

The Tripura Shops and Establishments Rules, 1970

As Amended upto 6th Amendment dt.18-12-2019

THE TRIPURA SHOPS AND ESTABLISHMENTS RULES, 1970

CHAPTER 1 Preliminary

1. Short title :

These rules may be called the Tripura Shops and Establishments Rules, 1970 ;

2. Definitions:

In these rules, unless there is anything repugnant in the subject or context—

- (a) "The Act" means the Tripura Shops and Establishments Act, 1970.
- (b) "Agartala" means the area comprised in Agartala Municipality ;
- (c) "Form" means a form appended to these rules ;
- (d) "Government" means the Government of Tripura ;
- (e) "Rules" means rules framed under the Act ;
- (f) "Referee" means an officer or authority appointed under sub-section (2) of Section 14 ;
- (g) "Schedule" means a Schedule appended to these rules ;
- (h) "Section" means a section of the Act ;
- (i) "Woman" used with reference to any shop or establishment means a woman who is a person employed in relation to such shop or establishment.

CHAPTER II Registration

3. Register of Shops and Establishments:

The registering authority shall maintain a Register of Shops and Establishments in Form 'A'. The Register of Shops and Establishments so maintained shall consist of four parts as follows :

- Part I** Shops.
- Part II** Commercial Establishments.
- Part III** Residential Hotels, Restaurants, Eating Houses and Cafe.
- Part IV** Theatres, Cinemas and other places of Public Entertainment or Amusement.

4. Application for registration:

- (1) In the case of a shop or an establishment, not being a shop or an establishment in existence on the date on which the Act applies, the shop-keeper or the employer, as the case may be, shall apply under sub-section (1) of Section 16 for registration within thirty days from the date on which the shop or the establishment, as the case may be, commences its business.
- (2) An application for registration under sub-section (1) of Section 16 shall be made in triplicate in Part I of Form B, which shall be either in print or type and every such application shall be accompanied by a Treasury receipt showing the deposit of fees as specified in Schedule I.
- (3) On receipt of an application accompanied by the requisite fee under sub-Rule (2), the registering authority shall, on being satisfied about the correctness of the particulars furnished in the application, register the shop or the establishment, as the case may be, in the appropriate part of the Register of Shops and Establishments referred to in Rule 3 and issue a certificate of registration in part II of Form B.

5. Notice of Change:

A notice of change under sub-section (4) of Section 16 shall be in Form C and every such notice shall be accompanied by the current registration certificate together with a Treasury receipt showing the payment of fees as specified in Schedule II.

6. Renewal of registration certificate:

- (1) An application for renewal under sub-section (6) of Section 16 shall be in Form D and shall be accompanied by the existing registration certificate together with such fees as are required for an application for registration under R.4.
- (2) On receipt of an application for renewal of a registration certificate and the necessary fee under sub-Rule (1), the registering authority shall, on being satisfied about the correctness of the information furnished, make necessary entries in the appropriate place of the Register of Shops and Establishments and the registration certificate and return the registration certificate to the applicant.

Provided that if the registering authority so thinks fit he may issue a new registration certificate, instead of renewing the existing certificate by making alterations therein.

7. Notice of winding up:

Notice of winding up of the business of a shop or an establishment shall be in Form 'E' and shall be accompanied by the registration certificate.

Explanation: Every case where a shop or an establishment is closed for a continuous period of 6 (six) months or more, shall be treated for the purpose of this rule as a case of winding up.

8. Loss of registration certificate:

If any registration certificate issued under sub-Rules (3) of Rule 4 is lost, destroyed or defaced, the shop keeper or the employer, as the case may be concerned shall forthwith report the matter to the registering authority who issued the certificate, and make an application in Form F accompanied by a Treasury receipt showing payment of fees as specified in Schedule I for the issue of a duplicate certificate, and the registering authority shall thereupon issue a duplicate certificate duly stamped, "Duplicate" in red ink.

9. Transfer of registration certificate:

- (1) A registration certificate issued under these rules shall not be transferable, and if ownership of any shop or establishment is transferred, the shop-keeper or the employer, as the case may be, shall within 15 days of such transfer note the fact of transfer and surrender the certificate of registration of the registering authority and shall submit to the registering authority a statement signed by himself specifying the name and address of the transferee.
- (2) The registering authority, on being satisfied about the correctness of the information relating transfer, shall cancel the certificate of registration and amend the register of shops and establishments accordingly.
- (3) The transferee shall apply for new registration certificate as provided in Rule 4 within thirty days from the date of transfer.

10. Enquiry for registration, renewal etc., and payment of fees:

- (1) The registering authority may, for the purpose of satisfying himself about the correctness of any information furnished in any application or notice, hold such enquiry as he deems necessary for his satisfaction in such manner as he considers fit.

- (2) All fees payable under these rules shall be paid in the local Treasury under the Head of Account 087-Labour & Employment.

CHAPTER III

Weekly closure, weekly holidays, hours of work and leave

11. **Notice of weekly closure:**
- (1) The notice required to be displayed in shops and commercial establishments under sub-Section (3) of Section 5 shall be in Form G.
 - (2) A copy of the notice and all changes in such notice shall be sent immediately –
 - (a) where the shop or establishment concerned is situated at Agartala to the Chief Inspector, and
 - (b) where it is situated in any other area to the Inspector having jurisdiction over such other area.
12. **Notice of weekly holidays:**
- (1) A shop keeper or an employer shall display in his shop or establishment, as the case may be, a notice in Form H, specifying the days of the week on which the persons employed in such shop or establishments shall be allowed full holiday, and half holidays, and shall preserve it for one year for inspection.
 - (2) The notice under-sub Rule (1) Shall be so displayed before cessation of work by the employees affected thereby on the Saturday immediately preceding the first week in which the notice is to have effect.
 - (3) A copy of the notice referred to in sub-Rule (1) shall be sent immediately :
 - (a) where the shop or establishment concerned is situated at Agartala to the Chief Inspector, and
 - (b) where it is situated in any other area—to the Inspector having jurisdiction over such other area.
13. **Register of hours of work and rest intervals:**
- (1) A shop-keeper or an employer shall maintain a register in Form I showing the daily hours of actual work and hours of rest against the name of each employee and also the hours of opening and closing of such shop or establishment, as the case may be.

(2) The entries in such register shall be made in course of the day to which it relates.

14. Application for privilege leave:

Any person employed in a shop or an establishment desiring to avail of any privilege leave which is due to his credit under the Act, shall make an application in writing for the purpose to the shop-keeper or the employer, as the case may be; at least ten days' prior to the date of intended commencement of such leave and the shop-keeper or the employer, as the case may be, shall issue orders on the application within a week of its submission :

Provided that the shop-keeper or the employer, as the case may be, may, if satisfied that the leave is required for urgent matters, waive the period of ten days' notice ordinarily required and pass orders accordingly.

15. Casual leave:

Ordinarily, casual leave of absence shall not be admissible for more than three days at a time, except in cases of sickness, and previous permission in writing of the shop-keeper or the employer, as the case may be, shall be obtained before such leave is availed of :

Provided that when it is not possible to obtain such previous permission, the shop-keeper or the employer, as the case may be, shall as soon as may be practicable, be informed in writing of the absence from duty and the probable duration of such absence with reasons therefor,

16. Sick leave:

Grant or extension of sick leave, if due, shall not be refused when prayed for in writing by or on behalf of a person employed on production of a certificate from a registered medical practitioner :

Provided that the shop-keeper or the employer concerned may, if he thinks fit and undertakes to defray the cost involved, require the person employed to be examined by another registered medical practitioner nominated by him, and if the person employed refuses to submit to such examination or is certified on such examination to be fit for duty, the shop-keeper or the employer concerned may refuse the leave or extension thereof, as the case may be.

17. Leave pass:

(1) If any leave, other than casual leave, asked for is granted, a leave pass showing the nature and period of leave granted shall be issued to the applicant.

- (2) Every person employed praying for leave referred to in sub-Rule (1) shall intimate to the shop-keeper, or the employer concerned his address during the period of leave and if there is any change of the address, the shop-keeper or the employer, as the case may be, shall be informed within three days of such change.

18. **Refusal of leave:**

- (1) Leave due and prayed for shall not ordinarily be refused and no part of the privilege leave earned by a person employed in a shop or an establishment shall be allowed to lapse by the refusal of the shop-keeper or the employer, as the case may be, to grant such leave :

Provided that the shop-keeper or the employer, as the case may be, may regulate the grant of privilege leave according to convenience of work of the shop or the establishment concerned, so however, that such leave shall be granted—

- (a) if the employee concerned intends to avail of the leave and does not want to accumulate it, within the first twelve months ; or
 - (b) in other cases, within the first eighteen months following the twelve months during which the leave has been earned.
- (2) If the whole or any part of the leave prayed for is refused or postponed, the fact of such refusal or postponement and the reasons thereof shall be recorded in a register to be maintained by the shop-keeper or employer in Form J and if the employee concerned so desires, a certified copy of such entry in the register shall be supplied to him by the shop-keeper or the employer, as the case may be.

19. **Extension of leave:**

If a person employed, after proceeding on leave, desires an extension thereof, he shall apply in writing to the shop-keeper or the employer concerned and the shop-keeper or the employer, as the case may be, shall send a written reply either granting or refusing the extension of leave prayed for by the applicant at the address given by him under Rule 17 before proceeding on leave.

20. **Unauthorised absence:**

- (1) If a person employed remains absent without leave or beyond the period of leave originally granted or subsequently extended, the shop-keeper or the employer, as the case may be, shall, before taking any disciplinary action against the absentee, issue a notice requiring him to explain in writing the reasons of his absence within fifteen days of the date of issue of the notice.

- (2) (i) If on receipt of the notice referred in sub-Rule (1), the absentee explains the reasons of his absence to the shop-keeper or employer, as the case may be, the latter may, if the explanation is found satisfactory, regularise the period of unauthorised absence by grant of such leave as may be due to the person employed and treat the remaining period of absence, if any, as absence without wages.
 - (ii) If the explanation given by the person employed is considered not satisfactory by the shop-keeper or employer, as the case may be, the latter may either treat the period of unauthorised absence of the person employed as absence without wages even though leave with wages may be due to him, or terminate his lien on his appointment, depending on the gravity of the case.
 - (iii) If the person employed does not submit any explanation to the shop-keeper or employer, as the case may be, within the time limit given in the notice referred to in sub-rule (1), the latter may terminate lien of the person employed on his appointment forthwith.
- (3) The notice referred to in sub-rule (1), shall be served by registered post to the address given under Rule 17, or in its absence to the address last given by the person employed to the shop-keeper or the employer, as the case may be.

21. Leave Register:

Every shop-keeper and employer shall maintain a leave register in Form J, and every case of application for leave, whether granted or refused, shall be entered in the corresponding part of the register immediately after a decision is taken on the application.

CHAPTER IV
Payment of wages, recovery of wages and overtime

22. Pay Register:

Every shop-keeper and every employer shall maintain a pay register in Form K, and all entries therein relating to payment shall be certified by the shop-keeper or the employer, as the case may be, in the presence of two witnesses as specified in such form.

23. Application for recovery of wages:

- (1) An application under sub-section (2) of section 14 shall be made in duplicate in Form L and shall be accompanied by a fee at the rate of 10 paise for every twenty rupees or part thereof claimed in the application as due from a shop-keeper or employer, as the case may be.

- (2) Such fees shall be paid by Court-fee stamps of the requisite value affixed on one of the copies of the application.

24. Procedure for dealing with applications for recovery of wages:

- (1) Any person desiring to act on behalf of any person employed shall present to the referee a brief written statement explaining his interest in the matter and praying for permission so to act, and the referee shall record thereon an order specifying in the case of a refusal to grant the permission prayed for, the reasons for the refusal.
- (2) Application under Rule 23. or other documents relevant to such applications shall be presented in person to the referee at any time during hours to be fixed by the referee or shall be sent to the referee by registered post and the referee shall at once endorse or cause to be endorsed on each such application or other document the date of presentation or receipt thereof, as the case may be.
- (3) On receipt of an application under Rule 23, the referee shall, by issuing a notice in Form M, call upon the applicant as well as the shop-keeper or the employer, as the case may be, to appear before him on a specified date not being earlier than fourteen days after date of the notice together with all relevant documents and witnesses, if any.
- (4) If the shop-keeper or the employer, as the case may be, fails to appear on the specified date the referee may proceed to hear and determine the application *ex parte*.
- (5) If the applicant fails to appear on the specified date, the referee may dismiss the application :

Provided that an order under sub-R. (4) or sub-R. (5) may on good cause being shown within one month of the date of the said order be set aside and the application reheard after giving not less than fourteen days' notice to the opposite party of the date fixed for the rehearing of the application.

25. Maintenance of records of cases by the referee:

- (1) The referee shall record the particulars of each case in Form N and at the time of passing orders shall sign and date the particulars so recorded.
- (2) The referee shall while passing orders in each case also record the substance of the evidence adduced in the case as an appendix to the order.

- (3) Any record, other than a record of any order or direction, which is required by these rules to be signed by the referee, may be signed on behalf of and under the direction of the referee by any subordinate officer appointed in writing for this purpose by the referee.

26. **Copies of records and documents:**

- (1) Any person employed in a shop or an establishment or any shop-keeper or employer or a representative of such person employed, shop-keeper or employer, shall be entitled to inspect any application, memorandum of appeal, or any other document filed with the referee in a case to which such person employed, shop-keeper or employer is a party, and may obtain copies thereof on payment of the requisite fees specified in this behalf in Schedule III.
- (2) An application for any copy referred to in sub-R. (1) shall be in Form O and shall be presented in person to the referee during the hours fixed for the purpose by the referee or shall be sent to the referee by registered post and shall be accompanied by a fee of fifteen paise which shall be paid in Court-fee stamps affixed on the application.
- (3) All copies shall be prepared on folios, and if it be not possible at once to inform the applicant what Court-fee stamps and folios will be required in respect of the copies applied for, the requisite information shall be communicated to the applicant as soon as may be possible thereafter but not later than seven days from the date on which the application is received by noting on the counterfoil portion of the application.
- (4) In the case of certified copies the Court-fee chargeable under the Court-fee Act, 1870 (VII of 1870), shall be levied by affixing the necessary stamp to the first folio of the copy.
- (5) On receipt of the information referred to in Sub-R. (3) the applicant shall present the requisite folios and Court-fee stamps to the referee along with the counterfoil of his original application on which receipt of the Court-fee stamps and folios filed shall be acknowledged and the date on which the copy will be ready for delivery noted. The counterfoil shall then be returned to the applicant.
- (6) If the requisite folios and Court-fee stamps are not filed within seven days from the date on which the information referred to in sub-R. (3) is communicated to the applicant, the application shall be liable to be struck off and an application so struck off shall not be revived but, in such case, a fresh application may be made.
- (7) Urgent copies shall ordinarily be ready for delivery on the day following the date of payment of the urgent fees specified in this behalf in Schedule III and other requisites.

27. **Register of application for copies:**

Applications for copies shall be numbered consecutively and entered in a register maintained for the purpose in Form P.

28. **Register of Court-fees:**

- (1) A Court-fee register shall be maintained in Form Q by the referee.
- (2) Court-fee stamps shall be cancelled by punching in the manner laid down in S. 30 of the Court-fee Act, 1870 (VII of 1870).

29. **Overtime:**

- (1) Every person employed in a shop may be required to work overtime to cope with sudden spurt of business transactions during the periods and occasions specified below :

Occasion and period

- (i) Durga Puja ---- a period not exceeding 28 days ending on the day of Navami Puja.
- (ii) Dewali ---- a period not exceeding 7 days ending on the day of Dewali.
- (iii) X' mas ---- a period not exceeding 7 days ending on 25th December.
- (iv) Id-ul-fitr—a period not exceeding 7 days ending on the day of Id.
- (v) such other occasions as the State Government may, after taking into consideration their nature and importance, specify in this behalf by notification—such period as may be specified in the notification.

30. **Notice of overtime:**

A shop-keeper or an employer shall give notice in Form R of his intention to require a person employed to work overtime on any day at least twenty-four hours before such day :

- (a) where the shop or establishment concerned is situated at Agartala—to the Chief Inspector, and
- (b) where it is situated in any other area—to the Inspector having jurisdiction over such other area :

Provided that if owing to urgency of business, it is not possible for the employer in any establishment to give such advance notice, the employer shall post the notice within twenty-four hours of the completion of overtime work by the person employed concerned.

31. Calculation of ordinary rate of wages of overtime:

For the purpose of S. 13 the ordinary rate of wages shall be calculated in the manner specified in Schedule IV.

32. Register of Overtime:

Every shop-keeper and every employer shall maintain a register in Form S showing the overtime work done in every month by each person employed.

CHAPTER V
Inspection and penalty

33. Duties of Inspectors:

- (1) The duties of an Inspector appointed under Section 19 shall be generally to make such inspection as may appear to him to be necessary for satisfying himself that the provisions of the Act and these rules and of any orders issued by the Government under the Act are duly observed, and, in particular, for ascertaining whether, within the local area for which he is appointed.—
 - (i) shops and establishments are duly registered under the Act ;
 - (ii) the registers, records and notices required to be maintained and displayed under the Act or these rules are properly maintained and displayed ;
 - (iii) the intervals of rest and holidays required to be granted under the Act are granted and the limits of hours of work and spread over laid down under the Act are duly observed ;
 - (iv) shops and establishments are closed in every week on days notified under sub-section (3) or sub-section (4) of Section 5 ;
 - (v) the provisions of the Act and of orders issued by the Government or any officer empowered under the proviso to sub-section (1) of Section 6 regarding the opening and closing hours are duly observed ;

- (vi) the provisions of the Act and these rules regarding leave are duly observed ;
 - (vii) every person employed in a shop or an establishment is furnished with a letter of appointment ;
 - (viii) the provisions of the Act and these rules regarding payment of wages and payment for overtime work are duly observed ;
 - (ix) any woman is required or permitted to work —
 - (a) in any an establishment for public entertainment or amusement other than a cinema or a theatre after six o'clock post meridiem, or
 - (b) in any shop or commercial establishment, after nine o'clock post meridiem ;
 - (x) any young person is required or permitted to work in any shop or an establishment, after nine o'clock post meridiem ;
 - (xi) any child who has not completed the age of twelve years is employed in any shop or an establishment.
- (2) For the purpose of making such inspection, the Inspector may interrogate such persons as he may deem necessary, at any premises or place where he has reason to believe, there is a shop or an establishment : provided that no such person shall be required under this rule to answer any question the answer to which might tend to incriminate him.
- (3) An Inspector shall inspect every shop and every establishment within the local area for which he is appointed at least once in every three months.

34. **Submission of diary by Inspector :**

Every Inspector shall keep a file of the records of his inspections and maintain a diary in Form T, in respect of the work done by him every month and shall submit to the officer to whom he is subordinate by the 15th day of every month such diary showing the work done in the preceding month.

A copy of the said diary shall also be retained by the Inspector.

35. Ascertainment of age of employees :

In respect of any person employed in any shop or an establishment the Inspector having jurisdiction may require the shop-keeper or employer concerned to produce, at his own cost within such time not less than fifteen days from the date of the requisition as the Inspector may allow, one of the following documents showing the age of such person namely :

- (1) a certified copy of an extract from the records of any school ;
- (2) a certified copy of an extract from the Birth Register of a local authority.

36. Disqualifications of an Inspector :

No person shall be appointed or having been appointed, continue to hold office, as an Inspector under the Act, if he has or acquires directly or indirectly by himself or by any partner any share or interest in any shop or establishment in the area for which he is to be or has been appointed :

Provided that nothing in this rule shall apply —

- (1) to any person who has been permitted by the authority competent to appoint him as an Inspector to hold or acquire directly or indirectly by himself or in the name of any member of his family living with him or dependent on him, any share or interest in any registered Co-operative Bank or Co-operative Society or any public limited company, or
- (2) to any person who acquires by inheritance any share or interest in any firm or business but who is not a working partner therein.

37. Supervising Inspectors and Chief Inspector :

- (1) The State Government may appoint an Inspector to be a Supervising Inspector and empower him to direct and supervise the work of any other Inspector or Inspectors.
- (2) One of the Inspectors shall be empowered by the State Government to direct and supervise the work of all other Inspectors including Supervising Inspectors, and shall be designated as the Chief Inspector.
- (3) The Chief Inspector may call for such information from shops and establishment as may be necessary for the efficient administration of the Act and these rules.

38. **Method of inspection :**

- (1) In conducting any inspection, the Inspector shall not, as far as possible, cause any suspension of business.
- (2) No inspection shall be held in any shop or establishment—
 - (a) during any or half day specified in a notice under sub-section (3) of Section 5 as the day or half day during which the shop or establishment shall be entirely closed in each week, or
 - (b) during any period or periods for which the shop or establishment may be exempted by notification under CL. (a) of sub-S. (2) of S. 4 from the provisions of the Act on any specified occasion or occasions :

Provided that notwithstanding anything hereinbefore mentioned an inspection may be held—

- (a) to ascertain the position if any shop or establishment is found open on any of the days of weekly closure, notified in respect thereof, or
 - (b) to ensure that all those provisions of the Act from which the shop or the establishment, as the case may be, has not been exempted are duly observed.
- (3) If the Inspector during his inspection of any shop or establishment finds deviations from the provisions of the Act or these rules, he shall pass orders or make recommendations for remedying or removing these defects, and in such a case, he shall either endorse the same in the visit book maintained by the shop-keeper or employer under R. 40 or he shall send a copy of his inspection notes to the shop or establishment within fourteen days from the date of inspection.

39. **Method of seizing registers, records, documents or notices :**

- (1) The Chief Inspector referred to in R. 37 may authorise any Inspector for the purpose of seizing any record, register, document or notice or any portion thereof under CL. (c) of S. 20.
- (2) An Inspector shall in each case of seizure of records documents or notices or any portion thereof give a receipt to the shopkeeper or employer, as the case may be.

40. **Visit book :**

- (1) Every shop-keeper and every employer shall maintain a visit book in which an Inspector visiting the shop or the establishment, as the case may be, may record his remarks regarding any defects that may come to light at the time of his visit or give directions regarding production of any documents required to be maintained or produced under the provisions of the Act and these rules :

Provided that where the Inspector has no remarks to offer, he shall merely enter the date and time of his visit and sign on the book.

- (2) The visit book shall be a bound book more or less of seize 7"x 6" containing at least 100 pages and every second page thereof shall be consecutively numbered and the unnumbered page between each two consecutive numbered pages shall have a vertical perforated straight line on the margin side at a margin of about 1". Every page shall contain the following heading at the top :

- I. Name of the shop or establishment or alternatively name of the shop-keeper or employer.....
- II. Address in full.....
- III. Registration No.....
- IV. Date.....
- V. Time.....
- VI. Signature of the shop-keeper/employer.....

- (3) The unnumbered marginally perforated page of the visit book shall be used for making a copy of the Inspector's remarks and shall be taken out by the Inspector.
- (4) In case the visiting book containing the remarks passed by an Inspector is lost, destroyed or defaced, the shop-keeper or employer concerned shall forthwith report in writing the loss of the visit book to the Inspector of the area where the shop or establishment, as the case may be, is situated and shall immediately start and maintain a new visit book.

41. **Co-operative with the Inspector :**

- (1) All orders, letters, reports, and other documents issued by an Inspector with respect to the provisions of the Act and these rules shall be properly filled and preserved

by the shop-keeper or employer concerned for a period of 12 months and shall be made available in the shop or establishment for examination by the Inspector.

- (2) Any demand by an Inspector for any information or production of any document relating to the working of the Act and these rules if made during the course of an inspection of any shop or establishment, shall be complied with by the shop-keeper or employer concerned forthwith, if the information can be made easily available in the shop or establishment, and if not so available, within fifteen days of receipt thereof.

42. Appeal from the Inspector's orders or recommendations :

- (1) A shop-keeper or an employer may, within fifteen days of the date on which an Inspector endorses an order or recommendation in the visit book or of the receipt of the copy of inspection note relating to any order passed or recommendation made by an Inspector, as the case may be, in respect of the shop or establishment concerned, appeal against such order or recommendation to such authority as the Government, may appoint in this behalf, or until such authority is appointed to the Government, and such authority or the Government, as the case may be, may confirm, modify or reverse the order or recommendation appealed against.
- (2) The notice of appeal shall be in the form of a memorandum setting forth concisely the grounds of objection to the order or recommendation against which the appeal is preferred and bearing a Court-fee stamp of fifty Paise and shall be accompanied by a copy of the order or recommendation appealed against.

43. Penalty :

Whoever contravenes any of the provisions of these rules, shall, on conviction, be punishable with fine which may extend to one hundred rupees, and if a continuing one, with a further fine which may extend to twenty five rupees, for every day, after the first, during which the breach continues.

**CHAPTER VI
Miscellaneous**

44. Register of Employees :

- (1) Every shop-keeper or employer shall maintain a register of employees in Form U.
- (2) All information in the Register of Employees shall be kept up-to-date and necessary corrections shall be made within three days from the date on which any change takes place.

45. **Letter of appointment :**

Every shop-keeper or employer shall furnish all persons employed with letters of appointment in Form V —

- (i) in the case of every person who is already in employment in his shop or establishment, as the case may be — within sixty days from the date on which these rules come into operation, and
- (ii) in the case of every person who is employed in his shop or establishment, as the case may be, after these rules come into operation — before the person so employed commences work :

Provided that it shall not be necessary for a shop-keeper or an employer to issue such letter of appointment to a person who is already in employment and has already been given a letter of appointment substantially containing in particulars specified in Form V.

46. **Maintenance and preservation of records, registers, notices, etc. :**

- (1) All registers required to be maintained under these rules shall be in English, Bengali or Hindi and all dates entered in a register shall be in accordance with the English calendar. Entries shall be made in ink and shall be legible.
- (2) All registers, except those in Forms I and J, records and notices relating to any calendar year shall be preserved and made available in the shop or establishment for examination by the Inspector till the end of the next calendar year. Registers in Forms I and J shall be so preserved and made available for examination by the Inspector till the end of the next forth calendar year.
- (3) Entries relating to any day, week or year in any of the registers shall be made forthwith after the close of such day, week or year, except in so far as otherwise permitted under these rules, and shall be signed by the shop-keeper or employer.
- (4) Where an office, store-room, godown, warehouse, or work place used in connection with the trade or business of a shop is situated at any premises other than the premises of the shop, all registers, records, visit book and notices required to be maintained and exhibited or given under the Act and these rules shall be separately so maintained, exhibited or given in respect of and at such office, store-room, godown, warehouse or work place.

47. **Special registers and records :**

- (1) If on an application made by an employer or shop-keeper in writing, the Government is satisfied that any register or record maintained by such employer or shop-keeper gives in respect of the persons employed by him the particulars required to be shown in any register or record to be maintained under these rules, the Government may, by order in writing, direct that the registers or records so maintained by the employer or shop-keeper shall, notwithstanding that it is not in accordance with the form provided in that behalf in these rules, be deemed to the corresponding extent to be a register or record maintained under these rules.
- (2) Every application under Sub-R. (1) shall be accompanied by 5 copies of Form of the relevant register or record.

48. **Manner of filing applications or notices :**

An application or notice meant for any authority, officer or Inspector appointed under the Act shall be filed either by personal service with receipt during the hours fixed for the purpose by such authority, Officer or Inspector or by registered post with acknowledgement due.

49. **Saving of certain rights and privileges :**

Nothing in these rules shall affect any right or privilege to which any person employed in any shop or establishment is, on the date of the commencement of these rules, entitled under any law for the time being in force or under any contract, custom or usage which is in force on that date, if such right or privilege is more favourable to him than any right or privilege conferred upon him by these rules or granted to him at the time of appointment.

FORM A
Register of Shops and Establishments

Part I — Shops

Part II — Commercial Establishments

Part III — Residential Hotels, Restaurants, Eating Houses and Cafe

Part IV — Theatres, Cinemas and other places of public entertainment or amusement

Sl. No.	Registration Certificate No. and date of registration	Name of the shop/ establishment, if any	Name of the shop-keeper/employer with residential address	Name of the manager/ person incharge, if any with residential address	
1	2	3	4	5	
Postal address and exact location of the shop/establishment		Exact location of office, store room, godown, warehouse or work place, if any, attached to a shop but situated in premises different from those of the shop		Date of commencement of business	Nature of business
6	7		8	9	

Number of employees

Number of members of owner's family who are not "persons employed" within the meaning of S. 2 (j)			Number of other persons of categories mentioned in S. 4 (2) (B)			Total number of employees (including sub-columns (a) and (b))					
Adult men	Women	Young persons	Adult men	Women	Young persons	Grand total of (a), (b) and (c)	Date of inspection in connection with the registration	Date of renewal	Fees paid	Weekly closing days in the case of shop or a commercial establishment	Remarks
10(a)	10(b)	10(c)	10(d)	11	12	13	14	15	16	17	18

FORM B
[See Sub-rules (2) and (3) of Rule 4]

PART I
Application for registration
Space for Stamp

To

The Registering Authority,
Shops and Establishments
(here specify the area and address)

Sir,

I beg to apply for registration of my shop/establishment under the Tripura Shops and Establishments Act, 1970. Particulars about the shop/establishment are furnished in the statement below :

2. Revenue stamps worth are affixed with this application as the required fee for registration.

Statement

1. Name of shop/estblishment, if any.....
2. Postal address and exact location of shop/establishment.....
3. Exact location of office, store-room, godown, warehouse, or work place, if any, attached to shop but situated in premises different from those of shop/establishment.....
4. Name of shop-keeper/employer.....
5. Residential address of shop-keeper/employer.....
6. Name of Manager, if any, and his residential address.....
7. Name of partners and their residential address (if a partnership concern).....
8. Names and residential addresses of Directors (if a limited company).....
9. Category of establishment, i. e., whether a shop, commercial establishment, residential hotel, restaurant, eating hourse, theatre, cinema or other place of public amusement or entertainment

10. Nature of business.....
11. Date of commencement of business.....
12. Name of members of owner's family employed in the shop/establishment who live with the owner and are dependent on him/her.....Relationship.
- | | |
|---------|---------------|
| Adults | Young persons |
| Males | |
| Females | |
| Total | Total |

13. Names of other persons employed :
- (i) in a managerial or confidential capacity ;
 - (ii) as a traveller, canvasser, messenger, watchman or caretaker ; and
 - (iii) exclusively in connection with customs, examination, collection, despatch, delivery or conveyance of goods from or to booking offices for transport by rail, road or air, docks, wharves or airports (indicate sex and age in case of young persons).

14. Total number of employees
- | | |
|---------|---------------|
| Adult | Young persons |
| Males | |
| Females | |
| Total | Total |

15. Declaration of weekly closing days (in the case of a shop or commercial establishment)

I hereby declare that the above information is true to the best of my knowledge and belief.

Dated.....

Yours faithfully,

Signature of Shop-keeper/employer

Note. 1. Item 3 should be filled only when the office, store room, etc., are not separately registered under the Act. In respect of such store rooms which are not separately registered, particulars registered under items 12, 13 and 14 should be given separately for each office, store room etc.

2. If any item is not applicable enter "Not applicable".

PART II

(To be filled in by the office of Registering Authority under the Tripura Shops and Establishments Act, 1970)

Registration Certificate

It is hereby certified that the.....has been registered as.....under the Shops and Establishments Act, 1970 this.....day of.....19 , and the Registration No. *is.....

Seal

Signature of the Registering Authority

Change notified in Form.....on.....has been registered

Seal

Signature of the Registering Authority

(1) Renewed up to.....

Date.....

Registration No.

Signature of the Registering Authority

(2) Renewed up to.....

Date.....

Registration No.

Signature of the Registering Authority

*The first part of the number shall be the name of the area in which the shop/ establishment is situated and the second part shall be the serial number of the Register of Shops and Establishments for the district concerned.

FORM C

**Notice of Change
[See Rules 5]
Space for Stamp**

1. Name of the shop/establishment already registered.....
 2. Name of shop-keeper/employer.....
 3. Registration Certificate No.
- Address.....

Dated, the.....day of.....19

To
The Registering Authority,
Shops and Establishments
(here specify the area and address)

Notice is hereby given that the following change has taken place in respect of information forwarded to you in Form B, which please note. The registration certificate is enclosed for amendment.

2. Revenue stamps worth.....are affixed to this notice as required fee.

CHANGES.....

Signature of the shop-keeper/employer

Note. This notice shall be accompanied by the registration certificate together with such fees as are specified in Schedule II.

FORM D

Application for Renewal of Registration
[See Sub-rules (1) and of Rule 6]
Space for Stamp

To

The Registering Authority,
Shops and Establishments
(here specify the area and address)

Sir,

I beg to apply for renewal of my Certificate of Registration No..... which is enclosed. Particulars about the shop/establishment are furnished in the statement below :

2. Revenue stamps worth.....are affixed with this application as renewal fee

Statement

1. Name of shop/establishment, if any.....
2. Postal address and exact location of shop/establishment.....
3. Previous Registration Certificate No.(The certificate is to be enclosed to this application).....
4. Period for which renewal is required.....
5. Exact location of office, store-room, godown, warehouse, or work place, if any, attached to shop be situated in premises different from those of shop establishment.....
6. Name of shop-keeper/employer.....
7. Residential address of shop-keeper/employer.....
8. Name of Manager, if any, and his residential address.....
9. Names of partners and their residential address
(if a partnership concern)

10. Names and residential addresses of Directors
(if a limited company)
11. Category of establishment, i. e., whether a shop, commercial establishment, residential hotel, restaurant, eating house, theatre, cinema or other place of public amusement or entertainment.....
12. Nature of business.....
13. Date of commencement of business.....
14. Names of members of owner's family employed in the shop/establishment who live with the owner and are dependent on him/her and Relationship.
- | | |
|---------|---------------|
| Adults | Young persons |
| Males | |
| Females | |
| Total | Total |
15. Names of other persons employed—
- (i) in a managerial or confidential capacity ;
 - (ii) as a traveller, canvasser, messenger, watchman or caretaker ; and
 - (iii) exclusively in connection with the customs, examination, collection, despatch, delivery or conveyance of goods from or to booking offices for transport by rail, road or air, docks, wharves or airports (indicate sex and age in case of young persons).
16. Total number of employees
- | | | |
|---------|---------------|-------|
| Adult | Young persons | Total |
| Males | | |
| Females | | |
| Total | Total | |
17. Declaration of weekly closing days (in the case of a shop or commercial establishment)

I hereby declare that the above information is true to the best of my knowledge and belief.

Dated.....

Yours faithfully,

Signature of Shop-keeper/employer

Note. 1. Item 3 should be filled only when the office, store room, etc., are not separately registered under the Act. In respect of such store rooms, etc., not separately registered, particulars required under items 14, 15, 16 should be given separately for each office, store room etc.

2. If any item is not applicable, enter "Not applicable".

FORM E

Notice of winding up of business

[See Rule 7]

Space for Stamp

To

The Registering Authority, Shops and Establishments

.....
(here specify the area and address)

Sir,

Please take notice that I am winding up my business, Registration Certificate No..... is surrendered herewith. The reason for closure and other details are given below :

1. Name of shop/eatblishment.....
2. Name of shop-keeper/employer.....
3. Address.....
4. Number of employees affected.....
5. Reasons for winding up.....

Yours faithfully,

Date.....

Singature of the shop-keeper/employer

FORM F

**Notice of Loss of Registration Certificate
[See Rule 8]**

Name of shop/establishment.....

Address.....

Registration No.....

To

The Registering Authority under the Tripura Shops and Establishments Act, 1970.

Sir,

This is to inform you that the registration certificate of this shop/establishment has been lost/destroyed/defaced/due to.....(here specify the reasons or circumstances). Please issue a duplicate certificate.....Revenue stamps worth..... are affixed to this application as the required fee.

Yours faithfully,

Dated.....

Signature of the shop-keeper/employer

FORM G

Notice of Weekly Closure

[See Rule 11]

(To be displayed in a conspicuous place)

Name of shop/establishment, if any.....

Name of owner/in-charge of shop/establishment.....

Address in full.....

Registration No.....

Until further notice this shop/establishment shall remain closed entirely and closed for half day each week as noted below :

Full day*.....Half day.....(from.....To.....)*

*The days to be mentioned here.

Signature of the shop-keeper/
Manager/Person in-charge.

Copy forwarded for information to

(1) the Chief Inspector, Shops and Establishments, Tripura.

(2) the Inspector.....(specify area).

* Strike out the words which are not appropriate.

FORM H

**Notice of Weekly Holidays
[See Rule 12]**

Name of shop/establishment.....

Address.....

Registration No.....

The persons employed in this shop/residential hotel/restaurant/eating house/theatre/cinema house/other place of public entertainment of amusement* shall be given the weekly holidays of a day and a half on the days specified below in the week following the date of this notice and until further notice :

*Names of employees	Day on which full holiday is allowed	Day on which half holiday is allowed	
		From	To
1	2	3	

*Strike out the words which are not appropriate.

Strike out the words "until further notice" if the notice is intended to apply only to one week.

If the same days are fixed for all the employees, the word "all" only need to be inserted in Column 1.

Signature of Shop-keeper/Employer

FORM I

Register of daily hours of work and rest intervals of persons employed
[See Rule 13]

Name of shop/establishment

Name of shop-keeper/employer.....

Address in full.....

Registration No.....

Date.....

Shop/Establishment opens at.....closes at.....

Sl. No.	Name of persons employed	Employment commences	Interval for rest		Employment ceases	Total hours of work	Signature of the person employed
			From	To			
1.							
2.							
3.							
4.							

Signature of shop-keeper/employer

- Note.**
1. Hours to be specified in this register shall be hours to be worked exclusive of overtime.
 2. Interval for rest shall be shown by the actual time at which the intervals are to begin and end e.g., 1 p.m. to.....p.m.
 3. Entries in this register shall be made daily for every working day.

FORM J

Register of Leave [See sub-Rule (2) of Rule 18 and Rule 21]

Name of shop/establishment, if any.....

Name of shop-keeper/employer.....

Address in full of shop/establishment.....

Registration No.....

Name of employee.....

Father's name.....

Date of appointment.....

Privilege Leave

Date of application	Applied		Leave granted		Balance due	If refused in part or full		Reasons	Remarks
	(date)	(date)	(date)	(date)		(date)	(date)		
	From	To	From	To		From	To		
1	2		3			4		5	6

Sick Leave

Date of application	Applied		Leave granted		Balance due	If refused in part or full		Reasons	Remarks
	(date)	(date)	(date)	(date)		(date)	(date)		
	From	To	From	To		From	To		
1	2		3			4		5	6

Casual Leave

Date of application	Applied		Leave granted		Balance due	If refused in part or full		Reasons	Remarks
	(date)	(date)	(date)	(date)		(date)	(date)		
	From	To	From	To		From	To		
1	2		3			4		5	6

Signature of shop-keeper/employer

Note : A separate page should be earmarked in the Register for each person employed and for each kind of leave.

FORM K

Pay Register [See Rule 22]

Name of shop/establishment.....

Name of employer/shop-keeper.....

Address in full.....

Registration No.....

Day/week/month (in accordance
with mode of payment) and year

Name of persons employed	Rate of wages (per month, week, day)	Additional wages for overtime	Deduction if any and reasons therefor	Total amount paid as wages	Signature of the persons employed	Remarks

This is to certify that I have today in the presence of witnesses testifying herewith paid the amount of Rs.....in wages to the persons employed by me and that each employee has received from me the amount due as specified against his name above.

Witnesses —

1.....

2.....

Note. When the payment is made by money order the fact may be stated in the remarks column.

FORM L

**Application for Recovery of Wages
[See Rule 23]**

In the Court of the Authority/Officer appointed under the Tripura shops and Establishments Act, 1970.
Application No.....200.....

A	B	C	Between	
X	Y	D	And	Name of applicant
				Name of opposite party

The applicant states as follows :

ABC is a person employed in the shop/establishment entitled and resides at.....
The address of the applicant for the service of all notices and processes is.....

2. X, Y, D, the opposite party, is the person responsible for the payment of his/her wages under sub-S. (1) of S. 14 of the Act, and his/her address for the services of all notices and processes is.....
3. (1) The applicant's wages have not been paid for the following wage period(s) which ended on [give date(s)].....and/or.....a sum of Rs.....has been unlawfully deducted from his/her wages of..... [Amount for the... ..wages period(s) which ended on (give date(s)).....].
- (2) Here give any further claim for explanation.....
4. The applicant estimates the value of relief sought by him/her at the sum of Rs.....
5. The applicant prays that direction may be issued under sub-S. (3) of S. 14 for—
 - (a) payment of his/her delayed wages as estimated or such greater or lesser amount as the Authority/Officer may find to be due.....
 - And/Or
 - * Refund of the amount illegally deducted
 - (b) compensation/amounting to.....

The applicant certifies that the statement of facts contained in this application is, to the best of his/her knowledge and belief, accurate.

Signature or thumb impression
of the person employed

FORM M

Notice of the Disposal of Application
[See Sub-rule (3) of Rule 24]

To

Whereas under the Tripura Shops and Establishments Act, 1970 (Tripura Act VIII of 1970) a claim has been presented to me by/against you by an application, you are hereby called upon to appear before me either personally or through a person duly authorised in this behalf, for the purpose of answering all material questions relating to the application on the day of 19..... at o'clock in the fore/afternoon in support of./to answer the claim ; and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your claim/defence.

Take notice that in default of your appearance on the day before mentioned, the application will be dismissed/heard and determined in your absence.

Given under my hand and seal, the.....day of.....200.....Referee.

FORM N

Particulars of Application under Section 14
[See Sub Rule (1) of Rules 25]

1. Serial No.....
2. Date of the application.....
3. Name and address of the applicant.....
4. Name and address of the employer/shop-keeper.....
5. Amount claimed.....
 - (a) delayed wages : Rs.....
 - (b) as deducted from wages : Rs.....
6. Plea of the employer and his examination (if any).....

7. Finding, and a brief statement of the reasons therefor (to be enclosed on a separate sheet of paper, if necessary).....
8. Amount awarded.....
 - (a) delayed wages.....
 - (b) deducted wages.....
9. Compensation awarded.....
10. Penalty imposed.....
11. Costs awarded to.....
 - (i) Court-fee charges.....
 - (ii) Witnesses' expenses.....

Dated.....

Signed

FORM O

Application for Copies
[See Sub-rule (2) Rule 26]

Serial No.....

(To be preserved for one year)

To

The Authority/Officer under the Tripura Shops and Establishment Act, 1970 for recovery of wages.

(Here insert the address)

Sir,

I require a certified/uncertified copy of the documents mentioned below, which may be supplied.

Signature of the applicant

Date.....

Description of document of which copy is required. Description No. and year of the case of which it forms part, names of the parties, etc.

Report of the clerk-in-charge of the records, folios and Court-fees required.

Signature of the clerk-in-charge

Date.....

Received copy and unused folios and stamps.

Signature of the applicant

Date.....

(Counterfoil of application for copies)

Received application for copies being serial No.....

Date.....

Folios and Court-fees required.....

Signature of the clerk-in-charge

Date.....

FORM P

Register Application for Copies

[See Rule 27]

(To be preserved for three years)

1	Serial No.	2	Date of applicant	3	Name of applicant	4	Whether certified or uncertified	5	Case No.	6	Description of document to be copied	7	Date on which number of folios and stamps required were notified	8	Date on which requisites were filed	9	Number of stamp sheets filed (with price of each)	10	Number of adhesive stamps fixed (with price of each)	11	Extra fee for urgent copy fixed
12	Amount of Court-fee for authentication filed	13	Number of stamp sheets (with price of each) used	14	Number of adhesive stamps used (with price of each)	15	Number and price of stamp papers returned unused	16	Number and price of adhesive stamps returned unused	17	Court fee for certified copy used	18	Extra fee for urgent copy used	19	Date on which copy is ready for delivery	20	Date of delivery of copy and unused folio, etc.	21	If application is rejected the date and causes thereof	22	Remarks

FORM Q

Register of Court-Fees Received
[See Rule 28]

(To be preserved for three years)

Date	Serial No.	Case No.	Nature of documents for which filed	Fees for application of copies and all other fees including urgent fees on copies	Total	Remarks

FORM R

Notice of Overtime
[See Rule 30]

Name of shop/establishment.....

Address.....

Registration No.....

To

The.....

Sir

Please take notice that the persons named below will work/have worked overtime on the days mentioned against each of them as.....

(here mentioned the reason)

Names of persons employed

Days on which overtime work will be/have been done

Date.....

Signature of shop-keeper/employer

FORM S
Register of Overtime Work
 [See Rule 32]

Name of shop/establishment, if any.....

Name of shop-keeper/employer.....

Address.....

Registration No.....

For.....(here insert the month and year to which it relates)

Serial No.	Name of persons employed	Dates on which overtime work is done	Extent of over-time work on each such date	Total of overtime work done during the month
1.				
2.				
3.				
4.				

Signature of employer/shop-keeper

FORM T

Diary of Inspector for the month ending.....

[See Rule 34]

Date	Place	Establishment inspected	Purpose of inspection	Remarks of defects found and directions and orders issued.
1	2	3	4	5

FORM U

Register of Employees
[See Rule 44]

Name of the shop/establishment.....Address.....

Name of shop-keeper/employer.....Registration No.....

Serial No.	Name of the person employed	Father's name of the person employed (in the case of married women husband's name)	Date of birth of the person employed	Date of appointment	Post held or nature of job performed	Scale of pay, if any	Rate of increment	Basic pay	Dearness allowances	Other allowances	Total wages per day/week/permonth (according to mode of pay)	Remarks	Signature of the person employed with date thereof
1	2	3	4	5	6	7	8	9	10	11	12	13	14

FORM V

Letter of Appointment
[See Rule 45]

Name of shop/establishment.....

Address.....

Name of shop/keeper/employer.....

Registration No.....

Shri/Shrimati.....is appointed as (describe here the nature of appointment)
.....in this shop/establishment with effect from.....

2. His/Her appointment is on probationary basis for (insert the period) temporary/casual basis for (insert the period) permanent basis.

3. His/Her scale of pay/rate of increment in wages per (insert the period) shall be.....

4. He/She will draw total wages of.....per day/week/month composed of the following namely :

- (i) Basic pay
- (ii) Dearness allowance
- (iii) Other allowances

Signature of shop-keeper/employer

Date.....

Note: Strike out the words which are not applicable.

SCHEDULE I
[See Rule 4 (2) and 8]

The applications for registration or renewal of registration or for duplicate copies of the registration shall be sent to the Registering Authority together with the fees prescribed in this Schedule :

Sl. No.	Category of shop or establishment	Renewal fees and	Fees for duplicate copy Registration fees
1	2	3	4
		Rs.	Rs.
1.	Shop having no employees	1.00	1.00
2.	Shops other than those mentioned above (Serial No.1)	1.00	1.00
3.	Commercial establishments	1.00	1.00
4.	Residential hotels, restaurants, eating house, Cafe	1.00	1.00
5.	Cinema, theatre and other places of public entertainment or amusement	1.00	1.00

SCHEDULE II
[See Rule 5]

The notice of change shall be sent to the Registering Authority together with the fees prescribed in this Schedule :

Serial No.	Category of shop or establishment	Fees
1	2	3
		Rs.
1.	Commercial establishment	1.00
2.	Shops having no employees	1.00
3.	Shops having employees	1.00
4.	Residential hotels, restaurants, cafe, eating houses	1.00
5.	Cinema, theatre and other places of public entertainment or amusement	1.00

SCHEDULE III
[See Rule 26]

The application for copies or documents shall be presented to officer/authority together with the fees prescribed in the Schedule :

Category of documents	Fees payable
1. Documents containing 150 words or less	1. An impressed stamped paper of 25 Paise (i, e., a folio).
2. Documents containing 151 to 300 words	2. An impressed stamped paper of 25 Paise (i, e., a folio) with an adhesive stamp of 25 paise affixed thereto.
3. Documents containing more than 300 words	3. In addition to fees payable under item 2 above for the first 300 words, an additional impressed stamped paper of 25 paise (i, e., a folio) and an adhesive stamped of 25 paise for every 300 words or part thereof in excess of 150 words :

Provided that fees payable for each 150 words or part thereof shall not exceed 25 paise

- Note:**
- (i) Each folio will contain up to 300 words ; but when the number of words does not exceed 150, no adhesive stamp of 25 paise need be affixed to it.
 - (ii) The adhesive Court-fee stamps required for the copies shall be affixed to the folios across the perforated line with the figure heads above the perforated line in such a way that the portion below may clearly show the value of the Court-fee stamps.

Urgent fee (in addition to normal fees)

Category of documents	Additional fees payable
1	2
1. Documents containing 600 words or less	1. Re. 1
2. Documents containing more than 600 words	2. 25 paise for every 150 words or any fraction thereto (four figures counting as one word).

SCHEDULE IV

(See rule 31)

ORDINARY RATE OF WAGES PER HOUR

Person employed	If the person is employed on daily wages and is paid daily.	If the person is employed on daily wage but is paid weekly.	If the person is employed on weekly wages.	If the person is employed on monthly wages.*
(1)	2(a)	2(b)	3	4
A person employed in a shop or establishment,	2/17th of the amount of daily wages.	1/8th of the amount of daily wages.	1/48th of the amount of weekly wages.	1/208th of the amount of monthly wages.

*A month consists of $4\frac{1}{3}$ weeks on an average.

(52×12 months $\times 4\frac{1}{3}$ weeks a month)

$4\frac{1}{3} \times 48$ hours $\times 208$ hours per month.

Note :—If in any shop or establishment the working hours are less than what are prescribed in the Act, the ordinary rate of wages per hour in such shop or establishment shall be determined in the like manner by dividing the daily, weekly and monthly wages by the total number of normal hours of work actually worked per day, week or month, as the case may be, by the persons employed.

Secretary,
Government of Tripura,
Labour Department.



No. 119.

Registered No. N. E.-930.

TRIPURA



GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Thursday, June 14, 1984 A. D.
Jyaishta 24, 1906 S. E.

PART-I-Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

Government of Tripura
Department of Labour.

No. F. 99(91)-LAB/SE/79/1896

Dated, Agartala, the 19th May, 1984.

NOTIFICATION

In exercise of the powers conferred by Section 25 of the Tripura Shops and Establishments Act, 1970, the Governor is pleased to amend the Tripura Shops and Establishments Rules, 1970, the same having been previously published as required by sub-section (1) of Section 25 of the said Act.

1. SHORT TITLE AND COMMENCEMENT

(1) These Rules may be called the Tripura Shops and Establishments (2nd Amendment) Rules, 1984.

- Amendment of Rule 6. 2. After Sub-Rule (1) of rule 6 of the Tripura Shops and Establishments Rules, 1970 (herein after referred to as the Principal Rules), the following proviso shall be added :—
- “Provided that if the application for renewal of license under sub-section (6) of Section 16 is not received within the time specified in that sub-section, an additional fee of twentyfive percent in excess of the normal fees for such renewal shall be payable for renewal of certificate of registration for every year or part thereof by which the application for renewal is delayed”.
- Amendment of Rule 23. 3. For the existing Rule 23 of the Principal Rules the following shall be substituted namely :—
- “23, An application under Sub-Section (1) of Section 14 shall be made in duplicate in Form L”.
- Deletion of Rule 28. 4. Rule 28 of the Principal Rules shall be deleted.
- Amendment of Rule 41. 5. In sub-rule (2) of Rule 41 of the Principal Rules for the words within “fifteen days of receipt thereof,” the words at such place and time and “within such days as the inspector may direct” shall be substituted.
- Amendment of Forms. 6. For Forms B, C, D, E, and F, appended to the Principal Rules the following Forms shall be substituted namely :—

FORM B

(See Sub-rules (2) and (3) of rule (4))

Part—I

APPLICATION FOR REGISTRATION

To
 The Registering Authority,
 Shops and Establishments.
 (here specify the area and address).

Sir,

I beg to apply for registration of my shop/establishment under the Tripura Shops and Establishments Act, 1970. Particulars about the shop/establishment are furnished in the statement below.

2. “Amount of fees Rs. (Rupees)

STATEMENT

1. Name of shop/establishment, if any.
2. Postal address and exact location of shop/establishment.
3. Exact location of office, store-room, go-down, warehouse, of work place, if any, attached to shop but situated in premises different from those of shop/establishment.
4. Name of shop-keeper/employer (with full address, Postal/Residential address including father's/husband's name, Thana etc.).
5. Name of the Owner (with full postal address including father's/Husband's name. Thana etc.).
6. Name of Manager, if any, and his residential address.
7. Name of partners and their residential addresses (if a partnership concern).
8. Names and residential addresses of Directors (if a limited company).
9. Category of establishment, i. e., whether a shop commercial establishment, residential hotel, restaurant, eating house, theatre, cinema or other place of public amusement or entertainment.
10. Nature of business.
11. Date of commencement of business.
12. Name of members of owner's family employed in the shop/establishment who live with the owner and are dependent on him/her.

Relationship	Adults	Young persons.
Males		
Females		
	Total.	

13. Names of other persons employed :
 - (i) in a managerial or confidential capacity ;
 - (ii) as a traveller, canvasser, messenger, watchman or caretaker ;
and
 - (iii) exclusively in connection with customs, examination, collection, despatch delivery or conveyance of goods from or to booking office for transport by rail, road or air, docks wharves or airports (indicate sex and age in case of young persons).

14. Total number of employees :—

Adults	Young persons.	Total
Males		

15. Declaration of weekly closing days : (in the case of a shop or commercial establishment).

I hereby declare that the above information is true to the best of my knowledge and belief.

Yours faithfully

Dated

Signature of shop-keeper/Employer.

Note 1. Item 3 should be filled only when the office, store room, etc. are not separately registered under the Act. In respect of such store rooms etc. are not separately registered, particulars regd. under—items 12, 13, 14 should be given separately for each office, store room etc.

2. If any item is not applicable enter "not applicable."

PART—II

REGISTRATION CERTIFICATE

THE TRIPURA SHOPS AND ESTABLISHMENTS ACT, 1970.

(To be displayed in a conspicuous place of shop or establishment)

It is hereby certified that the shop/establishment of Shri... ..

... ..
 S/o... .. styled as... ..
 at has been registered under the Tripura
 Shops and Establishments Act, 1970 on... .. day of... ..
 19... .. and the registration No. is

Signature of Registering
 Authority.

Sl. No.	Date of Renewal.	Valid Upto	Date of registration change, if any.	Signature of Registering Authority.

FORM—C (NOTICE OF CHANGE)
(See rule 5)

Name of the shop/establishment
already registered

Name of the shop-keeper/employer

Registration Certificate No.

Address

Dated, the day of 19

To

The Registering Authority, Shops and Establishment
(here specify the area and address).

Notice is hereby given that the following change has taken place in
respect of information forwarded to you in Form B, which please note
The registration certificate is enclosed for amendment.

2. "Amount of fees Rs.
(Rupees... ..) paid in Treasury
Challan on... .. vic
Challan No. enclosed in original".

CHANGES

Signature of the shop-keeper/employee

Note :— This notice shall be accompanied by the registration certificate
together with such fees as are specified in Schedule II.

FORM—D

(See sub-rule (1) of rule 6)

APPLICATION FOR RENEWAL OF REGISTRATION

To

The Registering Authority, Shops and Establishments
(here specify the area and address)

Sir,

I beg to apply for renewal of my certificate of registration No. which

2. Amount of fees Rs..... (Rupees.....) paid in Treasury Challan No.dated.....enclosed in original.

STATEMENT

1. Name of the shop/establishment, if any.
2. Postal address and exact location of the shop/establishment.
3. Previous registration certificate No. (The certificate is to be enclosed to this application) ;
4. Period for which renewal is required ;
5. Exact location of office, store room, godown, warehouse, or work place, if any, attached to shop but situated in premises different from those of shop/establishment ;
6. Name of shop-keeper/employer (including Fathers's name and full postal address) ;
7. Name of Owner and full postal, residential address ;
8. Name of Manager, if any, and his residential address ;
9. Names of partners and their residential addresses— (if a Partnership concern) ;
10. Names and residential addresses of Directors (if a limited company) ;
11. Category of establishment, i. e., whether a shops, commercial establishment, residential hotel, restaurant, eating house, theatre, cinema or other place of public amusement or entertainment.
12. Nature of business.
13. Date of commencement of business ;
14. Names of members of owner's family employed in the shop/establishment who live with the owner and are dependent on him/her relationship ;

Adults	Young persons.
Males	
Females	

Total

15. Names of other persons employed—
 - (i) in a managerial or confidential capacity ;

(iii) exclusively in connection with the customs, examination, collection, despatch, delivery or conveyance of goods from or to booking offices for transport by rail, road or air, docks, wharves or airports (indicate sex and age in case of young persons).

16. Total number of employees

Adults	Young persons	Total
Male		
Female		
		Total

17. Declaration of weekly closing days (in the case of a shop or commercial establishment).

I hereby declare that the above information is true to the best of my knowledge and belief.

Yours faithfully,

Dated

Signature of Shop-Keeper/Employer.

Note :-1. Item 3 should be filled only when the office, store room, etc., are not separately registered under the Act. In respect of such store rooms, etc., not separately registered, particulars required under items 14, 15, 16, should be given separately for each office, store room, etc.

2. If any item is not applicable, enter "Not applicable."

FORM E

(See rule 7)

NOTICE OF WINDING UP OF BUSINESS

To
The Registering Authority,
Shop and Establishments,
(here specify the area and address).

Sir,

Please take notice that I am winding up my business. Registration Certificate No. is surrendered herewith. The reasons for closure and other details are given below:—

1. Name of shop/establishment.
2. Name of shop-keeper/employer.
3. Address.
4. Number of employees effected.
5. Reasons for winding up.

FORM F
(See rule 8)

NOTICE OF LOSS OR REGISTRATION CERTIFICATE

Name of shop/establishment

Address

Registration No.

To

The Registering Authority under the Tripura Shops and Establishments Act, 1970.

Sir,

This is to inform you that the registration certificate of this shop/ establishment has been lost/destroyed/defaced due to (here specify the reasons or circumstances). Please issue a duplicate certificate.

Amount of fees Rs.... (Rupees...) paid in Treasury Challan on... vide Challan No. ... enclosed herewith in original.

Amendment of
Schedule I.

7. For the existing schedule I appended to the Principal Rules, the following shall be substituted, namely:—

SCHEDULE I

(See rules 4(2) and (8))

The applications for registration or renewal of registration or for duplicate copies of the registration shall be sent to the Registering Authority together with the fees prescribed in this Schedule.

Serial No.	Category of shop or establishment.	Registration and Renewal fees.	Fees for duplicate copy.
1	2	3	4
		Rs.	Rs.
1.	Shops having no employees.	5.00	3.00
2.	Shops having employees.	10.00	5.00
3.	Commercial establishment.	20.00	5.00
*4.	Residential hotels, restaurants, eating house, cafe.	10.00	5.00
5.	Cinema, theatre and other places of public entertainment or amusement.	15.00	5.00

Amendment of
Schedule II.

8. In Schedule II appended to the Principal Rules, in column 3, under the head fees, all the figures shall be substituted by the figure and mark "5.00."

By order of the Governor,

R. N. Chakraborty

Commissioner-Cum-Secretary,
Government of Tripura.

DRAFT RULES

Short Title and commencement

These Rules may be called the Tripura Shops and Establishment (3rd Amendment) Rules, 1989.

They shall come into force on and from the date of publication of the Gazette.

2. For Schedule 1 appended to the Tripura Shops and Establishment Rules, 1970 (hereinafter referred to as the Principal Rules) the following schedule shall be substituted.

Amendment of schedule 1.

SCHEDULE -I

Sl. No.	Category of shops & Estts.	Registration Renewal fees.	Fees for duplicate copy.
1	2	3	4
1.	Shops having no employee	Rs. 20/-	Rs. 5/-
2.	Shops having employees upto 3 (three)	Rs. 50/-	Rs. 10/-
3.	Shops having more than 3 (three) employees.	Rs. 100/-	Rs. 20/-
4.	Commercial Establishments	Rs. 200/-	Rs. 25/-
5.	Residential Hotel		
	(i) upto 10 (ten) seats	Rs. 100/-	Rs. 25/-
	(ii) Exceeding 10 (ten) seats but less than 25 (twenty five) seats.	Rs. 200/-	Rs. 30/-
	(iii) Exceeding 25 (twenty five) seats.	Rs. 300/-	Rs. 50/-
6.	Restaurant, Eating House, cofe.	Rs. 100/-	Rs. 25/-
7.	Cinema, Theatre and other placed of public entertainment or amusement.	Rs. 300/-	Rs. 50/-

Amendment of Schedule -II.

Amendment of Schedule -10.

Amendment of Form B Part-II.

3. In schedule II appended to the Principal Rules in Column 3 under the Head 'Fees' all the figures shall be substituted by the figures and mark Rs. 10/-

4. For the existing sub-rule (2) of Rule 10 of the Principal Rules, the following sub-rule shall be substituted, namely—

(2) "all fees payable under these rules shall be paid in the local treasury under the Head of account '0230-Labour and Employment'.

5. For the existing part-II of Form B appended to the Principal Rules, the following shall be substituted, namely:—

"Form B Part—II"

(To be filed in by the office of the Registering Authority under the Tripura Shops and Establishment Act, 1970)

REGISTRATION CERTIFICATE

REGISTRATION NO. BOOK NO.

FEES..... SL. NO.

Certificate of registration is hereby granted to
 Son/Daughter/Wife of
 for the Shops/Establishment styled as
 at subject to
 the provisions of Tripura Shops and Establishments Act, 1970 and the Rules
 made thereunder.

The certificate shall remain valid upto

REGISTERING AUTHORITY

Dated
 The

Date of Renewal	Date of Expiry	Signature of Registering Authority
-----------------	----------------	------------------------------------

By order of the Governor,
 M. MAJUMDER
 Joint Secretary,
 Government of Tripura.

GOVERNMENT OF TRIPURA
LABOUR DEPARTMENT.

NO.F.24 (1)-LAB/ENF/SE/89/14589-99

Dated, Agartala, the 31st October, 2017.

NOTIFICATION

Whereas a Draft of certain Rules further to amend the Tripura Shops and Establishments Rules, 2017 was published, as required by Sub-Section (i) of section 25 of the Tripura Shops and Establishment Act, 1970 in the Extraordinary issue of the Tripura Gazette dated 4th August 2017 under the Notification of the Government of Tripura in the Department of Labour No.F.24(1)/LAB/ENF/SE/89/10623 Dated 19th July, 2017 inviting objections and suggestions from all persons likely to be affected thereby till the expiry of a period of 30(Thirty) days from the date of publication of the said notification; And whereas the copies of the said Gazette Notification were made available to the public on the 4th August 2017; And whereas no objections and suggestions were received from such persons within stipulated period.

Now, therefore in exercise of the powers conferred by Section - 25 of the Tripura Shops & Establishment Act, 1970, the State Government hereby makes the following amendments in the Tripura Shops and Establishments Rules, 2017 namely:

1. **Short Title and Commencement :-**

- (i) These Rules may be called the Tripura Shops and Establishments (5th Amendment) Rules, 2017.
- (ii) They shall come into force from the date its publication in official gazette.

2. **Amendment of Schedule -1 :-** The table appended to the schedule -1 of the Tripura Shops and Establishment Rules, 1970 shall be substituted with the following :-

Schedule - I

Sl. No.	Category of Shops & Establishments	Fees for Registration/Renewal (for three years)	Fees for duplicate copy of Registration
1.	Shops having no employee	Rs. 100/-	Rs. 30/-
2.	Shops having employee upto 3(three)	Rs. 150/-	Rs. 40/-
3.	Shops having more than 3(three) employees	Rs. 300/-	Rs. 60/-
4.	Commercial establishments	Rs. 600/-	Rs. 70/-
5.	Residential Hotel (i) Upto 10(ten) seats (ii) Exceeding 10(ten) seats but not more than 20(twenty) seats. (iii) Exceeding 20(twenty) seats	Rs. 300/- Rs. 600/- Rs. 900/-	Rs. 70/- Rs. 80/- Rs. 120/-
6.	Restaurant, Eating House, cafe	Rs. 300/-	Rs. 70/-
7.	Cinema, Theatre and other places of public entertainment or amusement	Rs. 900/-	Rs. 120/-

Tripura Gazette, Extraordinary Issue, January 01, 2018 A. D.

Provided that the Registration under the Act, which has been renewed yearly w.e.f 01/01/2016 with the prescribed fees notified earlier shall be deemed to have been renewed for 3(Three) years for every such yearly renewal.

By order of the Governor,

Sd/- Illegible
Deputy Secretary to the
Government of Tripura.

TRIPURA GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Wednesday, December 18, 2019 A. D., Agrahayana 27, 1941 S. E.

PART--I-- Orders and Notifications by the Government of Tripura,
The High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA LABOUR DEPARTMENT

No.F.24(1)-LAB/ENF/SE/89/9779

Dated, Agartala, the 10th December, 2019.

NOTIFICATION

WHEREAS, the Government of Tripura, in exercise of the powers conferred by Section 25 of the Tripura Shops and Establishments Act, 1970, has framed the Tripura Shops and Establishment Rules, 1970;

AND WHEREAS, it is imperative to ensure hygiene and cleanliness in and around the premises of shops and establishments;

AND WHEREAS, the quantum to penalty for contravention of the rules has been fixed long back and need to be upwardly revised;

AND WHEREAS, in view of above, it has become expedient for the State Government to amend the Tripura Shops and Establishment Rules, 1970;

AND WHEREAS, according to Section 25(1) of the Tripura Shops and Establishments Act, 1970, framing of any Rules under the Act is subject to the condition of previous publication in the Official Gazette;

AND WHEREAS, in accordance with the provisions of Section 25(1) The Tripura Shops and Establishments Act, 1970, the draft amendment rules, namely, The Tripura Shops and Establishment (Sixth Amendment) Rules, 2019 were published vide notification of Government of Tripura in the Labour Department number 2149, dated 14th October, 2019, in the Tripura Gazette Extraordinary, inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date of publication of this Notification in the Tripura Gazette;

AND WHEREAS, within the specified period no objections or suggestions were received from public on the said draft rules;

NOW, THEREFORE, to achieve the aforementioned purposes, the State Government, in exercise of powers conferred by Section 25 of The Tripura Shops and Establishment Act, 1970, hereby makes the following rules, namely:-

1. Short Title and Commencement. - (1) These rules may be called the Tripura Shops and Establishments (Sixth Amendment) Rules, 2019.

(2) They shall come into force from the date of their publication in the official Gazette.

2. Amendment of Rule 43. - In Rule 43 of "The Tripura Shops and Establishment Rules, 1970" (herein after referred to as the Principal Rules) the words "one hundred rupees" and "twenty-five rupees" shall be substituted with the words "two hundred rupees" and "fifty rupees", respectively.

3. Insertion of new Rule 50. - After rule 49 of principal Rules, the following new rule shall be inserted.-

"50. Providing of dustbins. - Every shop and establishment shall keep and maintain adequate number of dustbin(s) at conspicuous places to ensure hygiene and sanitation is maintained in and around the premises".

Chaitanya Murti

Special Secretary to the
Government of Tripura.