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## **The Delhi Shops & Establishments Act, 1954**

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## **The Delhi Shops and Establishments Act, 1954**

An Act to amend and consolidate the law relating to the regulation of hours of work, payment of wages, leave, holidays, terms of service and other conditions of work of persons employed in shops, commercial establishments, establishments for public entertainment or amusement and other establishments and to provide for certain matters connected therewith.

It is hereby enacted as follows: -

**1. Short title, extent, commencement and application.-**

(1) This Act may be called the Delhi Shops and Establishments Act, 1954.

(2) It extends to the whole of Union Territory of Delhi.

(3) It shall come into force on such date as Government may, by notification in the Official Gazette, appoint in this behalf.<sup>1</sup>

(4) It shall apply in the first instance only to the municipal areas, Notified Areas and Cantonment limits of Delhi, New Delhi, Shahdara, Civil lines, Mehrauli, Red Fort and Delhi Cantonment but Government may, <sup>2</sup>(by notification in the Official Gazette), direct that it shall come into force in any other local area or areas or shall apply to such shops or establishment or class of shops and establishments in such other areas as may be specified in the notification.

**1. The Act came into force w.e.f 1.2.55 vide Notification No. F. 23(5)/51 L. dated 17.1.55.**

**2. Subs. by Act 6 of 1955.**

**2. Definitions.** – In this Act, unless the context otherwise requires: -

(1) “Adult” means a person who has completed his eighteenth year of age;

<sup>1</sup>[(1A) “Apprentice” means a person, who is employed, whether on payment of wages or not, for the purpose of being trained in any trade, craft or employment in any establishment;]

- (2) “Child” means a person who has not completed his twelfth year of age;
- (3) “Close day” means the day of the week on which a shop or commercial establishment remains closed;
- (4) “Closing hour” means the hour at which a shop or commercial establishment closes;
- (5) “Commercial establishment” means any premises wherein any trade, business or profession or any work in connection with, or incidental or ancillary thereto, is carried on and includes a society registered under the Societies Registration Act, 1860 (XXI of 1860) and charitable or other trust, whether registered or not, which carries on any business, trade or profession or work in connection with or incidental or ancillary thereto, journalistic and painting establishments, contractors and auditors establishments, quarries and mines not governed by the Mines Act, 1952 (XXXV of 1952), educational or other institution run for private gain and premises in which business of banking, insurance, stocks and shares, brokerage or produce exchange is carried on, but does not include a shop or a factory registered under the Factories Act, 1948 (LXIII of 1948), or theatres, cinemas, restaurants, eating houses, residential hotels, clubs or other places of public amusement or entertainment;
- (6) “Day” means a period of twenty-four hours beginning at mid-night;

Provided that in the case of an employee whose hours of work extend beyond midnight, day means the period of twenty-four hours beginning when such employment commences irrespective of midnight:

<sup>2</sup>[(7) “Employee” means a person wholly or principally employed, whether directly or otherwise, and whether for wages, (payable on permanent, periodical, contract, piece-rate or commission basis) or other consideration, about the business of an establishment and includes an apprentice and any person employed in a factory but not governed by the Factories Act, 1948 (LXIII of 1948), and for the purpose of any matter regulated by this Act, also includes a person discharged or dismissed whose claims have not been settled in accordance with this Act;]

(8) “Employer” means the owner of any establishment about the business of which persons are employed, and where the business of such establishment is not directly managed by the owner, means the manager, agent, or representative of such owner in the said business;

(9) “Establishment” means a shop, a commercial establishment, residential hotel, restaurant, eating house, theatre or other places of public amusement or entertainment to which this Act applies and includes such other establishments as Government may, by notification in the Official Gazette, declare to be an establishment for

the purposes of this Act;

(10) “Factory” means a factory as declared or registered under the Factories Act, 1948 (LXIII of 1948);

(11) “Family” means the husband, wife, son, daughter, father, mother, brother, sister or grand-son of an employer, living with and wholly dependent on such employer;

(12) “Government” means the Chief Commissioner, Delhi;<sup>3</sup>

(13) “Holiday” means a day on which an establishment shall remain closed, or on which an employee shall be given a holiday under the provisions of the Act;

(14) “Hours of work” or “working hours” mean the time during which the persons employed are at the disposal of the employer exclusive of any interval allowed for rest and meals and “hours worked” has a corresponding meaning;

(15) “Inspector” means an Inspector appointed under section 36 of the Act;

(16) “Leave” means leave as provided for under this Act;

(17) “Occupier” means a person owning or having charge or control of the establishment and includes the manager, agent or representative of such occupier;

(18) “Opening hour” means the hour at which <sup>4</sup>[a shop or commercial establishment] opens for the service of a customer;

(19) “Prescribed” means prescribed by rules made under this Act;

(20) “Register of Establishments” means a register maintained for the registration of establishment under this Act;

(21) “Registration Certificate” means a certificate showing the registration of an establishment;

(22) “Religious festival” means any festival, which the Government may by notification in the Official Gazette declare to be a religious festival for the purposes of this Act;

1. **Ins. by Act 33 of 1970.**
2. **Subs. by Act 33 of 1970.**
3. **Now, Lt. Governor of Delhi (Author’s Comments).**
4. **Subs. by Central Act 21 of 1961.**

(23) “Residential hotel” means any premises in which business is carried on for the supply of dwelling accommodation and meals on payment of a sum of money by a traveller or any member of the public or a class of the public and includes a club;

(24) “Restaurant” or “eating-house” means any premises in which is carried on wholly or principally the business of the supply of meals or refreshment to the public or a class of the public for consumption on the premises;

(25) “Retail trade or business” includes the business of a barber or hair-dresser, the sale of refreshment of intoxicating liquors, and retail sales by auction;

(26) “Schedule” means a schedule appended to this Act;

(27) “Shop” means any premises where goods are sold, either by retail or wholesale or where services are rendered to customers, and includes an office, a store-room, godown, warehouse or workhouse or work place, whether in the same premises or otherwise, used in or in connection with such trade or business but does not include a factory or commercial establishment;

(28) “Spread over” means the period between the commencement and the termination of the work of an employee on any day;

(29) “Summer” means the period covering the months of April, May, June, July, August and September;

(30) “Wages” means wages as defined in section 2 of the Minimum Wages Act, 1948 (XI of 1948);

- (31) “Week” means a period of seven days beginning at midnight on Saturday;
- (32) “Winter” means the period covering the months of October, November, December, January, February and March;
- (33) “Year” means the calendar year;
- (34) “Young person” means a person who is not a child and has not completed his eighteenth year of age.

**3. Rights and privileges under other law, etc. not affected.** -Nothing in this Act shall affect any rights or privileges which an employee in any establishment is entitled to at the date this Act comes into force, under any other law, contract, custom or usage applicable to such establishment or an award, settlement or agreement binding on the employer and the employee in such establishment, if such rights or privileges are more favourable to him than those to which he would be entitled under this Act.

**4. Exemptions.** -Notwithstanding anything contained in this Act, the provisions of this Act mentioned in the third column of the Schedule shall not apply to the establishment, employees and other persons mentioned against them in the second column of the said Schedule:

Provided that the Government may, by notification published in the Official Gazette, add to, omit or alter any of the entries of the said Schedule, and on the publication of such notifications the entries in either column of the said Schedule shall be deemed to be amended accordingly.

**\*5. Registration of establishments. -**

- (1) Within the period specified in sub-section (5), the occupier of every establishment shall send to the Chief Inspector a statement in a prescribed form, together with such fees as may be prescribed, containing--
- (a) The name of the employer and the manager, if any;
- (b) The postal address of the establishment;

- (c) The name, if any, of the establishment,
- (d) The category of the establishment, i.e., whether it is a shop, commercial establishment, residential hotel, restaurant, eating house, theatre or other place of Public amusement or entertainment;
- (e) The number of employees working about the business of the establishment; and
- (f) Such other particulars as may the fees, the Chief Inspector shall, on being satisfied
- (2) On receipt of the statement and the fees, the Chief Inspector shall, on being satisfied about the correctness of the statement, register the establishment in the Register of Establishment in such manner as may be prescribed and shall issue, in a prescribed form, a registration certificate to the occupier.
- (3) The registration certificate shall be shall be prominently displayed at the establishment and shall be renewed at such intervals as may be prescribed in this respect.
- (4) In the event of any doubt or difference of opinion between an occupier and the Chief Inspector as to the category to which an establishment should belong, the chief Inspector shall refer the matter to the Government which shall after such enquiry, as it may think proper, decide the category of each establishment and the decision thereto, shall be final for the purpose of this Act.
- (5) Within ninety days from the date mentioned in column 2 below in respect of the establishment mentioned in column 1, the statement together with fees shall be sent to the Chief Inspector under sub-section (1).

Establishments	Date from which the period of 90 days is to commence
(i) Establishment existing in municipal areas, notified areas & cantonment limits of Delhi, New Delhi, Shahdara, Civil Lines, Mehrauli, Red Fort and Delhi Cantonment.	The date on which this Act comes into force
(ii) Establishment existing in local areas in which this Act is brought into force by notification under sub-section (4) of section 1.	The date on which this Act comes into force in the local areas concerned
(iii) New establishment in areas mentioned in clauses (i) and (ii) of this sub-section.	The date on which the establishment commences its work

**\*As per a news item appearing in Hindustan Times New Delhi dt. 4.1.1990, Delhi Administration had decided to do away with the registration of shops/commercial establishments in the Union Territory of Delhi and is approaching the Government of India to amend Section (5), (6) and (7) of the Delhi Shops and Establishments Act, 1954. Till the Act is amended the requirement of registration/renewal/amendment has been kept in abeyance.**

**6. Change to be communicated to the Chief Inspector.** -It shall be the duty of the occupier to notify to the Chief Inspector, on a prescribed form, any change in respect of any information contained in his statement under sub-section (1) of section 5 within <sup>1</sup>[thirty days after the change has taken place]. The Chief Inspector shall on the receipt of such notice and the prescribed fee and on being satisfied about its correctness make the change in the register of establishments in accordance with, such notice and shall amend the registration certificate, or issue a fresh registration certificate, if necessary.

**1. Subs. by Act 33 of 1970.**

**7. Closing of establishment to be communicated to the Chief Inspector.** -The occupier shall within fifteen days of his closing the establishment, notify to the Chief Inspector in writing accordingly. The Chief Inspector shall, on receiving the information and being satisfied about the nature of closure, remove such establishment from the register of establishments and cancel the registration certificate.

Provided that the Chief Inspector may not, if satisfied that the establishment is likely to re-start within a period of six months, remove it from the register of establishments and cancel the registration certificate.

**8. Employment of adults, hours of work.** -No adult shall be employed or allowed to work about the business of an establishment for more than nine hours on any day or 48 hours in any week and the occupier shall fix the daily periods of work accordingly.

Provided that during any period of stock taking or making of accounts or any other purpose as may be prescribed, any adult employee may be allowed or required to work for more than the hours fixed in this section, but not exceeding 54 hours in any week subject to the conditions that the aggregate hours so worked shall not exceed 150 hours in a year.

Provided further that advance intimation of at least three days in this respect has been given in the prescribed manner to the Chief Inspector and that any person employed on overtime shall be entitled to remuneration for such overtime work at twice the rate of his normal remuneration calculated by the hour.

**Explanation.** - For the purpose of calculating the normal hourly wage the day shall be reckoned as consisting of eight hours.

**9. Restriction on double employment.** -No person shall work about the business of an establishment or two or more establishments or an establishment and a factory in excess of the period during which he may be lawfully employed under this Act.

**10. Interval for rest and meals.** -

(1) The period of work of an adult employee in an establishment each day shall be so fixed that no period of continuous work shall exceed five hours and that no employee shall be required or allowed to work for more than five hours before he has had an interval for rest and meals of at least half an hour.

(2) The time for such interval shall be fixed by the employer and intimated to the Chief Inspector a week before such fixation and shall remain operative for a period of not less than three months.]

**1. Subs. by Act 33 of 1970.**

**11. Spread over.** -The periods of work on any day of an adult person shall be so arranged that inclusive of his interval for rest or meals as required under Section 10, they shall not spread over for more than ten and a half hours in any commercial establishment or for more than twelve hours in any shop.

**12. Prohibition of employment of children.** -No child shall be required or allowed to work whether as an employee or otherwise in any establishment notwithstanding that such child is a member of the family of the employer.

**13. Employment of young persons-hours of work.-**

(1) No young person shall be required or allowed to work about the business of an establishment for more than six hours a day.

(2) No young person shall be employed continuously for more than three and a half hours without an interval of at least half an hour for rest or meals and the spread over shall not exceed eight hours on any day.

**14. Young persons and women to work during day time.** -No young person or woman shall be allowed, or required to work, whether as an employee or otherwise in any establishment between 9 P.M. and 7 A.M. during the summer season and between 8 P.M. and 8 A.M. during the winter season.

**<sup>1</sup>[15. Opening and closing hours of shops and commercial establishment. -**

(1) No shop or commercial establishment on any day, be opened earlier than such hour or closed later than such hour, as may be fixed by the Government by general or special order made in that behalf.

Provided that any customer who was being served or was waiting to be served in any shop or commercial establishment at the closing hour so fixed may be served during the period of fifteen minutes immediately following such hour.

(2) Before making an order under sub-section (1), the Government shall hold an inquiry in such manner as may be prescribed.

(3) The Government may, for the purposes of this section, fix different opening hours and different closing hours for different classes of shops or commercial establishments or for different areas or for different times of the year].

**1. Subs. by Central Act 21 of 1961.**

**16. Close day. -**

(1) Every shop and commercial establishment shall remain closed on a close day.

(2) In addition to the close day every shop and commercial establishment shall remain closed on three of the National holidays each year as the Government may <sup>1</sup>[by notification in the Official Gazette] specify.

<sup>2</sup>[(3) (i) The Government may, by notification in the Official Gazette, specify a close day for the purposes of this section and different days may be specified for different classes of shops or commercial establishments or for different areas.

(ii) Notwithstanding anything contained in sub-section (1), the occupier of any shop or a commercial establishment may, open his shop or commercial establishment on a close day, if such a day happens to coincide with a religious festival, “or the Mahurat day”, the day of the commencement of the financial year of the establishment concerned, provided a notice to this effect has been given to the Chief Inspector at least twenty-four hours before the close day and that in lieu thereof the shop or the commercial establishment is closed on either of the two days immediately preceding or following that close day].

**2. Subs. by Delhi Act 6 of 1955.**

**3. Subs. by Act 33 of 1970.**

**17. Period of rest (weekly holiday).** -Every employee shall be allowed at least twenty-four consecutive hours of rest (weekly holiday) in every week, which shall, in the case of shops and commercial establishments required by this Act to observe a close day, be on the close day.

**18. Wages for the holiday.** -No deduction shall be made from the wages of any employee on account of the close day under section 16 or a holiday granted under section 17 of this Act.

If an employee is employed on a daily wage, he shall nonetheless be paid his daily wage for the holiday and where an employee is paid on piece rates, he shall receive the average of the wages received during the week.

**19. Time and conditions of payment of wages. -**

(1) Every employer or his agent or the manager of any establishment shall fix periods in respect of which wages to the employee shall be payable and such person shall be responsible for the payment to persons employed by him of all wages required to be paid under this Acts

(2) No wage period, so fixed, shall exceed one month.

(3) The wages of every employee in any shop or establishment shall be paid on a working day before the expiry of the seventh day of the last day of the wage period in respect of which the wages are payable.

(4) All wages shall be paid in cash.

(5) Where the employment of any person is terminated by or on behalf of the employer, the wages earned

by him shall be paid before the expiry of the second working day after the day on which his employment is terminated.

## 20. Deductions, which may be made from wages. -

(1) The wages of an employed person shall be paid to him without deduction of any kind except those specified in subsection (2).

**Explanation.** -Every payment made by the employed person to the employer or his agent or the manager shall for the purpose of this Act be deemed to be a deduction from wages.

(2) Deductions from the wages of an employee shall be of one or more of the following kinds, namely: -

(i) Fines;

(ii) Deductions for absence from duty;

(iii) Deductions for damage to or loss of goods expressly entrusted to -the employed person for custody, or for loss of money for which he is required to account, where such damage or loss is directly attributable to his neglect or default;

(iv) Deductions for house accommodation supplied by the employer;

(v) Deductions for such amenities and services supplied by the employer as the Government may by general or special order authorise;

**Explanation.** -The words 'amenities and services' in this clause do not include the supply of tools and protectives required for the purpose of employment.

(vi) Deductions for the recovery of advances or for adjustment of over-payments of wages, provided that such advances do not exceed an amount equal to wages for two calendar months of the employed person and, in no case, shall the monthly instalment of deduction exceed one-fourth of the wages earned in that month.

- (vii) Deductions of income-tax payable by the employed person;
  - (viii) Deductions required to be made by order of a Court or other competent authority;
  - (ix) Deductions for subscription to, and for repayment of advances from, any provident fund to which the Provident Fund Act, 1952 (XIX of 1952) applies or any recognized provident fund as defined in section 2(38) of Income Tax Act, 1961 (43 of 1961) or any provident fund approved in this behalf by the Government during the continuance of such approval;
  - (x) Deductions for payment to co-operative societies or to a scheme of insurance approved by the Government.
- (3) Any employer desiring to impose a fine on an employed person or to make a deduction for damage or loss caused by him shall explain to him personally and also in writing the act or omission or the damage or loss, in respect of which the fine or deduction is proposed to be imposed or made, and give him an opportunity to offer any explanation in the presence of another person. The amount of the said fine or deduction shall also be intimated to him.
- (4) The amount of fine or deduction mentioned in sub-section (3) shall be such as may be specified by the Government. All such deductions and realizations thereof shall be recorded in a register maintained in a form as may be prescribed.
- (5) The amount of fine imposed under sub-section (3) shall be utilised in accordance with the directions of the Government.
- (6) Nothing in this section shall be deemed to affect the provisions of the Payment of Wages Act, 1936 (IV of 1936).

## **21. Claims relating to wages. -**

- (1) The Government may, by notification in the Official Gazette, appoint any Commissioner for Workmen's Compensation Act or other officer with experience as a Judge of a Civil Court or as a Stipendiary Magistrate to be the authority to hear and decide all claims arising out of delayed payment or non-payment of earned wages of an employee employed in any establishment.

(2) Application for any such claim may be made to the authority appointed under sub-section (1) by the employee himself <sup>1</sup>[or any official of a registered trade union authorised in writing to act on his behalf] or any legal practitioner or the Chief Inspector for a direction under subsection (3).

Provided that every such application should be presented within <sup>2</sup>[one year] from the date on which the claim for such wages has become payable under this Act:

Provided further that an application may be admitted after the said period of <sup>3</sup>[one year] when the applicant satisfies the authority that he had sufficient cause for not making the application within such period.

(3) When any application under sub-section (2) is entertained, the authority shall hear the applicant and the employer, or give them an opportunity of being heard and after such further enquiry, if any, as it may consider necessary may, without prejudice to any other penalty to which employer may be liable under this Act, direct the payment to the employee of the amount due to him together with the payment of such compensation as the authority may think fit, not exceeding half the amount so due or Rs. 100, whichever is less.

(4) If the authority hearing any application under this section is satisfied that it was either malicious or vexatious, it may direct that a penalty not exceeding hundred rupees be paid to the employer by the person presenting the application.

(5) Any amount directed to be paid under this section may be recovered:

(a) If the authority is a magistrate, by the authority as if it was a fine imposed by the authority as a magistrate, or

(b) If the authority is not a magistrate, by any magistrate to whom the authority makes application in this behalf, as if it were a fine imposed by such magistrate.

(6) Every direction of the authority under this section shall be final.

(7) Every authority appointed under subsection (1) shall have all powers of a Civil Court under the Code of Civil Procedure, 1908 (V of 1908) for the purpose of taking evidence and of enforcing the attendance of

witnesses and compelling the production of documents, and every such authority shall be deemed to be a Civil Court for all the purposes of Section 195 and Chapter XXXV of the Code of Criminal Procedure, 1898 (V of 1898).

1. **Ins. by Act 33 of 1970.**
2. **Sub. by *ibid.***
3. **Subs. by Act 33 of 1970.**

## 22. **Leave. -**

<sup>1</sup>[(1) Every person employed in an establishment shall be entitled:

- (a) After every twelve months', continuous employment, to privilege leave for a total period of not less than fifteen days;
- (b) In every year, to sickness or casual leave for a total period of not less than twelve days;

Provided that:

- (i) An employee who has completed a period of four months in continuous employment, shall be entitled to not less than five days privilege leave for every such completed period; and
- (ii) An employee who has completed a period of one month in continuous employment shall be entitled to not less than one day's casual leave for every month.

Provided further that a watchman or caretaker who has completed a period of twelve months in continuous employment and to whom the provisions of Section 8, 10, 11, 13 and 17 do not apply by virtue of an exemption granted under Section 4, shall be entitled to not less than thirty days' privilege leave.

- (1A) (i) Privilege leave to which an employee is entitled under clause (a) of sub-section (1) or under any such law, contract, custom or usage, award, settlement or agreement as is referred to in section 3, or any part of such leave, if not availed of by such employee, shall be added to the privilege leave in respect of any succeeding period to which he is so entitled, so however, the total period of such privilege leave which may be accumulated by such employee shall not at any one time exceed three times the period of privilege leave to

which he is entitled after every twelve months' employment under that clause or under such law, contract, custom or usage, award, settlement or agreement.

(ii) Leave admissible under clause (b) of sub-section (1) shall not be accumulated].

(2) If an employee entitled to leave under clause (a) of sub-section (1) of this section is discharged by his employer before he has been allowed the leave, or if, having applied for and having been refused the leave, he quits his employment before he has been allowed the leave, the employer shall pay him full wages for the period of leave due to him.

**1. Subs. by Act 33 of 1970.**

**23. Wages during leave.** -Every employee shall be paid for the period of his leave at a rate equivalent to the daily average of his wages for the days on which he actually worked during the preceding three months, exclusive of any earnings in respect of overtime but inclusive of dearness allowance.

**1[24. Contracting Out.** -Any contract or agreement, whether made before or after the commencement of Delhi Shops and Establishments (Amendment) Act, 1970, whereby an employee relinquishes any right conferred by this Act, shall be null and void in so far as it purports to deprive him of such right].

**1. Subs. by Act 33 of 1970.**

**25. Cleanliness.** -The premises of every establishment shall be kept clean and free from effluvia arising from any drain or privy or other nuisance and shall be cleaned at such times and by such methods as may be prescribed. These methods may include lime washing, colour washing, painting and disinfecting.

**26. Lighting and ventilation. -**

(1) The premises of every establishment shall be kept sufficiently lighted and ventilated during all working hours.

(2) Suitable arrangements shall be made for supply of drinking water to the employees.

**27. Power to enforce cleanliness, etc.**-If it appears to an Inspector that the premises of any establishment within his jurisdiction are not sufficiently lighted, cleaned or ventilated, he may serve on the employer an order in writing specifying the measures which in his opinion should be adopted and requiring them to be carried out before a date specified in the order.

The Government may prescribe standards in respect of any of these matters.

**28. Precautions against fire.** -In every establishment, except such establishments or class of establishments as may be prescribed, such precautions against fire shall be taken as may be prescribed.

**29. Accidents.** -The provisions of Workmen's Compensation Act, 1923 (VIII of 1923) and of rules made thereunder, shall apply mutatis mutandis to every employee of an establishment.

**30. Notice of dismissal. -**

(1) No employer shall dispense with the services of an employee who has been in his continuous employment for not less than three months, without giving such person at least one months' notice in writing or wages in lieu of such notice:

Provided that such notice shall not be necessary where services of such employee are dispensed with for misconduct, after giving him an opportunity to explain the charge or charges against him in writing.

(2) No employee who has put in 3 months continuous service shall terminate his employment unless he has given to his employer a notice, of at least one month, in writing. In case he fails to give one month's notice, he will be released from his employment on payment of an amount equal to one month's pay.

(3) In any case instituted for a contravention of the provisions of sub-section (1), if a Magistrate is satisfied that an employee had been dismissed without any reasonable cause or discharged without proper notice or pay in lieu of notice, the Magistrate may, for reason to be recorded in writing, award, in addition to one month's salary, compensation to the employee as follows:

(a) When immediately before his discharge or dismissal, the employee was in receipt of a salary not exceeding Rs. 100 per month, such amount of compensation not exceeding his month's salary, as the Magistrate may direct

- (b) When immediately before his dismissal or discharge, the employee was in receipt of a salary exceeding hundred rupees per mensem, such amount of compensation not exceeding hundred rupees, as the Magistrate may direct.
- (4) The amount payable as compensation under this section shall be in addition to any fine payable under section 40.
- (5) No person who has been awarded compensation under this section shall be at liberty to bring a civil suit in respect of the same claim.

**31. Provisions in respect of shops and commercial establishments where more than one business is carried on.** -Where any retail trade or business, which is exempted from all or any of the provisions of the Act, is carried on along with other retail trade or business, the exemption shall not apply to that part of trade or business, which is not exempted from the provisions of the Act.

**32. Provisions as to trading elsewhere than in shops.** -No person shall carry on any retail trade or business of any class near any shop or commercial establishment at any time before the opening and after the closing hours and on the close day, and if any person carries on any such trade or business in contravention of this section, this Act shall apply as if he were the occupier of the shop or commercial establishment which was being kept open in contravention of this Act.

**33. Records. -**

- (1) The occupier of every shop or commercial establishment shall, in the prescribed form and in the prescribed manner, keep exhibited in the shop or establishment a notice setting forth the close day.
- (2) The occupier of any shop or establishment, about the business of which persons are employed, shall in the prescribed form and in the prescribed manner keep a record of the hours worked and the amount of leave taken by, and of the intervals allowed for rest and meals to, every person employed about the business of the shop or establishment, and particulars of all employment overtime shall be separately entered in the record.
- (3) The occupier of any shop or establishment, about the business of which persons are employed, shall in the prescribed form and in the prescribed manner keep exhibited in the shop or establishment notices setting forth the number of hours in the week during which persons may in accordance with the provisions of this Act be employed about the business of a shop or establishment and such other particulars as may be prescribed.

(4) The occupier of every shop or establishment shall for the purpose of this Act maintain such other records and registers and display such other notices as may be prescribed.

**34. Employer to furnish letters of appointment to employees.** -The employer shall furnish every employee with a letter of appointment. Such letters of appointment shall contain the following and such other particulars as may be prescribed, namely:

- (a) The name of employer,
- (b) The name, if any, and the postal address of the establishment,
- (c) The name, fathers name and the age of the employee,
- (d) The hours of work,
- (e) Date of appointment.

**35. Inspection of Registers and calling for information.** - It shall be the duty of every occupier of a shop or establishment to produce for inspection of an Inspector, all accounts or records required to be kept for the purpose of this Act, and to give any other information in connection therewith as may be required.

**36. Appointment of Inspectors.** -The Government shall appoint a Chief Inspector and such inspectors as may be necessary for the purpose of carrying out the provisions of this Act. The Chief Inspector and the Inspectors so appointed shall carry identity cards.

**37. Powers and duties of the Inspector.** -Subject to any rules made by the Government in this behalf the Chief Inspector or an Inspector may:

- (a) Enter at all reasonable times with such assistance as may be necessary any place which is, or which is being used as an establishment;
- (b) Make such examination of the premises and of any prescribed registers, records and notices and take on the spot or otherwise evidence of any person as he may deem necessary for carrying out the purpose of this Act;

(c) Make copies of or take extracts from any book, registers or other documents maintained for the purpose of this Act;

(d) Exercise such other powers as may be necessary for carrying out the purpose of this Act.

Provided that no one shall be required under this section to answer any question or to give any evidence tending to incriminate himself.

**38. Inspectors to be public servants.** -The Chief Inspector and every Inspector appointed under section 36 shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (Act XLV of 1860).

**39. Protection to persons acting under this Act.** -No suit, prosecution or other legal proceeding shall lie against any public servant or any other person in the service of this Union Territory, acting under the direction of any such public servant for anything in good faith done or intended to be done in pursuance of the provisions of this Act or any rule or order made thereunder.

**40. Penalties.** -

(1) If in any shop or establishment there is any contravention of any provisions of this Act, or any rule or order made there under except sections 33, 41 and 42 the proprietor, the employer or the manager thereof as the case may be shall, on conviction, be punished with fine which shall not be less than twenty-five rupees and which may extend to two hundred and fifty rupees.

(2) If any person contravenes the provisions of section 33, he shall be liable, on conviction, to a fine of Rs. 5 for every day on which the contravention occurs or continues.

**41. Wilfully making false entries.** -If any person with intent to deceive makes or causes or allows to be made in any record, register, or notice prescribed under section 33 an entry which is to his knowledge false in any material particular, or wilfully omits or causes or allows to be omitted from any such record, register or notice an entry required to be made therein, he shall be liable on conviction to an imprisonment for a term not exceeding three months or to a fine which shall not be less than fifty rupees and which may extend to two hundred and fifty rupees or to both.

**42. Penalty for obstructing Inspector.** -Whoever wilfully obstructs an Inspector in the exercise of any power under Section 37 or conceals any employee in an establishment from appearing before or being examined by an Inspector shall, on conviction, be punished with fine which shall not be less than fifty rupees and which may extend to two hundred and fifty rupees.

**43. Determination of employer for the purpose of this Act.** -

(1) Where the owner of an establishment is a firm or other association of individuals, any one of the individual partners or members thereof may be prosecuted and punished under this Act for any offence for which an employer in an establishment is punishable:

Provided that the firm or association may give notice to the Inspector that it has nominated one of its members who is resident in the Union Territory to be the employer for the purposes of this Act and such individual shall so long as he is so resident, be deemed to be the employer for the purposes of this Act until further notice cancelling the nomination is received by the Inspector or until he ceases to be a partner or member of the firm or association.

(2) Where the owner of an establishment is a company, any one of the directors thereof, or in the case of a private company any one of the shareholders thereof, may be prosecuted and punished under this Act for any offence for which the employer in the establishment is punishable.

Provided that the company may give notice to the Inspector that it has nominated a director or, in the case of a private company, a shareholder who is resident in the Union Territory to be the employer in the establishment for the purposes of this Act, and such director or share-holder shall so long as he is so resident be deemed to be the occupier in the establishment for the purposes of this Act, until further notice cancelling his nomination is received by the Inspector or until he ceases to be a director or share-holder.

**44. Exemption of occupier from liability in certain cases.** -Where the occupier of a shop or commercial establishment is charged with an offence against this Act or the rules or orders made thereunder, he shall be entitled, upon complaint duly made by him, to have his agent or servant whom he charges as the actual offender brought before the court at the time appointed for hearing the charge; and if, after the commission of the offence has been proved, the occupier proves to the satisfaction of the court:-

(a) That he had used due diligence to enforce the execution of this Act and the rules or orders made thereunder, and

(b) That the said agent or servant committed the offence in question without his knowledge, consent or connivance, or wilful neglect or default, that agent or servant shall be convicted of the offence and shall be

liable to the like fine as if he were the occupier, and the occupier shall be discharged from any liability for the offence.

**45. Cognizance of offence. -**

- (1) No prosecution under this Act or the rules or orders made thereunder shall be instituted except by or with the previous sanction of the Chief Inspector appointed under the Act.
- (2) No Court inferior to that of a Magistrate of the First Class shall try any offence under this Act or any rule or order made thereunder.

**46. Savings. -** Nothing in this Act shall apply to--

(a) Any office of or under the Central Government, or Delhi Administration;

<sup>1</sup>[(b) Any office of any local authority, any Railway Administration, the Reserve Bank of India, <sup>2</sup>[the Delhi Development Authority, the Delhi Water Supply and Sewage Disposal Undertaking, the Delhi Electric supply Undertaking and the Delhi Transport Undertaking' of the Municipal Corporation of Delhi], the Delhi University or Airlines Corporation;]or

(c) Any telegraph, telephone or postal service.

**1. Substituted by the Delhi Shops and Establishments (Amendments) Act 1955 (Act No. VI of 1955).**

**2. Subs. by Central Act 21 of 1961.**

**47. Power to make rules. -**

<sup>1</sup>(1) The Government may after, previous publication makes, by notification in the official Gazette, rules to carry out the purposes of this Act].

(2) In particular and without prejudice to the generality of the foregoing power; such rules may provide for all or any of the following matters, namely: -

- (a) The manner and form in which the registers shall be kept;
- (b) The manner and form in which any notice required by this Act shall be given;
- (c) The conditions subject to which any exemption under this Act may be granted;
- <sup>2</sup>[(cc) The manner in which inquiry under sub-section (2) section 15 shall held;].
- (d) The manner in which the occupier of a shop or a commercial establishment shall keep exhibited in the premises the notice of close day, closing and opening hours and such other particulars as may be prescribed;
- (e) Deductions that may be made from the wages of the employee;
- (f) Fines and dismissals;
- (g) The form of submitting a statement, the fees and other particulars under sub-section (1) of section 5, the manner in which the registration certificate under sub-section (2) of section 5, and the form for notifying a change and the fees under section 5;
- (h) Further particulars to be prescribed for the letter of appointment under section 34;
- (i) Fixing time and method for cleaning the establishment under section 25 and prescribing such establishments as are to be exempted from the provisions of and precautions against fire to be taken under section 28;
- (j) Qualification of the Chief Inspector and Inspectors appointed under section 36 and their powers and duties;
- (k) Any other matter, which is or may be prescribed.

<sup>1</sup>[3. Every rule made under this Act shall be laid as soon as may be after it is made before each house of

Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of session in which it is so laid or the session immediately following, both houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under the rule].

**1. Subs. by Central Act 21 of 1961.**

**2. Ins. by Ibid.**

**\*. Now, Delhi Transport Corporation (Author's Comments).**

**48. Repeal of Punjab Trade Employees Act, 1940, as extended to the Union Territory of Delhi. -** On and from the date of the commencement of this Act, the Punjab Trade Employees Act, 1940 (Punjab Act No. X of 1940) as extended to Union Territory of Delhi shall be repealed;

Provided that-

(a) Every appointment, order, rule, bye-law, regulation, notification or notice made, issued or given under the provisions of the Act so repealed shall, in so far as it is not inconsistent with the provisions of this Act, be deemed to have been made, issued or given under the provisions of this Act, unless and until superseded by any appointment, order, rule, bye-law, regulation notification or notice made, issued or given under this Act;

(b) Any proceedings relating to the trial of any offence punishable under the provisions of the Act so repealed shall be continued and completed as if the said Act had not been repealed but had continued in operation and any penalty imposed on such proceedings shall be recovered under the Act so repealed.

**<sup>1</sup>[49. Application of General Clauses Act, 1897. -**The provisions of the General Clauses Act, 1897 (X of 1897), shall apply for the interpretation of this Act as they apply for the interpretation of a Central Act].

**1. Added by the Delhi Shops and Establishments (Amendments) Act 1955 (No. VI of 1955).**

## **SCHEDULE<sup>1</sup>**

### **(Section 4**

## **EXEMPTIONS**

Sl. No.	Establishment, Employees or other persons	Provision of the Act
1	2	3

## 1. Establishment

1.	Establishment for the treatment or the care of the infirm or the mentally unfit, which provide indoor treatment, hospitalization for the care of the sick.	Second proviso to section 8(in Respect of advance intimation regarding overtime), section 10,11, 14, 15 and 16 2
2.	Establishment of doctors and medical practitioners.	All provisions.
3.	Establishment of legal practitioners.	All provisions.
4.	Banks bound by the awards of the National Tribunal (Bank Disputes) popularly known as Desai Award published in the Gazette of India dated 30. 6. 1962.	All provisions.
5.	Foreign News Agencies.	All provisions.
6.	Stall of Central and State Government at Fairs or Exhibitions, which are organized mainly for showing development of industries, arts and science and are primarily meant to be educative and informative to the public.	All provisions.
7.	Stalls other than those of Central and State Government at Fairs or Exhibitions, which are organized mainly for showing development of industries, arts and science and are primarily meant to be educative and informative to the public.	15 and 16
8.	Shops of barbers and hair dressers.	15
9.	Retail shops dealing exclusively in meat, fish, poultry eggs, milk and milk-products (excluding ghee) ice cream, cooked food, flowers, bet-leaves, tobacco products like cigarettes, biri and cigar, beverages, fruits and vegetables.	15 and 16
10.	Halwai shops.	15 and 16

11.	Retail shops dealing exclusively in medicines or medical or surgical requisites or appliances.	15 and 16
12.	Shops dealing in articles for funeral, burial or cremation.	15 and 16

13.	News paper offices, news agencies and shops dealing in newspaper or periodicals.	15 and 16
14.	Automobile service stations (not being repair workshops) and depots and petrol pumps for the retail sale of petrol.	15 and 16
15.	All military canteens, canteen stores department (India) Installations and regimental shops located in or outside cantonment area.	15 and 16
16.	Tanneries.	15 and 16
17.	Bricks and lime kilns.	15 and 16
18.	Stall and refreshment rooms at railway stations or airports.	15 and 16
19.	Establishments of auditors or registered accountants.	15 and 16
20.	Shops engaged in the supply on hire of gaslight, crockery, shamianas, furniture, temporary illumination (by licenced Electric Contractors) bands, orchestra etc., on marriage or other ceremonial occasions.	15 and 16
21.	Establishments of transport.	15 and 16
22.	Excise shops.	15
23.	Air service companies.	11,14,15,16 and 2 <sup>nd</sup> proviso to Sec. 8.

24.	Delhi Cloth Mills Co. Ltd. Delhi.	20 (2) (vi)
25.	All shops and commercial establishment situated on the route of the Ram Lila procession i.e., on Esplanade Road, Dariba Kalan, Chandni Chowk, Egerton Road, Chawri Bazar, Ajmere Gate and Circular.	Section 8 (in so far as restrictions for working hours are concerned) 11, 15 and 16 for the period from Asouj Sudi Parwa to Assuj Sudi Akadeshi every year.
26.	All shops and commercial establishments.	Section 8 (in so far as restrictions for working hours are concerned) Sections 11, 15 and 16 for three days ending with Dewali and Id every year.
27.	Establishment dealing in raw skin and raw wool.	15 and 16
28.	Establishment dealing in fodder.	15 and 16
29.	Establishments of press, 'photo-graphers' accredited by the press information Bureau, Government of India.	15 and 16

30.	All establishments situated in the President's Estate, New Delhi.	15
31.	Travel agencies assisting the travel arrangements of passengers by railway or by other means of transport	15 and 16
32.	(i) Private educational institutions other than those teaching short-hand and typewriting.  (ii) Private institutions teaching short-hand and type-writing.	11, 15, 16 and 17  15
33.	Establishments engaged in the manufacture of aerated water.	16 (from 1st March to 31st October every year)
34.	Cloak room attendants, girl telephone operators, Ayaas Lady house-keepers and artists in cabaret and entertainment shows except children, in hotels, and other pieces of public amusements.	14
35.	Establishments of chartered accountants, Income-tax practitioners, bakeries, railway catering concerns, and salt refineries.	15 and 16
36.	Establishments engaged in teaching music and fine arts and conducting classes for other public examinations	15
37.	Shops dealing mainly in Parched grams or grams etc., commonly known as bar-buhjas shops.	15
38.	Establishments of M/s. Band Box Pvt. Ltd., Dyers & Dry Cleaners situated in the premises of Ashoka Hotel, New Delhi.	15 and 16
39.	Railway City Booking Agencies.	10,15 and 16
40.	Cycle Stands.	15 and 16
41.	Break-down Service of the Automobile Association of Upper India, New Delhi.	15 and 16
42.	Shops mainly engaged in the supply on hire of charpies and beddings to bonafide passengers and shops working as cloak rooms.	15 and 16
43.	State Trading Corporation of India.	Section 15 and 16
44.	All shops exclusively dealing in cooking gas.	Section 16

45.	Steel Stockyard of the Indian Iron and Steel Company Ltd., on main Mathura Road, Industrial Estate, Okhla.	15 and 16
46	M/s. Union Carbide India Ltd., 5-Parliament Street, New Delhi.	Section 15
47.	M/s. Electric Construction and Equipment Co. Ltd. United Commercial Bank Building, Parliament Street, New Delhi	Sec. 15 and 16 (only for maintenance staff)
48.	M/s. Fertilizer Corporation of India, Ltd. New Delhi.	15 and 16
49	M/s. Bharat Aluminium Co. Ltd., F-41, New Delhi South Extn. Phase -1, New Delhi.	2 <sup>nd</sup> proviso to Sec. 8 (relating to advance intimation) 15 & 16.
50.	Khadi Gramudyog Bhawan, New Delhi.	15 and 16
51.	Night service Department of M/s. Otis Elevator Co. (India) Ltd., Parliament Street, New Delhi.	15 and 16
52.	M/s. Export India Corporation, B1/30 A, Hauz Khas, Main Mehrauli Road, New Delhi.	Section 16
53.	[Omitted].	

54.	Glaxo Laboratories (I) Pvt. Ltd., new Delhi.	Proviso to clause (vi) of sub-section (2) of section 20.
55.	All offices of the Life Insurance Corporation of India in the Union Territory of Delhi.	2 <sup>nd</sup> proviso to section 8 relating to advance intimation section 15, 16 & 19 (3) in so far as the payment of over-time allowances is concerned.
56.	All Shops And Commercial Establishment situated on the route of Ramlila Procession organised by Shri Dharmic Lila Committee i.e. Parade Ground, Chandni Chowk, Fatehpuri, Khaari Boali, Naya Bans, Lal kuan, Hauz Kazi, Chawri Bazar, Nai Sarak and back to Parade Ground via Chandni Chowk, Delhi.	Section 11, 15, 16 every year on the day of Asau judi Dewadshi.
57.	[Omitted].	
58.	Depots of Food Corporation of India situated at Naraina, Ring Road, New Delhi, New Pusa, New Delhi Gonda (Shahdara) and Shakti Nagar.	2 <sup>nd</sup> Proviso to section 8 (relating to advance intimation) Section 15 and 16 subject to the conditions that employees in accordance with the provisions of the Delhi Shops & Establishments Act and weekly off will be given to employees (who are called to duty on close day) in rotation.`

59.	Industrial Finance Corporation of India, 16, Parliament Street, New Delhi.	1 <sup>st</sup> Proviso to Section 8 (relating to limit of overtime) 2 <sup>nd</sup> proviso to section 8 (relating to advance intimation) and section 15 & 16 subject to the condition that overtime payable to the employees will not be less than the rate prescribed in section 8 of the Act.
60.	[Omitted].	
61.	National Agricultural Co-op. Marketing Federation Ltd., New Delhi.	15 and 16
62.	National Building Construction Limited, New Delhi.	2 <sup>nd</sup> Proviso to Section 8 (provision relating to advance intimation) sections 15 and 16.
63.	Indian Oil Corporation Ltd., (Refineries and Pipelines Division) Indian Oil Bhawan, Janpath, New Delhi.	Section 20 (2) (vi) relating to advancement of loans only.
64.	[Omitted].	
65.	Dharamkanta used for weighing heavy vehicles.	15 and 16
66.	(i) Amar Medica, Rajouri garden, New Delhi.	Section 15 and 16 subject to the conditions that overtime wages will be paid to the employees in accordance with the provisions of the Act and weekly of day will be allowed to the employees in rotation
	(ii) M/s. Rangila Chemists, Gandhi Nagar, Delhi.	-Do-
	(iii) M/s. Kemp and Company, Connaught Place, New Delhi.	-Do-
	(iv) M/s. Smarak Sons, Lajpat Nagar, New Delhi.	-Do-
	(v) M/s. Sewak Medical Store I. N. A. Super bazaar, New Delhi.	Section 15 and 16 subject to the conditions that overtime wages will be paid to the employees in accordance with the provisions of the Act and weekly of day will be allowed to the employees in rotation
	(vi) M/s. Super Stores, Greater Kailash, New Delhi.	-Do-
	(vii) M/s. Satish Chemists, Defence Colony, New Delhi.	-Do-
	(viii) M/s. Gainda Mull Hem Raj 11, Regal Bldg., Parliament Street, New Delhi.	-Do-
67.	[Omitted].	
68.	[Omitted].	

69.	[Omitted].	
70.	Sona shops of the handicrafts and handlooms Export Corporation India Ltd. at:	Section 15 and 16 subject to the conditions that overtime wages will be paid to the employees in accordance with provisions of the Act and weekly off day will be allowed to the employees in rotation.
	(i) Akbar Hotel, Chankaya Puri, New Delhi.	
	(ii) Hotel Ashoka, Chankaya Puri, New Delhi.	
71.	The Handicrafts and Handlooms Exports Corporation of India Ltd., Lok Kalyan Bhawan, Rouse Avenue Lane, New Delhi.	-Do-
72.	Shops located in the Red Fort Market, Delhi.	Section 15 and 16 from 9 <sup>th</sup> November 1965 till the function Son Et, Lumire.
73.	All shops in Mehrauli.	Section 15 and 16 for the final day of the annual celebration of Phool- Wallon- Ki Sair.
74.	Groceries and Toiletries Deptts. Of Super Bazar, Connaught Circus Branch, New Delhi.	Section 16 with the condition that weekly off day will be allowed to the employees in rotation.
75.	The National Seed Corporation Ltd. South Extension, Part II, Ring Road New Delhi.	Section 15, 16, 33 and 2 <sup>nd</sup> proviso to Section 8.
76.	The World Science News Press, 1104, Abdul Rehman Road, New Delhi.	Section 2, 15 and 16 during 6.00A.M. And 9.00 P.M. and further subject to the conditions that during exempted hours no other work except printing of Doorandesh Daily will be done and all overtime wages will be paid to the employees in accordance with provisions of the Act and weekly off day allowed to the employees in rotation.
77.	Steel Authority of India Ltd. 10, parliament Street New Delhi.	1 <sup>st</sup> Proviso of Section 8 and 2 <sup>nd</sup> Proviso to Section 8 (relating to advance intimation) Section 15 and 16 subject to conditions that overtime wages will be paid to the employees in accordance with the provisions of the Delhi Shops & Estts. Act, 1954 and weekly off will be allowed in rotation.
78.	Shops of wholesale fruit, vegetables and flower merchants situated in fruit and vegetable markets of New Subzi Mandi, Azadpur and phool Mandi (Daryaganj).	16

79.	M/s. Raina Hair Dressing Saloon, Ashoka Hotel, New Delhi.	16
80.	Indian Petrochemicals Corp. Ltd. Himalaya House, 2nd Floor, 23, Kasturba Gandhi Marg, New Delhi.	2 <sup>nd</sup> proviso to Section 8 (relating to advance intimation regarding overtime) Section 15 and 16 subject to conditions that overtime wages will be paid to the employees in accordance with the D.S.E. Act and weekly off will be given to employees (who are called for duty on close day) in rotation.
81.	Punjab Haryana and Delhi Chamber of Commerce and Industry, Connaught Place, New Delhi.	2 <sup>nd</sup> proviso to Section 8 (relating to advance information) subject to conditions that overtime wages will be paid to the employees in accordance with the provisions of the D.S.E. Act and weekly off will be allowed in rotation.
82.	National Co-operative Consumers Federation Ltd; 1-38, Lajpat Nagar-III, New Delhi.	15, 16 and 2 <sup>nd</sup> proviso to Section 8 (in so far as advance intimation is concerned).
83	M/s. Eastern Bulk Services, 9B, Atma Ram House, 1, Tolstoy Marg, New Delhi.	Section 15 and 16 subject to the conditions that overtime wages will be paid to the employees in accordance with provisions of the Act and weekly off day will be allowed to the employees in rotation.
84.	Introcean Shipping Co., 9B, Atma Ram House, 1, Tolstoy Marg, New Delhi.	-Do-
85.	Establishment of Architects.	2 <sup>nd</sup> Proviso to Section 8 (in so far as the advance intimation regarding overtime is concerned) Section 10, 11, 15, 16 and 17 subject to the conditions that the overtime wages will be paid to the employees in accordance with the provisions of the D.S.E. Act, 1954.
86.	All Branches of Central Govt. Employees Consumer Co-operative Society Ltd.	16
87.	Cement Corporation Ltd., New Delhi.	15 and 16
88.	Indian Oil Corporation Ltd. (Refineries Division) Link house, Bahadur Shah Zafar, Marg, New Delhi.	15, 16 and 2 <sup>nd</sup> proviso to section 8 (in so far as advance intimation is concerned).
89.	Gardener (Male) of M/s. Glaxo Laboratories (India) Pvt. Ltd., Mathura Road, Okhla, New Delhi-20.	Section 8 (in so far as restriction for working hours is concerned) and Sec. 11.

90.	Shops mainly dealing in Education Books for Schools and Colleges.	Sec. 15 relaxed up to one hour before and one hour after the prescribed opening and closing time section 16 for the period from 1 <sup>st</sup> May to 15 <sup>th</sup> may and 10 <sup>th</sup> July to 25 <sup>th</sup> July every year.
91.	[Omitted].	
92.	[Omitted].	
93.	National Fertilizers Ltd., 27, Community Centre, East of Kailash, New Delhi.	Second proviso to section 8 (in so far as the advance intimation regarding overtime is concerned) sections 15 and 16 subject to the condition that overtime wages will be paid to the employees in accordance with the provisions of the Act and weekly off day will be allowed to the employees in rotation.
94.	Indian Telephone Industries, Daryaganj, New Delhi.	15 and 16.
95.	[Omitted].	
96.	(i) M/s. Ivory Mart, Northern Gate, Jama Masjid, Delhi	Section 16
	(ii) M/s. Indian Handicraft Emporium, 5, Mehrauli Road, New Delhi.	-Do-
	(iii) M/s. Jagat Narain & Sons, 64, Janpath, New Delhi & at Ashoka Hotel, New Delhi.	-Do-
	(iv) M/s. Cottage Emporium, 8-A, Connaught Place, new Delhi.	-do-
97.	Hindustan paper Corporation Ltd., 95, Nehru Place, New Delhi.	Section 8 (in so far as advance intimation regarding overtime) See 16 subject to the conditions that the overtime wages will be paid to the employees in accordance of DSE Act, 1954 and weekly off-day will be allowed to the employees in rotation.

98.	Head Quarters office of M/s. National Textile Corporation Ltd., 8 <sup>th</sup> Floor, Surya Kiran Building, 19 Kasturba Gandhi Marg, New Delhi.	Sec. 15, 16 and second proviso to section 8 (relating to advance intimation).
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99.	Bharat Heavy Electricals Ltd., 18-20 Kasturba Gandhi Marg, New Delhi.	2 <sup>nd</sup> proviso to Sec. 8 (advance intimation regarding overtime) Secs. 15, 16 and 19 (4) subject to the conditions that the management is authorised in writing by the workers to make payment of salary by cheques or credit salary to their bank account.
100.	Projects and Equipment Corporation of India Ltd., Chanderlok, 36 Janpath, New Delhi.	Section 15 and 16.
101.	M/s. State Chemical and Pharmaceuticals Corp. of India Ltd., Chanderlok 36, Janpath, New Delhi.	Section 15 and 16.
4102.	Electronics Trade and Technology Develop. Corp. Ltd., 15/48, Malcha Marg, New Delhi.	Second proviso to section 8 relating to advance intimation Section 15 and 16 subject to the conditions that overtime wages will be paid to the employees in accordance with the provisions of Delhi Shops and Establishments Act, 1954 and weekly off will be allowed in rotation.
103.	International Trading Co., 6B, Hansalya, 15-Bara Khambha Road, New Delhi-1.	Section 15 subject to the conditions that overtime wages will be paid to the employees in accordance with the provisions of Delhi Shops & Establishment Act, 1954.
104.	M/s. Delhi Consumers, Cooperative Whole Sale Store Ltd., Karampura Road, Motinagar, New Delhi.	Section 16 subject to the conditions that the weekly off will be given to employees in rotation.
105.	Indian Petro Chemicals Corporation Ltd., 10 <sup>th</sup> Floor, Ashoka Estate, 24, Bara Khambha Road, new Delhi-100001.	2 <sup>nd</sup> proviso to section 8 (relating to advance intimation regarding overtime) sections 15 and 16 subject to the conditions that overtime wages will be paid to the employees in accordance with the provisions of the Delhi Shops and Establishment Act and weekly off will be given to employees (who are called for duty) in rotation.

106.	[Omitted]	
107.	[Omitted]	
5108.	Trade Fair Authority of India, Pragati Maidan, Lal Bahadur Shastri Marg, New Delhi.	Section 15 & 16 subject to the conditions that overtime wages will be paid to the employees in accordance with the provisions of the Delhi Shops and Establishments Act, 1954.  Section 17 relating to period of rest subject to the conditions that employees will be allowed weekly holiday by rotation.  Section 30 so far as notice of dismissal is concerned.
109.	[Omitted].	
110.	Unit Trust of India, Reserve bank Building, 6, Parliament Street, New Delhi.	All provisions.
111.	Industrial Development Bank of India, 1, Red Cross Road, New Delhi.	All provisions.
112.	Taj Trade and Transport Co. Ltd., 1, Man Singh Road, New Delhi.	Section 14 so far as employment of female staff is concerned subject to the conditions that conveyance is provided to female staff working at Khazona and required to work beyond normal closing and before opening hours. (Ss. 15 & 16).
113.	[Omitted].	
114.	Hindustan Copper Ltd., Ansal Bhawan, Kasturba Gandhi Marg, New Delhi.	Second proviso to S. 8, 15 and 16.
115.	Water and Power Development Consultancy Services India Ltd., New Delhi.	2 <sup>nd</sup> Proviso to Section 8 relating to advance intimation, S. 15 and 16.
116.	[Omitted]	
117.	Delhi Financial Corpn. Saraswati Bhawan, Connaught Place, New Delhi.	2 <sup>nd</sup> proviso to S. 8 and S. 8 and S. 15, 16 and 33 read with rule 14.

118.	[Omitted].	
119.	[Omitted].	
120.	Hindustan Copper Ltd., Ansal Bhawan, Kasturba Gandhi Marg, New Delhi.	1 <sup>st</sup> proviso to S. 8 so far as limit of overtime of 54 hours in a week or 150 aggregate hours in a year is concerned.

121.	Delhi Nagrik Sehkari Bank Ltd., Janakpuri.	Section 16 so far as restriction for close day is concerned.
122.	[Omitted].	
123.	[Omitted].	
124.	M/s. M.A. Ramzona, Jewellers, Ashoka Hotel, New Delhi.	Ss. 11 and 16 subject to the condition that weekly off will be given to employees who are called for duty by rotation.
125.	[Omitted].	
126.	[Omitted].	
127.	M/s. Kashmir Gift Emporium, K-5, Connaught Circus, new Delhi.	Section 16, subject to the condition that weekly off will be given to employees in rotation.
128.	[Omitted].	
129.	[Omitted].	
130.	Electric Construction Equipment Company Ltd., ECE House, 28-A Kasturba Gandhi Marg, New Delhi.	Section 15 and 16, subject to condition that overtime wages will be paid to the employees in accordance with the provisions of Delhi Shops & Estts. Act and weekly off will be given to employees in rotation.
131.	Guru Ravidas Birthday 18. 2. 1981	Section 15, for 18. 2. 1981. (Temporary).
132.	Handloom House, 9A, Connaught Place, New Delhi.	Section 16, (so far as restriction for weekly close days, falling during the period when special rebate is allowed) subject to the condition that advance intimation will be sent to the Chief Inspector of Shops & Establishments regarding- Special rebate period- close days with dates on which shop will be kept open, over time wages will be paid to the employees in accordance with the provisions of Delhi Shops & Establishments Act and weekly off will be given to employees in rotation.

133.	Steel Authority of India, Ispat Bhawan, Lodhi Road, New Delhi.	1 <sup>st</sup> proviso to section 1 (reg. Weekly limit of working hours including overtime of 54 hours and annual limit of over time of 150 hours), 2 <sup>nd</sup> proviso to section 8 (reg. Advance intimation of overtime, subject to condition that overtime, wages will be paid to the employees in accordance with the provisions of the Act.
134.	BHEL, Vikram Tower, 16 Rajinder Place, New Delhi.	1 <sup>st</sup> proviso to section 8 (in r/o staff car driver) & 2 <sup>nd</sup> proviso to section 8 (relating to advance intimation of overtime) subject to the condition that the employees are paid overtime according to the provisions of the Delhi Shops and Establishment Act, 1954, Sections 15, 16 and (19) 4 subject to the condition that the management is authorised in writing by the workers to make payment of salary by cheques or credit salary to their bank account.
135.	Maruti Udyog Limited, 6 <sup>th</sup> Floor, Hansalaya, 15-Barakhamba Road, New Delhi.	1 <sup>st</sup> proviso to section 8 (in respect of staff car drivers only) subject to the conditions that overtime wages will be paid to the employees according to the provisions of Delhi Shops & Establishment Act, 1954, besides general exemption given to staff car drivers in Schedule II at entry No. 13.
136.	Bharat Heavy Electricals Ltd., Power Projects and Service Division, Ashoka Estate, 24-Barakhamba Road, New Delhi-1.	1 <sup>st</sup> proviso to section 8 (in respect to staff car drivers) subject to the condition that the employees are paid overtime according to the provisions Delhi Shops & Establishments Act 1954. Section 15 and 16 and 19 (4) subject to the condition that the management is authorised in writing by the workers to make payment of salary by cheques or credit salary to their Bank Accounts.
137.	[Omitted].	

138.	[Omitted].	
6139.	Bharat Heavy Electricals Ltd., Thermal Projects Group-projects Division (Spares and Service), 801-Ashoka Estate, New Delhi.	As at serial No. 133.
140.	The Fertilizer Corp. of India Limited, Central Office, 'Madhuban' 55, Nehru Place, New Delhi.	Section 20 (2) (vi)
7141.	The Alkali and Chemical Corp. of India Ltd., P.O. Box No. 107, Hamilton House, Connaught Place, New Delhi.	Section 15 and 16.
142.	All Offices of the Bharat Heavy Electricals Ltd. (a Govt. of India Ltd. Undertaking), located in Delhi.	As at Sl. No. 133.
143.	Maruti Udyog Limited, 15-Barakhamba Road, New Delhi.	Section 15 and 16.
144.	Export Import Bank of India, Chanakya Bhawan, Africa Avenue, New Delhi.	All provisions.
145.	[Omitted]	
146.	British Aerospace, Aircraft Group, Warton Division, 20, Golf Links, New Delhi-110003.	All provisions.
147.	Shri Guru Ravi Das Janamausav Committee (Regd.), Delhi, Jatav Shiv Mandir, Basti Harphool Singh, Sadar Bazar, Delhi.	Section 15.
148.	International Data Processing Co. Ltd., 'Sanchi'77-Nehru Place, New Delhi-110019.	Section 15 and 16.

149.	The National Industrial Development Corporation Ltd., Chanakya Bhavan, Africa Avenue, New Delhi-110021.	<sup>8</sup> [1st and] 2nd Proviso to section 8 (relating to advance information regarding overtime work subject to the condition that overtime wages will be paid to the employees in accordance with the provisions of Delhi Shops and Establishments Act, Section 15 and 16.
<sup>9</sup> 150.	Rajasthan Handicrafts Emporium, Ashoka Hotel Shopping Arcade, Chanakya puri, New Delhi.	Sections 15 and 16 subject to the condition that overtime wages will be paid to the employees in accordance with the provisions of the Delhi Shops and Establishments Act and weekly off day will be allowed to the employees in rotation.
<sup>10</sup> 151	Tata Consultancy Services, 6, Bahadur Shah Zafar Marg, New Delhi.	Section 15 and 16 subject to the condition that overtime wage will be paid to the employees in accordance with the provisions of Delhi Shops & Establishments Act and weekly off will. Be given to employees by rotation.

1. Revised vide Notification No. F. 20 (29)/61- Lab., dated 12. 1 .1965 published in

Delhi

#### **Gazette(Extra) Part IV.**

2. **Vide Notification No. F2 (14) 80 /LG (5) dated 8.7.1983, Delhi Gazette (Extra) Part IV.**
3. **Notification No. F.9 (120)/75/CIS, dated 7.1.1976.**
4. **Notification No. E-2 (4) /77/LE (S)/ 7201-8, dated 26.6.1978.**
5. **Notification No. F. 2 (17)/78/LC (S)/14303 to 14310, dated 26.12.1978.**
6. **Ins. vide Notification No. F.1(10)/82/LC(s), dated 21.7.1983.**
7. **Ins. vide Notification No. F.2(14)/83/CIS, dated 24.9.1983.**

8. **Ins. vide Notification No. F. 1(33)/85/CIS, dated 24.5.1986 Delhi Gazette (Extra) Part IV.**
9. **Ins. vide Notification No. F.5.1 (19)/86/CIS dated 16.7.1986.**
10. **Ins. vide Notification No. F.2 (14)/91/CIS, dated 9.7.1991.**

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## II. Employees and other Persons

1.	Travellers and canvassers (vide Notification No. F.20 (13) 166 Lab. dated 8th June 1966.)	8, 10, 11, 13, and 17.
2.	Compounders on high duty.	8, 10 and 11.
3.	Members of an employer's family.	8, 10, 11, 13, 17, 18 and 22.
4.	<p>A person occupying position of management or an employee engaged in a confidential capacity.</p> <p>Provided that the number of such persons in any establishment shall not, except with the sanction of the Government, exceed ten per cent of the total number of employees therein, any fraction being rounded upto the next higher digit.</p>	8, 10, 11, 13 and 17.
5.	Employees exclusively employed in any establishment for the collection, delivery or conveyance of goods outside the premises of the establishment or on other outdoor duties including kharidars, bills collectors, travelling agent, cooks, sweepers and other menial servants, tourists and hotel guides.	Provisions relating to advance intimation in sections 8, 10 and 11.

6.	Cooks and sweepers engaged by hotels, which employ one cook and sweeper.	Provisions relating to the limits of overtime and advance intimation in proviso to sections 8 and 17.
7.	Salesmen working in petrol pumps on night duties.	10 and 11.
8.	Teleprinters, Operators, News Agencies.	10.
9.	Liftsmen of the Life Insurance Corporation, New Delhi.	10.
10.	Gardeners of M/s. Phillips India ltd., Delhi.	Section 8 (insofar as Restriction for working hours is concerned) and Section 11.
11.	Chowkidars on duty during the night (vide Notification N. F-20 (12)/65 Lab. Dated 14 <sup>th</sup> March, 1966.	8, 10, 11 and 17.
11A.	Chowkidars on duty during the day.	Section 10 (subject to the condition that he is allowed to take his meals on duty).
12.	Employees who are declared by the State Government by notification published in the Official Gazette in this behalf to be employees whose work is inherently intermittent.	10,11,13 and 17.
13.	Staff Car Drivers.	Section 8, (insofar as advance intimation is concerned) 10, 11 and 17.