

LABOUR LAWS:
LESSON 2 (A)

SHOPS AND ESTABLISHMENTS ACT

This Act is a State Legislation and almost every State and Union Territory Government have enacted as Shops and Establishment Act and has framed the rules for its enforcement. (For details, kindly refer to your State Government's Rules):

Objectives:

The main objective of the Shops and Estt. Act, is to regulate the working and employment conditions of workers in the so called unorganized sector, i.e. shops and establishments including commercial establishments which are not covered by the Factories Act or Mines Act or any other Act regulating the employment conditions. This Act generally provides for the working hours, rest intervals, overtime, holidays, leave, termination of service, maintenance of shops and estt. And other rights and obligations of the employers and employees.

Scope and Coverage:

The Act extends to the whole of the State and covers all establishments irrespective of their size, turnover and persons employed. The Act generally applies to the following types of estt:

- A shop carrying on a retail or whole sale trade or rendering a service
- Offices of all types of organizations whether sole proprietor, partnership, private company, public company, etc.
- A store-room, godown, warehouse, etc.
- Banks, Insurance Companies, Stock exchanges, share brokers and commission agents and Money changers
- Journalistic and printing estt with less than 10 employees
- Educational Instt.
- Factories and clerical Dept. of a factory not covered under Factories Act.
- Residential Hotels, Guest Houses, clubs, cinemas and other places of public amusement or entertainments.

REGISTRATION:

Registration is compulsory. For details, you will have to refer your State Government's Rules and Procedures and Formats.

Health and Safety, Working Hours and Holidays, Employment of Staff, Registers and Returns and Inspection – Details you can refer to your local Authority's Rules.

Generally, Your regional Offices, who looks after sales and Service come under Shops and Estt. Act. If your Service Section, exceeds 10 number of employees (Includes all casual, contract and regular), then you have to register under Factories Act.