

The U. P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963⁵²

In pursuance of the provisions of Article 348(3) of the Constitution of India 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. XXXVI of 1962), the Governor of Uttar Pradesh is pleased to make the following unless, the same having been previously published as required by subsection (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 first day of April;

(c) "form" means a form appended to these rules;

(d) "inspector concerned" in relation to a shop or commercial establishment, means as 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 a commercial establishment;

(g) "Register of shops or commercial establishment" means a register maintained for the registration of shops or commercial establishment 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) "Registrants" 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" includes any premises intended mainly or wholly for the exhibition of pictures or other optical effects by means of cinematography or other suitable apparatus of for dramatic or circus performances or for any other public amusement or entertainment.]

[SECTION 4-B(2)]

2-A. Form of Register to be kept by the Inspector concerned to the shop or commercial establishment and the fees charged for their registration and its validity:-

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

⁵⁵[2. The owner of every shop or commercial establishment shall within the period as specified in subsection (1) of Section 4-B of the said Act, make application in Form "L" to the Inspector concerned for registration of his shop commercial establishment. The application shall be signed by the owner and accon-concerned in proof of payment of registration fee as specified below. The maximum number of employed in the shop or commercial establishment on an day during the financial year in respect of which the registration is sought will taken into consideration for deciding the amount of fee leviable.

PART I

| Sl. No. | Category of shop | Fee per financial year or part of the year | Category of commercial establishment | Fee per financial year or par of the year |
|---------|----------------------------|--|--------------------------------------|---|
| 1 | 2 | 3 | 4 | 5 |
| | | | Rs | Rs |
| 1. | With no employee | 40 | with no employee | 80 |
| 2. | Employing 1 to 5 employees | 200 | employing 1 to 5 employees | 300 |

Subs by

| | | | | |
|----|---------------------|------|-------------------------------|------|
| 3. | Employing 6 to 10 | 300 | Employing 6 to 10 . employees | 400 |
| | | | employees | |
| 4. | Employing 11 to 25 | 500 | Employing 11 to 25 | 1000 |
| | employees | | employees | |
| 5. | Employing more than | 1000 | Employing more than | 2000 |
| | 25 employees | | 25 employees | |

PART II

| Sl. No. | Rs. |
|--|-------|
| 1. Commercial establishment which is used as theatre or cinema or for any other public amusement or entertainment or Barat Ghar or Guest Hoses | 1000 |
| 2. Hotel up to three-starred hotels of like standard | 2000 |
| 3. Four or five-starred hotels or hotels of like standard | 5000 |
| 4. Any shop or commercial establishment having ownership of registered company employing 1 to 25 employees | 1000 |
| 5. Non-Banking Financial Institution/Adhithan | 2000] |

[SECTION 4-B (3)]

(3) If the Inspector concerned is satisfied about the correctness of the statement made in the application as provided in subsection (2) of Section 4-B, he shall register the shop or commercial establishment in the register of shops or commercial establishment and issue a registration certificate in Form 'M'. The registration certification shall, on demand, by the Inspector concerned be shown to him by the owner.

⁵⁶[(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 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 any in the name address of the shop or commercial

establishment, name or manes of the employers or change in he 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 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 establishment and in the registration certificate and issue a fresh registration certificate, if necessary.]

[Section 4-C]

(7) **Renewal of registration certificate.-** (i) Every application for renewal 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.

⁵⁷[(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 subsection (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.]

57. Subs. by Noti, No. 1036 (I) XXXVI-3-712 (s)-80, dt. 20-8-1994 (w.e.f. 20-8-1994).

58. Subs. by Noti, No. 1036 (I) XXXVI-3-712 (s)-80, dt. 20-8-1994 (w.e.f. 20-8-1994).

(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.

[SECTION 4-D]

⁵⁸[(10) Issue of 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 Form 'O' accompanied by a Treasury Challan/Bank Draft (Crossed) for Rs 5 or 10, as the case may be, on account of fee as specified below:-

For shops or commercial establishments:-

(i) Without employee Rs 5/-

(ii) With employees Rs 10/-

Upon receipt of such application together with the fee, the Inspector concern 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 "0230- Laboc and Employment - 09 - Shops & Commercial Establishments- Nibandhan fees- 800 Miscellaneous Receiots".

(12) Closing down of shop or commercial establishment to be communicate 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 commercial establishment has actually been closed down, the Inspector concerns shall remove such shop or commercial establishment from the register to shops 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 esta bishment.- Every owner of the shop or commercial establishment shall display at 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 whiter or luminous paint of any colour.]

[SECTION 5(1)]

⁵⁹[3. **Hours of business.-** (1) No employer shall on any day open before a.m. or keep 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 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 food grains, pulses and oilseeds may open earlier but not before 8 a.m.

(2) No employer shall on any day open before 9 a.m. or keep open after 7 p.m. any commercial establishment, not mentioned in schedule II of the Act.

(3) The shops and commercial establishment wherein only wholesale business of food grains, pulses and oilseeds is carried on, and which are situated in a granmandi specified in this behalf by the District Magistrate having jurisdiction over that area may open earlier, but not before 6 a.m.]

[SECTION 6(1)]

⁶⁰[4. **Information of overtime work.-** Whenever any employee is required allowed to work overtime under the first proviso to subsection (1) of section 6, the employer shall within twenty-four hours of the expiry of the period of such work, furnish information giving the name of the employee, and the duration of overtime work to the Chief Inspector and to the inspector concerned.]

[SECTION 8 (1) (b)]

⁶¹[5. **Public holidays.-** For the purposes of clause (b) of subsection (1) of section 8 and clause (i) of section 9 the following shall be the public holidays-

- (1) Republic Day;
- (2) Holi Parewa;
- (3) Birthday of Dr Ambedkar;
- (4) Independence Day;
- (5) Birthday of Mahatma Gandhi;

59. Subs. by Noti, No. 37073-3-19(5)87, dt. Feb. 3, 1989.

60. Subs. by Noti, No. 3044 (v)/XXXVI-3-704(v)-72-UPA-26/1962- Rule-1963-AM(2)-77, dated December 3, 1977.

61. Subs. by Noti. No. 2454/XXXVI-3-67(Sa)-86, dated 28-11-1995 (w.e.f. 28-11-1995).

- (6) Diwali Parewa;
- (7) Kartiki Poornima; and
- (8) Idu'l Fitr.]

[SECTION 8 (2)]

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

[SECTION 8(2) and (3)]

7. Notice of close day and notice of alteration in close day.- (1) The notice or the approval of a close day under subsection (2) and (3) of section 8 of the act, shall be in 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 pointed under subsection (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 alter the close day for that locality after considering the views, if any, so ascertained.

(3) A copy of the order passed by the aforesaid authority shall be sent to the chief Inspector and the Inspector concerned, as soon as possible.

[SECTION 8 (2)]

8. Notice specifying close day.- (i) The notice specifying close days, shall be 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.

[SECTION (9)]

Notice of weekly holiday.- Every employer shall exhibit in his shop or commercial establishment a notice in Form "C" specifying the day or days of the week on which the employees shall be given holiday. The notice shall be exhibited before the persons employed cease work on the Saturday immediately preceding the week during which it will have effect.

[SECTION 10]

(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 least seven days before the date from which leave is required. A application for leave for three days or less shall ordinarily be made 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 ground of exigency of work and reasons for giving refusal shall be recovered 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 the three years.
- (e) The employer shall at the close of every year, communicate in writing 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 years, the leave availed during the year and the leave to be carried forward to next year.

(ii) Sickness leave-

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

(iii) Casual 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, due, shall be refused by the employer. Where, however, an employee he rendered more than one month's service in any calendar year, he made 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 entered 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 exception 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 sickness of the employee, his wife or child.

(d) Where an application has been made on grounds of physical injury or sickness of the employee, his wife or child, an employer may get the employee or the wife or child of the employee, as the case may be, examined at his (employer's) own expense by a registered medical practitioner for the purpose of verifying the facts mentioned in the application for leave and may grant or reject the application on the basis of the certificate of such medical practitioner.

(e) The medical certificate shall be retained by the employer for at least one year.

(f) Where an application for casual leave is refused by an employer under clause (c) the employer shall, therefore, grant equivalent leave to the employee in the same calendar year.

(g) Any casual leave, not applied for, by an employee during a calendar year, shall lapse.

[SECTION 13]

11. Payment of wages.- (1) Wage period may be monthly, fortnightly, weekly daily.

Where the wage period consists of a month every employer shall pay the wages of his

employee, before the expiry of the seventh day after the last day of the wage period in respect of which the wages are payable. Where the wage period 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 an employee returns of wages shall be demands payment.

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

[SECTION 15]

12- Deduction from wages .-(1) No deduction shall be made by an employer from the wage 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 loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;
- (d) house accommodation supplied by the employer where the rent was being charged by the employer from the employee on the date the Act came into force;
- (e) such amenities and services as the State Government may, by general or special order, specify.

Explanation.- The word “services” in this sub-rule does not include the supply of tools and raw materials required for the purposes of employment;

- (f) recovery of advance or of overpayment of wages;
- (g) income tax payable by the employee;
- (h) amounts required to be recovered by order of a court or other authority competent to make such order;

- (i) Subscription to, or payment of advance from, any provident fund to which the Provident Funds Act, 1925 (XIX of 1925), applies or any other provide 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 accordance with any scheme previously approved by the Chief Inspector.
- (m) payment of any insurance premium on the employee's life insurance poli or of contribution to the National Defence Fund or any Defence Savir Scheme approved by the state Government, provided that prior written authorization in this behalf is obtained from the employee;
- (n) Payment of security deposits agreed to in writing by an employee and accordance with any scheme approved previously in writing by the Chief Inspector;
- (o) Employee's contribution to a superannuation fund approved under part of the fourth schedule to the Income Tax Act, 1961, or of any simile scheme agreed to in writing by employer and previously approved writing by the Chief Inspector.

Explanation.- (i) Every payment made by an employee to the employer or agent shall, for the purposes of these rules, be deemed to be a deduction from wage.

(ii) Every deduction made by an employer or his agent from any deposit take from an employee as security for the purposes of employment shall be deemed 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 approve 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 reason to recorded by him in writing it is not reasonably practicable to give the employee 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 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, be to the wages payable to the employee in respect of the wage period for which he has been absent bears to the total period, within such wage period during which by the terms of his employment, he was required to work:

Provided that, subject to any orders made in this behalf by the State Government if ten or more employees or where the total number of employees is 20 or less one-half of the total number acting in concert absent themselves without the notice (that is to say without giving the notice which is required under the terms their contract of employment). and without reasonable cause, such deduction from employee may include such amount not exceeding his wages for eight days as 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 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 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 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 recorded;
 - (iii) no instalments for recovery of advance shall exceed one-third, or where the wages for any wage period do not exceed Rs. 20, one-fourth of the wages for the period in respect of which the deduction is made; and
 - (iv) the amount and date of every advance and its repayment with the date thereof shall be entered in Form "G" prescribed under Rule 18.
- (7) Deductions under clause (j) of sub-rule (1) shall be subject to such conditions as the State Government may, by order, impose.
- (8) All such deductions and realizations shall be recorded in a register in Form "D"

[SECTION 17(1)]

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

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

[SECTION 17(2)]

14. Utilization of fines for beneficial purposes.- (1) The Chief Inspector shall be the authority empowered under subsection (2) of Section 17 of the Act, by the State Government to approve the purposes on which recoveries of 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.

[SECTION 19(2)]

15. Acts constituting misconduct.-The following acts or omissions shall constitute misconduct for purposes of subsection (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 sagely or with any other employee without giving duly notice prescribed by any load for the time being in force;
- (c) inciting, whilst in the shop or commercial establishment, any employed to strike work;
- (d) theft, fraud or dishonesty in connection with the employer's business 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 cow 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 more turpitude, committed within the shop or commercial establishment;
- (h) Habitual negligence or neglect of work;
- (i) threatening or intimidating any employee in the shop or commerce establishment;
- (j) disclosing to an unauthorised person any information in regard to working process of the shop or commercial establishment which comminute the possession of an employee during the course of his work;
- (k) gambling writhing the shop or commercial establishment;
- (l) sleeping while on duty; and

(m) insubordination, malingering, deliberate delaying of production or carry out of orders.

Explanation.-No act of misconduct which is committed on less than the occasions within one year or a lesser period shall be treated as "habitual".

NOTES

Strike.-In order to amount to strike it must be an action in pursuance of a conceded decision workman. If a workman acting on his individual whim decides on cessation of work it would not amount to 'strike' as defined under Industrial Disputes Act.⁶²

Notice.-To attract Rule 15 (b) the action of the employee must amount to stick for then also notice prescribed by law is required. No notice is required for mere absence from work.
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[SECTION 26]

16. Maternity Benefit - (1) The materbenefits payable to a woman employee under Section 26 shall be at the rate of her average daily was 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 has given notice under subsection (1) of Section 24 of at rate of Re 1 a 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 as maternity benefit in accordance with the foregoing rules shall for the purpose of its recovery be deemed to be part of her wages.

(4) Payment in respect of a claim of maternity benefit shall be made by the employer to the woman employee concerned or to 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 does not service her, to her legal heir.

[SECTION 24 (1)]

17- The notice under subsection (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.

[SECTION 32]

¶[18. Maintenance of register, record, etc. - (1) Every employer shall-

- (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' and also maintain a register of leave in Form 'H'.

2. Every employer employing more than 25 employees shall exhibit in his commercial establishment a notice containing such extracts to the Act and these rules in Hindi written in Devanagri script, as the Chief Inspector may direct.

3. Any notice required to be exhibited under these rules shall be exhibited in each manner that it can readily be seen and read by any person whom it affects and employee, whenever it becomes defaced or otherwise illegible.

4. In any register or record which an employer is required to maintain under cases 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 all be preserved for six years after the expiry of the year to which they relate and all be produced before an Inspector.]

NOTES

Omission to mark attendance.-omission to mark the attendance of the worker in the register sold not amount to an offence. Where the omission of attendance related to a recent date and question was put to the accused under Section 342. Cr. P.C., 1898 no infringement of rule was necessarily involved.⁶⁵

62- *Chhedi Lal Karia v. W. D. Pvt. Ltd.*, 1975 Lab IC 681.

63- *Ibid.*

64- *Subs. by Noti No. 1036 (1) /XXXVI-3-712 (S)-80, dt. 20-8-1994. (w.e.f.- 20-8-1994).*

65. *State.v.Mirta Bashir Beg.* 1973 All Cr R 124: 1973 All WR 150: 1973 All LJ 220: 1973 Cri LJ 1645.

[SECTION 30]

19. Manner of entry into premises and examination of records and registers, etc.- (1)

An Inspector making entry under Section 30 may interrogate sub persons as he may consider necessary.

(2) The Inspector may also call for any information, document or record relevant to his examination and obtain 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 for prosecution.

(4) After entry and on examination the Inspector shall record an inspector 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 the time of examination.

(5) An Inspector may require an employer to produce at his own expense certificate of age in Form "I" of a registered medical practitioner in respect of an 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.

[SECTION 30]

20. Inspector's Visit and Inspection Book.-Every employer shall maintain an 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 or 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 shops and commercial establishments, he

may allow the employers thereof to maintain the register in submitted form as may be determined by him.

NOTES

Non-production of books.-Where the proprietor of the shops was absent at the time of Inspector's visit he cannot be punished for not producing the books before the Inspector.⁶⁶

22.(1) Whenever the Collector is satisfied in respect of a that it deemed exclusively or mainly in the material needed for burial, funeral and cremation purposes, be 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 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, cancelled by the Collector after allowing the employer of the shop an opportune to show cause against the proposed cancellation.

FORM "A"

[See 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*

Notices is hereby given that with effect from..... the above shop/commercial establishment* proposes to observeas the weekly close day/alter the existing weekly close day* from.....to.....

Date.....20

Signature of Employer.

*Strike out the words not applicable.

FORM "B" [See Rule 8(1)]

66. *State.v.Mirta Bashir Beg.* 1973 All LJ 220: 1973 Cr LJ 1645: 1973 All Cri R 124: 1973 All WR1545

(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 |
|------------------|-----------------|
|------------------|-----------------|

Date.....20

Signature of Employer.

Copy forwarded to the Inspectorfor information.

Date.....20

Signature of Employer.

FORM "C"

[See Rule 9]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Notice of Weekly Holiday

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

Name and address of employer.....

The person 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 |
|-----------|------------------|---|
|-----------|------------------|---|

Date.....20

Signature of Employer.

FORM "CC"

[See Rule 18(1)(a)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Register of Attendance and Wages Register

Name of employeeMan/Woman/young person/Child,
Father/Husband

Name.....Address.....

Nature of employment.....

Whether employed on daily, monthly, contract or piece-rate wages rate.....

Wage period.....Date of Employment.....

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

| | | | | | | |
|-----------------|---------------|------------|----------------------|------------|----------------|--|
| Overtime worked | | | Deductions | Total | Total | |
| Hours of work | Wages Advance | Deductions | Any other deductions | Deductions | Amount Payable | |

at the
end of

67. Ins. by Noti No. 1036 (1)/XXXVI-3-712 (s)-80, dt. 20-8-1994 (w.e.f. 20-8-1994).
68. Subs. by *ibid.*

the

month

| | | | | | | |
|---|----|----|----|----|----|----|
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
|---|----|----|----|----|----|----|

FORM "D"

⁶⁸[See Rule 12(8) & 18 (1)(c)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Register of Deduction Form Wages

(Form.....to.....)

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

| Serial No. | Name of employee | Rate of Wages including | Deduction imposed for dearness | Reason for deduction if damage loss-mention |
|------------|------------------|--|--------------------------------|---|
| | | | Date | Amount allowance |
| | | the nature of the loss caused, with date | | |

| | | | | | |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
|---|---|---|---|---|---|

Rs. np.

| 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 |
|--|------------------------------|-----------------|---------|-----------|
| | | Date Amount | | employee |

| | | | | | |
|---|---|---|----|----|----|
| 7 | 8 | 9 | 10 | 11 | 12 |
|---|---|---|----|----|----|

FORM "E"

[See Rule 13]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Register of Fines and Realization Thereof

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

| Serial No, | Name of employee with number in register of employees | Rate of wage | Act or omission for which fined | Fines imposed | |
|------------|---|--------------|---------------------------------|---------------|--------|
| | | | | Date | Amount |
| 1 | 2 | 3 | 4 | 5 | 6 |

| Date | Fines realized or remitted | | Rate of realization disbarment | Amount realized | Reference to serial number (Col.1) |
|------|----------------------------|-----------------|--------------------------------|-----------------|------------------------------------|
| | Amount realized | Amount realized | | | |
| 7 | 8 | 9 | 10 | 11 | 12 |

| Amount disbursed | Object for which disbursed | Amount in hand in the Fund | Remarks | Signature of employer or of his agent |
|------------------|----------------------------|----------------------------|---------|---------------------------------------|
| 13 | 14 | 15 | 16 | 17 |

FORM "F"

[See Rule 17]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Notice under Section 24 (I) of the U.P Dookan Aur

Vanijya Adhishthan Adhiniyam, 1962

Name of employer.

1..... wife/daughter a woman worker in the..... shop/commercial establishment hereby given notice to my employer that I except to be confined with six weeks, from..... I will be absent from the shop/commercial establishment from this date and that I shall work in any employment during the period for which I receive maternity benefit.

Dated.....20

Signature of the woman employer.

FORM "G"

⁶⁹ [See Rule 18 (1) (b) and (c)]

(Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Register of Attendance and Wages

Name of employee.....Man/Woman/you
 Person/Child, Father/Husband's name.....
 Address.....Nature of employment..... Whether
 employed on daily, monthly, contract or piece-rate wages with
 rate.....Wage period.....Date of
 Employment.....

Date Work begins Rest Work ends overtime worked wages earned

| From | | | To | | Basic D.F.A. Overtis | | | |
|------|---|---|----|---|----------------------|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |

Signature or thumb. Advance
 impression of -----

| employee | <u>Amount Advanced</u> | | <u>Amount recovered</u> | | Balance |
|----------|------------------------|----|-------------------------|----|---------|
| | Amount | | Date | | |
| 10 | 11 | 12 | 13 | 14 | |

69. Subs. by Noti No. 1036 (1) XXXVI-3-712 (S)-80, dt. 20-8-1994 (w.e.f. 20-8-1994).

| Fines or Other deduction vide Forms D and E | Net Amount due | Signature or thumb-impression of employee. |
|--|----------------|---|
| 15 | 16 | 17 |

Received Rs.....p.....in words
 Rupeeson account of wages for the wage
 period
 from.....to.....
 nature of employee..... Signature of employer.....

Form "H"

⁷⁰[see Rule 18 (1) (b) and (c)]

(Uttar Pradesh Dookan Aur vanijya Adhishthan Niyamavali, 1963)

Register of Leave

Period from..... to.....

Name of employee..... Nature of employment.....

..... Father's name..... Date of
employment.....

Earned leave

Sickness leave

| Balance carried forward To | Date on which leave applied for | Date of availing leave | | Balance due | Date of leave From |
|----------------------------------|---------------------------------------|---------------------------|----|----------------|--------------------------|
| | | From | To | | |
| 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | | | | | |

Casual leave

| Balance or due employer | Date of application | whether appl- ication granted or refused | Date of availing leave | | Balance due | Signature |
|----------------------------------|------------------------|--|---------------------------|----|----------------|-----------|
| | | | From | To | | |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| | | | | | | |

70. Subs. by Noti No. 1036 (1) XXXVI-3-712 (S)-80, dt. 20-8-1994 (w.e.f. 20-8-1994).

Signature of employer.

Form "I"

[See Rule 18 (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.), doing
at.....I that
he/she has completed his/her/twelfth/seventeenth year, His/her description marks are
and.....20. *Medical Practitioner.*

FORM "J"

[See 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
be funeral and cremation purposes.

.....
Collector,

Dated.....20....

District.....

⁷¹ [FORM "K"]

[See Rule 2-A (1)]

Part I - Shops

Part II - Commercial Establishments

Register of shops or commercial Establishments

Region.....

Class of shops or commercial establishments.....

71. Subs. by Noti No. 4257(v) 36-3-728(s)-76, dated November 4, 1976 (w.e.f. 3-11-1976)

| Serial of the No. with | Registration certificate, Number and date of registration address | Name of the shop/ commercial establishment | Location and address | Name owner |
|---------------------------------|--|---|-------------------------|---------------|
| 1 | 2 | 3 | 4 | 5 |

| Name of the Partner (s) with address | Name of the Manager with address | Name of business | Date of of business |
|--|-------------------------------------|------------------|------------------------|
| 6 | 7 | 8 | 9 |

| Name of member (s) of employer's/Owner's family who are not employed within the meaning of section 2 (6) | | | No. of other persons occupying managerial, confidential or supervisory positions within The meaning of section 3(1)(a) |
|--|--------|--------------|---|
| Male | Female | Young person | |
| 10 | 11 | 12 | 13 |

| Total Number of employees | | | Date of renewal | Details of fee Treasury Indian Postal Order (Crossed) / Bank Draft (Crossed) Amount No. and date. | Date or inspection | ress |
|---------------------------|--------|---------------|-----------------|---|--------------------|------|
| Male | Female | young Persons | | | | |
| 14 | 15 | 16 | 17 | 18 | 19 | |

FORM "L"

[See 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 manger, if any, including his father's husband's name and his/her residential address.
5. Name of the partner(s), if any, and the residential address of each (if a partnership concern).
6. Nature of business.
7. Date of commencement of business.
8. Names of members of owner's family employed in the shop/commercial establishment.

| No. | Relationship |
|-----|--------------|
| | |

9. Names of employees:

(1) managerial, confidential and supervisory capacity.

(2) other (category wise)

10. Total number of employees.

No.

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 | Amount paid by way of | | |
|---|---|-----------------------|--|--|
|---|---|-----------------------|--|--|

| | (crossed) No.- Date_____ | 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.

FORM "M"

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

[Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Application registration 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 be given above, has been registered under the U.P.Dookan Aur Vanijya Adhishthan ,1962 this day.....20.....

*Signature of the Chief Inspector of
And Commercial Establishments,
Uttar Pradesh*

Renewals

| Date of renewals | From | To | Signature of the Chief Inspector of shops and Commercial Establishments, U.P. with sea |
|------------------|------|----|--|
| 1 | 2 | 3 | 4 |

- 1.
- 2.

FORM "N"

[See Rule 2-A(6)]

[Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963)

Notice of Change

Name of the shop/commercial establishment already registered.

Name of the owner.

Registration Certificate Number.

Address.

Dated this.....day of.....20.....

To,

The Chief Inspector,
Shops and commercial Establishments,

Sir,

Notice is hereby given that the following change has taken place in respect of information 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

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

FORM "O"

[See 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

THE CHIEF INSPECTOR,

SHOPS AND COMMERCIAL ESTABLISHMENTS,

Sir,

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

NOTIFICATIONS

Section 1(2)

English translation of Shram Anubhag-3, Noti. No. 3921 (V) 36-3-714 (5)- 76, dated October 15, 1976, published in U.P. Gazette, Extra., dated 15th October, 1976, P.1

In exercise of the powers under subsection (2) of Section I of the Uttar Pradesh Dookan Aur Vanijya Adhishthan (sanshodhan) Adhyadesh, 1976 (U.P. Ordinand No. 24 of 1976), the Governor is pleased to appoint October 15, 1976, as the No. 24 of 1976), the Governor is pleased to appoint October 15, 1976, as the on which the said ordinance shall come into force in the whole of Uttar Pradesh.

Section 1 (3)

I

Shram Vibhag, Noti. No. 262 (LL)/XXXVI (D)-47 (LL)-62, dated February 20, 1976 Published in U.P. Gazette, Part I, dated 6th March, 1965, Page 543

In exercise of the powers conferred by subsection (3) of Section I of Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinium, 1962 (U.P. Act No. XXV/1962), the Governor of Uttar Pradesh is pleased to direct that the provision of sec 5 of the said Adhinium shall with effect from the date of this notification apply all shops and commercial establishments in Amroha (Moradabad).

II

English translation of Shram vibhag, Noti. No 960 (A)/XXXVI-(D)- 360 (A)-6 dated September 9, 1971, published in U.P. Gazette, Part I, dated 18th September, 1971, P. 5576

In exercise of the powers conferred under subsection (3) of section 1 of Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhinium, 1962 (U.P. Act No. XX of 1962), the Governor is pleased to direct that provisions of sections 5 and the said Adhinium shall apply, with effect from the date of this notification, to shops and commercial establishments situated in the municipal area of Tehri-Giwal.

III

English translation of Shram Vibhag, Aunbhag-3, Noti No. 680 (V)/ XXXVI-3-701 (V)-72, dated April 26, 1978, published in U.P.

Gazette, Part I, dated 13th May, 1978, p. 1049.

Town area Hydergarh.- In exercise of the powers under subsection (3) 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 notification in the Gazette, apply to all shops and commercial establishments in the Town area of Hydergarh, district Bara Banki.

IV

*English translation of Shram Vibhag, Aunbhag-3, Noti. No. 8336-3-81,
dated February 20, 1981, published in U.P. Gazette, Extra.,
dated 20th February, 1981, p. 2.*

Ayodhya, Faizabad.- In exercise of the powers under subsection (3) of section I of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P.) No. XXVI of 1962), the Governor is pleased to direct that all the provisions said Adhiniyam shall, with effect from the date of publication of this notification in are Gazette, apply to all shops and commercial establishments situate in the Nagaralike area of Ayodya, District Faizabad.

V

*English translation of Shram Vibhag, Aunbhag-3, Noti. No. 936/XXXVI-12
(s)-85, dated March 7, 1992, published in U.P. Gazette, Extra.,
part 4, section (kha), dated 7th March, 1992, P. 2*

In exercise of the powers under subsection (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 situated within the limits of Nagar Palika Mahrajanj in district Mahrajanj.

VIII

English translation of Shram Aunbhag-3, Noti No. 3052/XXXVI- 3-2004, dated December 24, 2004, published in the U.P. Gazette, Extra., part 4, section (kha), dated 24th December, 2004, P. 2 [AP 818]

In exercise of the powers under subsection (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 copy and commercial establishments situated in the "Greater Noida Area."

Section 3 (3)

1

Notification No. 6007 (LL)(1/XXXVI(D)- 556(LL)/63, November 27, 1962

Kartiki Purnima.- In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 U.P. Act No. XXVI of 1926), the Governor of Uttar Pradesh is pleased to exempt. In Public interest, all shops and commercial establishments situated in the Municipal areas of Gorakhpur, Farrukhabad, Fatehgarh, Kannauj, Faizabad, Jaunpur, bal Golagokarnath and Gaura Barahaj from the operation of the provisions of clause of subsection (1) of section 8 and clause (i) of section 9 of the said Adhiniyam respect of Kartiki Purmamashi every year subject to the condition that the employer shall in lieu of that public holiday, observe another close day holiday on some on day in the same week as may be fixed by the district Magistrate concerned and allow a full day's holiday to their employees on that day.

II

Exemptions relating to religious places

Notification No. 381 (LL)/XXXVI-B-431 (LL)/1963, March 5, 1963

Holiday on Basant Panchani at Hardwar.- In exercise of the powers confess by subsection (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 pleased to exempt, in public interest, all shops and commercial establishment situated within the Municipality of Hardwar from the operation of clause (a) of section (1) of Section 8 and clause (ii) of section 9 of the said Adhiniyam in rest of the week in which Basant panchami is celebrated subject to the condition employers shall, in lieu of the normal close day, observe close day and allow bold on Basant Panchami day every year.

III

General Exemptions

Notification No. 350 (LL)/XXXVI-B-470 (LL)/1958, March 25, 1963

silk-weaving concerns of Varanasi.- In exercise of the power under 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 pleased to exempt, in public interest, all shops and commercial establishment carrying on the business of silk-weaving within the municipal and cantonment all of Varanasi from the operation of clause (a) of subsection (1) of section 8 clause (ii) of Section 9 of the said Act subject to the condition that, in every calendar year, the employer shall keep the shop or commercial establishment closed and all holidays to the employees on thirty-three days as specified in the Schedule be and on nineteen other days of his choice and prior intimation of every such days choice shall be sent to the Inspector concerned.

SCHEDULE

List of days on which the Weavers In Silk Industry shall close their looms.

| | | | |
|-----|-------------------------------------|------|--------|
| 1- | Makar Sankranti | .... | 1 day |
| 2- | Death Anniversary of Mahatma Gandhi | .... | 1 day |
| 3- | Holi | .... | 1 day |
| 4- | Shabe Meraj | .... | 1 day |
| 5- | Shabe Barat | .... | 2 days |
| 6- | Ghazi Mian Fair | .... | 2 |
| | days | | |
| 7- | Jumatual Vida | .... | 1 day |
| 8- | ID-UL-Fiter | .... | 1 day |
| 9- | Urs Shah Tayyab | .... | 1 day |
| 10- | Nag Punchami | .... | 1 day |
| 11- | Republic Day | .... | 1 day |
| 12- | Tij | .... | 3 |
| | days | | |
| 13- | Id-uz-Zaha | .... | 1 day |
| 14- | Birthday of Mahatma Gandhi | .... | 1 day |

| | | | |
|-----|------------------------------|-------|---------|
| 15- | Dashehra | .... | 2 |
| | days | | |
| 16- | Moharram | .... | 2 |
| | days | | |
| 17- | Tij | .... | 1 day |
| 18- | Dewali | .... | 1 day |
| 19- | Juma Barna | .... | 1 day |
| 20- | Birth of Gurunanak | .... | 1 day |
| 21- | Last Wednesday | .... | 2 ays |
| 22- | Yome Wafat and Milad-ul-nabi | .... |  |
| | 2days | | |
| 23- | Gyarhavin Sharif | .... | 1 day |
| | | Total | 31 days |

IV

Notification No. 347 (LL) (i) /XXXVI (B)-67 (LL)/1962

April 11, 1963

Salt and Chemical Establishment of Saharanpur - In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhistan Adhinium, 1962 (U.P) Act. No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, the commercial establishments given the Schedule from the operation of the provisions of Section 8 and 9 of the said adhinium subject to the following conditions-

- (i) the above exception shall apply only in relation to the manufacturing process and to the employees employed therein and to on other process or employees;
- (ii) the employees who are required to work on a public holiday prescribed under subsection (1) of Section 8 of the Adhinium shall be given holidays in lieu thereof within a week of the public holiday and intimation shall be sent to the Inspection concerned at least 24 hours in advance before taking work on a public holiday;
- (iii) for the work taken on a day which would have been a holiday but for this exemption the employees shall be paid at twice the ordinary rate.

SCHEDULE

1-Messrs Sharanpur Glass and Chemical Works, Nawabganj, Sharanpur.

2-Messrs Subhas Salt Refinery, Purani Mandi, Saharanpur.

3-Messrs. Vijay Glass and Chemical Works, Ambala Road, Saharanpur.

4-Messrs. Bhagwati Silicate and Chemical Works, Dehra Dun Road, Saharanpur.

V

Notification No.2495 (LL)/XXXVI-B-220(LL)/1963

May 10, 1963

Establishment using power for manufacturing : In exercise of the powers inferred by subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya adhishtan Adhiniyam, 1962(U.P.Act No. XXXVI of 1962), the governor of Uttar Pradesh is pleased to exempt all those commercial establishments in any part of which a manufacturing process is being carried on with the aid of the power from the operation of the provisions of Section 5 of the said Adhiniyam, read with Rule 3 of the U.P. :Dookan Aur Vanijya Adhishtan Jiyamavali, 1963, for so long restrictions on the supply of electric current are in force.

VI

Notification No. 2288 (LL) /XXXVI-B-67 (LL)/1962

May 12, 1963

Salt and Chemical Establishment of Saharanpur - In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhisthan Adhinium, 1962 (U.P) Act. No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, the commercial establishments given the Schedule from the operation of the provisions of Section 8 and 9 of the said adhinium subject to the following conditions-

- (i) the above exception shall apply only in relation to the manufacturing process and to the employees employed therein and to on other process or employees;
- (ii) the employees who are required to work on a public holiday prescribed under subsection (1) of Section 8 of the Adhinium shall be given holidays in lieu thereof within a week of the public holiday and intimation shall be sent to the Inspection concerned at least 24 hours in advance before taking work on a public holiday;

- (iii) for the work taken on a day which would have been a holiday but for this exemption the employees shall be paid at twice the ordinary rate.

VII

Notification No. 1403 (LL) /XXXVI-E-467 (LL)/62

May 23, 1963

Exemptions to shops dealing in furnishing, crockery, utensils, etc. on hire. - In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhistan, 1962 (U.P) Act. No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, all the commercial establishments situated in Uttar Pradesh exclusively or man dealing in the business of supplying furnishing (which include furniture, shamiya and tents) crockery and utensils on hire required for marriage and other ceremony occasions from the operation of subsection (1) of Section 5 and subsection (1) 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 afore said articles on ceremonial occasions shall be allowed.
- (ii) The employees who are required to work beyond the prescribed hours work shall be paid wages at twice the ordinary rate for every hour of overtime work.
- (iii) If any employee is required to work on a close day or a public holidays whether for the whole day or part thereof, he shall be given a full holidays in lieu thereof within a week following such day.

VIII

Notification No. 2607 (LL) /XXXVI-(B)-282 (LL)/1963

May 23, 1963

Offices of Life Insurance Corporation of India: In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhistan, 1962 (U.P)

Act. No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt the Messrs. Life Insurance Corporation of India situated in U.P. from the operation of the provisions of Section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhistan Niyamavali, 1963, for Saturdays falling during the period from May 1 to July 15 each year subject to the condition that the working hours of the offices of the Corporation on these days shall be from 7.045 a.m. to 11.15 a.m.

IX

Notification No. 3619 (LL)/XXXVI(B)-325(LL)/63

May 30, 1963

Establishment of Nainital and Missouri : In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhistan, 1962 (U.P) Act. No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, all shops and commercial establishments situated within the Municipal and Cantonment areas of Nainital and Missouri and provisions of Section 5 of the Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhistan Niyamavali, 1963, for the period from April 1 to October 31 each year subject to condition that the hours of business during the period shall be from 8 a.m. to 10 p.m. Each day.

X

Shram Vibhag Noti. No. 3831 (LL)/XXXIV-B-314-(LL)-63, dated June 19, 1963, published in U.P. Gazette Part 1, dated 22nd June, 1963, p.1185

Textbooks and stationery.- In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhistan, 1962 (U.P) Act. No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, all shops and commercial establishments which deal textbooks and/or stationery from operation of the provisions of Section 5 and 8 the said Act read with Rule 3 of the U.P. Dookan Aur Vanijya Adhistan Niyamavali, 1963, for the months of July and August, each year subject to the condition that they shall not open before 8 a.m. or keep them open after 10 p.m.

XI

Notification No. 2380 (LL)/XXXVI(B)-508(LL)/1962

June 22, 1963

Weigh Bridges.- In exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh, Dookan Aur Vanijya Adhistan, 1962 (U.P) Act. No. XXVI of 1962), the

Governor of Uttar Pradesh is pleased to exempt, in public interest, all Weigh Bridges situated in Uttar Pradesh from the operation of the provisions of subsection (1) of Section 5, Section 8 and clause (i) of Section 9 of the said Adhiniyam, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Nihamavali, 1963, subject to the conditions that-

- (i) the overtime work taken from the employees shall be paid at double the rate of normal remuneration calculated by the hour; and
- (ii) the employees who are required to work on any public holiday prescribed under clause (b) of subsection 8 of the Adhiniyam, shall be given leave in lieu thereof within a fortnight of such holiday and an intimation thereof shall be to the Inspector concerned at least 24 hours in advance, before taking such work on a public holiday.

XII

Exemptions concerning certain specified Trades U.P.

Notification No. 2553(LL)/XXXVI-B-272(LL)/1963

July 15, 1963

Petroleum Storage Depots.- In exercise of the powers conferred by subsection (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, the Petroleum Storage Depots owned by Messrs. Establishments Standard Eastern Inc. Messrs Caltex (India) Ltd. and Burmah Shell in the vernier towns of U.P. from the provisions of Sections 5 and 8 of the said Adhinium, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963,

XIII

Notification No. 3970 (LL)/XXXVI(B)-285(LL)/63

July 24, 1963

Fuel shops.- In exercise of the powers conferred by subsection (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 shops and commercial establishments in Uttar Pradesh dealing in fuel wood and/or coal from the

operation of the provisions of Section 5 of the said Adhiniyam read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they observe business hours from 8 a.m. to 10 p.m. each.

XIV

Notification No. 427(LL)/XXXVI-B-351(LL)/96 August 5, 1963

Pickles, Achars & Morabbas.- Shops dealing in Pickles, Achars and Morabbles are exempted from Sections 5 and 8 as they are covered under Item 1 of Schedule II.

XV

Notification No. 4922(LL)/XXXVI-(D)-283 (LL)/63 September 17, 1963

Shorthand and Type writing Institutes.- In exercise of the powers under subsection (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 all Institutes imparting training in Type writing and/or shorthand in Uttar Pradesh from the provisions of subsection (1) of section 5 of the said Adhiniyam read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavli, 1963,

XVI

Notification No. 3809 (LL)(i)/XXXVI-B-203 (LL)/1963 September 23, 1963

Laundries.- In exercise of the powers under subsection (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 laundries and washing companies situated in U.P.-

- (i) From the operation of the said provisions of subsection (1) of section 5 of the said Adhiniyam read with rule 3 of the Uttar Pradesh Dookan aur Vanijya Adhishthan Niyamavli, 1963 subject to the condition that they are not opened before 8 a.m. and are not kept open after 8 p.m. on any day throughout the year;
- (ii) From the operation of the provisions of clause (a) of subsection (1) of section 8 of the said Adhiniyam for a period of four months, i.e. from July 1 to October 31, each year.

XVII

*Shram vibhag Noti No.5218 (LL)/XXXVI (D) - 221 (LL) - 62 dated
September 25, 1963, published in U.P. Gazette, part 1,
dated 5th October, 1963, p. 1857*

Mainpuri tobacco shops.-In exercise of the powers conferred by subsection (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 the exempt, in public interest, all the shops exclusively dealing in Mainpuri Tobacco in U.P. from the operation of the provisions of subsection (1) of Section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, and subsection (1) of Section 8 and sub-clause (1) of Section 9 of the said Adhiniyam subject to the following conditions-

- (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 this 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 employee to a whole day leave.

XVIII

*Notification No. 5310(LL)(i)/XXXVI(D)-522 (LL)/63
September 30, 1963*

Further exemption under Section 9 (i)- In exercise of the powers conferred by subsection (3) of Section 3 of the U.P.Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is pleased to order, in public interest, that all shops and commercial establishments, which have been exempted from the provisions of Sections 5 and 8 of the said Adhiniyam, are exempted from the provisions of clause (i) of Section 9 of the said Adhiniyam subject to the condition that every employee, not being a watchman or caretaker, who is required to work on a close day, which is a public holiday, shall be allowed a holiday, of one whole day within ten day following the day of such public holiday.

XIX

Notification No. U.O.822(LL)(i)/XXXVI(D)-October 11, 1963

Coal Depots dealing in soft/hard coke and Steam coal-In exercise of the powers under subsection (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 Coal Depots dealing in soft/hard coke and steam coal for domestic consumption in Uttar Pradesh from the operation of the provisions of Section 5 of the said Adhiniyam read with Rule 3 of the U.P.Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that the hours of business of the said depots shall be as below:-

- | | |
|----------------------------|----------------------------|
| (1) During the period from | Morning 8 a.m. to 12 Noon. |
| midnight of September | Evening 2 p.m. to 6 p.m. |
| 14 to midnight of March | |
| 14 in the next year. | |
| (2) During the period from | Morning 7 a.m. to 11 a.m. |
| Midnight of March 14 to | Evening 3 p.m. to 7 p.m. |
| Midnight of September 14. | |

XX

Notification No.5010(LL)/XXXVI(D)-462(LL)/1963

October 17, 1963

Leather raw material shops of Molviganj, Lucknow-In exercise of the powers under subsection (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 shops and commercial establishments dealing exclusively in the business of leather raw material and situated in the leather Mandi of Molviganj, Lucknow, from the operation of the provisions of subsection (i) of Section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they may open earlier but not before 7 a.m.

XXI

Notification No.5146(LL)/XXXVI-D-320(LL)/1963

October 29, 1963

Dressing of bristles in U.P.- In exercise of the powers under subsection (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 shops and commercial establishments engaged in the dressing of bristles in Uttar Pradesh from the operation of the provisions of subsection (i) of Section 5 of the said Adhiniyam read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan than Niyamavali, 1963 to the extent that the employers of such shops and commercial establishment may open them earlier but not before 8 a.m.

XXII

Notification No.5261(LL)(i)/XXXVI(D)-343(LL)/1963

November 5, 1961

Shops for storing and sale of hand loom Daris.- In exercise of the powers under subsection (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 shops and commercial establishments engaged in the dressing of bristles in Uttar Pradesh from the operation of the provisions of subsection (i) of Section 5 of the said Adhiniyam read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan than Niyamavali, 1963 to the extent that the employers of such shops and commercial establishment may open them earlier but not before 6 a.m.

XXIII

Notification No.4388(LL)(i)/XXXVI(D)-345(LL)/1963

November 6, 1963

Loading and unloading firms.- In exercise of the powers under subsection (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 shops and commercial establishments situated in U.P. from the operation of the provisions of subsection (1) of Section, 5 read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan than Niyamavali, 1963 and subsection (1) of Section 8 of the said Adhiniyam subject to the following conditions:-

- (1)The exemption shall be for the purpose of loading and unloading of Railway wagons only.

(2) Employees required to work on a close day, whether for the whole day or part, shall get a full day's holiday in lieu thereof within a week following such day.

(3) Notice containing the names of employees required for work, the particular day on which they are required and the compensatory holidays proposed shall be pasted on the premises of the shops or commercial establishment at a conspicuous place before work is under taken on such day.

XXIV

Notification No. 4768(LL)(i)/XXXVI (D)- 311(LL)/1963

November 8, 1963

Raw hide and skin establishments. - In exercise of the powers conferred by subsection (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 shops and commercial establishment dealing in raw hide and skin in Uttar pradesh from the operation of the provisions of subsection (1) of Section 5 of the said Adhiniyam, read with Rule 3 of the Uttar pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to condition that the employers of the said shops and commercial establishments may open earlier than the prescribed hour, but not before 8 a.m.

XXV

Notification No. 4768(LL)(i)/XXXVI (D)- 303(LL)/1963

November 29, 1963

Establishment doing journalistic work In exercise of the powers under subsection (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 in Uttar pradesh doing journalistic work from the operation of the provisions of clause (a) of subsection (1) of Section 8 and subsection (1) of section 5 of the said Act, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavli, 1963.

XXVI

Notification No. 574(LL)(i)/XXXVI (D)- 603(LL)-62⁷²

November 24, 1966

Exemption from close- day or public holiday falling on festival.- In exercise of the powers under subsection (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 establishment mentioned in the Schedule below from the operation of the various provisions of the said Adhiniyam subject to the conditions section therein:

SCHEDULE

| Sl. No | Name of the shop or Section of the Adhiniyam | Conditions subject to which exemptions are granted |
|--------|---|--|
| 1 | 2 | 3 |
| 1. | All shops and commercial establishment in U.P. in respect of watchmen and caretakers employed by them. | |
| 2. | All shops and commercial in Aligarh which come under the categories of Groups A and B and 'Off Peak or night consumers' under the aligarh Town Electricity Control Order, | 5(1), read with Rule 3 of the U.P. Dookan aur Vanijya Adhishthan Niyamavali, 1963. |

The periods of works and interval of rest of an employee do not spread over more than 12 hours in one day.

So long as the Aligarh Town Electricity Control Order, 1948 remains in force in Aligarh.

(1) Not more than one employee in each bookstall 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.

(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

72. This notification cover certain exemptions, besides those related those related to close-days or holidays, regarding Hill stations, Banks and Life Insurance Corporations, furnishing and crockery, religious places and specific trades and shops and commercial establishments also

1948.

3. Bookstalls at Railway 3(1) (a)
Stations in Uttar Pradesh

owned by Messrs. A.H.
Wheeler Co.

4. All factories in Uttar
Pradesh

Section 5(1),
read with
Rule 3 of
the Uttar Pradesh
Dookan Aur
Vanijya

Adhistan
Niyamavli, 1963,
Section 8(1)(b)
and 9(1).

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 by 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.

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 outstation from their headquarters.

Section 5 (1), read with Rule 3 of the Niyamavali , 6 (1) (c) and 7.

6. All the electric concerns in Uttar Pradesh

Section

(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.

(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 subsection (8) of Section 6 shall be paid wages at twice the ordinary rate for every hour of such overtime work.

(1) The employees shall be allowed two days holidays in the course of each period of 14 days of employment.

Total hours of work put in by a driver during a period of 4 weeks shall be at 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 subsection (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 220 hours in the aggregate in any year.

(5) Where a worker is deprived of a holiday for which provisions is made in Section 9 (i) he shall be

7. Temporary exhibitions and/or fairs

Form all sections of the Adhiniyam.

8. All the Waterworks maintained by private companies in Uttar Pradesh.8.

Section 5(1), read with Rule 3 of the Niyamavali, 6(1)(c), 8(1) (a) and 9 (ii).

(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 Adhinyam 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 hour in any quarter.

Nil

9. The Electric supply companies in Uttar Pradesh in respect of their subsection attendants, and persons attending to complaints on breakdowns in the main services and street lights.

Section 7

10. All Such shops and commercial establishments as allow their watchmen or caretakers a weekly

Proviso to
subsection (1) of
Section 10

Every such watchmen or caretaker shall be given the benefit of 15 days ordinary leave provided for in subsection (1) of section 10 of the Adhiniyam.

Section 8(1)(a)
and 9 (ii)

Nil

12. All shops and commercial establishments in U.P. in regard to the close-day if it falls on Dashehra or Holi Festival.

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 establishments in Uttar Pradesh for three days from the day of Dhanteras to Diwali and for days preceding the Id festival.

(1) They may open before 10 a.m. but not before 8 a.m. 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 at twice the ordinary rate for every hour of such overtime work, and

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14. All the branches of State
Bank of India in
Uttar Pradesh

Section 8(1) (a)

Section 5(1), read with
Rule 3 of the Niyamavali,
and 8 (1)(a)

(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 Id/Diwali festival (as is fixed by the District Magistrate concerned) ⁷³ and also allow a full day's leave to their employees on that day. ⁷⁴ [(4) In the event of a public holidays as prescribed under clause (b) of Section 8 or mentioned in clause (i) of Section 9 falling within three days preceding, Dewali or

73. *Inserted vide Noti.. No. 2607 (A)/XXXVI (D)-630 (LL), dated 25th November. 1969.*

74. *Inserted vide Noti.. No. 3442 (X)/XXXVI 1-5-769 (V)-72, dated November 4. 1972.*

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three days preceding Id festival, the shops and commercial establishments in lieu of the said public holiday, may observe an additional close-day as may be fixed by the District Magistrate concerned in this

a period of 15 days of the day on which the public holiday in question ordinarily have been observed.]

Provisions of the U.P. Shops & Commercial Establishment Act, 1962 shall not apply vide Noti. No. 2053/36-3-708 (s)/26, dt. 23-5-1985.

15. All establishments of Ferozabad which operate Pakki Bhatties (Firing furnace) for brightening and painting of glass bangles. Section 8(1) (a)
16. All shops and commercial establishments which have been performing religious and other ceremonies for celebrating the functions of opening of new Bahi Khatas, on the days in which such ceremonies are usually performed if such days fall on a close day or on a public

Nil

- (1) The shops and Commercial Establishments opening on the close day or public holiday within the same week or in the following week as is approved by the District Magistrate Concerned.
- (2) The employers 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.

holiday prescribed under
the Adhiniyam.

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(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 help 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 subsection (1) of Section 6 of the Adhiniyam by the employer at twice the ordinary rate for every hour of such overtime work.

- (1) The employees from whom work is taken on the close day and which is also their weekly holiday shall be
allowed another weekly

18. The shops and commercial establishment of stamp venders situate in towns in U.P. where the Act in force.

(2) The employees made to work on any public holidays prescribed under Section 8 (1) (b) of the Adhinyam, 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 establishment at Taj Mahal, Agra, the archeological area, daula, Agra, dealing in the following articles.

Section 5(1), read with Rule 3 of the Niyamavli, 8 (1) and 9(i).

A- Taj Mahal compartments

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.

(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.

B- Agra Fort, 1st floor west of Machchi Bhawan:

(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 prudish. teddy 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, paper machine, imitation fruits

and small toys of Lucknow pattern (but no dolls.)

- (5) Brassware, including jewellery made of brass as basic material but excluding jewellery made of chemical gold, rolled gold or any other material.

C- Agra Fort, portion of verandah adjoining the south gateway of the Diwan-i-Am quadrangle.

Tea, coffee, aerated water, sharbat, biscuits and cakes.

D- Itimad-ud-Dauld, sideways at the entrance gateway.

(1) Photos, picture-postcards, albums of views, films, guide books and brassware.

(2) Marble, alabster and soapstone articles.

E- Shops in Tajganj area situated outside the Taj Mahal compartments below Saheli Burj at the southwest end of outer forecourt which mainly deal in handicraft, jewellery, marble goods, embroidery, and photo exclusively for the tourists.

20. Shops and commercial establishments carrying on the business, of Gur-Khandsari manufactured in U.P.

Section 8(1) (a)

Nil.

Section 8(1) (a)

Nil.

21. All shops of authorised retail distributors of Government food grains and controlled sugar in U.P.

22. The banks situated in U.P. for two days preceding the day of closing and annual accounts in June and December e

Section 5(1), read with Rule 3 of the Niyamavali, 6 (1) (C), 8 (1)(a) and 9

(1) The employee 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 subsection

23. All hotels, restaurants and shops and commercial establishments of Haldwani situated in Municipal and Cantonment areas of Naini Tal and Missouri for the months of May, June, September and October every year.

Section 6(1)
(C) and 9(ii)

(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 therefore.

(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 subsection (1) of Section 6 of the Adhinyam 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 Adhinyam.

24. All shops and commercial establishment in U.P. if weekly close-day falls on Republic Day on January 26, or Independence Day on August 15.

Section 8(1)
(a) and 9(ii)

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)

26. Allm shops and commercial establishments of section 8 (1) and 9(1) glass, silicate and halt refineries U.P.

Section 8(1)
and 9 (1)

27. All the Cane Cooperative Societies in U.P. Which are registered under Cooperative Societies Act, 1912 for the period of Concerning 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.

In lieu of that day, the employer shall close his 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.

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.

(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 the Adhiniyam, 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 subsection 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.

(1) Payment of wages for overtime work in excess of the hours fixed under clause (c) of subsection (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) 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

28. Messrs. Imperial Tobacco Co. of India Ltd., Kanpur Branch, Kanpur
29. The brick-kilns and lime-kilns which are situated in the Municipal and Cantt. 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.
30. All shops and commercial establishments situated in Pratap pura locality of Agra and dealing in marble goods and jewellery for the period from November to March each year.
31. 31. Establishment of India Air Lines Corporation in U.P.

the course of each period of 14 days.

No employee shall be required by the employer to work before 7.15 a.m., and after 1.15p.m. without any interval for first or meals in between during the above period.

Public holidays on which an employee is required to work shall be paid at a rate not less than double the rate of his normal remuneration calculated by the hour.

(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.

(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 subsection (1) of Section 6 of the Adhiniyam by the employer at twice the ordinary rate for every hour of such overtime work.

(2) (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. The employers shall in lieu of such holiday observe close holidays on the day following such holiday to their employees on that day.

32. All shops and commercial establishments situated in the Municipal area of Chitrakut Dham excluding the area formerly comprising the Town Area of Chitrakut on Ram Naumi and every Amavasya every year.

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 subsection (1) of Section 6 of the Adhinyam by the employer at twice the ordinary rate for every hour of such overtime work.

(3) (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.

The employers shall in lieu of such holiday observe close holidays on the day following such holiday to their employees on that day.

33. All shops and commercial establishments situated in the Municipal area of Chitrakut Dham excluding the area formerly comprising the Town Area of Chitrakut on Ram Naumi and every Amavasya every year.

| 1 | 2 | 3 | 4 |
|---|---|-----------------------------|---|
| 33. All cycle stands situated on the of Railway Road, Bazaria area, Gaziabad. | | Section 8 (1) and 9(i) | When an employee is deprived 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 establishment of - (i) Messrs. Ganeshi Lal & Sons. (ii) Messrs. Munshi Lal & Sons. (iii) Messrs. Munshi | | Sections 8 (i) and 9 (i) | |

| | | |
|--|------------------------------|---|
| <p>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.</p> | <p>Section 6 (1) (e)</p> | <p>(1) Every employee shall be allowed one full day's holidays 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.</p> |
| <p>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.</p> | <p>Section 8 (1) (a)</p> | <p>(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 subsection (1) of ordinary rate for every hour of such overtime work.</p> <p style="text-align: right;">Nil</p> |
| <p>37. All shops and commercial establishments engaged in the work of hand loom weaving in the State.</p> | <p>Section 8 (1) (a)</p> | |
| <p>38. All shops and commercial establishments in the Municipal area, Kannaun, which are engaged in the extraction of Sandal Oil (Chandan).</p> | <p>Section 8 (1) (a)</p> | <p style="text-align: right;">Nil</p> |
| <p>39. All shops and commercial</p> | <p>Section 8</p> | |

Nil

Any employee of shops and commercial establishment 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 Labour Inspector.

- (1) Shivratri Mela (Form Phalgun Badi 10 to phalgun sudi 2)- 8 days.
- (2) Chaitra Mela (from Chaita 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.

The employers shall in lieu of that close-day observe another close-days on the next day and also allow a full day's

holiday to their employees on that day.

Section 8
(1) and
9 (i)

(1) Every employee shall be allowed one full day's holiday in a week by rotation.

Sections
12, 14
and 39
Section
6(1) (c)
and 14

(2) Every employee who is required to work on a public holiday shall be given compensatory holidays, within the same week in lieu of the holiday so lost.

Nil.

(1) The overtime work taken by the employers from their employees shall not exceed 200 hours in the aggregate in any year.

(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 every hours
of such overtime work.

43. All shops and commercial establishments of Sri Gandhi Ashram throughout the State of U.P.

**Section
14 and
39**

Nil

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 price 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.

Section 5
(1), read
with Rule
3 of the
Niyamava
li and 8
(1)

Nil.

XXVII

*Shram vibhag, Noti. No. 5629 (LL) (i)/XXXVI(D)-51 (LL)-63
dated November 23, 1963, published in U.P. Gazette,
Part I, dated 30th November, 1963, p. 2111*

Cotton Carding: In exercise of the powers under subsection (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 shops and commercial establishments in Uttar Pradesh dealing in Cotton Carding business from the operation of the provisions of subsection (1) of Section 8 and subsection (i) of section 5 of the said Adhiniyam, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, to the extent that the aforesaid shops and commercial establishments may open earlier than 10 a.m. But not before 7 a.m. During the period from midnight of September 30, to midnight of January 15, each year.

XXVIII

Notification No. 5569 (LL) (i)/XXXVI (D)-205 (LL)/1963

December 5, 1963

Gur wholesale firms: In exercise of the powers conferred by subsection (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 in Uttar Pradesh wherein wholesale business of Gur is carried on, from the operation of the provisions of subsection (i) of Section 5 of the said Adhiniyam, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to condition that the employers of such shops and commercial establishments may open earlier than the prescribed hour but not before 6 a.m.

XXIX

Shram Vibhag, Noti. No. 6007 (LL) (i)/XXXVI-D-556 (LL)-63,

dated November 27, 1963, published in U.P. Gazette,

Part I, dated 7th December, 1963, P. 2139

Kartiki Purnamashi: In exercise of the powers conferred by subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Government of Uttar Pradesh is pleased to exempt in public interest all shops and commercial establishments situated in the Municipal areas of Gorakhpur, Farrukhabad, Fatehgarh, Kannauj, Faizabad, Jaunpur, Ballia, Gola Gokarannath and Gaura-Barhaj from the operation of the provisions of clause (b) of subsection (i) of section 8 and clause (i) of section to the condition that the employers shall in lieu of that public holiday, observe another close day holiday on some other day in the same week as may be fixed by the district Magistrate concerned and also allow a full day's holiday to their employees on that day.

XXX

Shram Vibhag Noti. No.5627 (LL)/XXXVI- (D)- 303 (LL)-63,

dated November 29, 1963, Published in U.P. Gazette,

Part I, dated 7th December, 1963, P.2140

Journalistic work: in exercise of the power under subsection (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 in Uttar Pradesh doing Journalistic work from the operation of the provisions of clause (a) of subsection (I) of section 8 and subsection (I) of section 5 of the said Act, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963.

XXXI

Notification No. 5621 (LL) (i)/XXXVI-D-333 (LL)/1963,

December 18, 1963

Hand loom goods' establishments of Hapur.- In exercise of the powers under subsection (3) of section 3 of the U.P. 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 those shoes shops and commercial establishments situated in the Municipal area of Hapur and in the Municipal and cantonment areas of Meerut which exclusively deal in the wholesale business of hand loom goods from the operation of the provisions of subsection (1) of section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, for the period from August 15 to December 15 each year subject to the conditions that-

- (i) employers of such shops and commercial establishments may open earlier than the prescribed hour but not before 8 a.m. or after 9 p.m.
- (ii) overtime work taken in excess of 8 hours from the employees shall be paid at twice the ordinary rate for every hour of such overtime work.

XXXII

Shram Vibhag, Noti. No. 108 (LL) (i)/XXXVI (D)-674 (LL)-63,

dated February 18, 1964, published in U.P. Gazette,

Part I, dated 29th February, 1964, p. 217

Employees of Vactan Pan sugar Factories.- In suppression of Government Notification No. U.O. 899 (LL) (i)/XXXVI (D)- 674 (LL)-63, dated December 6, 1964, and in exercise of the powers conferred by subsection (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 subsection (1) of Section 5, Section 6, subsection (1) of section 8 and section 9 of the said Adhiniyam, subject to the following conditions:

- (1) An employee shall be allowed two day's 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 holiday for which provision is made in subsection (i) 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.

XXXIII

Notification No. U.O. 93 (LL) (i)/XXXVI (D),

March 2, 1964

Government Fair Price shops: In suppression of Government Notification No. U.O. 480 (LL)/XXXVI-B, Dated June 7, 1963 and in exercise of the powers conferred by subsection (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 Government fair price shops run by the Handling Agents (Retail) appointed by the District Magistrate/District Supply Officer-cum-Town Retaining Officer Regional Food Controller concerned in Uttar Pradesh from the operation of the provisions of Section 5 of the Adhiniyam read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that the hours of business of the said shops shall be from 7 a.m. to 7 p.m.

The Handling Agents (Retail) shall sell only those commodities which are allowed by the State Government.

XXXIV

Notification No. U.O. 93 (LL) (v)/XXXVI (D-556 (LL)/63,

April 27, 1964

Fairs and festivals: In suppression of Notification No. 6007 (LL) (iv)/ XXXVI (D)-556(LL)/63, dated November 27, 1963, and in exercise of the powers under subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhistan Niyamavali, 1962, (U.P. Act No. XXXVI of 1962), the Governor of Uttar Pradesh is pleased to exempt, in public interest, the shops or commercial establishment mentioned in the Schedule below from the operation of the various provisions of the said Adhiniyam every year subject to the conditions specified therein:

SCHEDULE

| Sl. No | Name of the shop or commercial establishment | Section of the Adhiniyam for which exemptions granted | Conditions subject which exemption is granted |
|--------|--|---|--|
| 1 | 2 | 3 | 4 |
| | All shops and commercial establishment situated in the municipal and cantonment areas of Mahura, on the following occasions: | Section 5 (1)(c), 6(1) and 9 | (1) The limit of overtime work taken from any employee shall not exceed 200 hours in the aggregate in any year. (2) The employees of the shops and commercial establishments who shall be required to work for more than 8 hours on any day, 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. |
| (i) | Mundia Puno Fair at Govardhan -six days (from Ashach Shukla 13 to Shrawan Krishna 3.) | | |
| (ii) | Shrawajn Jhoola-seventeen days (from Shrawan Shukla 9 to Bhadrapad Krrishna 10.) | | |

- (iii) Kartiki Mela-eighteen days
(from Kartiki Krishna 8 to
Kartiki Shukla 10.)

- 2. All shops and commercial establishments situated in Ayodhya (area of Faizabad Municipality to the east of Jalap Nala) on the following occasions:
 - (1) Shrawan Jhula Fair from Shrawan Sudi 1 to Bhadon Badi 5.
 - (2) Kartiki Mela from Kartiki Sudi 7 to Agahan Badi 3.
 - (3) Ram Naumi Mela from Chaitra Suci 6 to Chaitra Sudi 13.
- 3. All shops and commercial establishments situated in Hardwar on the following occasions:

Ditto

- (1) Ganga Dashehra from Jyeshth Shukla to jyeshth Shukla 15.
- (2) Beginning of the Shrawani month, Shrawani Ashnan and Purnamashi from Shrawan Krisha 1 to Shrawan Shukla 15.
4. All shops and commercial establishments in Brindaban on the following occasions:
 - (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.

XXXV

Notification No. 18 (LL)/XXXVI (D-282 (LL)/1963, July 5, 1964

Some offices of L.I.C. in U.P.- In exercise of the powers conferred by subsection (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 following offices of Life Insurance Corporation of India, situated in Uttar Pradesh, from the operation of the provisions of subsection (1) of Section 5 of the said Act, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that the above offices may open earlier than the prescribed hour but not before 7 a.m.

1. Zonal Office, Birhana Road, Kanpur.
2. Divisional Office, Birhana Road, Kanpur.
3. Divisional Office, Hazratganj, Lucknow.
4. Divisional Office, Gauriganj, Varanasi.
5. Divisional Office, Joori Mandi, Agra.
6. Divisional Office, Saket, Meerut.
7. Allahabad City Branch, 32 Mahatma Gandhi Road, Allahabad.
8. Oriental Wage Office, Hazratganj, Lucknow,

XXXVI

Notification No. 18 (LL)/XXXVI (D-432 (LL)/1963, September 14, 1964

Hand Printer commission agents of Farrukhabad.- In exercise of the powers conferred by subsection (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 of Hand Printer Commission Agents of Farrukhanbad from the operation of the provisions of subsection (1) of Section 5 of the said Adhiniyam, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, for the period from August 15 to November 15 each year.

XXXVII

Notification No. 2004 (LL)/XXXVI (D)-554(LL)/1963, September 17, 1964

Electrical goods.- In exercise of the powers conferred by subsection (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 electrical goods from the operation of the provisions of subsection (1) of Section 5 of the said Adhiniyam, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they may open earlier than 10 a.m. But not before 9 a.m. each day during the period from the midnight of September 14 to midnight of March 14, each year.

XXXVIII

Notification No. 2051(LL)(ii)/XXXVI (D) -255(LL)/1964, September 25, 1964

Establishment of barbers and hairdressers.- In exercise of the powers subsection (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 of barbers and hairdressers from the operation of the provisions of subsection (1) of Section 5 of the said Adhiniyam.

XXXIX

Notification No. 3117 (LL) (IV)/XXXVI (D)-6(LL)/1964, November 13, 1964

Substitute holiday for Kartiki Purnima.- In exercise of the powers conferred by subsection (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 situated in Municipal area of Hardwar from the operation of the provisions of clause (b) of subsection (1) of Section 8 and clause (i) of Section 9 of the said Adhiniyam in respect of Kartiki Purnamashi every year subject to the condition that the employers shall, in lieu of that public holiday, observe another close day holiday on some other day in the same week as may be fixed by District Magistrate, Saharanpur and also allow full day's holiday to their employees on that day.

XL

*Shram Vibhag, Noti. No. 613(LL) /XXXVI (D)-6 (DL)-65,
dated March 20, 1965, published in U.P. Gazette, Part I,
dated 22th March, 1965, p.670*

Holi.- In exercise of the powers conferred by subsection (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 in Uttar Pradesh from the operation of the provisions of subsection (1) of Section 5, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali for three day preceding Holi festival subject to the conditions that-

- (1) They may open before 10 a.m. but not before 8 a.m. 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 at twice the ordinary rate for every hour of such overtime work; and

- (3) They shall in lieu of a weekly close day falling during that said period of three days observe close day within a period of fifteen days after the Holi festival and also allow a full day's leave to their employees on that day.

XLI

Notification No. 2919(LL) (IV)/XXXVI -D-498(LL)/62, May21, 1965

Manufacturing establishments: In exercise of the powers conferred by subsection (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 all commercial establishments, which are engaged in manufacturing process, from the operation of the provisions of Section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, for the purposes of manufacturing work only.

XLII

Shram Vibhag. Noti.No. 62(LL) (IV)/XXXVI - (D) - 25(LL) -1963, dated June 5, 1965

Published in U.P. Gazette, Part I, dated 26th June, 1965, page 1567

Loading and unloading of Trucks: In exercise of the powers conferred by subsection (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 with effect from the date of publication of this notification in the Uttar Pradesh Gazette all shops and commercial establishments situated in Uttar Pradesh, from the operation of the provisions of subsection (1) of Section 5, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that the exemption shall be for the purpose of loading and unloading of trucks carrying only food grains, sugar, gur, khandsari, edible, Oils, ghee, Atta and Suji.

XLIII

Shram Vibhag. Noti.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 conferred by subsection (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 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 subsection (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 food grains, oilseeds, pulses, gur, khandsari, edible oils, ghee, atta and suji;
- (2) Employees required to work on a close day, weather 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 therefore shall be pasted on the premises of the shops and commercial establishments in 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.

XLIV

Notification No. 1039 (LL)/XXXVI (D)- 255 (LL)/1965, July 21, 1965

Shops of barbers and hairdressers of Nainital : In exercise of powers conferred by subsection (3) of Section 3 of the U.P. 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 of barbers and hairdressers at Nainital from the operation of the provisions of clause (a) of subsection (1) of section 8 of the said Adhiniyam for the period from April 1 to July 31 every year.

XLV

Notification No. 504 (LL)/XXXI(D)-44(LL)/1965, July 24, 1965

Wholesale of Khandsari: In exercise of the powers conferred by subsection (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 in Uttar Pradesh, wherein wholesale business of Khandsari is carried on and which are situated in a grain Mandi specified in this behalf by the District Magistrate, having jurisdiction over the area, from the operation of the provisions of subsection (1) of section 5 of the said Adhiniyam read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they may open earlier than the prescribed hour but not before 6 a.m.

XLVI

Notification No. 2635 (LL)/XXXVI(D)-255(LL)/1963, January 27, 1966

Shops of barbers and hairdressers of Missouri : In exercise of the powers conferred by subsection (3) of section (3) of section 3 of the U.P. 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 of barbers and hairdressers at Missouri from the operation of the provisions of clause (a) of subsection (1) of section 8 of the said Adhiniyam for the period from April 1 to July 31 every year.

XLVII

Notification No. 41 (LL)/XXXVI-D-359(LL)-64, May 20, 1966

Shops in Nayaghat Ayodhya : In exercise of the powers conferred by subsection (3) of section 3 of the U.P. 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 situated in of section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they may open before 10 a.m. but not before 7 a.m.

XLVIII

Notification No. 1903 (LL)/XXXVI(D)-192(LL)/1964, October 3, 1966

Hand loom cloth dealers of Bara Banki : In exercise of the powers under subsection (3) of Section 3 of the U.P. 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 of hand loom cloth dealers situated in the Municipal area of Bara Banki from the Operation of the provisions of subsection (1) of section 5 of the said Adhiniyam, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, for each Friday of the month subject to the condition that they may open earlier than the prescribed hour but not before 6 a.m. on that day.

XLIX

Notification No. 954(LL)/XXXVI-D-346(LL)/1965, October 19, 1966

Printing Presses of Chandausi. - In exercise of the powers conferred by subsection (3) of section 3 of the U.P. 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 printing presses situated in the Municipal Area of Chandausi, District Moradabad, from the operation of the provisions of subsection (1) of section 5 of the said Act, read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they may open before 10 a.m., but not before 8 a.m. and close not later than 6 p.m. on each day.

L

*English translation of Shram vibhag, Noti. No. 2174-(LL)/
XXXVI-D-340(LL)-1965
dated November 4, 1966 published in U.P. Gazette, Part I,
dated 12th November, 1966, p. 5632*

Kotdwar (Garhwal) : In exercise of the power conferred by subsection (3) of section 3 of the U.P. 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 in the Municipal area (1) of section 5 of the Adhiniyam read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963.

LI

Notification No. 853(LL)/XXXVI(D)-127(LL)/1967, May 24, 1967

Purchasing Agents appointed under Food grain procurement scheme : In exercise of the powers conferred by subsection (3) of section 3 of the U.P. Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor of Uttar Pradesh is please to exempt, in public interest, the establishments of purchasing Agents appointed under the U.P. Food grain procurement scheme from the operation of the provisions of section 5 (i), read with Rule 3 of the U.P. Dookan Aur Vanijya Adhishthan Niyamavali, 1963

and section 8(1) of the said Adhiniyam, subject to the condition that exemption granted shall be in respect of the work relating to the procurement of food grains only and for such period as the said scheme remaining in force.

LII

English translation of shram Vibhag, Noti. No. 1899(LL)/XXXVI (D)-478 (LL)- 63, dated November 24, 1967, published in U.P. Gazette, Part I, dated 9th December, 1967, p. 4771

Community canning-cum-Tuitional Classes Training centres: In exercise of the powers conferred by subsection (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 community canning-cum-Tuitional classes Training centres functioning in the state under the Directorate of Fruit Utilisation, Uttar Pradesh from the operation of the provisions of section 14, 15, 16, 20 and 39 of the said Adhiniyam.

LIII

Notification No. 2454 (LL)/XXXVI(D)-170(LL)/1966, April 15, 1968

Depots of Indian oil corporation Ltd. : In exercise of the powers conferred by subsection (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 Depots of the Indian Oil Corporation Ltd. in Uttar Pradesh, from the operation of the provisions of subsection (2) of section 10 of the said Adhiniyam subject to the condition that the said corporation shall allow to its employees the following leave:

- (1) **Earned Leave.**- 1/11 days of working on full average pay: accumulating Up to 180 days.
- (2) **Casual Leave.**- Twelve days.
- (3) **Medical Leave.**- Ten days on full average pay.

LIV

Notification No. 73(A)/XXXVI(D)-48(A)/1968, April 9, 1969

M/s. Jaymes Engineering Co. Kanpur: In exercise of the powers under sub- 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, Messrs. Jaymes Engineering Company, Kanpur, the rules made thereunder in respect of employees who have been in their employment prior of January 1, 1962, subject to the condition that such employees are provided leave facilities under the leave rules of the Company.

LV

Notification No. 1902/(A)/XXXVI(D)-510(A)/1967, November 5, 1969

Glass beads and miniature bulb establishments of Firozabad: in exercise of the powers conferred by subsection (3) of section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor this notification, in public interest, all establishments situated in the Municipal area of Firozabad (District Agra), manufacturing glass beads and miniature bulbs from the operation of clause (a) of subsection (1) of section 8 of the said Act.

LVI

*Notification No. 2056(LL)/XXXVI(D)-327(LL)/63, October 6, 1964
and 2244 (A)/XXXVI(D)-277A/1968, May 15, 1969*

Tailoring shops: In exercise of the powers conferred by subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor this notification, in public interest, all the shops and commercial establishments of tailors from the operation of the provisions of subsection (1) of Section 5, read with sub-rules (1) and (2) of Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, and Section 6 of the said Adhiniyam for the period from the first day of October to the last day of 31st March each year subject to the following conditions-

- (1) That they shall not open before 7 a.m. and shall keep open after 11 p.m. on any day, and
- (2) That they shall make payment of wages of wages in respect of overtime work to their employer on contract basis during the said period.

LVII

Notification No. 279(A)/XXXVI(D) -103(A)/1969, July 22, 1969

Hand loom cloth dealers of Sitapur : In exercise of the powers under subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor Uttar Pradesh is pleased to exempt, in public interest, all the shops and commercial establishment of Hand loom cloth dealers situated in the Dari Mandi, Sitapur, from the operation of the provisions of subsection (1) of Section 5, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, subject to the condition that they may open before the prescribed hour but not before 6 a.m.

LVIII

Notification No. 1824 (A)/XXXVI(D) - 81(A)/1968, October 29, 1969

Leave to employees of Raptakos Brett and Co., Kanpur : In exercise of the powers under subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor Uttar Pradesh is pleased to exempt, in public interest, Messrs. Raptakos Brett and Company Private Ltd. the Mall, Kanpur, from the operation of the provisions of subsection (1), (2), (3), (4) and (5) of Section 10 of the said Adhiniyam subject to the condition that the said commercial establishments shall allow to its employees in a year leave given hereunder:

Earned Leave.-Twenty- one days up to 5 years, service, 27 days 6 to 10 years' service, 30 days after 10 years' service, accumulating up to 90 days.

Sick Leave.-Seven days excluding Sunday and holidays accumulating up to 28 days.

Casual Leave.-Ten days.

LIX

Notification No. 2329 (A)/XXXVI(D) - 177(A)/1969, November 18, 1969

Gas establishments of Lucknow and Meerut : In exercise of the powers under subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor Uttar Pradesh is pleased to exempt, in public interest, Messrs. India Gas Service, Lucknow and Meerut Gas Service, Meerut, along with their depots, distributors and sub-distributors from the provisions of Section 5, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, and clause (a) of subsection (1) of Section 8 of the said Act Subject to the conditions-

- (i) That they shall not before 8 a.m. and keep open after 10 p.m. on any day,
- (ii) That they shall give one day's holiday to their employees every week.
- (iii) That this exemption will be only in respect of the Gas Service Division of the above establishments for rendering Gas Service to their consumers.

LX

Notification No. 10(A)/XXXVI(D) - 177(A)/1969, February 6, 1970

Gas establishment of Allahabad : In exercise of the powers under subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor Uttar Pradesh is pleased to exempt, in public interest, Messrs. Allahabad Gas Service, Allahabad, along with its depots, distributors and sub-distributors from the provisions of Section 5 read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963 and clause (a) of subsection 8 of the said Act subject to the conditions-

- (1) That they shall not before 8 a.m. and keep open after 10 p.m. on any day,
- (2) That they shall give one day's holiday to their employees every weekend
- (3) That this exemption will be only in respect of the Gas Service Division of the above establishments for rendering Gas Service to their consumers.

LXI

Notification No. 3079 (A)/XXXVI(D) - 340 (LL)/65, March 9, 1970

Shops and commercial establishment of Almora : In exercise of the powers under subsection (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 and commercial establishments situated within the Municipal and Cantonment areas of Almora from the operation of the provisions of subsection (1) of Section 5, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963, from the date of publication of this notification in the Gazette, subject to the condition that they may keep open in summer from 8 a.m. till 10 p.m. and in winter from 8 a.m. till 9 p.m.

LXII

Notification No. 308 (LL)/XXXVI(D) - 170(LL)/1966, April 22, 1970

India Oil Corporation offices at Allahabad, Lucknow, etc. : In exercise of the powers under subsection (3) of Section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), the Governor Uttar Pradesh is pleased to exempt, in public interest, the district offices located at Allahabad, Lucknow, Bareilly and Aviation Fuel Stations at Agra, Bareilly, Kanpur, Hindon (Meerut) and Sarswa (Saharanpur) of the India Oil Corporation Limited, New Delhi, from the operation of the provisions of subsection (2) of Section 10 of the said Adhiniyam, subject to the condition that the said Corporation shall allow to its employees, the following leave:

1. **Earned leave**- 1/11 days of working on full average pay; accumulating up to 180 days.
2. **Casual Leave**- Twelve days.
3. **Medical Leave**- Ten days on full average pay.

LXIII

English translation of shram Vibhag, Noti. No. 386 (A)/XXXVI-(D) - 389(LL)- 70, dated April 7, 1971, published in U.P. Gazette, Part I, dated 17th April, 1967, p. 1971

Vindhyachan area, Mirzapur : In exercise of the powers conferred by subsection (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 situated in the Vindhyachan area of Municipal Board, Mirzapur from the operation of the provisions of Section 5 (1), 8 (1) (a) and 9 (2) of the Act and Rules, 3, 6 and 7 of the Niyamavli framed thereunder. for the period from March 27 to April 10, 1971 subject to the following condition that they will observe close day on April 14, 19 and 22, 1971 in lieu of March 27, April 3 and 10, 1971.

LXIV

English translation of shram Vibhag, Noti. No. 2817 (A)/XXXVI (D)-31-69, dated September 25, 1971, published in U.P. Gazette, Part I, dated 6th November, 1971, p. 6462

Photographers : In exercise of the powers conferred by subsection (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 of photographers of Kanpur City from the operation of the provisions of clause (a) of subsection (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's leave to their employees on that day.

LXV

English translation of shram Vibhag, Noti. No. 1197(A)/XXXVI (D)-218(LL)- 71, dated October 4, 1971, published in U.P. Gazette, Part I, dated 6th November, 1971, p. 6462

Vindhyachan area, Mirazapur : In exercise of the powers conferred by subsection (4) 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 situated in the Vindhyanchal area of Municipal Board, Mizapur from the operation of the provisions of Section 5 (1), 8 (1) (a) and 9 (2) of the Act and Rules 3, 5, 6 and 7 of the Niyamavali framed thereunder for the period from September 30 to October 4, 1971, in lieu of September 25 and October 2, 1971.

LXVI

English translation of shram Anubhag 3, Noti. No. 2220 (V)/36-3-726(V)- 72, dated November 17, 1976, published in U.P. Gazette,

dated 17th November, 1976, p. 2

Hardwar : In exercise of the powers conferred by subsection (4) of section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), read with clause 11 of the Uttar Pradesh Electricity (Regulation of Distribution and Consumption) Order, 1972, and Section 21 of the U.P. General Clause Act, 1904 (U.P. Act No. 1 of 1904) and in suppression of Government Notification No. 1224 (V) 36-5-726 (V) - 72, date June 23, 1972, the Governor is Pleased to exempt, in public interest, all shops (excluding commercial establishment) situate within the Municipal and Cantonment areas of Hardwar, District Saharanpur, from the operation of the provisions of subsection (1) of Section 5, read with Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamawali, 1963, clause (a) of sub-clause (1) of Section 8, clause (ii) of Section 9 of the said Adhiniyam and sub-clauses (1) and (2) of clause 4 of the said Order, subject to the following conditions:

(1) That shops may open before the prescribed hour but not before 8 a.m. and shall not keep open after 10 p.m. during the period from April 1 to October 31, but no use of electricity shall be made for purpose of lighting, etc., before and after the prescribed hours;

(2) during the rest of the year, i.e. from November 1 to March 31, the hours of business shall remain as prescribed by the State Government;

(3) That every employer shall fix the hours of work of each of his employees and report the same on the 1st day of March each year to the Deputy Labour Commissioner, Meerut, and to the Labour Inspector posted at Hardwar;

(4) That the shops may remain open on all seven days of the week excluding a public holiday, during the month of May and June each year but the employees who are deprived of the weekly holidays shall be allowed in lieu thereof, an equal number of compensatory holidays within two months, that is, by August next following;

(5) That shops may also remain open on weekly holidays falling on such days of festival or Parva as may be determined by the District Magistrate, Saharanpur, but the employees who are deprived of the weekly holidays shall be allowed in lieu thereof, a compensatory holidays soon after the day of festival or Parva as may be directed by the District Magistrate.

LXVII

*English translation of shram Anubhag-3, Noti. No. 661(V)/36-3-77
dated February 3, 1977, published in U.P. Gazette, Extra.,
dated 3rd February, 1977, p.1*

Hand looms :-In exercise of the powers conferred by subsection (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 hand looms situated in Uttar Pradesh from the operation of the provisions of Section 4-B of the said Adhiniyam.

LXIX

*English translation of shram Anubhag 3, Noti. No. 918(V)/XXXVI-3-702 (S) - 77, dated April 22, 1977, published in U.P. Gazette, Part I,
dated 7th May, 1977, pp. 1431-32*

Khadi and Gramodyog.- In exercise of the powers conferred by subsection (4) 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 run by Sri Gandhi Ashram and all Khadi Gramodyog Bhawans, Khadi Bhandars; and Gramodyog Sales Centres certified and fancied by Khdi and Gramodyog Commissions, U.P. Situate in Uttar Pradesh from the operation of the provisions of Section 4-B of the said Adhiniyam.

LXX

English translation of Shram Vibhag, Anubhag-3, Noti. No. 2435(V)

*36-3-728(S)-76, dated June 27, 1977, published in U.P. Gazette,
Extra, dated 27th June, 1977, p.2*

In exercise of the powers under subsection (3) of section 3 of 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 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 1977-78 in Form (L) in duplicate to the Chief Inspector of shops and Commercial Establishments by September 30, 1977 and the fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXI

*English translation of Shram anubhag 3, Noti. No. 1030(V)36-3-710
(S)-78, dated March 18, 1978, Published in U.P. Gazette,
Extra, dated 18th March, 1978, P. 2*

In exercise of the powers under subsection (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 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 by April 15, 1978 and the fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXII

*English translation of shram Anubhag-3, Parkin, Noti. No. 2624(V)/
36-3-754(S)-77, dated February 7, 1979, published in U.P. Gazette,
Part I, dated 3rd March, 1979, P. 605*

Kotdwar, Garhwal. - In exercise of the powers under subsection (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 subsection (1) of Section 5 of that said Act and sub-clause (1) of Clause 4 the said order subject to the conditions (1) that shops and commercial establishments may open before for purposes of lighting, etc., before the prescribed time-limits, (2) that every employer shall fix the hours of work of each of his employees and report the same on the 1st day of March each year to the Assistant Labour Commissioner, Dehradun and the Labour Inspector in charge of the area.

LXXXIII

English translation of Shram Vibhag, Anubhag-3, Noti. No. 713(V)/36-3-79, dated March 28, 1979, published in U.P. Gazette, extra.

Dated 28th March, 1979, p.2

Renewal of Registration Certificate: In exercise of the powers under subsection (3) of section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, interest, all the 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 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.

LXXIV

English translation of Shram Vibhag, Anubhag-3, Noti. No. 1148/XXXVI-3-1981, dated May 4, 1981, published in U.P. Gazette, Extra.,

dated May 4, 1981

In exercise of the powers under subsection (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 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 1981-82 in form (L) in duplicate to the Chief Inspector of shops and Commercial Establishments by May 31, 1981 and fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXV

English translation of Shram Anubhag-3, Noti. No. 837/XXXVI-3-2(S)-83, dated March 26, 1983, published in U.P. Gazette, Extra., dated 26th March, 1983, p.2

In exercise of the powers under subsection (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 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 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.

LXXVI

Notification No. 3802/XXXVI-3-708-76, dated December 15, 1982

Commercial banks.- In exercise of the powers under subsection (3) of section 3 of the U.P. Dookan Aur Vanijya Adhishthan Adhiniyam, 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 Adhiniyam.

LXXVII

English translation of Shram Anubhag-3, Noti. No. 2161/XXXVI-3-706 (S)-82, dated September 16, 1983, published in U.P. Gazette, Extra.,

dated 16th September, 1983, p.2

In exercise of the powers under subsection (3) of section 3 of the U.P. Dookan Aur Vanijya Adhishthan Adhinyam, 1962 (U.P. Act No. XXVI of 1962), the Governor is pleased to exempt, in public interest, to Sri Krishan Janam Asthan Sewa Sansthan, Mathura from the operation of all the provisions of the said Adhinyam.

LXXVIII

*English translation of shram Anubhag-3, Noti. No. 4272/XXXVI-3-83,
dated December 9, 1983, Published in U.P. Gazette, Extra.,
dated 9th December, 1983, p. 2*

In exercise of the powers under subsection (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 dealing in Lime, paints and Distempers from the operation of the provisions of subsection (1) of section 5, read with sub-rules (1) and (2) of Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1963 and section 8 of the said Adhiniyam 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 19 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.

LXXIX

*English translation of Shram Anubhag-3, Noti No. 2048/XXXVI-3-1(S)-83, dated July 31,
1984, published in U.P. Gazette, Extra.,
dated 31st July, 1984, p.2*

In exercise of the Powers under subsection (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 the operation of the provisions of subsection (1) of section 5 and clauses (a) and (b) of subsection (1) of section 8 of the said Act during the period from Makar Sankranti (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-pur 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.

LXXX

English translation of Shram Anubhag-3, Noti. No. 42-M/XXXVI-3-704(S)-83, dated September 19, 1985, published in U.P. Gazette, Extra., Part IV, Section (Kha), dated 19th September, 1985, P.2

In exercise of the powers under subsection (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 subsection (1) and (2) of section 6 of the said Act.

LXXXI

English Translation of shram Anubhag-3, Noti. No. 1030(V)/36-3-701 (S)-78, dated March 18, 1978, published in U.P. Gazette, Extra., dated 18th March, 1978, p.2

In Exercise of the powers under subsection (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 section 4-C of the said Adhinyam read with Rule 2-A(7) of the Uttar Pradesh Dookan Aur 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 by April 15, 1978 and the fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXXII

English translation of shram Anubhag-3 Prakin, Noti. No. 1030/(V)/36-3- 754(S)-77, dated February 7, 1979, published in U.P. Gazette, Part I, dated 3rd March, 1979, p.605

Kotdwar garhwal.- In exercise of the powers under subsection (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 subsection (1) of Section 5 of the said Act and subsection (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, Dehara Dun and the Labour Inspector in charge of the area.

LXXXIII

English translation of Shram Vibhag, Anubhag-3, Noti. No. 713/(V)/36-3-79, dated March 28, 1979, published in U.P. Gazette, Extra., dated 28th March, 1979, p.2

In exercise of the powers under subsection (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 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 1981-82 in form (L) in duplicate to the Chief Inspector of shops and Commercial Establishments by May 31, 1981 and fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXXIV

English translation of Shram Vibhag, Anubhag-3, Noti. No. 1148/XXXVI-3-1981, dated May 4, 1981, published in U.P. Gazette, Extra., dated May 4, 1981

In exercise of the powers under subsection (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 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 1981-82 in form (L) in duplicate to the Chief Inspector of shops and Commercial Establishments by May 31, 1981 and fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXXV

Notification No. 3802/XXXVI-3-708-76, dated December 15, 1982

Commercial banks.- In exercise of the powers under subsection (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 commercial banks situated in the State of Uttar Pradesh from the operation of the provisions of Section 8,9,10,11,13,14,19,20,32 and 38 of the said Adhiniyam.

LXXXVI

English translation of Shram Vibhag, Anubhag-3, Noti. No. 837/XXXVI-3-2(S) 83, dated March 26, 1983, published in U.P. Gazette, Extra., dated 26th March, 1983, p.2

In exercise of the powers under subsection (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 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 1983-84 shall apply for renewal of registration certificate in form (L) to the Chief Inspector of shops and Commercial Establishments by

May 31, 1983 and fee chargeable for renewal of registration certificate shall be the same as for the grant thereof.

LXXXVIII

English translation of Shram Vibhag, Anubhag-3, Noti. No. 216/XXXVI-3-706 (S)-82 dated September 16, 1983, published in U.P. Gazette, Extra., dated 9th September, 1983, p.2

In exercise of the powers under subsection (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, Sri Krishan Janam Asthan Sewa Sansthan, Mathura from the operation of all the provisions of the said Adhiniyam.

LXXXVIII

English translation of Shram Vibhag, Anubhag-3, Noti. No. 4272/XXXVI-3-83, dated December 9, 1983, published in U.P. Gazette, Extra., dated 9th December, 1983, p.2

In exercise of the powers under subsection (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 dealing in Lime, Pinta and Distempers from the operation of the provisions of subsection (1) of Section 5, read with sub-rules (1) and (2) of Rule 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali, 1983 and Section 7 of the Adhiniyam 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 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.

LXXXIX

English translation of Shram Anubhag-3, Noti. No. 2048/XXXVI-3-1(S)-83, dated July 31, 1984, published in U.P. Gazette, Extra., dated 31st July, 1984, p.2

In exercise of the powers under subsection (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 subsection (1) of Section 5 and clause (a) and (b) of subsection (1) of Section 8 of the said Act during the period from Makar Sankranti (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-pur 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 Adhiniyam, 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.

XC

English translation of Shram Vibhag, Anubhag-3, Noti. No.42-M/XXXVI-3-704 (S) 83, dated September 19, 1985, published in U.P. Gazette, Extra., Part IV, Section (kha), dated 19th September, 1985, p.2

In exercise of the powers under subsection (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 Units of Food Corporation of India, situate in Uttar Pradesh, from the operation of the provisions of the subsection (1) and (2) of Section 6 of the said Act.

XCI

English translation of Shram Vibhag, Anubhag-3, Noti. No.1655/XXXVI-3-12 (S) 85, dated May 31, 1986, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 31st May, 1986, p.2

In exercise of the powers under subsection (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 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-(11), dated April 17, 1976, under the provisions of Uttar Pradesh Industrial Area Development Act, 1976.

XCII

English translation of Shram Vibhag, Anubhag-3, Noti. No.2363/XXXVI-3-15 (S) 84, dated August 22, 1986, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 22 August, 1986, p.2

In exercise of the powers under subsection (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 interested Industrial Development Bank of India, Kanpur from the operation of all the provisions of the said Adhiniyam.

XCIII

English translation of Shram Vibhag, Anubhag-3, Noti. No.2996/XXXVI-3-706 (S) 83, dated October 23, 1984, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 23rd October, 1984, p.2

In exercise of the powers under subsection (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) Fatehpur Sikri (Agra), (5) Mathura, (6) Hathras (Aligarh), (7) Sikandrabad (Aligarh), and (8) Awagarh (Etah) in Uttar Pradesh from the operation of the provisions 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 employees shall allow weekly rest to each of their employees by notation 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.

XCIV

English translation of Shram Vibhag, Anubhag-3, Noti. No.2636/XXXVI-3-4 (S) 87, dated July 14, 1987, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 14th July, 1987, p.2

In exercise of the powers under subsection (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 General Insurance Corporation of India and its four subsidiary companies from the operation of all the provisions of the said Adhiniyam.

XCV

English translation of Shram Vibhag, Anubhag-3, Noti. No.539/XXXVI-3-6(S) 85, dated May 21, 1987, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 21st May, 1987, p.2

In exercise of the powers under subsection (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 corporations/commercial

establishments run by the State Government from the operation of all the provisions of the said Adhiniyam.

XCVI

English translation of Shram Vibhag, Anubhag-3, Noti. No.423/XXXVI-3-6(S) 86, dated February 19, 1988, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 19th February, 1988, p.2

In exercise of the powers under subsection (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 Institutions run and/or controlled by the Uttar Pradesh Khadi and Village Industries Commission, situate in the State of Uttar Pradesh, from the operation of all the provisions of the said Adhiniyam for a period of one year from the date of publication of this notification in the Gazette.

XCVII

English translation of Shram Vibhag, Anubhag-3, Noti. No.4088/XXXVI-3-6(S) 88, dated November 1, 1988, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 1st November, 1988, p.2

In exercise of the powers under subsection (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 branches of Aviation Fuel Stations of Indian Oil Corporation in Uttar Pradesh from the operation of the Provisions of Section 5 and 8 of the said Adhiniyam read with Rules 3 and 7 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Niyamavali following conditions:

- (1)The working hours of the employees will be observed as required under Section 6 and 7 of the aforesaid Adhiniyam; and
- (2)each employee will be given one weekly holiday on rotation basis.

XCVIII

English translation of Shram Vibhag, Anubhag-3, Noti. No.379/XXXVI-3-19(S) 87, dated February 3, 1989, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 6th February, 1989, p.2

In exercise of the powers under subsection (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 with immediate effect such shops and commercial establishments in Uttar Pradesh as are not mentioned in Schedule II of the said Adhiniyam, from the operation of the provisions of subsection (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 and not be kept commercial establishments shall be opened before 9.00 a.m. and not be kept opened after 8.00 p.m.

C

English translation of Shram Vibhag, Anubhag-3, Noti. No.2003-01 Du, Va,- 99 (T.C.), dated May 9, 2003, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 9th May, 2003, p.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, commercial establishments located within the premises of Factories as defined under Section 2 (m) of the Factories Act, 1948 (Act No. 63 of 1948), from the operation of the provisions of aforesaid Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act XXVI of 1962) subject to the condition that employees employed in such establishments shall be allowed the benefits of services and service conditions as are admissible to them from time to time.

CI

English translation of Shram Vibhag, Anubhag-3, Noti. No.651/XXXVI-3-2003-01 Du, Va.-99 (T.C), dated May 9,2003, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 9th May, 2003 p.2 [Ap 131]

In exercise of the powers under subsection (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, commercial establishments located within the premises of Factories as defined under Section 2 (m) of the Factories Act, 1948 (Act No. 63 of 1948), from the operation of the provisions of aforesaid Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act XXVI of 1962) subject to the condition that employees employed in such establishments shall be allowed the benefits of services and service conditions as are admissible to them from time to time.

Section 3 (4)

English translation of Shram Vibhag, Anubhag-3, Noti. No.1586/XXXVI-3-709 (S)-80, dated June 23,1981 published in U.P. Gazette, Extra., dated 23rd June, 1981, p.2

Recession.-In exercise of the powers under subsection (4) 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 U.P. General Clauses Act 1904 (U.P. Act No. 1 of 1904), the Governor is pleased to rescind Government Notification No. 3997(V)/XXXVI-3-79, date September 28,1979 (published in 1980 LLT-V-11), No. 3997(V)/XXXVI-3-79, date October 3,1979 (published in 1980 LLT-V-17), No. 394(V)/XXXVI-3-715 (S)-79, date March 20 ,1980 (published in 1980 LLT-V-228), No. with effect from the date of publication of this notification in the Gazette, regarding the exemption.

Section 29

I

*English translation of Shram Vibhag, Anubhag-3, Noti. No.1553/XXXVI-3-703 (S)-1982
published in U.P. Gazette, Extra., dated 17th July, 1982, pp.4-7*

Appointment of Inspectors.-In exercise of the powers under subsection (4) of section 3 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 (U.P. Act No. XXVI of 1962), and in suppression of Notification No. 2440(V)/XXXVI-3-717 (S) 79, date October 23,1980 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:

[In view of suppression of this notification, the Schedule is not printed:]

II

*English translation of Shram Vibhag, Anubhag-3, Noti. No.2663/XXXVI-3-2 (S) -89 dated
February 9, 1990, published in U.P. Gazette, Extra.,
Part 4, Section (Kha), dated 9th February, 1990, pp.4-7*

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 Clauses Act, 1904 (U.P. Act No. 1 of 1904) and in suppression of all previous notification issued in this behalf, the Governor is pleased to pleased to appoint the officers and 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. | Officers/Officials | Area (showing local limits) |
|---------|---|--|
| 1 | 2 | 3 |
| 1 | Additional Labour Commissioner, Uttar Pradesh, Kanpur Region, Kanpur. .. | Kanpur (Nagar), Kanpur (Dehat), Etawah, Farrukhabad and Unnao. |
| 2. | All Additional Labour Commissioners, Deputy Labour Commissioners and Assistant Labour Commissioners posted at headquarters, Kanpur. | Ditto. |
| 3 | All Assistant Labour Commissioners, posted in Kanpur Region. .. | Ditto. |
| 4 | Assistant Labour officer, Kanpur Region. .. | Ditto. |
| 5 | Chief Investigator, Kanpur Region. | Ditto. |
| 6. | All Trade Union Inspectors/Welfare Inspectors posted at headquarters, Kanpur. | Ditto. |
| 7. | All Chief/Senior Investigators posted at headquarters, Kanpur | Ditto. |
| 8 | All Labour Enforcement Officers posted at headquarters, Kanpur. | Ditto. |
| 9 | All Labour Enforcement Officers posted in Kanpur Region. | Allahabad, Fatehpur and Pratapgarh. |
| 10 | Deputy Labour Commissioner, Allahabad Region, Allahabad. | Ditto |
| 11 | All Assistant Labour Commissioners posted in Allahabad Region. | Ditto. |
| 12 | Assistant Welfare Officers, Allahabad. | Ditto. |
| 13 | Assistant Trade Union Inspector and Welfare Inspector, Allahabad Region. | Ditto. |
| | | Ditto. |

| | | |
|-----|---|---|
| 14 | Assistant Welfare Officer, Allahabad Region, Allahabad. .. | Meerut Region, Muzaffarnagar Saharanpur and Hardwar, Ditto. |
| 15 | All Labour Enforcement Officers posted in Allahabad Region. | Ditto. |
| 16 | Deputy Labour Commissioner Meerut Region, Meerut, | Ditto. |
| 17 | All assistant Labour Commissioners posted in Meerut Region. | Ditto. |
| 18 | Assistant Welfare Officer, Meerut Region, Meerut. | Ditto. |
| 19 | Welfare Inspector and Assistant Trade Union Inspector, Meerut Region, Meerut. | Agra, Etah, Aligarh, Mainpuri, Mathura and Firozabad. |
| 20 | Chief Investigator, Meerut Region, Meerut. | Ditto. |
| 21 | All Labour Enforcement Officers posted in Meerut Region. | Ditto. |
| 22 | Deputy Labour Commissioner, Agra Region Agra. | Ditto. |
| 23. | All Assistant Labour Commissioners posted in Agra Region. | Ditto. |
| 24 | Assistant Welfare officer, Agra Region, Agra. | Gorakhpur, Basti, Deoria, Azamgarh, Mau, Siddharth Nagar And Maharajganj. |
| 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, Gorkhampur Region, Gorakhpur. | Ditto. |
| 29 | All Assistant Labour Commissioners posted in Gorakhpur Region. | Ditto. |
| 30 | Assistant Welfare Officer, Gorakhpur | |

Region, Gorakhpur.

- 31 Assistant Trade Union Inspector and Welfare Inspector, Gorakhpur Region, Gorakhpur.
- 32 Chief Investigator, Gorakhpur Region, Gorakhpur.
- 33 All Labour Enforcement Officers posted in Gorakhpur Region.

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|----|--|---|
| 34 | Deputy Labour Commissioner, Lucknow Region, Lucknow. | Lucknow, Hardoi, Kheri, Rai Bareilly and Sitapur. Ditto. |
| 35 | All Assistant Labour Commissioner 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. | Faizabad, Gonda, Bahraich, Barabandki and Sultanpur. Ditto. |
| 40 | Deputy Labour Commissioners, Faizabad Region, Faizabad. | Faizbad, 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. | Bareilly, Budaun, Pilibhit, and Shajahanpur Ditto. |
| 43 | All Labour Enforcement Officers posted in Faizabad Region. | Ditto. |
| 44 | Deputy Labour Commissioner, Bareilly Region, Bareilly. | Ditto. |
| 45 | All Labour Enforcement Officers posted in Bareilly Region. | Ditto. |
| 46 | Assistant Trade Union Inspector and Welfare Inspector, Bareilly Region, Bareilly. | Ditto. |
| 47 | Assistant Welfare Officer, Bareilly Region, Bareilly. | Moradabad, Bijnor and Rampur. Ditto. |

- 48 Chief Investigator, Bareilly Region, Bareilly,
- 49 All Labour Enforcement Officers posted in Bareilly Region.
- 50 Deputy Labour Commissioner, Moradabad Region, Moradabad.
- 51 All Labour Enforcement Officers Posted in Moradabad Region. Ditto.
- 52 Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Moradabad Region Varanasi, Ghazipur, Ballia and Jaunpur. Ditto.
- 53 All Labour Enforcement Officers posted in Moradabad Region. Ditto.
- 54 Additional Labour Commissioner, Varanasi Region, Varanasi, Ditto.
- 55 All Assistant Labour Commissioners posted in Varasi Region. Varanasi, Ghazipur, Ballia and Jaunpur.
- 56 Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Varanasi Region. Dehara Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttarkashi. Ditto.
- 57 All Labour Enforcement Officers Posted in Varanasi Region. Ditto.
- 58 Deputy Labour Commissioner, Garhwal Region, Dehra Dun. Ditto.
- 59 All Assistant Labour Commissioner posted in Garhwal Region. Nainital, Almora and Pithoragarh,
- 60 Welfare Inspector and Assistant Trade Union Inspector and Chief Investigator, Garhwal Region. Ditto.
- 61 All Labour Enforcement Officers posted in Garhwal Region. Ditto.
- 62 Deputy Labour Commissioner, Kumaun Region, Haldwani, Nainital. Ghaziabad and Bulandshahar. Ditto.

- 63 All Assistant Labour Commissioners posted in Kumaun Region.
- 64 All Labour Enforcement Officers and Assistant Trade Union Inspectors and Welfare Inspectors and Chief Investigators posted in Kumaun Region.
- 65 Additional Labour Commissioner,
Ghaziabad Region, Ghazibad.
- 66 All Assistant Labour Commissioners posted in Ghaziabad Region.

| | | |
|----|---|--|
| 67 | All Labour Enforcement Officers and Welfare Inspectors and Assistant Trade Union Inspectors and Chief Investigators posted in Ghaziabad Region. | Ghaziabad and Bulandshahar. Mirzapur and Sonbhadra. |
| 68 | Deputy Labour Commissioners, Mirzapur Region, Pipri. | Ditto. |
| 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. | Ditto. |
| 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 Ghaziabad Region. | Jhansi, Lalitpur, Banda, Hamirpur and Jalaun. |

Section 36(3)

English translation of Shram Vibhag, Anubhag-3, Noti. No. 186/XXXVI-3-7(S)-85, January 30, 1997, published in U.P. Gazette, Extra., Part 4, Section (kha), dated 30th January, 1997, pp.3-4

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 8 of the Uttar Pradesh Law (Composition of Offences and Abatement of Trials) (Amendment) Act, 1979, and in suppression of Government Notification No. 1815/XXXVI-3-7(S)-85, dated May 1, 1987, the Governor is pleased to appoint the officers mentioned in Column 2 of the Schedule below to be the Prescribed Authority to compound offences punishable under the

provisions of the said U.P. Act No. 26 of 1962 except the offence punishable under Section 21 of the Uttar Pradesh Dookan Aur Vanijya Adhishthan Adhiniyam, 1962 with the areas mentioned against each in Column 2 thereof subject to the conditions given hereunder:

SCHEDULE

| Sl. No. | Officer Area (showing local limits) | |
|---------|--|--|
| 1 | 2 3 | Whole of Uttar Pradesh. |
| | | Whole of Uttar Pradesh. |
| | | Kanpur Region consisting of districts of Kanpur Nagar, Kanpur Dehat, Etawah, Union and Farrukhabad. |
| | | Allahabad Region consisting of districts of Allahabad, Pratapgarh and Fatehpur |
| | | Agra Region consisting of districts of Agra, Aligarh, Etah, Mainpuri, Mathura and Firozabad. |
| | | Meerut Region consisting of districts of Meerut, Mazaffarnagar, Hardwar and Saharanpur. |
| | | Gorakhpur Region consisting of districts of Gorakhpur, Basti, Maharajganj, Sidharth Nagar, Deoria, Padrauaa. |
| | | Lucknow Region consisting of districts of Lucknow, Hardoi, Kheri, Rae Bareilly Sitapur and Barabanki, |
| | | Faizabad Region consisting of districts of Faizabad, Bahraich, Gonda, Sultanpur and Ambedkar Nagar. |
| | | Bareilly Region consisting of districts of Bareilly, Badaun, Pilibhit and Shahjahanpur. |
| | | Moradabad Region consisting of districts of Moradabad, Rampur and Bijnor. |
| | | Varanasi Region consisting of districts of Varanasi, Bhazipur, and Bhadohi. |
| | | Garhwal Region consisting of districts of Dehra Dun, Chamoli, Garhwal (Pauri), Tehri-Garhwal and Uttarkashi. |

10. Deputy Labour Commissioner, All Assistant Labour Commissioners in Bareilly Region, Bareilly.
11. Deputy Labour Commissioner, All Assistant Labour Commissioners in Moradabad Region, Moradabad.
12. Deputy Labour Commissioner, All Assistant Labour Commissioners in Varanasi Region, Varanasi.
13. Deputy Labour Commissioner, All Assistant Labour Commissioners in Garhwal Region, Dehra Dun.
14. Deputy Labour Commissioner, All Assistant Labour Commissioners in Kumaun Region, Haldwani (Nainital) Kumaun Region consisting of districts of Nainital, Almora, Pithoragarh and Udham Singh Nagar.
15. Additional Labour Commissioner, All Assistant Labour Commissioners in Ghaziabad Region, Ghaziabad. Ghaziabad Region consisting of districts of Ghaziabad and Bulandshahar. Mirzapur Region consisting of districts Mirzapur and Sonbhadra.
16. Deputy Labour Commissioner, All Assistant Labour Commissioners in Mirzapur Region, Mirzapur. Jhansi Region consisting of districts of Jhansi, Lalitpur, Banda, Hamirpur Mahoba and Jalaun.
17. Deputy Labour Commissioner, All Assistant Labour Commissioners in Jhansi Region, Jhansi. Azamgarh Region consisting of districts of Azamgarh, Mau, Jaunpur and Ballia.
18. Deputy Labour Commissioner, All Assistant Labour Commissioners in Azamgarh Region, Azamgarh.

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 offences shall be done keeping in view the gravity of the offence, subject to the maximum penalty laid down for such offence.

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

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

5. The compounding of offence shall be done within the limitation period, in case the prosecution has not been launched. If the prosecution has been launched, the compounding of offence shall be done by the prescribed Authority before the prosecution concludes its evidence.

**Rates of Minimum Wages in Respect
Of Shops and Commercial
Establishment**

*English translation of Shram Vibhag, Anubhag- 3, Noti. No. 214/XXXVI-36(M.W.) -90,
January 18, 1992, published in U.P. Gazette, Extra.,
Part 4, Section (kha), dated 18th January, 1992, pp.3-5*

In exercise of the powers under Section (b) of Subsection (1) and clause (c) of subsection (2) of Section 3 read with clause (i), subsection (1) and Section 4 of the Minimum Wage Act, 1948 (Act No. A1 of 1948) and in suppression of Government Notification No. 735/XXXVI-3-1028(M.W.)-76, dated June 21, 1948, and after consulting the Advisory Board and after having considered the objections and suggestions received in respects of the proposals published with Government Notification No. 3831/XXXVI-3-6(M.W)-90, date October 29, 1990 the Governor is pleased to revise and fix minimum rated of wages for employees employed in the employment in (1) Commercial Establishment in Uttar Pradesh and in (2) Shops in Uttar Pradesh with effect from the date of publication of this notification in the Gazette.

*Minimum rates of wages in respect of employees employed in the
employment in (1) Commercial Establishment in Uttar Pradesh
and in (2) Shops in Uttar pradesh*

1.The minimum rates of wages payable to adult employees for different classes of work on 167 points of All-India Consumer Price Index Number (1982=100) shall be as follows:-

| Sl. No. | Category of workers | Minimum monthly rates of wages payable to adult employee in towns of U.P. with a population one lakh or more | Annual increment in the monthly rates of Column 3 | Minimum monthly rates of wages payable in rest of U.P. | Annual increment in the monthly rates of rest of |
|---------|---------------------|--|---|--|--|
| 1 | 2 | 3 | 4 | 5 | 6 |
| | | | | | |

| | | Rs. | Rs. | Rs. | Rs. |
|--------------------|----|---------|-------|---------|-------|
| 1. Unskilled | .. | 750.0 | 5.00 | 725.00 | 4.00 |
| 2. Semiskilled | .. | 880.00 | 8.00 | 851.00 | 6.00 |
| 3. Skilled | .. | 1011.00 | 12.00 | 977.00 | 8.00 |
| 4. Clerical staff- | | | | | |
| (1) Grade-II | .. | 1066.00 | 14.00 | 1030.00 | 10.00 |
| (2) Grade-I | .. | 129.00 | 17.00 | 1188.00 | 14.00 |

Note.-Classification of workers as shown in Annexure.

2. Cost of Living Allowance.-For rise in the Consumer Price Index Number over 167 points of All-India Consumer Price Index Number (1982=100), the dearness allowance shall be neutralized 100 per cent and cost of living allowance shall be payable and adjustment shall be made in April and October each year on the basis of the average of the Consumer Price Index Number of July to December of the preceding year and January to June of the same year respectively.

Illustration.-(i) Suppose the average of Consumer Price Index Number for January, 1991 to June, 1991 is 197 points the increase in cost of living allowance payable per month with effect from October 1, 1991 for an adult unskilled employee will be-

$$\frac{(197-167) \times 750}{167} = \frac{40 \times 755}{167} = \text{Rs. } 134.73$$

(ii) The employee shall earn increment after one year of enforcement of this notification, Therefore, the employees in the respective categories shall be entitled to cost of living allowance after adding the said increment to their basic wage, for example, if average of Consumer Price Index Number for January to June 1992 works out to be 207, then the cost of living allowance admissible after first increment to an unskilled employee shall be as follows-

$$\frac{(207-167) \times 755}{167} = \frac{40 \times 755}{167} = \text{Rs. } 180.83$$

3. The daily rate of wages shall not be less than 1/26th of the corresponding monthly rate.

4. The hourly rate of wages shall not be less than 1/6th if the daily rate.

5. The time-rate of wages payable to adolescents and children shall not be less than 99 per cent and 95 per cent respectively of the time-rate applicable to an adult employee.

6. 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.

7. The above rates of wages shall not in any way operate to the prejudice of any employee. If the rates of wages (including annual increments and cost of living allowance) prevailing before coming into force of these rates are higher, then the prevailing rate shall be continued and paid as if they have been so fixed under the said Act as minimum rates of wages and in no case the same shall be reduced by any employer.

8. From April 1991 or thereafter whenever the cost of living allowance would be calculated or revised as prescribed in paragraph 2, the increase in such allowance shall be admissible to all categories of employees whether on the date of publication of this notification, they were getting higher minimum rates of wages than prescribed in paragraph 1 of this notification.

9. Where any class of work is performed on piece-rate basis the time-rate prescribed for the particular kind of work shall be the guaranteed time-rate.

10. The time-rate of minimum wages given above includes remuneration in respect of the day of rest as contemplated under clause (b) of subsection (1) of Section 13 of the Minimum Wages Act, 1948.

11. If any employer undertakes any work of employment through Contract Labour with obtaining the certificate under the Contract Labour (Regulation) Act, 1970, such Contract Labour shall also be deemed to be the labour engaged by the employer directly in view of Section 9 of the aforesaid Act read with sub-clause (iv) of clause (i) of Section 2 of the U.P. Industrial Disputes Act, 1947 and shall be entitled to same rates of wages and Cost of Living Allowance which have been made admissible under paras 1 and 2 of this notification.

ANNEXURE

1. **Unskilled.**-Palledar, Packer, Bundlers, Loaders, Unloaders, Peon, Mazdoor, Chukidar, Sweeper and any other employee doing similar nature of work by whatever name they be called.

2. **Semiskilled.**- Godown-keeper, Weightman, Mistri, Cycle-repairers, Scrapers of Gold and Silver Jewellery, Silver Purifiers, Rezedar and any other employee doing similar nature of work by whatever name they may be called. This category also includes unskilled

employees who have completed at least 5 years working experience as a helper or assistant under the guidance of semiskilled employee.

3. Skilled.-Driver, Machine man, Carpenter, Fitter, Welder, Painter, Electrician, engraving on silver and gold jewellery, Supervision, Chemist, Mechanic, Operator and any other employee doing similar nature of work by whatever name they may be called. This also includes semiskilled employees having at least 5 years experience under the guidance and supervision of skilled employee.

4. Clerical staff:-

(A) Clerks, Grade-II.-Minimum educational qualification High School and who has not completed five years in the establishment.

Munim, Accountant, Cashier, Typist, Clerk salesman, Ugahi, Tagadgir and any other employee doing similar nature of work by whatever name they may be called.

(B) Clerks, Grade-I.-Minimum educational qualification High School and must have completed five years in the establishment.

Head Munim, Chief Accountant, Head Cashier, Senior Salesman, Head Clerk, Office Superintendent, Stenographer, Sales Representative and any other employee doing similar of work by whatever name they may be called.