

Coverage of H.P. Shops & Commercial Establishments Act, 1969

The H.P. Shops & Commercial Establishment Act, 1969 applies to a shop or a commercial establishment located within the limits of Shimla Municipal Corporation and other Municipal areas and cantonment limits in the whole State of Himachal Pradesh. The Government may by notification in the Official Gazette, direct that it shall come into force in any other local area or shall apply to such establishments or class of establishments in such other areas as may be specified in the notification. At present, this Act applies to a shop or a commercial establishment located in the following bazaars of the State.

District Shimla

1. Shimla Town
2. Chotta Shimla
3. Boiluganj
4. Jutogh
5. Sanjauli
6. Dhalli
7. Kasumpati
8. Vikasnagar
9. Tutu
10. New Shimla
11. Theog
12. Rohroo
13. Narkanda
14. Rampur Bushar
15. Chirgaon
16. Chopal
17. Nerwa
18. Sunni
19. Kotkhai
20. Jubbal

District Mandi

1. Mandi town
2. Joginder Nagar
3. Sunder nagar
4. Sarkaghat
5. Pandoh
6. Karsog
7. Ladbhadol
8. Rewalsar
9. Ner-Chowk
10. Chail-Chowk, Gohar

District Bilaspur

1. Bilaspur Town
2. Ghumarwin
3. Sri Naina Devi Ji
4. Shahtalai

District Kullu

1. Kullu Town
2. Bhunter
3. Manali
4. Banjar
5. Manikaran
6. Manali Left-bank

District Solan

1. Solan town
2. Parwanoo
3. Baddi
4. Nalagarh
5. Arki
6. Kasauli
7. Dagshai
8. Subathu
9. Kandaghat
10. Kunihar
11. Darlaghat

District Sirmaur

1. Nahan
2. Poanta-Sahib
3. Rajgarh
4. Sarahan
5. Renuka/Dadahu
6. Majra, Dhaula-kuan
7. Kala-Amb

District Kinnaur

1. Reckong Peo

District Chamba

1. Chamba Town
2. Dalhousie
3. Bakloh
4. Chuwari
5. Banikhet
6. Bharmour
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District Hamirpur

1. Hamirpur Town
2. Barsar
3. Nadaun
4. Bhota
5. Sujanpur
6. Deot-Sidh
7. Bijhar
8. Bhoranj

District Kangra

1. Baijnath
2. Palampur
3. Paprola
4. Marinda
5. Jai Singhpur
6. Dharamsala
7. Macleodganj
8. Kangra
9. Dehra
10. Jwalamukhi
11. Nurpur
12. Damtal kandrori

13. Yol Cantt.
14. Nagrota-Bagwan
15. Narwana
16. Shahpur
17. Gagal
18. Jachh
19. Jasur
20. Indora

District Una

1. Una Town
2. Mehatpur
3. Gagret
4. Santokhgarh
5. DaulatpurChowk
6. Amb
7. Chintpurni town comprising of Patwar Circles/Villages Chaproh, Amokla-Pritama, Badhmana, Nari, Samnoli-Moin, Gangot)

District Lahaul-Spiti

1. Keylong

National Highway-Pathankot, Chakki road to Madhi (Kullu).

National Highway-Kalka to Rampur

For the coverage of this Act, **Shop** means any premises where any trade or business is carried on or where services are rendered to customers, and includes officers, store-rooms, godowns, sales depots or warehouses, whether in the same premises or otherwise, used in connection with such trade or business, but does not include a commercial establishment or a shop attached to a factory where the persons employed in the shop are allowed the benefits provided for workers under the Factories Act,1948 and **commercial establishment** means any premises wherein any business, trade or profession is carried on for profit, and includes journalistic or printing establishment and premises in which business of banking, insurance, stocks and shares, brokerage or produce exchange is carried on or which is used as hotel, restaurant, boarding or eating house, theatre, cinema or other place of public entertainment or any other place which the Government may declare, by notification, to be a commercial establishment for the purposes of this Act.

Requirement for Registration of an Establishment located in areas covered by the Act and Renewal Thereof

Within thirty days from the date on which an establishment located in an area covered by this Act commences its work, the employer of the establishment is bound to submit to the Inspector concerned a statement in **Form No-1** for the registration of the establishment and grant of registration certificate after remitting fee as prescribed in the **Fee Schedule**. On receipt of the statement and the prescribed fee, the Inspector shall, on being satisfied about the correctness of the statement, register the establishment and shall issue a registration certificate to the employer of the establishment.

The State Government has appointed all the Labour Inspectors as Inspectors, Shops & Commercial Establishments, for specified jurisdiction and they are the prescribed authorities for registration of establishments within their jurisdiction.

The employer of an establishment employing persons is bound to intimate the Inspector of the area concerned, the working hours and the period of interval for rest of the employed persons, in **Form No-6** within fifteen days of the date of registration of the establishment.

As per the amendment in the Act carried out in 2004, the registration of an establishment would be for five years and renewal of registration certificate shall be required after five years.

Every application for the renewal of registration certificate shall be in **Form No-1**. The same fee shall be charged for the renewal of registration certificate as for the grant thereof which is prescribed in the **Fee Schedule**. If the application for renewal of a registration certificate is not received within thirty days after the expiry of the date of the registration certificate, the registration certificate shall be renewed only on payment of fee 50% in excess of the fee ordinarily payable for the registration.

Notice of change

The employer is bound to give notice to the Inspector of the area concerned in **Form No-4** of any change in respect of any information contained in his statement submitted in **Form No-1** within seven days after the change has taken place together with the registration certificate. The fee for such change shall be one rupee plus the amount, if any, payable as specified in the **Fee Schedule** having regard to the increase in the number of employees. On receipt of notice of change along with the fee, the Inspector shall amend the registration certificate, if necessary, and send it to the employer.

Form and display of notices

The employer of every establishment is bound to keep exhibited in the establishment a notice in **Form No-7** setting forth the close-day, the working hours and the period of interval of rest of employed persons, if any, and other particulars. Further, the registration certificate is also bound to be displayed by the employer at a conspicuous place.

Maintenance of registers

The employer of any establishment, about the business of which persons are employed, shall keep a record of the working hours, rest intervals and the amount of leave taken by every person employed about the business of an establishment and particulars of all overtime employment shall be separately entered in the record. The employer shall make the attendance of every employee in the register maintained for the purpose within one hour of the start of duty. The employer of every establishment about the business of which persons are employed shall maintain the following registers, namely:

- v A register of employees in **Form No-8**
- v A register of wages of employees in **Form No-9**
- v A register of deductions in **Form No-10**
- v A register of leave with wages in **Form No-11**