M.P SHOPS AND ESTABLISHMENT RULES 1959

Madhya Pradesh Shops & Establishments ules, 1959 THE M.P. SHOPS AND ESTABLISHMENT RULES, i959 Rules Short title. • l. Definitions ....

2. Registration of Establishments Registration of establishments.

3. Period of validity of registration certificate.. Renewa.l of registration certificate. ....

5. Payment of fee..

6. Notice of Change

7. Notice of closure...... ...

8. Fixing six days in a year for additional overtime...... ....

9. Notice to be given to Inspector wfien additional overtime 10.is to be worked. . Receipt of security money. ....

11. Employment of children and young persons

12. Leave...

13. Misconduct

14. Appellate Authority and limitation for appeal.. 14A. Fixing time and methods for cleahing the establishments. ..

15. Precaution against fire

16. Qua.lifications and provisions regarding Inspector.

17. Duties of an Inspector...... 18. • Recording of inspection note by Inspector. ....

19. Powers of Inspector.. 19-A. Maintenance of registers and records and display of notices. ....

20. Overtime

21. Administration of the Act

22. Repeal and saving...... ...

23. FORMS .THE M.P. SHOPS AND ESTABLISHMENT RULES, 1959 As unenu subsequently by the following notifications : S. No. 1. 2. 3. 4. 5

6. Notificaüon No. No. 82124-14030M, No. 6395-9162-XVI, No. 3342-364-xvl No. 305-1954-XVI No. 2167-728-84-XVI-A No. 4B2-94.XV1-B No. 4(b) I-XVI.A Date 11-11-1970 19+1971 2-5-1972 114-1984 16-11-1994 IV(Ga) Ext IV(Ga) rv (Ga) IV(Ga) MP. R.ajpatra Date 12-4-1963 12-11-1970 09-7-1971 21-7-1972 26-10-1984 02-12-1994 01-12-1995 Page 371 2128 295 336 197 2145 587 Note.- In the foomotes appearing hereinafter, amending notifications are referred to by serial Nos. as given to them above

1. Short title—These rules nuy be called the Madhya Pradesh Shops and Establishment Rules, 1959

2. Definitions.—ln rules, unless there is anything repugnant in the subject or context, (a) "Act" rneans the Madhya Praush Shops and Establishment Act, 1958 (Act No. 25 of 1958). (b) "Form" means a fonn appended to these rules; (c) "Section" means a section of the Act. Registration of Establishments 3. Registradon of establishments.- A statement to be sent to the of the area concerned under sub-section (2) of section 6 shall be in Form A and shali be accompanied by a Ee of 2[atnounts as per class of establishment as mentioned in Rule 5]. (2) An establishment shall be regstered in the register of Establishments under sub-section (3) of section 6 under the appropriate category to which it belongs. The register of establishment shall be in Form B. (3) The registration certificate to be issued under sub-section (3) of section 6 shall be in

Form C. (4) In the event of loss or destruction of the registration certificate an application shall be made to the Inspector concemed within seven days of such loss or dest.ruction for a duplicate copy thereof which may be granted on payment of a fee of 3 [twenty rupees]. Amendment in Registration Cerffcate.— The Inspector shall amend the registration certificate on application and payment of fees rnade to him as per specified below for that class of establishment. l. 2. 3

4. Substituted vide Notification No.6395-9162-XVI, dated 1 lth November

1970. Published in MP. Rajpatra (Asadharan) dated 12. I I. 1970 page 2128. Substituted for •the words "rupees five" by Notification No. dated 21.11.1995. Substituted for the words "two rupees" by Notification No. dated 21.11.1995. Inserted by Notification No. dated 01.12.1993. Class of establishment Amendment Fees l. 2. 3

4. All establishment having no employee. Rs. Ten All establishment employing not more Rs. Twenty five. than 3 employees Al.l establishments employing mor than 3 but less than IO employees. i Rs. Forty. All establishments employing more than I Rs. Fifty.] IO employees 4. Period of validity of registration certificate..The registration certificate granted under sub-section (3) of section 6 shall be' valid upto the end ofthe calendar year in which it is granted, and every renewal thei•eof shall be valid for the calendar year specified in part B of the certificate. S. Renewal of registration certificate— Every registration certificate issued under sub-rule (2) of rule 6 shall be renewed, after the expiry of a period of five calendar years, on payment of a fpe siecified below for that class of establishments. Registration/RenewRl Fee Rs. Class of establishment l. All establishment having no anployee

2. All establish±t employing not moe than 3 employees 3. All establishments employing more than 3 but less than 10 employees

4. All establishments anploying more than IO employees Hundred One hundred fifty. Two Hundred. Two Hundred Fifty. Provided that application for renewal shall be accompanied by the Registration Certificate and shall be so made as to reach the offce of the Inspector not less than 30 days before the date on which the registration certificate is due to expire.] (2) If the application for renewal is not received within the time specified in sub-rule (l) the registration certificate shall be renewed only on payment ofa fee of2[Ten rupees] in excess of the fee ordinarily payable for the purpose unless the Labour Conunissioner by general or special order extends the time for application for renewal

6. Payment of fee.— Any fre prescribed in these rules shall be credited into a Govemment Treasury in the State under the head 3[XXXII-Miscellaneous Social and Development Organisations— A(l) feés for Registration of Shops and Establishments.] 3A[Provided that if the registraüon or renewal of the registration certificate is issued by the Municipal Corporation or by Minicipality the fees prescribed in these rules shall be deposited in the ofre of the éoncemed Municipal Corporation or Municipality, as the case may be, and such local authority shall issue a receipt thereof

1. Notification No.-XVIÄdatedn.11.1995

2. Substituted by Notification No.4(b)-1 •XVIA'dated21.ll.1995 for words "Rupee one". 3. subs. No. dt. 12.04.1963 Page 371. 3A. Ins. by No. 4 (E) 10-95-XVI.A, dated 13-05-1998.

Form D

8. Notice of closure.— (l) A regarding closing of an establishment to be notified to the Inspector under section 8 shall be in Form E and it shall be accompanied by the Registration certificate of such establishment. (2) If any employer transfers his esublishment to any other person he shall, within ten days of such transfer noti$' the fact to the Inspector

9. Fixing days in a year for additiona.l overtime.— (l) The following days and not more than three days preceding any of such days, shall be the days for additiona.l overtime for purposes of maldng of accounts, stock-taking or settlement under sub-section (3) of section 11,— 'Ihe 31 day of March; The 30th day of June; 'Ihe 30 day of September: The day of Dewali; The 31st day of December; and 'The last day of Vikraxn Samvat; Provided t.hat in lieu of any day or days mentioned above the employer may substitute any other day or days, as the case may be, which shall be intimated to the Inspector at least three months before the day on which he intends to take excess work. (2) On any of the days mationed in sub-rule (l) for the purposes thereof the operation ofthe provisions relating to closing hours in Section 9 shall be deemed to be suspended. IO. Notice to be given to Inspector when additional overtime is to be worked.— Notice of the intention to require anployees in a shop or commercial establishment to work under sub-section (3) of section 11 in excess of the period fixed under sub-section (l) of the said section on any day prescribed under rule 9 shall be given either in English or in Hindi so as to reach the Inspector within whose ju.risdiction such establishrnent is simated at least two days before each day

11. Receipt of security money.— (l) The Inspector with whom money is deposited by way of security for the retum of seized goods under sub-section (2) of section IO shall pass a serially numbered cash receipts in Form F in respect of the amount so deposited. 'Ihe amount shall be refunded to the depositor if he is not prosecuted within the period prescribed in section 52, on the expiry of such period, and if he is prosecuted, after the ca.se is finally disposed of. (2) The Inspector shall, for the goods seized by h.im under subsection (2) of section IO, issue a seizure memo in Form G to the person from whom such goods have been seized and when such goods are retumed to the person concemed shall detain a delivery memo from the said person with his acknowledgnent in Pan B of Fonn G

12. Employment of children and young persons.— An Inspector may require an employer to produce in respect of any person employed by him whom the Inspector suspects to be a child or a young person as proofofhis age (l) an authentic extract from the school record, or (2) certified copy from the Birth Register, or (3) certificate of age from the registered medical practitioners in Form H.

13. Leave.— (l) Every employer of an establishmem shall maintain a register of leave in Fonn I in respect of each employee in the establishment. (2) 'Ibe employer shall provide each employee with a book called "Leave Book" in Form J. As soon as any leave is granted or refused an entry shall be made by the employer in the I..eave Book and the book retumed to the employee. The book shall be the property of the anployee and the employer or bis manager or other agent shall not dernand it except to make enbies therein: Provided that with the consent in writing to be recorded on the Leave Book itself, of an employee whose wages are Rs. 300/-per month or, mor the 'Leave Book' may be kept in the custody of the employer. If any employee loses his Inve- Book the employer shall provide him with another copy on payment of annas two and shall complete the entries therein from his record. (3) 'Ihe register for entering refusal of leave to be maintained under sub- section (3) of section 26 shall be in Form K

14. Misconduct.— For the purposes ofthe proviso to sub-section (l) of secion 58, the following acts and omissions shall be treated as rrisconduct on the part of the employees,— (a) (b) (d) (e) (f) (g) (j) wilful insubordination to, or disobedience, whether alone or in combination with orders, any lawful and reasonable order of a superior; theft, fraud or dishonesty in connection with the employer's business or property; wilful damage to or loss of employer's goods or property: taking or giving bribes or any illegal in with the employer's business; habitual absence without leave or absence without leave for more than habitual late attendance; habitual breach of any law applicable to the establishment; (h) riotous or disorderly behaviour during working hours at the establishment or any act subversive of discipline; (i) habitual negligence or neglect of work; striking work or inciting others to strike work in contravention of the of any law or rule having the force of law. I [14A. Appellate Authority and limitation for appeal.— (l) The Divisional Assistant Comrnissioner of Labour shall be the Appellate Auetority for the purposes of sub-section (2) of Section 58. (2) 'Ihe employee discharged, dismissed or retrenched may prefer an appeal

to the Appellate Authority within a period of one year from the date of the communication of the order of discharge, disrnissal or retrenchment, as the case Provided that the appeal may be entertained even after the expiry of the said period of one year if the employee satisfies the Appellate Authority that he has suffcient reason for not preferring an appeal within the said period

1. Inserted by Notification No.2167-728-84.XV1.Adated 11.04.1984. (3) On regeiying the appeal, the Appellate Authority shall give a notice in Form K-l tb the nori-appellant (employeö and in Fonn K- 2 to the oppellant (employee) concemed by registered post a&owledymeqt due. (4) After perusing the record and after giving 40 opportunity to the parties of being heard, the Appellate Authority shall decide the appeal. Reæong if brief for the decision shall be recorded in the appellate order. (5) The appellate authority shall supply a copy Df order passed by it in the appeal to the non-appellant (employer) as well ag" to the appellant (employee) concemed free of cost.] IS. Fixigg tiæes and methods for cleaning the establishments,— (1) In every establishment all the inside walls of the moms end all the ceilings and tops of such rooms (whether such walls, ceiling and tops be plastered opt) and all the passages and staircases shall be lime-washed or CQlour washed at lest once ia two years dating from the period when last lime-washed pr colour-washed: Provided that an Inspector may require them to b? lime.washed or colour. wa.shed earlier than two years if in his opihion they bave become so unclean as to require immediate lime-washing or colour washing. All the beanu rafters, doors, window-fratnes and other wppd work with the exeeption of floors shall be either painted Q! once in seven years dating from the period when lag! painted or varnished and shall b? kept in a cleanly state. Th' dates wbißh lime-washing, colour washing, painting or varnishing is carried out *holl be duly entered io a register rnaintained in Fom I, whicß shall be to the Insp9gtQF when ßquired: Provided that the provisions of this rule shåll apt apply to,—— (i) rooms used only for the storage of articles: (ii) walls or tops pfreoms which are made of 841vaniæed inn; tilea asbestos sheets or similay material of glazed brick; (iii) any other establishment or pa.rts thereof in Whigh lime-washing or painting is in the opinign pf the Inspector uuegessary to gatisfy the requirements to cleanliness. (2) No rub>ish, filth or d*bris snall allowed to accumulate or to remain on any pranises in establishment in sugh position that emuvia there frqm can arise within the establishments. I [(2-A) In every establishment OF my premises in which the pf cleaning/washiog groa.gvpts with the aid of Ferried on, adequate drail+ shalbbe provided and sh#ll lead to special tream•mt tanks where deleterious matenal shall be neutralized or otherwise rendered Efe before it is discharged into ordinary drains or sewers. (2-B) On any premises in Publishmem, adequate ventilation phall be provided and maintamed at all tmes in morns p.r buildings where dangerous ga;, vapors, fumes or dust may be evolved. (2-C) In every establishrnent or any pranises in Whigh person employed in processes where dangerous gag, vapour, fumee pr du\t may be devolved, auitäb19 protective appliances such as hand gloves footwear, breathing mask, goggles ahau be maintained for the use of the employed persons/employees

1. Inserted by Ngtification No.4B2-94-XV1.B dated 16.11.1994, Published in M.P. Rajpatra, Part I, dated 02.12.1994 pages 2145-2146. (2-D) In every establishment or any premises in which the proeess of gleaning wa.shing ornaments with the aid of acid is carried on every person employed ßhall be medically examined by a qualified medica.l practitioner within IS days ef first employment and thereafter at intervals of not more unn 6 and of such medical examination shall be maintüied in respect of each anployee in Fonn K-3.] 16. Precautions against fire.— No person shall smoke or use a naked light or cause or pennit any such light to be used the immediate vicinity ofany influnmable nuteria.l in any establishment

17. Qualifications and provisions ngarding Inspector.— (l) No pgrun shall be appointed to be an Inspector under the Act unless he is able to speak, red and write Hindi and is either a graduate of a recogüsed University or matriculate with atleast seven years' experience of service unur Government or a local authority: Provided that this qua.lification shall not be necessary in the case of parsons who may be employed as Inspector of Establishment under the Government or with the local bodies in the State on the first of July, 1958. (2) No person shall be appointed to be an Inspector under the Act, or having been so appointed, shall conünue to hold ifhe has or acquires, directly 9! indirectly, by himself or by any parmer, any share or interest in any establishment to whieh Act applies in the area for which he is to be or has been appointed

18. Duties of an Inspector.— An Inspector, while making an sxamiaatiQR under section 41 of the Act, shall fir the purpose of satisfying himgelfthat provisions of the Act and of these rules and any orders

passed by the or the local authority under Act are duly observed, ascertain thß following (i) that the establishments are duly registered under the Act; (ii) that the establishment have duly renewed their registration the Act; (iii) that the registers, records and notice required to be maintained displayed under the Act or these rules are properly mgi.gcainsd gr displayed; (iv) that holidays required to beyanted or observed underthß and observed and the limits of work and spread down under the Act are not exceeded; (v) that the provisions of the Act and any ordera issugd by the local authority regarding the opening and closing dLi!y observed; (vi) thattheprovisions ofthe Actaadthese rules regarding leave properly observed; (vii) that the provisions of the Act rslating to the payment overtime work are duly observed; (viii)that the provisions of tbe Agt and tbß3e rule* relating to gleanliness, sanitation and precautions against fir* are properly observed; (ix) that no child is allowed to work in any establish.ment; and (x) that no young person works in excess of S hours on any day and that he is not required to work before 7.00 A.M. and after 9.00 P.M.

19. Recording of inspection note by Inspector.— The Inspector shall record an inspection note in Ö•plicate in Fonn M, the original of which shall be handed over to the establishment inspected and the duplicate copy retained on the inspection note book in the ru.nni.ng serial order. The employer shall paste the original copy of the inspection note so recorded on a bound visit book which shall be rnaintained for the purpose on the form of a blank register. 'Ihe inspection book shall be produced to the Inspector on demand for ascertaining compliance of instructions given on any previous inspection. The Inspector shall record necessary entries in respect of each inspection in the inspection register to be maintained at the Inspectorate and submit such diaries, reports and retums a.s rnay be prescribed by departmental instructions. l[19A. Powers of Inspector.— An Inspector shall, for the purposes of the enforcenent ofthe Act, have powers, subject to the provisions ofthe Act, to conduct before a Court any complaint or other proceeding arising under the Act or in the discharge of his duties a.s an Inspector and secure such attendance as may be necessa.ry for purposeJ 20. Maintenance of registers and records and display of notices.— Every employer shall maintain a register of employees showing attendance, wages, overtime work fines and other deductions and account of wages in respect of each employee under him in Form (2) Every anployer shall exhibit in his establishment a notice in Fonn O, specifying the day or days on which his ernployees shall be given a holiday. The notice shall be exhibited before the persons to whom it relates cease work on the Saturday inunediately preceding the first week during which it is to have effect. (3) Every employer shall exhibit in his establishment a notice specifying the daily hours to be worked and intervals for rest and mea.ls to be allowed to the employees, if any. Such notice shall be in Form P and sha.ll be exhibited not later than the closing hour on the Saturday immediately preceding the first week in which the hours of work shall be as specified in such notice. It shall continue to be exhibited so long as ere hours of work specified in it are observed. (4) Eve5*' employer shall maintain a register of leave in respect of each of his employees on a separate page of the register in Fom 1. (S) Every establishment shall prominently display in a conspicuous place a showing the of the week on which tie establishment shall ranain closed. Ifthere is an alteration in such •a day the employer shall give notice to the Inspector in Fom Q and exhibit a copy of such notice. (6) If any day notified as holiday under gub-section (l) of section 13 has been substimted being a day of public estival under provisions of sub-section (2) of the said section, the employer shall give notice of the change to the Inspector in Form R and exhibit a copy of such notice

1. Inserted by Notification No.3342-364.XV1 dated 09.06.1971, published in M.P. R.ajpau•a, Part (Ga), dated 09.01.1971 page 295. Z Substitued by Notification No. 305-1954-XVz dated 02.05.1972, published in MP. Raipat.ra, Pan IV (Ga), dated 21.07.1972 at page 336. (7) Every employer shall exhibit in his establishment a notice containing such extracts of the Act and these rules in English or in the language of the majority of the persons employed by him as the loca.l authority or Government may direct. (8) Every employer shall exhibit in his establish.rnent in English or in the language ofthe majority ofpersons employed by him a copy of leave rules applicable to his employees. (9) Any notice required to be exhibited under these rules shall be exhibited in such rnanner that it can be readily seen and read by any person whom it affects and shall be renewed whenever it becomes deaced or otherwise ceases to be clearly legible; (10) In any register or record which an employer is required to maintain under these rules the entries relating to any day shall be made on such day. (l l) The registers, records and notices relating to any calendar year shall be preserved till the end of the next calendar year. (12) Save as otherwise provided in sub-rule (7) all registers, records, muster rolls Uld notices required to be maintained, exhibited or given

under this rule sha.ll be either in English or in a Language spoken by the majority of employees. (13) Every employer shall maintain a register in which the original copies of inspection notes handed over by the Inspector to the employer under rule 19 shall be incorporated serially in order of dates and he shall produce it whenever required to do so by an Inspector. (14) Ifon an application by an employer the State Government is satisfied that any muster roll, register or record maintained by such employer gives in respect of all or any of the employees in his establishment the particulars required to be shown in any registers, record or notice prescribed under this rule, the State Government may, by order in writing direct that such muster roll, register or record may to the corresponding extent be maintained in place of such register, record or notice, as die case may be

21. Overtime.— (l) For purpose of clause (c) of the Explanation to section 55 of the Act, the expression "limit of hours of work" in the case of employees in any other establishment shall mean nine hours on any day and 48 hours in any week. (2) The anployer shall maintain an account of overtime work taken from the employees from day to day and payments for such overtime in the register in Form N

22. Administration of the Act.— (l) The working of the Act shall be adrninistered by the State through the Labour Commissioner, Madhya Pradesh. (2) An annual report on the working of the Act shall, within three months of the close of any calendar year, be submitted by the L.abour Commissioner to the State Government. (3) Ihe State Government may from time to tüne call for such reports and information from the Labour Commissioner and may give such directions to him as it may deem necessary for the purpose of enforcement of the Act

23. Repeal and saving.— The Central Provinces and Berar Shops and Establishment Rules 1947 and the Madhya Bharat Shops and Establishment Rules, 1953 are hcreby repea.led: Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the correspond.ing provisions of these rules. l. 2. 3. 4. 5. s. No. 1 6. 7

8. FORM A [See Rule 3(1)] Statement under section 6(2) Name of the establishment, if any (in block letters) Full postal address and location of the establishment Situadon of offce, store-room, godown, ware- .house or work place, if any, auched to the establishment but simated in premises different from those of the establishment Category of the establishment, i.e. whether (a) shop; (b) commercial establishment, (c) resi— dential hotel, restaurant or eating-house, (d) theatre or other place of public amusement or entertainment Particulars of persons having interest in the establishment as employer (Applicable only when a nomination is made under section 55) Name and Designation parentage 2 Nature of business 3 Permanent Address 4 Nature of interest (whether Partner/ Manager/Director/ Shareholder) 5 Narne, designtion and permanent address of the employer (manager, agent or any other person) who is in the immediate' charge of the general management or control of the establishment Particulars of members of employer's an-ily employed in the establishment as defined in section 2(17)

9. IO.11

12. Narne Age Sex Relationship with employer Name of other persons occupying positions of managetnent or employees engaged in confidential capacity, if any. Number of employees Male Female Total l. Adults 2. YoungperSons .... Total Name the day of the week on which weekly holiday will be observed (in case of shops Commercial Establishrnents only) Details of remittance (enclose copy of challan obtained from Treasury) Name of treasury Challan No. Amount of and date fee paid Place Date .... Signature of Proprietor/ Partner/Manager/Secretary/ Managing Director or a person in charge. FORM B [See Rule 3(2)] Register of Establishment Pan I- Shops Part 11-Commercial Establishments Part Ill-Residential hotels Part IV- Restaurants and eating-houses Part V-Theatres and other place of public arnusement or enterta.inment. Note.— This register shall be maintained category-wise separately for each town. Registration No. of estab- lishment and date of Registration. 1 Nature of business 5 Total 7 l. Name and ad- dress of theestablish- ment (Items of Form 'A') 2 Na.rne of the employer 3 Name of manager or any person other than employer in immediate charge of general manage-ment or control of establishment. 4 Number of employees Adults Male Female Young persons Male Female Year 6 Renewals Year 8

FORM C [See rule Year Year The Madhya Pradesh Shops and Establishment Act, 1958 Registration Certificate of Establishment Part A Registration mark and number 2. 3. 4. 5. 6

7. The M.P. Shops & Establishment Rules, 1959 Name of Establishment Full postal address of the establishment Nature of business, trade or profession carried on Name and designation of the proprietor/ Manager/Agent or any other person in the immediate charge or control of the establishment Name and designation of other per-son(s) having interest as employer in the establishrnent, if any, with his address in the State Total number of employees Male i. Adults 2. Young persons . Total Female Total This is to certify that the establislunent, the particulars of which have been given above, has been registered under the Madhya Pradesh Shops and Establishments Act, 1958(25 of 1958) on the .. SEAL No. Inspector under the M.P. Shops and Establishments Act, 1958 Annual Renewals under rule 5 Part B Date .... l. It is hereby certified that the above certificate of Registration has been renewed for the year ending 31st December, 19 . No. .... Inspector Date ....

2. It is hereby certified that the above certificate of Registration.has been renewed for the year ending 31st December, 19 . No. .... Inspector Date ....

3. It is hereby certified that the above certificate of Registration has been reneWed for the year ending 31st December, 19 . No. .... Inspector Daie ....

4. It is hereby certified that the above certificate of Registration has been renewed for the year ending 31st December, 19 .. No. .... Inspector Date ....

5. It is hereby' certified that the above certificate of Registration has been renewed for the year ending 31st December, 19 . Inspector

FORM D [See Rule 7] Notice of Change Name of the Establishment already registered with address and name of the Employer/Proprietor/Manager .... Registration Mark and Number To, 'Ihe Inspector under the M.P. Shops and Establishments Act, 1958 : Sir, Notice is hereby given that the following change has taken place in respect of information forwarded to you in Form 'A'. The Registration Certifipate is forwarded herewith to be retumed aner recording the necessary changes:— 1 2 3 4 5 6 Signature of the Proprietor Manager/Partner/Secretary Managing Director or a person• in charge. Place. Date .... FORM E [See Rule 8(1)] Notice of Clösure To nie Inspector of Shops and Establishments, Madhya Pradesh The M.P. Shops & Establishment Rules, 1959 Sir, Please note that my Establishment, the Registration rnark and number of which is .....•..hasbeenclosed/willbeclosedfrom for the reason The certificate ofregistration is surTendered herewith for cancellation. Signature of employer with natne and address of the establishment. Date..... Place .... FORM F [See Rule 11(1)] Cash Receipt •Received a sum of Rs. IO/- (Rs. Ten only) from Shli . . as a deposit by way of security .. resident of .... Sic.... .... for the retum of seized goods/in consideration that his goods may not be seized for contravention of the provisions of section IO (l) of the Madhya Pradesh Shops and Establishments Act, 1958. Inspector of Shops and Establishments, Madhya Pradesh. Date .... Time .... Signature of depositor Note.— The depositor shall prefer his claim for refund only after the case has been finally disposed of. FORM G [See rule 11(2)] Seizure Memo (Part A) In exercise of the powers conferred on me under sub-section (2) of section IO of 'the Madhya Pradesh Shops and Establishments Act, 1958, I hereby seize the goods ofthe follöwing .... description belonging to Shri .... Slo . who has been detected hawking the said goods in resident of contravention of the provisions of section l) of the Madhya Pradesh Shops and Establishments Act, 1958. Particulars of goods seized The M.P. Shops & Establishment Rules, 1959 Date .... Place .... Witness — Inspector of Shops and Establishments, Madhya Pradesh. Delivery Memo [Supradnam.a . . Part B] The goods seized with the description as given under Seizure Memo No. .... are hereby delivered to their owner Shri .... residentof..... Inspector of Shops and Establishments, Madhya Pradesh. Date .... Time .... Place .... R.eceived the said menüoned goods (Name of the owner of goods with signature and date.) FORM H [See Rule 12] Form of Certificate .. residing at I hereby certify that I have personally exarnined (name) . ... and that Wshe has completed his/her tivelfth/seventeenth year. HisÆåer personal marks of identification are .... Medical Practitioner Thumb impression Or Registration No. Signature of the person examined Form 1] Accumu- lated balance brought forward vious year. 1 ne M.P. Shops & Establishment Rules, 1959 FORM 1 [See rules 130) and 20(4)] Register of Leave Privilege Leave Number of days leave applied for From From (date) (date) 2 L.eave granted To (date) To (date) 3 Balance of carried 4 If leave refused unount of leave and date and reason of refusal 5 Name and address of employer/establishment Account for the year .... Occupation..... Date of entry into service..... Casual leave Leave salary Advance of retum 6 Leave sa.la.ry paid to discharged employee or on his quitting employment after having applied for and having been refused leave. Date of dis— Date and amount charge etc. of payment made in respect of 7 Due Number of days 8 Availed of Balance (Number (number of days of days.) with dates). 9 10 Note.-A separate page should be allotted in the register in respect of each employee. The M.P. Shops & Establishment Rules, 1959 FORM J [See Rule 13(2] Leave Boo Same form as of the register of leave but a separate book shall be made for each employee on a thick bound sheets. FORM K [See rule 13(3)] Register of entering Refusal of Leave 1. Seria.l No. Date of receipt of complaint address 2 Name of the employee reporting 3. Name and Name of the es- address of tablishment the employer and its postal mwlars of leave refused Nature and period of leave applied for 6 Date of ap- lication 7 Date' of 8 4 Leave due refusal with 9 5 Remarks (as to dis posal) reasons. 10 I(FORM K.I [See sib-rule (3) of rule 14-A] Notice to employer/non-applicant under clause (b) of sub-section (2) of Section 58 of the Madhya Pradesh Shops and Establishments Act, 1958 (No. 25 of 1958). Appeal No. .... Appellant (employee) vs. .. .. . Non-Appellant (employer) Inserted vide Notification No. 2167-728-84-xv1-A dated 11.04.1984. Form K2•K3J The M.P. Shops & Establishment Rules, 1959 Shri .... has submitted an appeal before me under clause (a) of sub-section (2) of Section 58 of the Madhya Pradesh Shops and Establishments Act, 1958 against the order of his dis<harge/dismissa.l/retrenchment No. . ... A copy ofappeal is enclosed herewith. The date ofhea.ring of the appeal has been fixed on .... month . 198 at .... a.m./p.m. in my offce. You are

hereby required to appear personally or through your pleader or any person specially authorised to act on your behalf, before me to a.nswer the claims. If you or any other person aforesaid do not appear on the said date, the case will be decided exparte. You are also hereby inforrned to produce all the documents and witnesses which you want to prefer in support of your defence, by the said date of hearing. Issued this .... day of..... under my hand and seal. Appellate Authority. I [FORM K-2 [See sub-rule (3) of rule 14-AI Notice to appellant under clause (b) of sub-section (2) of Section 58 of the Madhya Pradesh Shops and Establishments Act, 1958 (No. 25 of 1958). Appeal No. .. . . Appellant (employee) vs. .. .. Non-Appellant (employer) lhe appea.l filed by you against the order of discharge/dismissal/ retrenchment No. .... dated.....hasbeenfixedon .....dayof..... a.m./p.m. You are hereby required to appear personally or through your pleader or any other person specially authorised to act on your behalf before me to prove your clairns. If you or any of your representatives aforesaid do not appear on the said date, the case will be decided expa.rte. You are also hereby infomed to produce all wimesses and documents which you want to prefer in support of your clairns, by the said date of hearing. Issued this .. day of..... under my hand and sea.l. Appellate Authority.] '[FORM K-3 [See Rule Name and address of the employer... .... Place of work .... Nature of work Being done by the Establishment.....

1. Inserted vide NoüficationNo.2167-728-84-XVI-A dated 11.04.1984

2. Inserted from 02.12.1994 by Notification No. 4B2-94-XV1-B dated 16.11.1994. Published in M.P. Rajpatra, Pan I dated 02/2.1994 Page 2145-2146. s. No. . 1 Pans of the es- lishment i.e. name of room 1 l. 2. 3. 4

FORM L [See Rule 15(1)] Date of medical ex- mination 4 [Form L-M Remark 5 Signature of the Employer.] Register showing dates of Lime-washing, etc. Pa.rts lime- washed, colour- washed, painted or vamished ceilings, wood-work etc. 2 Treatment (whether lime washed. colour washed, painted or var- nished) 3 Date on which lime washing. colour wash- ing or var- nishing was carried out (according to English Calendar) 4 Signa- ture of the employer or Manager 5 marks 6 FORM M [See Rule 19] Inspection Note Name and address of establishment Registration mark and number Name of employer Class of establishment Date and time of inspection Remarks Defects found and directions and orders issued. 'Ihe M.P. Shops & Establishment Rules, 1959 I[FORM N [See Rules 20(1) and 21(2)] Register of Employees Attendance, Wages, Overtime, Fine or other deductions etc. Name and/or the address of the Establishment . Forthemonthof.....:.....l....year..... l. l. 2. 4. 5. 6. 7. 8

9. Date to 31 Nune of Employee Father'sfHusband's narne Address of the Bnployer Nature of Employment Rate of wages (State whether daily, monthly or piece rated) Wage period Date of appointrnent Date of discharge Time at which employment commenced 2 Over-time work if a•ny Intervals for rest or meals 11 any From 3 Wages Eamed From Hours 6 OT Hours Worked 7 in Hrs.8 10 To 4 OT 11 Advance Amount Advanced Arnount 13 Subs. by No

4. Date 14 Basis 9 AmoUnt recovered 15 Balance 16 Time at which employment ceased 5 Total.12 Fine (Details to be given in remarks col.) 17 Deductions (Details to be givén in remarks col.) 18 18 to 31 Net. amount 19 Signature or thumb impression of employee 20 [Form O-P Remarks 21 Signature or Thumb Impression of employee for receipt of a wages alongwith date. Signature of Employer FORM O [See Rule 20(2)] Notice of Holiday to Employees Name of the establishment .... Address..... 'Ihe following persons employed in this Shop/Commercial establishment/ restaurant or eating house/residential hoteVtheatre/or place of public amuseme- t shall be given a holiday on the day mentioned against their names in the week following the date of ülis notice and unti.l further change is notified:— Serial No. 1 2. 3 4 Name of employee Day on which holiday a.llowed Signature of employer Note.— 5 Date .... (2) This notice should be prominently displayed on the premises of the establishment. ne weekly holiday of the employees shall ordinarily, not to be altered more often than once in three monüE. FORM P [See Rule 20(3)] Notice of Periods of Work Daily periods of work of emplöyees commencing from . . 19 ..... Narne of the employees 1 Dated .... Form Q] Name of employer df .... Departrnent (if applicable) Whether young per- Employment son or not to commence .. Description of establishment 2 3 Day Interval for meals and rest 4 Employment to cease 5 Signture of the employer Note.— (l) This notice must be exhibited not later than the closing hour on the Saturday precedi.ng the first week in which it is to take effect and must continue to be exhibited while it is in force, in such a manner that it may be readily seen or read by any person whom it affects. (2) The hours to be specified in this notice shall be the hours to be worked exclusively of overtime. (3) The entries under the heading "Intervals for mea.ls and rest" shall be the actual hours at which intervals are to begin and end (e.g. I P.M. to 2 P.M.). FORM Q [See rule 20(5)] Notice of closed day or an alteration in closed day l. Name of the shop or commercial establishment. ....

3. Registraüonmark and No...... the above shop/ Notice is hereby given that with effect from . commercial establishment shall *(i) observe .... as the plosed day observe .... as closed day instead of..... as previously notified. Signature of the Employer Copy forwarded to the Inspector of Shops and Establishments . .... for information. Date..... Signature of the Employer Delete the item inapplicable. FORM R [See rule 20(6)] Notice of substitution of Weekly holiday on account of public festival Name ofthe Shop/Commercial Establishment... Nune of anployer.. Usual weekly holiday 1 Date on which the said weekly holiday falls 2 Day and date to be observed as a weekly holiday in substitution. 3 Forwarded to the Inspector, Shops and Establishxnents for information. Signature of the employer Note— Whenever such a notice has been given a copy thereof should be displayed on åe premise.' r inspection. Signature. 1