

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

UTTAR PRADESH

India

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

Rule

THE-U-P-DOOKAN-AUR-VANIJYA-ADHISHTHAN-NIYAMAVALI-1963 of 1963

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The U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963Published vide Notification No. 2084 (LL)/36-B-489 (LL)-1962, dated May 1, 1963, published in U.P. Gazette, (Extraordinary) of the same dateIn 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. [Sections 2 and 2-A, Substituted by Notification No. 4375/XXXVI-3-712 (S)-80-UPA-26-1962 Rule-1963-AM (3)-81, dated 3rd February, 1984, published in U.P. Gazette (Extraordinary), dated 3rd February, 1984.]

- 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 starred standard 1000

3. Four or five starred hotels or hotels of like standard 2500]
 [Substituted by Notification No. 1036 (I)/XXXVI-3-712 (S)-80, dated 20th August, 1994, published in U.P. Gazette, (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.](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.] [Substituted by Notification No. 1036(I)/XXXVI-3-712(S)-80, dated 20th August, 1994, Published in U.P. Gazette, (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.](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 1/2 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.] [Substituted by Notification No. 1036 (I)/XXXVI-3-712(S)-80, dated 20th August, 1994, published in U.P. Gazette, (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.](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, tom, 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.] [Substituted by Notification No. 1036(I)/XXXVI-3-712(S)-80, dated 20th August, 1994, Published in U.P. Gazette, (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.](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 Adhishthan Adhiniyam-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. [Substituted by Notification No. 3044 (v)/XXXVI-3-704 (v)-72-UPA-26/1962-Rule 1963-AM (2)-77, dated 3rd December, 1977.]

- 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. [Substituted by Notification No. 1487/XXXVI-3-67-(Sa)-86, dated 10th July, 1989, published in U.P. Gazette (Extraordinary), Part 4, Section (kha), dated 10th July, 1989.]

- 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 earn 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 one 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 does 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. [Substituted by Notification No. 1036 (I)/XXXVI-3-712(S)-80, dated 20th August, 1994, published in U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.]

(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 'T' 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
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Dated 19 Signature of employer [Form 'CC'] [Inserted by Notification No. 1036(I)/XXXVI-3-712 (S)-80, dated 20th August, 1994, Published in U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.] [Rule 18 (1) (a)] (Uttar Pradesh Dookan Aur Vanijya Adhishthan 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

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Date	Signature or thumb-impression of the employee	Earned leave unavailed at the beginning of the month	Entitlement of Leave and its sanction		
Earned leave availed	Casual leave unavailed at the beginning of the month	Casual leave availed	Medical leave unavailed at the beginning of the month	Medical Leave availed	
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

Form 'D'[Rule 12(8) and 18(1) (c)] [Substituted by Notification No. 1036(I)/XXXVI-3-712 (S)-80, dated 20th August, 1994, Published in U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.](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.

Date	Amount	Number of instalments if any	Amount realized	Remarks	Signature of employee
7		8	9	10	11
				Rs. P.	12

Form "E"[Rule 13](Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)Register of Fines and Realisation thereofName and address of the shop/commercial establishment

Serial No.	Name of employee with number in register	Rate of wages	Act of omission for which fined	Fines imposed	Fines realised or remitted
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of employees

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)] [Substituted by Nod. No. 1036(I)/XXXVI-3-712 (S)-80, dated 20th August, 1994, Published in U.P. Gazette (Extraordinary), Part 4, Section (Kha), dated 20th August, 1994.](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 piece rate wages with rate age Period Date of Employment

Rest	Wages earned							
Date	Work begins	From	To	Work ends	Overtime worked	Basic	D.F.A	Overtime
1	2	3	4	5	6	7	8	9

Advance

Signature or thumb-impression of employee	Amount	Date	Amount recovered	Balance	Fines or other deduction vide Forms D and E	Net amount due	Signature or thumb-impression of employee
10	11	12	13	14	15	16	17

Received Rs. np in words Rupees on account of wages for the wage period from to

.....Signature of Employee.....Signature of Employer
Form "H"[Rule 18 (1) (6) and (c)] [Substituted by Nod. No.
 1036(I)/XXXVI-3-712 (S)-80, dated 20th August, 1994, Published in U.P. Gazette (Extraordinary),
 Part 4, Section (Kha), dated 20th August, 1994.](Uttar Pradesh Dookan Aur Vanijya Adhishthan
 Niyamavali, 1963)Register of LeavePeriod from to
Name of employee Nature of employment
Father's name Date of employment

Earned Sickness Casual
 leave leave leave

Date of
 availing
 leave

Date of
 availing
 leave

Date of
 availing
 leave

Balance carried forward	Date of which leave applied for	From	To	Balance due	From	To	Balance due	Date of application	Whether application granted or refused	From	To	Balance due	Signature of employee
1	2	3	4	5	6	7	8	9	10	11	12	13	14

Signature of employerForm "I"[Rule 19 (5)](Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)Form of CertificateI 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 areDated 19.....Medical Practitioner.Form "J"[Rule 22 (i)](Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)NotificationName and address of the shopName and address of the employerIt 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"] [Inserted by Notification No. 4257 (v)/36-3-76(S), dated November 4, 1976 (w.e.f. 3-11-1976).][Rule 2-A (1)]

Part I – Shops Part II - Commercial Establishments

Register of shops and commercial establishmentsRegion

.....
 of shops or commercial establishments

Serial No.	Registration certificate	Name of the shop/commercial	Location and the	Name of the	Name of the	Name of the	Name of the business	Date of commencement
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	number and date of registration	establishments	address	owner with address	Partner (s) with address	Manager with address	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 Vanijya 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 OwnerPlaceDateForm "M"[Rule 2-A (3)/Section 4-B (3)](Uttar Pradesh Dookan Aur Vanijya Adhishthan 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 19Signature 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
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1	2	3	4
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1.

2.

3.

Form "N"[Rule 2-A (o)](Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)Notice of ChangeName of the shop/commercial establishment already registered.Name of the owner.Registration Certificate Number.Address.Dated this day of 19To,The Chief Inspector,Shops and Commercial EstablishmentSir,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 certificateName of the shop/commercial establishmentAddress.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. datedfor Rs. is enclosed.Yours faithfullySignature of Owner.