 'Inspectors' for the purposes of the said Act within the areas mentioned against each in Column thereof.

#### Schedule

<i>Serial No.</i>	<i>Officers/Officials</i>	<i>Area (showing local limit)</i>
1	2	3
1.	All Additional Labour Commissioners posted in the Office of Labour Commissioner, U.P., Kanpur.	Kanpur Region consisting of districts of Kanpur Nagar, Kanpur Dchat, Etawah, Unnao and Farrukhabad.
2.	All the Deputy Labour Commissioners posted in the office of the Labour Commissioner, Uttar Pradesh, Kanpur.	Ditto.
3.	All the [Assistant Labour Officers] posted in the office of the Labour Commissioner, Uttar Pradesh Kanpur.	Ditto.
4.	All the Assistant Trade Union Inspectors posted in the office of the Labour Commissioner, Uttar Pradesh, Kanpur.	Ditto.
5.	All the Welfare Inspectors posted in the office of the Labour Commissioner, Uttar Pradesh, Kanpur.	Ditto.
6.	All the Chief Senior Investigators posted in the office of the Labour Commissioner, Uttar Pradesh, Kanpur.	Ditto.
7.	Additional Labour Commissioner, Uttar Pradesh, Kanpur Region, Kanpur.	Ditto.
8.	All the Labour/Conciliation Officers posted anywhere in Kanpur Region.	Ditto.
9.	Assistant Welfare Officer, Kanpur Region.	Ditto.
10.	All the [Assistant Labour Officers] posted anywhere in Kanpur Region.	Ditto.
11.	Welfare Inspector, Kanpur Region.	Ditto.
12.	Chief Investigator, Kanpur Region.	Ditto.
13.	Deputy Labour Commissioner, Allahabad Region, Allahabad.	Allahabad Region consisting of the district of Allahabad and

		Fatehpur.
14.	All the Labour/Conciliation Officer posted anywhere in Allahabad Region.	Ditto.
15.	Assistant Welfare Officer, Allahabad Region.	Ditto.
16.	Assistant Trade Union Inspector, Allahabad Region.	Ditto.
17.	Chief Investigator, Allahabad Region.	Allahabad Region consisting of the district of Allahabad and Fatehpur.
18.	Welfare Inspector, Allahabad Region.	Ditto.
19.	All the [Assistant Labour Officers] posted anywhere in Allahabad Region.	Ditto.
20.	Deputy Labour Commissioner, Meerut Region.	Meerut Region consisting of the districts of Meerut, Muzaffamagar and Saharanpur.
21.	All the Labour/Conciliation Officers posted anywhere in Meerut Region.	Ditto.
22.	Assistant Welfare Officer, Meerut Region.	Ditto.
23.	Assistant Trade Union Inspector, Meerut Region.	Ditto.
24.	Chief Investigator, Meerut Region.	Ditto.
25.	Welfare Inspector, Meerut Region.	Ditto.
26.	All the [Assistant Labour Officers] posted anywhere in Meerut Region.	Ditto.
27.	Deputy Labour Commissioner, Agra Region, Agra.	Agra, Region consisting of the district of Agra, Aligarh, Etah, Mainpuri and Mathura.
28.	All the Labour/Conciliation Officers posted anywhere in Agra Region.	Ditto.
29.	Assistant Welfare Officer, Agra Region.	Ditto.
30.	Assistant Trade Union Inspector, Agra	Ditto.

	Region.	
31.	Chief Investigator, Agra Region.	Ditto.
32.	Welfare Inspector, Agra Region.	Ditto.
33.	All the [Assistant Labour Officers] posted anywhere in Agra Region.	Ditto.
34.	Deputy Labour Commissioner, Gorakhpur Region.	Ditto.
35.	All the Labour/Conciliation Officers posted anywhere in Gorakhpur Region.	Ditto.
36.	Assistant Welfare Officers, Gorakhpur Region.	Ditto.
37.	Assistant Trade Union Inspector, Gorakhpur Region.	Ditto.
38.	Welfare Inspector, Gorakhpur Region.	Ditto.
39.	Chief Investigator, Gorakhpur Region.	Ditto.
40.	All the [Assistant Labour Officers] posted anywhere in Gorakhpur Region.	Gorakhpur Region consisting of the districts of Gorakhpur Basti, Deoria and Azamgarh.
41.	Deputy Labour Commissioner, Lucknow Region, Lucknow.	Lucknow Region consisting of the Lucknow, Hardoi, Khcri, Rae Bareli and Sitapur.
42.	All the Labour/Conciliation Officers posted anywhere in Lucknow Region. Ditto	
43.	Assistant Welfare Officer, Lucknow Region. Ditto	
44.	Assistant Trade Union Inspector, Lucknow Region.	Ditto.
45.	Chief Investigator, Lucknow Region.	Ditto.
46.	Welfare Inspector, Lucknow Region.	Ditto.
47.	All the [Assistant Labour Officers] posted anywhere in Lucknow Region.	Ditto.
48.	Deputy Labour Commissioner, Faizabad Region Faizabad.	Faizabad Region, consisting of the

		districts of Faizabad, Bahraich, Bara Banki, Gonda, Pratapgrah and Sultanpur.
49.	All the Labour/Conciliation Officers posted anywhere in Faizabad Region.	Ditto.
50.	All the [Assistant Labour Officers] posted in Faizabad Region.	Ditto.
51.	Chief Investigator, Faizabad Region.	Ditto.
52.	Deputy Labour Commissioner, Bareilly Region, Bareilly.	Bareilly Region consisting of the districts of Bareilly, Budaun, Pilibhit and Shahjahanpur.
53.	All the Labour/Conciliation Officers posted anywhere in Bareilly Region.	Ditto.
54.	Assistant Welfare Officer, Bareilly Region.	Ditto.
55.	Assistant Trade Union Inspector, Bareilly Region.	Ditto.
56.	Welfare Inspector, Bareilly Region.	Ditto.
57.	Chief Investigator, Bareilly Region.	Ditto.
58.	All the [Assistant Labour officers] posted anywhere in Bareilly Region.	Ditto.
59.	Deputy Labour Commissioner, Moradabad Region, Moradabad.	Moradabad Region consisting of the districts of Moradabad, Rampur and Bijnor.
60.	All the Labour/Conciliation Officers posted anywhere in Moradabad Region.	Ditto.
61.	All the [Assistant Labour Officers] posted anywhere in Moradabad Region.	Ditto.
62.	Deputy Labour Commissioner, Varanasi Region, Varanasi.	Varanasi Region consisting of the districts of Varanasi Ghazipur, Ballia and Jaunpur.
63.	All the Labour/Conciliation Officers	

	posted in Varanasi Region.	
64.	All the [Assistant Labour Officers] posted anywhere in Varanasi Region.	Ditto.
65.	Chief Investigator, Varanasi Region.	Ditto.
66.	Deputy Labour Commissioner, Garhwal Region, Dehra Dun.	Garhwal Region consisting of the district of Dehra Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttar Kashi.
67.	All the Labour/Conciliation Officers-posted anywhere in Garhwal Region.	Ditto.
68.	All the Labour Inspectors posted anywhere in Garhwal Region.	Ditto.
69.	Chief Investigator, Garhwal Region, Dehra Dun.	Ditto.
70.	Deputy Labour Commissioner, Kumaun Region.	Kumaun Region consisting of districts of Naini Tal, Almora, and Pithoragarh.
71.	All the Labour/Conciliation Officers posted anywhere in Kumaun Region.	Ditto.
72.	All the [Assistant Labour Officers] posted anywhere in Kumaun Region, Haldwani (Naini Tal).	Ditto.
73.	Chief Investigator, Kumaun Region, Haldwani, Naini Tal.	Ditto.
74.	Deputy Labour Commissioner, Ghaziabad Region, Ghaziabad.	Ghaziabad Region consisting of the districts of Ghaziabad, and Bulandshahr.
75.	All the Labour/Conciliation Officers posted anywhere in Ghaziabad Region.	Ditto.
76.	All the [Assistant Labour Officers] posted anywhere in Ghaziabad Region.	Ditto.
77.	Deputy Labour Commissioner, Mirzapur Region, Mirzapur.	Mirzapur Region consisting of the



		district of Mirzapur.
78.	All the Labour/Conciliation Officers posted anywhere in Mirzapur Region.	Ditto.
79.	All the [Assistant Labour Officers] posted anywhere in Mirzapur Region.	Ditto.
80.	Deputy Labour Commissioner, Jhansi Region, Jhansi.	Jhansi Region consisting of the district of Jhansi, Lalitpur, Banda, Hamirpur and Jalaun.
81.	All the [Assistant Labour Officers] posted anywhere in Jhansi Region.	Ditto.
82.	Chief Investigator, Jhansi Region.	Ditto.

**Notification No. 1815/XXXVI-3-7(S)-85, dated May 1, 1987, published in the U.P.**

**Gazette (Extraordinary), Part-4, Section (kha), dated 1st May, 1987, pages 3-4.** - In exercise of the powers under sub-section (3) of Section 36 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (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, the Governor is pleased to appoint the officers mentioned in Column 2 of the Schedule given below to be prescribed authority to compound offences punishable for breach of provisions contained in Sections 4-B and 4-C of the said Act of 1962 within the areas mentioned against each in Column 3 thereof subject to the conditions given thereunder :

<i>Sl. No.</i>	<i>Officer</i>		<i>Local Limit</i>
1	2		3
1.	Chief Inspector of Shops, U.P., Kanpur.	...	Whole of Uttar Pradesh.
2.	Deputy Chief Inspector of Shops, U.P., Kanpur.	...	Ditto.
3.	Additional Labour Commissioner, U.P., Kanpur Region, Kanpur.	...	Kanpur Region consisting of districts of Kanpur City, Kanpur Dehat, Etawah, Unnao and Farrukhabad.
4.	Deputy Labour Commissioner, Allahabad Region, Allahabad	...	Allahabad Region consisting of districts of Allahabad and Fatehpur.
5.	Deputy Labour Commissioner, Meerut Region Meerut.	...	Meerut Region consisting of district of Meerut, Muzaffamagar and

			Saharanpur.
6.	Deputy Labour Commissioner, Agra Region, Agra.	...	Agra Region consisting of districts of Agra, Aligarh, Etah, Mainpuri and Mathura.
7.	Deputy Labour Commissioner, Gorakhpur Region, Gorakhpur.	...	Gorakhpur Region consisting of districts of Gorakhpur, Basti and Azamgarh.
8.	Deputy Labour Commissioner, Lucknow Region, Lucknow.	...	Lucknow Region consisting of districts of Lucknow, Hardoi, Kheri, Rae Bareli and Sitapur.
9.	Deputy Labour Commissioner, Faizabad Region, Faizabad.	...	Faizabad Region consisting of districts of Faizabad, Bahraich, Bara Banki, Gonda and Sultanpur.
10.	Deputy Labour Commissioner, Bareilly Region, Bareilly.	...	Bareilly Region consisting of districts of Bareilly, Badaun, Pilibhit and Shajhanpur.
11.	Deputy Labour Commissioner, Moradabad Region, Moradabad.	...	Moradabad Region consisting of districts of Moradabad, Rampur and Bijnor.
12.	Deputy Labour Commissioner, Varanasi Region, Varanasi.	...	Varanasi Region consisting of districts of Varanasi, Ghazipur, Ballia and Jaunpur.
13.	Deputy Labour Commissioner, Garhwal Region, Dehra Dun.	...	Garhwal Region consisting of districts of Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttarkashi.
14.	Deputy Labour Commissioner, Kumaun Region, Haldwani (Naini Tal).	...	Kumaun Region consisting of districts of Naini Tal, Almora and Pithoragarh.
15.	Deputy Labour Commissioner, Ghaziabad, Region, Ghaziabad.	...	Ghaziabad Region consisting of districts of Ghaziabad and Bulandshahr.
16.	Deputy Labour Commissioner, Mirzapur Region, Mirzapur.	...	Mirzapur Region consisting of districts Mirzapur.
17.	Deputy Labour	...	Jhansi Region consisting of

Commissioner, Jhansi Region, Jhansi.	Jhansi, Lalitpur, Banda, Hamirpur and Jalaun.
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### Annexure

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 offence 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 launched, the compounding of offence shall be done by the Prescribed Authority before the prosecution concludes its evidence.

**Notification No. 539/XXXVI-3-6 (S)-85, dated May 21, 1987, published in U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 21st May, 1987, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt in public interest all corporations/commercial establishments run by the State Government from the operation of all the provisions of the said Adhinyam.

**Notification No. 2636/XXXVI-3-4(S)-87, dated July 14, 1987, published in the U.P. Gazette, (Extraordinary), Part-4, Section (kha), dated 14th July, 1987, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt in the public interest, the General Insurance Corporation of India and its four subsidiary companies from the operation of all the provisions of the said Adhinyam.

**Notification No. 423/XXXVI-3-6(S)-86, dated February 19, 1988, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 19th February, 1988, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962) the Governor is pleased to exempt, in public interest, all the Khadi and Gramudyog Institutions run and/or controlled by the Uttar Pradesh Khadi and Village Industries Board or Khadi and Village Industries Commission, situate in the State of Uttar Pradesh, from the operation of all the provisions of said Adhinyam for a period of one year from the date of publication of this notification in the Gazette.

**Notification No. 4088/XXXVI-3-3(S)-88, dated November 1, 1988, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 1st November, 1988, page 2.** - In exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962) the Governor is pleased to exempt, in public interest all the branches of Aviation Fuel Stations of Indian Oil Corporation in Uttar Pradesh from the operation of the provisions Sections 5 and 8 of the said Adhinyam read with Rules 3 and 7 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963 subject to the following conditions :

(1) The working hours of the employees will be observed as required under Sections 6 and 7 of the aforesaid Adhiniyam; and

(2) Each employee will be given one weekly holiday on rotation basis.

**Notification No. 379/XXXVI-3-19(S)-87, dated February 3, 1989, published in the U.P. Gazette, (Extraordinary), Part-4, Section (kha), dated 6th February, 1989, page 2.** - 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. XXVI of 1962) and in supersession of Notification No. 3389/36-3-23(S)-84, dated MO-1984, the Governor is pleased to exempt, in the public interest with immediate effect such shops and commercial establishments of Uttar Pradesh as are not mentioned in Schedule II of the said Adhiniyam, from the operation of the provisions of sub-section (1) of Section 5 of the said Adhiniyam read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamawali, 1963, subject to the condition that the said shops and commercial establishments shall not be opened before 9.00 a.m. and not be kept opened after 8.00 p.m.

**Notification No. 3127/XXXVI-3-142(Sa.)-85, dated November 9, 1989, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 9th November, 1989, page 2.** - 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. XXVI of 1962), the Governor is pleased to exempt all the shops and commercial establishments in the area where polling in connection with the General Election to the Lok Sabha and Vidhan Sabha is to be held on November 22, and November 24, 1989 for the actual day of polling from the operation of the provisions of Section 8 of the said Act on conditions that if the actual day of polling in the area in which a shop or commercial establishment is situated is not the normal weekly holiday to be observed by such shop or commercial establishment the concerned shop or commercial establishment shall observe the actual day of polling as closed day and the normal weekly holiday following actual day of polling shall be observed as a working day.

**Notification No. 2663/XXXVI-3-2(S)-89, dated February 9, 1990, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 9th February, 1990, pages 4-7.** - 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 'Inspectors' for the purposes of the said Act within the areas mentioned against their names in Column 3 thereof-

<i>Sl. No.</i>	<i>Officers Officials</i>		<i>Area (showing local limit)</i>
1	2		3
1.	Additional Labour Commissioner, U.P., Kanpur Region, Kanpur.	...	Kanpur (Nagar), Kanpur (Dchat), Etawah, Farrukhabad and Unnao.
2.	All Additional Labour	...	Ditto.

	Commissioners, Deputy Labour Commissioners and Assistant Labour Commissioners posted at headquarter, Kanpur.		
3.	All Assistant Labour Commissioners posted in Kanpur Region.	...	Ditto.
4.	Assistant Welfare Officer, Kanpur Region	...	Ditto.
5.	Chief Investigator, Kanpur Region.	...	Ditto.
6.	All Trade Union Inspectors/Welfare Inspectors posted at headquarter, Kanpur.	...	Ditto.
7.	All Chief/Senior Investigators posted at headquarter, Kanpur.	...	Ditto.
8.	All Labour Enforcement Officers posted at headquarter, Kanpur.	...	Ditto.
9.	All Labour Enforcement Officers posted in Kanpur Region.	...	Ditto.
10.	Deputy Labour Commissioner, Allahabad Region, Allahabad.	...	Allahabad, Fatehpur and Pratapgarh.
11.	All Assistant Labour Commissioners posted in Allahabad Region.	...	Ditto.
12.	Assistant Welfare Officer, Allahabad.	...	Ditto.
13.	Assistant Trade Union Inspector and Welfare Inspector, Allahabad Region.	...	Ditto.
14.	Chief Investigator, Allahabad Region.	...	Ditto.
15.	All Labour Enforcement Officers posted in Allahabad Region.	...	Ditto.
16.	Deputy Labour Commissioner, Meerut Region, Meerut.	...	Meerut, Muzaffamagar, Saharanpur and Hardwar.
17.	All Assistant Labour Commissioners posted in Meerut Region.	...	Ditto.
18.	Assistant Welfare Officer, Meerut	...	Ditto.

	Region, Meerut.		
19.	Welfare Inspector and Assistant Trade Union Inspector, Meerut Region, Meerut.	...	Ditto.
20.	Chief Investigator, Meerut Region, Meerut.	...	Meerut, Muzaffamagar Saharanpur and Hardwar
21.	All Labour Enforcement Officers posted in Meerut Region.	...	Ditto.
22.	Deputy Labour Commissioner, Agra Region, Agra.	...	Agra, Etah, Aligarh, Mainpuri, Mathura and Firozabad.
23.	All Assistant Labour Commissioners posted in Agra Region.	...	Agra, Etah, Aligarh, Mainpuri, Mathura and Firozabad.
24.	Assistant Welfare Officer, Agra Region, Agra.	...	Ditto.
25.	Assistant Trade Union, Inspector and Welfare Inspector, Agra Region, Agra.	...	Ditto.
26.	Chief Investigator, Agra Region, Agra.	...	Ditto.
27.	All Labour Enforcement Officers posted in Agra Region.	...	Ditto.
28.	Deputy Labour Commissioner, Gorakhpur Region, Gorakhpur.	...	Gorakhpur, Basti, Deoria, Azamgarh, Mau, Siddharth Nagar and Maharajganj.
29.	All Assistant Labour Commissioners posted in Gorakhpur Region.	...	Ditto.
30.	Assistant Welfare Officer, Gorakhpur Region, Gorakhpur.	...	Ditto.
31.	Assistant Trade Union Inspector and Welfare Inspector, Gorakhpur Region, Gorakhpur.	...	Ditto.
32.	Chief Investigator, Gorakhpur Region, Gorakhpur.	...	Ditto.
33.	All Labour Enforcement Officers posted in Gorakhpur Region.	...	Ditto.

34.	Deputy Labour Commissioners, Lucknow Region, Lucknow.	...	Lucknow, Hardoi, Kheri, Rae Bareilly and Sitapur.
35.	All Assistant Labour Commissioners posted in Lucknow Region.	...	Ditto.
36.	Assistant Welfare Officer, Lucknow Region, Lucknow.	...	Ditto.
37.	Assistant Trade Union Inspector and Welfare Inspector, Lucknow Region, Lucknow.	...	Ditto.
38.	Chief Investigator, Lucknow Region Lucknow.	...	Ditto.
39.	All Labour Enforcement Officers posted in Lucknow Region.	...	Ditto.
40.	Deputy Labour Commissioners, Faizabad Region, Faizabad.	...	Faizabad, Gonda, Bahraich, Barabanki and Sultanpur.
41.	All Assistant Labour Commissioners posted in Faizabad Region.	...	Ditto.
42.	Assistant Trade Union Inspector and Welfare Inspector and Chief Investigator, Faizabad Region, Faizabad.	...	Ditto.
43.	All Labour Enforcement Officers posted in Faizabad Region.	...	Ditto.
44.	Deputy Labour Commissioner, Bareilly Region, Bareilly.	...	Bareilly, Budaun, Pilibhit, and Shahjahanpur.
45.	All Labour Enforcement Officers posted in Bareilly Region.	...	Ditto.
46.	Assistant Trade Union Inspector and Welfare Inspector, Bareilly Region, Bareilly.	...	Bareilly, Budaun, Pilibhit, and Shahjahanpur.
47.	Assistant Welfare Officer, Bareilly Region, Bareilly.	...	Ditto.
48.	Chief Investigator, Bareilly Region, Bareilly.	...	Ditto.
49.	All Labour Enforcement Officers posted in Bareilly, Region.	...	Ditto.

50.	Deputy Labour Commissioner, Moradabad Region, Moradabad.	...	Moradabad, Bijnor and Rampur.
51.	All Labour Enforcement Officers posted in Moradabad Region.	...	Ditto.
52.	Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Moradabad Region.	...	Ditto.
53.	All Labour Enforcement Officers posted in Moradabad Region.	...	Ditto.
54.	Additional Labour Commissioner, Varanasi Region, Varanasi.		Varanasi, Ghazipur, Ballia and Jaunpur.
55.	All Assistant Labour Commissioners posted in Varanasi Region.	...	Ditto.
56.	Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Varanasi Region.	...	Ditto.
57.	All Labour Enforcement Officers posted in Varanasi Region.	...	Ditto.
58.	Deputy Labour Commissioner, Garhwal Region, Dehra Dun.	...	Dehra Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttarkashi.
59.	All Assistant Labour Commissioners posted in Garhwal Region.	...	Dehra Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttarkashi.
60.	Welfare Inspector and Assistant Trade Union Garhwal (Pauri), Tehri-Inspector and Chief Investigator Garhwal and Uttarkashi. Region.	...	Ditto.
61.	All Labour Enforcement Officers posted in Garhwal Region.	...	Ditto.
62.	Deputy Labour Commissioner, Kumaun Region, Haldwani, Naini Tal.	...	Naini Tal, Almora and Pithoragarh.
63.	All Assistant Labour Commissioners posted in Kumaun Region.	...	Ditto.



64.	All Labour Enforcement Officers and Assistant Trade Union Inspectors and Welfare Inspectors and Chief Investigators posted in Kumaun Region.	...	Ditto.
65.	Additional Labour Commissioner, Ghaziabad Region, Ghaziabad.	...	Ghaziabad and Bulandshahr.
66.	All Assistant Labour Commissioners posted in Ghaziabad Region.	...	Ditto.
67.	All Labour Enforcement Officers and Welfare Inspectors and Assistant Trade Union Inspectors and Chief Investigators posted in Ghaziabad Region.	...	Ditto.
68.	Deputy Labour Commissioners, Mirzapur Region, Pipri.	...	Mirzapur and Sonbhadra.
69.	All Assistant Labour Commissioners posted in Mirzapur Region.	...	Ditto.
70.	All Labour Enforcement Officers posted in Mirzapur Region.	...	Ditto.
71.	Deputy Labour Commissioner, Jhansi Region,	...	Jhansi, Lalitpur, Banda, Hamirpur and Jalaun.
72.	All Assistant Labour Commissioners posted in Jhansi, Region.	...	Ditto.
73.	All Labour Enforcement Officers and Welfare Inspectors and Assistant Trade Union Inspectors and Chief Investigators posted in Jhansi Region.	...	Ditto.

**Notification No. 1515/XXXVI-3-142(Sa.)-85, dated May 2, 1991, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 2nd May, 1991, page 2.** - 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. XXVI of 1962), the Governor is pleased to exempt all the shops and Commercial establishments in the areas where pooling in connection with the General Election to the Lok Sabha and Vidhan Sabha is to be held on May 20 and May 26, 1991 for the actual day of polling from the operation of the provisions of Section 8 of the said Act on the condition that if the actual day of polling in the area in which a shop or commercial establishment is situated is not the normal weekly holiday to be observed by such shop or commercial establishment, the concerned shop or commercial

establishment shall observe the actual day of polling as closed day and the normal weekly holiday following actual day of polling shall be observed as a working day.

**Notification No. 1985/XXXVI-3-142(Sa.)-85, dated June 6, 1991, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 6th June, 1991, page 2.** - In

exercise of the powers under sub-section (3) of Section 3 of the Uttar Pradesh Dookan Aur Vahijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt all the shops and commercial establishments in the areas where polling in connection with the General Election to the Lok Sabha and Vidhan Sabha is to be held on June 15, and repoll or adjourned poll on June 12, 1991 for the actual day of polling from the operation of the provisions of Section 8 of the said Act on the condition that if the actual day of polling in the area in which a shop or commercial establishment is situated is not the normal weekly holiday to be observed by such shop or commercial establishment, the concerned shop or commercial establishment shall observe the actual day of polling as closed day and normal weekly holiday following actual day of polling shall be observed as a working day.

**Notification No. 3842/(A)/XXXVI-3-142(Sa.)-85, dated October 31, 1991, published in the U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 31st October, 1991, page 2.** - 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. XXVI of 1962), the Governor is pleased to exempt all the shops and commercial establishments in the areas where polling in connection with the By-Election/Countermand Elections to the Lok Sabha and Vidhan Sabha is to be held on November 16, 1991 for the actual day of polling from the operation of the provisions of Section 8 of the said Act on the condition that if the actual day of polling in the Etawah, Bulandshahr, Meerut, Bareilly, Gonda, Basti, Kanpur Dehat, Shahjahanpur, Sultanpur, Rae Bareilly and Gaziabad in the area in which a shop or commercial establishment is situated is not the normal weekly holiday to be observed by such shop or commercial establishment, the concerned shop or commercial establishment shall observe the actual day of polling as closed day and the normal weekly holiday following actual day of polling shall be observed as a working day.

**Notification No. 936/XXXVI-3-12(S)-85, dated March 7, 1992, published in U.P. Gazette (Extraordinary), Part-4, Section (kha), dated 1st March, 1992, page 2.** - 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. XXVI 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 and commercial establishments situated in the Kirawali Town Area in district Agra.

**Notification No. 3213/XXXVI-3-142(Sa.)-85, dated November 8, 1993, published in U.P. Gazette (Extraordinary), Part IV, Section (kha), dated 8th November, 1993.** - 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. XXVI of 1962), the Governor is pleased to exempt all the shops and Commercial Establishments in the areas where polling in connection with the General Election to the Vidhan Sabha is to be held on November 18 and November 21, 1993, for the actual day of polling from the operation of the provisions of Section 8 of the said Act on the condition that if the actual day of the polling in the area in which a shop or commercial establishment is situated is not the normal weekly holiday to be observed by such Shops or commercial establishment, the concerned shops or commercial establishment shall observe the actual day of polling as closed day and the normal weekly holiday following the actual day of polling shall be observed as a working day.

**Notification No. 1036/XXXVI-3-12(S)-85, dated June 29, 1994, published in U.P. Gazette (Extraordinary), part 4, Section (kha), dated 29th July, 1994.** - In exercise of the powers under sub-section (3) of Section 1 of the U.P. Dookan Aur Vanijya Adhistan Adhiniyam, 1962 (U.P. Act No. XXVI 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 and commercial establishments situated within the limits of Nagar Palika Mahrajganj in district Mahrajganj.

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# *The U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963*

*Published vide Notification No. 2084 (LL)/36-B-489 (LL)-1962, dated May 1, 1963, published in U.P. Gazette, (Extraordinary) of the same date*

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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 (Act No. XXVI 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) They shall come into force at once.

**2. Definitions.** - In these rules unless there is anything repugnant in the subject or context,-

- (a) "the Act" means the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962;
- (b) "financial year" means the period of twelve months commencing on the 1st day of April;
- (c) "form" means a form appended to these rules;
- (d) "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;
- (e) "night" means the period of twelve consecutive-hours beginning at 7 p. m.;
- (f) "Registration Certificate" means a certificate showing the registration of a shop or commercial establishment;
- (g) "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;
- (h) "section" means a section of the Act;
- (i) "State Government" means the Government of Uttar Pradesh ;
- (j) "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
- (k) "theatre" included 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.

**2A. 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 validity [Section 4-B(2)].**

(1) The register of shops or commercial establishments shall be maintained in Form 'K'.]

[(2) The owner of every shop or commercial establishment shall, within the period specified in sub-section (i) of Section 4-B of the said Act, make an application in Form 'L' to the Inspector concerned for registration of his shop or commercial establishment. The application shall be signed by the owner and accompanied by a Treasury Challan/Bank Draft (crossed) in favour of the Inspector concerned in proof of payment of registration fee as specified below. The maximum number of employees employed in the shop or commercial establishment on any day during the financial year in respect of which the registration is sought will be taken into consideration for deciding the amount of fee leviable.

Sl. No.	Category of shop or commercial establishment	Fee per financial year of part or the year			
1	2	3			
PART I					Rs.
1.	With no employee	..	..	..	20
2.	Employing 1 to 5 employees	..	..	..	75
3.	Employing 6 to 10 employees	..	..	..	100
4.	Employing 11 to 25 employees	..	..	..	200
5.	Employing more than 25 employees	..	..	..	250
PART II					
1.	Commercial establishment which is used as theatre or cinema or for any other public amusement or entertainment	..	..	..	300
2.	Hotel up to three stered standard	..	..	..	1000
3.	Four or five stered hotels or hotels of like standard	..	..	..	2500]

(3) [Section 4-B], If the Chief 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.

[(4) Every owner of a shop or commercial establishment shall get his shop or commercial establishment registered for five financial years and if it is a case of renewal, renewed for

five financial years which may be up to ten financial years at the time of next renewal under this Act on payment of prescribed fee. The shops and commercial establishments which are run on yearly contract basis shall pay the prescribed fee for that financial year only for which the contract has been given.

(5) Every registration certificate granted under Section 4-B or renewed under Section 4-C shall remain valid for such number of financial years, as it is registered or renewed for.

(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 occurrence 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.]

(7) *Renewal of registration certificate* [Section 4-C]. - (i) Every application for renewal of a registration certificate may be made on plain paper stating therein the name of owner, name and address of shop/commercial establishment and number of employees to the Inspector concerned and shall be accompanied by the prescribed fee. The renewal of the registration certificate shall be in Form 'M'.

(ii) The fee chargeable for renewal of a registration certificate shall be the same as for the grant thereof.

[(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 or an application for renewal of the registration is not received within the period specified in sub-rule (7) such registration or renewal, as the case may be, shall be made only on the payment of a late fee at the rate of 12 ½ per cent of the fee of registration or renewal, per month or part thereof, in addition to the prescribed fee. The late fee shall accompany the application.]

(9) *Transfer of Registration Certificate.* - The registration certificate under these rules shall not be transferable. In case of transfer of ownership of a shop or commercial establishment the new owner shall have to apply afresh and obtain a registration certificate in that behalf on payment of the prescribed fee for it.

[(10) *Issue of a duplicate copy 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 Challan/Bank Draft (Crossed) for Rs. 5 or Rs. 10 as the case may be, on account of fee as specified below:-

For shops or commercial establishment:-

(i) Without employee      Rs. 5/-

(ii) With 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.]

(11) Payment of any fees under these rules through the Government Treasury or State Bank of India shall be credited under the Head of Account '087-Labour and Employment-U.P. Dookan Aur Vanijya Adhishtan Adhinyam-Nibandhan Fees'.

(12) *Closing down of shop or commercial establishment to be communicated to the Inspector concerned.* - The owner shall, within 15 days of his closing down the shop or commercial establishment notify such closure in writing to the Inspector concerned. On receipt of the information and having been satisfied that the shop or commercial establishment has actually been closed down the Inspector concerned shall remove such shop or commercial establishment from the register of shop 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. high and 1 cm. thick written in white or luminous paint of any colour.

**3. Hours of business [Section 5 (1)].** - (1) No employer shall on any day open before 10 a. m. or keep open after 8 p.m. any shop, not mentioned in Schedule II of the Act:

Provided that in summer the employer may open before 10 a.m. but not before 9-30 a. m.

*Explanation.* - For the purposes of the above proviso "Summer" means the period from midnight of March 14 to midnight of September 14, in any year :

Provided further that shops exclusively or mainly dealing in foodgrains, pulses and oilseeds may open earlier but not before 9 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 II of the Act.

(3) The shops and commercial establishments wherein only wholesale business of foodgrains, pulses and oil seeds 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.

**[4. Information of overtime work.** - Whenever any employee is required or allowed to work overtime under the 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.]

**[5. 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) Independence Day;
- (4) Birthday of Mahatma Gandhi;
- (5) Diwali Parewa;
- (6) Kartiki Poornima; and
- (7) Id-ul-Fitr.]

**6. Approval of an employer's choice of a close day [Section 8 (2)].** - Every District Magistrate shall, for the area within his jurisdictions be the authority empowered under sub-section (2) of Section 8 to approve the choice by the employer of a close day.

**7. Notice of close day and notice of alteration in close day [Sections 8 (2) and (3)].** -

(1) The notice for the approval of a close day under sub-sections (2) and (3) of Section 8 of the Act, shall be in the Form "A".

(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 calling 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.

**8. Notice specifying close day [Section 8 (2)].** - (i) The notice specifying close days, shall be in Form "B".

(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.

**9. Notice of weekly holiday [Section 9].** - 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.

**10. Earned leave [Section 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 times 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 the orders of the employer passed thereon shall be retained by the employer for a period of not less than three years.

(e) The employer shall at the close of every year, communicate in writing to the employee, on demand made by him, the account of his earned leave including leave carried forward from the previous year, the leave earned during the year, the leave availed during the year and the leave to be carried forward to the next year.



(ii) *Sickness leave* :

No application from an employee for sickness leave, in accordance with the provisions of sub-section (2) of Section 10 shall be refused, but if in any case the employer is not satisfied the truth of the assertion set out therein, the employer may require it to be supported by a certificate from a registered medical practitioner recommending the leave applied for.

(iii) *Sickness leave* :

- (a) Every application from an employee for casual leave shall be in writing. The employer shall record his orders 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 month, if due, shall be refused by the employer. Where, however, an employee has rendered more than one month's service in any calendar year, he may apply for a part or the whole of the casual leave due to him, provided that such leave does not exceed one day for every month of service rendered 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, and employer may get the employee, his 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 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 any employee during a calendar year, shall lapse.

**11. Payment of wages [Section 13].** - (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 wages period in respect of which the wages are payable. Where the wages 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 :

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 employee returns to work or demands payments.

(2) All payments of wages shall be made on a working day.

**12. Deduction from wages [Section 15].** - (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) damage to or loss of goods expressly entrusted to the employee for custody, or of loss of money for which he is required to account, where such damage or loss is directly attributed 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 over-payment of wages ;
- (g) income-tax payable by the employee ;
- (h) amounts required to be recovered by order of a court or other authority competent to make such order ;
- (i) subscription to, or repayment of advance from, any provident fund to which the Provident Funds Act, 1925 (XIX 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 (43 of 1961), or approved in this behalf by the State Government during the continuance of such recognition or approval;
- (j) payments to cooperative societies approved by the State Government;
- (k) revenue stamps required to be attached to pay receipts ;
- (l) supply of cooked food or refreshment during the hours of employment in accordance with any scheme previously approved by the Chief Inspector ;
- (m) 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 deposit agreed to in writing by an employee and in accordance with any scheme approved previously in writing by the Chief Inspector;

- (o) employee's contribution to a superannuation fund approved under Part B of the Fourth Schedule to the Income Tax Act, 1961, or of any similar scheme agreed to in writing by the employer and previously approved in writing by the Chief Inspector.

*Explanation.* - (i) 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 reasons to be recorded by him in writing it is not reasonably practicable to give the employee 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 to 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 he has 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.

(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 advances 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 recovered;
- (iii) no instalment 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".

**13. Register of fines [Section 17 (1)].** - (1) Every employer shall maintain a register of fines and realization thereof in Form "E".

(2) At the beginning of the register shall be entered serially numbered approved purposes for which the fines realised can be expended.

**14. Utilization of fines for beneficial purposes [Section 17 (2)].** - (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 may be specified by him.

**15. Acts constituting misconduct [Section 19(2)].** - The following acts or omissions shall constitute misconduct for purposes of sub-section (2) of Section 19-

- (a) wilful insubordination or disobedience whether alone or in combination with another of any lawful order of a superior ;
- (b) striking work either singly or with any other employee without giving due notice prescribed by any law for the time being in force ;
- (c) inciting, whilst in the shop or commercial establishment, any employee to strike work;
- (d) theft, fraud or dishonesty in connection with the employer business or property ;
- (e) taking or giving bribe or any illegal gratification whatsoever ;
- (f) habitual absence without leave ;
- (g) 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;

- (h) habitual negligence or neglect of work ;
- (i) threatening of intimidating any employee in the shop or commercial establishment;
- (j) disclosing to an unauthorised person any information in regard to the working or process of the shop or commercial establishment which comes into possession of an employee during the course of his work ;
- (k) gambling within the shop or commercial establishment;
- (l) sleeping while on duty ; and
- (m) insubordination malingering, deliberate delaying of production or carrying out of orders.

*Explanation.* - No act of misconduct which is committed on less than three occasion within ope year or a lesser period shall be treated as "habitual".

**16. Maternity benefit [Section 26].** - (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 days 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 Re. 1 per day, whichever is more.

(2) The payment of maternity benefit accruing 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 up to and including the day of her death.

(3) The amount payable to a woman employee at 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 benefit 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 undertakes the care of the child and if the child docs not survive, to her legal heir.

**17. [Section 24 (1)].** - The notice under sub-section (1) of Section 24 shall be in Form 'F' This form shall be made available by the employer to the employee concerned at any time during working hours.

**[18. Maintenance of register, records etc.]** - (1) Every employer-

- (a) Employing up to ten employees shall also maintain a register in respect of attendance, and payment of wages, deductions and leave facilities in Form 'CC'.
- (b) Employing employees exceeding ten but not exceeding twenty-five shall maintain the register of attendance and wages in Form 'G' and also maintain a register of leave in Form 'H'.
- (c) Employing employees exceeding 25 shall be required to maintain a register of attendance and wages in Form 'G', a register of leave in Form 'H', a register of deductions from wages in Form 'D'.

(2) Every employer employing more than 25 employees shall exhibit in his shop or commercial establishment notice containing such extracts of the Act and these rules in Hindi written in Devnagri Script, as the Chief Inspector may direct.

(3) Any notice required to be exhibited under these rules shall be exhibited in 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.]

**19. Manner of entry into premises and examination of records and registers, etc.**

**[Section 30 (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 writing 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 or 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 inspector note shall state any defects or defaults that may come to light at any time of examination.

(5) An inspector may require an employer to produce at his own expense 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 he considers to have been employed in contravention of the provisions of the Act

**20. Inspector's visit and Inspection Book [Section 32].** - Every employer shall maintain a Inspector's Visit and Inspection Book in his shop or commercial establishment and shall produce the same before the Inspector on demand. The book shall contain all inspection notes recorded form issued by Inspector in respect of that shop or commercial establishment.

**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 shop and commercial establishments, he may allow the employers thereof to maintain the register in such 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 that material needed for burial, funeral and cremation purposes, he shall issue a notification in Form 'J' in respect of the shop.

(2) The notification shall 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'**

[Rule 7]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 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\* purposes to observe ..... as the weekly close day/alter the existing weekly close day\* from ..... to .....

Dated ..... 19

Signature of employer

\* Strike out the words not applicable.

**Form 'B'**

[See Rule 8 (1)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**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	Public Holidays

Dated..... 19

Signature of employer.

Copy forwarded to the Inspector ..... for Information.

Dated ..... 19

**Form 'C'**

[See Rule 9]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**Notice of Weekly Holidays**

Name and address of shop/commercial establishment .....

Name and address of the employer .....

		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.
Serial No.	Name of employee	Date on which weekly holiday is allowed

Dated..... 19

Signature of employer

**[Form 'CC']**

[Rule 18 (1) (a)]

(Uttar Pradesh Dookan Aur Vanijya Adhithan Niyamawali, 1963)

**Register of Attendance and Wages**

Name of employee ..... Man/Woman/Young Person/Child, Father/Husband's

Name ..... Address ..... Nature of employment.....

Whether employed on daily, monthly, contract or piece rate wages with rate

..... Wages period ..... Date of Employment .....

Date	Signature or thumb-impression of the employee	Earned leave unavailed at the beginning of the month	Entitlement of Leave and its sanction				Medical Leave unavailed at the beginning of the month	Medical Leave availed
			Earned leave availed	Casual leave unavailed at the beginning of the month	Casual leave availed	Medical leave unavailed at the beginning of the month		
1	2	3	4	5	6	7	8	

Overtime worked			Deduction		Total Deductions	Total amount payable at the end of the month
Hour of work	Wages	Advances	Deduction for absence	Any other deduction		
9	10	11	12	13	14	15



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**Form 'D'**

[Rule 12(8) and 18(1) (c)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**Register of Deduction from Wages**

(From ..... to .....)

Name and address of the shop/commercial establishment .....

Serial No.	Name of employee	Rate of wages including deargood allowance	Deduction imposed		Reasons for deduction if for damage or loss-mention the nature of the damage or loss caused, with date
			Date	Amount	
1	2	3	4	5	6
				Rs. P.	

If deduction is for damage or loss, mention whether the employee showed cause against the deduction and, if so, the date of it.	Number of instalments if any	Amount realized		Remarks	Signature of employee
		Date	Amount		
7	8	9	10	11	12
			Rs. P.		

**Form "E"**

[Rule 13]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**Register of Fines and Realisation thereof**

Name and address of the shop/commercial establishment .....

Serial	Name of	Rate	Act of	Fines imposed	Fines realised or remitted

No.	employee with number in register of employees	of wages	omission for which fined	Date	Amount	Date	Amount realized	Amount remitted
1	2	3	4	5	6	7	8	9

Rate of realization or disbursement	Amount realized	Reference to serial number (Col. 1)	Amount disbursed	Objection which disbursed	Amount in hand in the Fund	Remarks	Signature of employer or his agent
10	11	12	13	14	15	16	17

**Form "F"**

(Rule 17)

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**Notice under Section 24 (1) of the U.P. Dookan Aur Vanijya Adhishthan Adhiniyam, 1963**

Name of employer:

I, ..... wife/daughter a woman worker in the ..... shop/commercial establishment hereby give notice to my employer that I, except to be confined within six weeks, from ..... I will be 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.

Dated ..... 19

Signature of the woman employee.

**Form "G"**

[Rule 18(1)(6) and (c)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**Register of Attendance and Wages**

Name of employee ..... Man/Woman/Young Person/Child,  
 Father/Husband's name ..... Address ..... Nature of  
 Employment ..... Whether employed on daily, monthly, contract or



forward	leave applied for								or refused				
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Signature of employer

**Form "I"**

[Rule 19 (5)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

**Form of Certificate**

I hereby certify that I have personally examined (name) .....  
son/daughter of ..... (caste, etc.), residing at  
..... and that he/she has completed his/her  
twelfth/seventeenth year. His/her description marks are  
.....

Dated ..... 19.

Medical Practitioner.

**Form "J"**

[Rule 22 (i)]

(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.

.....  
Collector,

Dated ..... 19

District .....

**[Form "K"]**

[Rule 2-A (1)]

**Part I - Shops**

**Part II - Commercial Establishments**

**Register of shops and commercial establishments**

Region

.....  
.....

Class of shops or commercial establishments

Serial	Registration	Name of the	Location	Name	Name	Name of	Name	Date of
--------	--------------	-------------	----------	------	------	---------	------	---------

No.	certificate number and date of registration	shop/commercial establishments	and address	of the owner with address	of the Partner (s) with address	the Manager with address	of business	commencement of business
1	2	3	4	5	6	7	8	9

Name of member(s) of employee's/owner's family who are not employed within the meaning of Section 2 (6)			No. of other persons occupying managerial, confidential or supervisory position within the meaning of section 3 (1)(a)	Total number of employees			Date of renewal	Details of fee Treasury Challan/Indian Postal Order (Crossed)/Bank Draft (Crossed)/Amount No. and date		
Male	Female	Young persons		Male	Female	Young persons				
10	11	12	13	14	15	16	17	18	19	20

**Form 'L'**

[Rule 2-A (2)/Section 4-B (1)]

*(Uttar Pradesh Dookan Aur Vanija Adhishthan Niyamavali, 1963)*

**Application for registration - Statement of facts**

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 shops/commercial establishment.

	No.	Relationship
Male		
Female		
Young persons		
Total		

9. Names of employees :

(1) In managerial, confidential and supervisory capacity.

(2) Others (category wise).

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).]

Name of Treasury or Post Office or Bank	Treasury Challan/Indian Postal Order (Crossed)/Bank Draft (Crossed) No. Date	Amount paid by way of		
		Fee	Penalty	Total
1	2	3	4	5

I hereby declare that the details given above are correct to the best of my knowledge and belief:

*Signature of the Owner*

Place

Date

### Form "M"

[Rule 2-A (3)/Section 4-B (3)]

(Uttar Pradesh Dookan Aur Vanijya Adhishtan Niyamavali, 1963)

### Registration Certificate of Shop or Commercial Establishment

1. Name of the shop or commercial establishment.

2. Full postal address and location.

3. Name of the owner.
4. Nature of business.
5. Number of 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 Aur Vanijya Adhishthan Adhiniyam, 1962 on this day ..... 19 .....

*Signature of the Chief Inspector  
of Shops and Commercial  
Establishments, U.P.*

### Renewals

Date of renewals	From	To	Signature of the Chief Inspector of Shops and Commercial Establishments, U.P. with seal
1	2	3	4
1.			
2.			
3.			

### Form "N"

[Rule 2-A (o)]

*(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 ..... 19 .....

To,

The Chief Inspector,

Shops and Commercial Establishment

Sir,

Notice is hereby given that the following change has taken place in respect of information forwarded to you in Form 'L' which please note.

The registration certificate and Treasury Challan/Indian Postal Order (Crossed)/Bank Draft (Crossed) No. .... dated ..... for Rs.

..... are enclosed.

*Signature of Owner.*

**Note.** - The notice of change in this form shall be sent together with such fee as prescribed.

**Form "O"**

[Rule 2-A (10)/Section 4-D]

*(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)*

**Notice of loss of registration certificate and application for issue of duplicate certificate**

Name of the shop/commercial establishment

Address.

Registration number.

To,

The Chief Inspector,

Shops and Commercial Establishment.

Sir,

This is to inform you that the registration certificate of the shop/commercial establishment has been lost/torn/destroyed/damaged/defaced due to ..... (here specify the reasons or circumstances).

Kindly issue a duplicate certificate/Treasury Challan/Indian Postal Order (Crossed)/Bank Draft (Crossed) No. .... dated ..... for Rs. .... is enclosed.

Yours faithfully

*Signature of Owner.*

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