

**JHARKHAND SHOPS AND ESTABLISHMENT
RULES, 2001**

No. 2/SEA (LC) 501/2001 L&T-2870, dated 14th November, 2001- In exercise of the powers conferred by Section 85 of the Bihar Reorganisation Act, 2000, the Government of Jharkhand do hereby adapt “ The Bihar Shops and Establishments Act, 1953. The Bihar Shops and Establishments Rules, 1955”(herein referred as the said Rules) with the following amendments:-

1. In the said Rules wherever the word “Bihar” is mentioned to the word “Jharkhand” shall be deemed to have substituted.
2. Hereinafter the said Rules shall be known as “The Jharkhand Shops and Establishments Rules, 2001.”

No. 156-105/55-L-764, dated the 15th January , 1955—In exercise of the powers conferred by Section 40 of the Bihar Shops and Establishments Act, 1953 (Bihar Act VIII of 1954), the Governor of Bihar is pleased to make the following rules , the same having been previously published as required by sub-section (4) of the said Section , namely:-

**CHAPTER I.
PRELIMINARY.**

1. **Short title and commencement.** - These rules may be called the Jharkhand Shops and Establishments Rules, 2001.
2. **Definitions.**- In these Rules, unless there is anything repugnant in the subject or context
 - (a) “Act” means the Bihar Shops and Establishments Act, 1953;
 - (b) “Form” means a form appended to these rules;
 - (c) “Government” means the Government of Jharkhand;
 - (d) “section” means a section of the Act;
 - (e) the expression “Labour Commissioner”, “Assistant Commissioner of Labour” and “Superintendent of Labour” means persons appointed as such by the Government; and
 - (f) words and expressions used in these rules and not defined shall have the meaning respectively assigned to them in the Act.

CHAPTER II.

REGISTRATION.

3. (1) Every employer shall, within thirty days of the application of these rules to his establishment, make an application in duplicate, in Form I to the Inspecting Officer for registration of the Establishment Provided that the State Government may, by general or special order, extend the time for the making of such applications in respect of any establishments for such period as it thinks fit.

¹[(2) The application shall be signed by the employer and shall be accompanied by a treasury challan or

1. Subs. by S.O. 1944, dated 27.12.1975.

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crossed Indian Postal Order drawn in favor of the Chief Inspecting Officer, Jharkhand, Ranchi in proof of payment of the registration fee as specified below :-

¹ [Scale of fees payable for the registration of an establishment.

No. Of Employee	Amount of Fees Rs.
10	240
11 to 20	420
21 to 50	900
51 to 100	1800
101 and above	6000

(3) If on receipt of the application, the Inspecting Officer is satisfied about the correctness of the statements made in the application, he shall register the establishment in the Register of Establishments in Form II and issue a certificate of registration in Form III ²[provided that where on-line application for registration has been made, the establishment shall be deemed to be registered on the basis of information furnished by the employer only and registration certificate shall be issued on-line immediately.”

³[(3A) **Renewal of certificate of registration:-**

The employer of every establishment shall apply for renewal of certificate of registration through on-line portal not less than thirty days before the date on which the certificate of registration expires , and if application is so made the establishment shall be deemed to be duly registered and certificate shall be issued on-line immediately.”

⁴(3B) Rule 3-B :-

Every certificate of registration granted under Rule 3 or renewed under Rule 3-A, shall remain in force up to 10 years. The certificate so granted or renewed shall remain valid upto 31st December of the applied period.

⁵(4) (deleted)

⁶[**Table.**

Sl. No.	Name of the district	Registration Marks
1	2	3
1.	Patna	P.T.
2.	Bhojpur	B.J.
3.	Nalanda	N.L.
4.	Rohtas	R.H.

1. Substitution of Sub-rule (20 of Rule 3 , dated 23.06.2017.
2. Amendment of Sub-rule (3) of Rule 3, dated 23.06.2017.
3. Insertion of Rule 3A , dated 23.06.2017.
4. Substitution of rule 3B, dated 23.06.2017.
5. Deleted by Amendment dated 30.04.2015.
6. Substitution by S.O. 629, dated 06.07.1985.

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Sl. No.	Name of the district	Registration Marks
1	2	3
5.	Gaya	G.Y.
6.	Aurangabad	A.B.
7.	Nawada	N.W.
8.	Hazaribagh	H.Z.
9.	Giridih	G.D.
10.	Dhanbad	D.N.
11.	Ranchi	R.N.
12.	Singhbhum	S.G.
13.	Palamau	P.L.
14.	Lohardaga	L.D.
15.	Gumla	G.L.
16.	Dumka	D.K.
17.	Deoghar	D.G.
18.	Godda	G.A.
19.	Sahebganj	S.J.
20.	Muzzaffarpur	M.Z.
21.	Vaishali	V.S.
22.	East Champaran	E.C.
23.	West Champaran	W.C.
24.	Sitamarhi	S.M.
25.	Siwan	S.W.
26.	Saran	S.R.
27.	Gopalganj	G.J.
28.	Saharsa	S.H.
29.	Katihar	K.R.
30.	Madhepura	M.P.
31.	Purnea	P.N.
32.	Bhagalpur	B.H.
33.	Munger	M.G.
34.	Khagaria	K.G.
35.	Madhubani	M.B.
36.	Samastipur	S.T.
37.	Darbhanga	D.B.
38.	Begusarai	B.G.

(C) The registration mark shall precede the registration number.

(5) The Chief Inspecting Officer may, with the approval of the Labour Commissioner, issue necessary instructions to the Inspecting Officer for the proper maintenance of the Register of Establishment.

(6) Every employer shall display prominently the certificate of registration at the establishment.

(7) In the event of any doubt or difference of opinion between an employer and the Inspecting Officer, as to the liabilities of registration of the establishment and payment of the fees therefore, the Inspecting Officer shall refer the matter to the Chief Inspecting Officer whose decision shall be final.

4. **Amendment of registration certificate.** - (1) An employer shall notify to the Inspecting Officer in Form IV any change in respect of any particulars furnished in his application in Form I or any previous application in form IV immediately preceding the present one, within seven days of the occurrence of the change.

(2) Every notice in Form IV shall be accompanied by the current registration certificate, and a treasury challan or a cross Indian Postal Order drawn in favour of the Chief Inspecting Officer, showing the payment of a fee of Re. 1 plus an amount, if any, by which the fee that should have been payable if the registration certificate had originally been issued in the amended form exceeds the fee originally paid for the registration certificate.

(3) On receipt of the notice in Form IV, accompanied by the registration certificate and the treasury challan or the Indian Postal Order, the Inspecting Officer shall, on being satisfied about its correctness, makes the necessary changes in the "Register of Establishments", and amend the registration certificate.

Section 6

5. **Transfer of registration certificate.**- (1) The registration certificate shall be non-transferable.

(2) If any employer transfers his establishment to any other person, he shall, within 14 days of such transfer, notify the fact of transfer with all the particulars required in Form 1 in respect of the transferee signed by himself and surrender the certificate of registration to the Inspecting Officer who, after satisfying himself about the correctness of the claim, issue a fresh certificate of registration in Form III to be transferee, and make an entry in the Register of Establishments accordingly.

(3) Every such notice shall be accompanied by a treasury challan or a crossed Indian Postal Order drawn in favour of the Chief Inspecting Officer showing payment of fees according to the scale of fees for the registration of an establishment as prescribed in rule 3 or five rupees, whichever is less.

6. **Loss of registration certificate.**- Where a registration certificate is lost or destroyed, an application shall be made to the Inspecting Officer within seven days of such loss or destruction, for a duplicate copy which may be granted on payment of a fee of two rupees, either by crossed Indian Postal Order or by depositing the amount in the local treasury.

7. ¹**[Late applications for registration or amendment.**- - If an application for registration of an establishment or amendment of registration certificate is not received by the Inspecting Officer within time specified in the foregoing rule the establishment shall be registered or the registration certificate shall be amended, as the case may be, on payment of a fee calculated in the following manner. The process of Registration or amendment shall be completed and for the delay of every subsequent 3 months or part thereof 50% additional fee on the prescribed original fee shall be payable in one installment.

8. **Penalty for making incorrect statement.**- If any statement made in Form I or in Form IV is found to be incorrect, the employer shall be punished with fine which may extend to one hundred rupees.

Section 6 and 40 (2) (m).

9. **Permanent closure of establishment.**- (1) If any establishment is and closed permanently, the employer shall within seven days of such closure, notify that fact to the Inspecting Officer, in Form IV. The Inspecting Officer shall on being satisfied about its correctness, remove such establishment from the "Register of Establishments", cancel the registration certificate, and inform the employer accordingly.

Explanation.- An establishment will be treated to have been permanently closed for the purpose of this rule if it is closed for a period of six months or more from the date of closure.

(2) If the establishment is re-opened after its registration certificate has once been cancelled, the employer shall, within 15 days of such re-opening make an application to the Inspecting Officer in Form I for the registration of the establishment on payment of fees prescribed in Rule 3 either through treasury challan or by crossed Indian Postal Order. The Inspecting Officer shall on being satisfied about the correctness of the statement made in the application, register the establishment in the "Register of Establishments" and issue a registration certificate.

10. **Procedure on death or disability of the holder of registration certificate.**- If the holder of a registration certificate dies or becomes insolvent, the persons carrying on the business of such certificate holder shall not be liable to any penalty under the Act for exercising the power granted to the certificate holder by the registration certificate for the period of thirty days from the date of death or insolvency of the holder of registration certificate to enable him to make an application for amendment of the registration certificate in his own name and such amendment shall be subject to the fees prescribed in Rule 4.

CHAPTER III.

WEEKLY CLOSURE, WEEKLY HOLIDAYS AND LEAVE WITH WAGES.

11. ²[(1) (omitted)]

³ [(2) (omitted)]

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1. Substitution of Rule 7, dated 31.08.2012.
 2. Omitted by amendment, dated 16.02.2013.
 3. Omitted by amendment, dated 16.02.2013.

1[12. **Notice of weekly holidays.**- Every employer shall exhibit in his establishment a notice in Form VII specifying the day or days of the week on which the employees shall be given a holiday. The notice shall be exhibited before the persons employed cease work on Saturday immediately preceding the week during which it will have effect, and a copy of every such notice shall be delivered at the office of the Inspecting Officer within two days of its display in the Establishment.]

2[12-A. The employer shall maintain a service card in Form XXI in triplicate. A copy of this Form after necessary entries made therein shall be furnished to employees, the second copy shall be delivered at the office of the Inspecting officer within a week of his first employment in the establishment and the third copy shall be retained by the employer for the record.]

3[13. **Notice of period of work for employees.**- Every employer shall exhibit in this establishment a notice in Form VII specifying the period of work of each and every employee of the establishment . A copy of the notice shall be delivered at the office of the Inspecting Officer within two days of its display in the establishment.]

14. Leave With Wages Register.- (1) Every employer shall maintain Leave With Wages Register in Form IX.

(2) The Leave with Wages Register shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspecting Officer on demand.

Section 16 (7)

15. Appeal against refusal of leave.- (1) An appeal under sub section (7) of section 16 shall be preferred, within thirty days of the date on which the refusal of leave is communicated to the employee before the Superintendent of Labour or the Sub-divisional Magistrate of the local area concerned.

(2) An appeal shall be preferred in the form of a memorandum in duplicate, setting forth concisely the grounds of objection to the order appealed from either by the aggrieved employee himself or through an officer of a registered Trade Union. The memorandum shall be accompanied by a certificate signed by the appellant to the effect that the contents of the memorandum are true to the knowledge and belief of the appellant and that no appeal under sub-section (7) of section 13 has been filed previously before any other authority.

(3) The Superintendent of Labour or the Sub-divisional Magistrate as the case may be, shall call upon the employer by a notice to appear before him either personally or through his agent at a specified time together with all relevant documents and witnesses, if any, and shall inform the appellant of the time so specified.

1. Subs. by S.O. 6, dated 3.1.1974

2. Subs. by S.O. 6, dated 3.1.1974

3. Subs. by S.O. 6, dated 3.1.1974

(4) If the employer or his agent fails to appear at the specified time, the authority may proceed to hear and determine the appeal *ex-parte*.

(5) If the appellant fails to appear at the specified time, the authority may dismiss the appeal.

(6) The party aggrieved by the order made under sub-rule (4) or (5), may file an application within thirty days of the passing of the order to have the order set aside:

Provided that no such order shall be set aside unless the applicants shows sufficient cause for his non-appearance when the appeal was called on for hearing:

Provided further that no order shall be made under this sub-rule unless notice of the application has been served on the opposite party.

(7) Every such memorandum of appeal shall bear a court fee stamp of Re. 1.

(8) The Superintendent of Labour or the Sub-divisional Magistrate, as the case may be, shall record briefly the evidence adduced before him, hear the parties and then pass orders, giving reasons, thereof. The orders so passed shall be final and binding on the parties. The orders shall be communicated to the parties immediately.

(9) The compensation awarded under section 16 may be recovered-

(a) if the authority is a Magistrate, by the authority as if it were a fine imposed by him as Magistrate; and

(b) if the authority is not a Magistrate, by any Magistrate, to whom the authority sends written requisition duly signed and sealed in this behalf as if it were fine imposed by such Magistrate.

Section 17 (2)

16. **Mode of computation of cash value of wages.**- The retail price at the nearest market to be selected by Inspecting Officer, if there are more than one such markets, shall be taken into account in computing the cash equivalent of any benefit accruing by the sale of food-grains and other articles at concessional rates. This computations shall be made in accordance with such directions as may be issued by the State Government from time to time.

CHAPTER IV. WAGES, DISCHARGE OF AN EMPLOYEE.

17. **Register of wages** - A register of wages and overtime payment shall be maintained by every employer in Form X.

Section 25

18. Deductions from wages -- (1) No deduction except as provided herein after shall be made by an employer from the wages of an employee-

- (a) fines;
- (b) deductions from absence from duty;
- (c) deductions for damage to or loss of goods expressly entrusted to the employee 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;
- (d) deductions for house accommodation supplied by the employer;
- (e) deductions for such amenities and services as Government may by general or special order, authorise;
Explanation.- The word "service" in the sub-rule does not include supply of tools, any raw materials required for the purposes of employment.
- (f) deductions for recovery of advance or for over payments of wages;
- (g) deductions of income-tax payable by the employee;
- (h) deductions required to be made by order of a Court or other authority competent to make such order;
- (i) deductions for subscription to and for repayment of advances from any provident fund to which the Provident Funds Act, 1925 (XIX of 1925), applies or any recognised fund as defined in section 58-A of the Indian Income-tax Act, 1922 (XI of 1922)¹, or any Provident Fund approved in this behalf by the State Government during the continuance of such approval;
- (j) deductions for payment to co-operative societies approved by Government or to a scheme of Insurance approved by Government;
- (k) deductions for revenue stamp required to be attached to pay receipts, where applicable;
- (l) deductions for any savings scheme approved by Government with the written authority of the employee;
- (m) deductions on account of supply of cooked food or refreshments during the hours of employment in accordance with any scheme previously approved by the Chief Inspecting Officer.
- (n) Deductions for contribution to the National Defence Fund or to any Defence Saving Scheme approved by the State Government with the written authority of the employee.

Explanation.- Every payment made by the employee to the employer or his agent shall for the purpose of these rules be deemed to be a deduction from wages.

(2) An employer desiring to impose a fine on any employee or to make a deduction for damage or loss caused to 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 an explanation in the presence of another person. The amount of the said fine or deduction shall also be intimated to him in writing.

1. Now see Income Tax Act, 1961.

(3) The total amount of fine which may be imposed in any one wage period on any employee shall not exceed an amount equal to ¹[half-an-anna in the rupee of the wages payable to him in respect of that wage period.

(4) No fine shall be imposed on a child.

(5) All fines realized shall be expended only on such purposes beneficial to the persons employed in the establishment as are approved by the Chief Inspecting Officer.

(6) A deduction under clause (c) of sub-rule (1) shall not exceed the amount of damage or loss caused to the employer by the neglect or default of the employee.

(7) (a) Deductions may be made under cause (b) of sub-rule (1) only on account of the absence of an employee from the place or places where the terms of his employment he is required to work, such absence being for the whole or any part of the period during which he is so required to work.

(b) The amount of such deduction shall in no case bear to the wages payable to the employee in respect of the wage period for which the deduction is made a larger proportion than the period for which he was absent to the total period within such wage period, during which by the terms of his employment he was required to work.

(8) A deduction under cause (d) or clause (e) of sub-rule (1) shall not be made from the wages of an employee unless the house accommodation, amenity or service has been accepted by him as a term of employment or otherwise and such deduction shall not exceed an amount equivalent to the value of the house accommodation, amenity or service supplied and in the case of a deduction under clause (e) shall be subject to such conditions as Government may, by notification in the Official Gazette impose.

(9) Deductions under clause (j) of sub-rule (1) shall be subject to such conditions as Government may, by other, impose.

19. Register of fines and deductions.- The amount of fine realized and all deductions imposed on the wages of employees shall be recorded in a register in Form X

Section 26 (1) and 40 (2) (c).

20. Lists of acts which may be termed as misconduct.- (1) The following acts shall each be treated as misconduct for the purposes of the proviso to sub- Section (1) of Section 26:-

- (a) wilful insubordination or disobedience, whether alone or in combination with others, to any lawful and reasonable order of a superior;
- (b) wilful damage or loss of employer's property;
- (c) taking or giving bribes or any illegal gratification;
- (d) theft, fraud, or dishonesty in connection with the employer's business or property
- (e) habitual absence without leave or absence without leave for more than ten days;
- (f) habitual breach of any law applicable to the establishment;
- (g) habitual late attendance;

1. Now paisa equivalent to that

- (h) riotous or disorderly behavior during working hours at the establishment or any act subversive of discipline;
- (i) habitual or gross negligence or neglect of work;
- (j) striking work or inciting others to strike work in contravention of the provisions of any law or rule having the force of law;
- (k) breach of the provisions of the Standing Orders applicable to the establishment and certified under the Industrial Employment (Standing Orders) Act, 1946.

(2) No order of discharge on ground of misconduct shall be made unless the employee concerned is informed in writing of the alleged misconduct and is given an opportunity to defend himself and explain the circumstances alleged against him.

21. Complaints under sub-section (2) of section 26.- (1) Any employee aggrieved by an order of dismissal or discharge ¹[and other wise terminated under section 26, may make a complaint to the Labour Court constituted under the Industrial Disputes Act, 1947 (14 of 1947) or to an officer authorised in this behalf by a notification in the Official Gazette, either himself or through an officer of a registered Trade Union . Such Court or Officer shall entertain the complaint petition and hear the same in manner prescribed in sub-rules (4) to (8).

(2) The complaint petition shall be prepared in the form of a memorandum in duplicate, setting forth concisely the grounds of objection to the order complained against. The memorandum shall be accompanied by an affidavit sworn before a Magistrate of the First Class ²[or notary public that the contents of the memorandum are true to the knowledge and belief of the applicant and that no such complaint has been filed and heard before any other authority.

(3) Every such memorandum shall bear a court-fee stamp of Re 5.

Provided that the authority may , in consideration of the poverty of the applicant , reduce or remit this fee.

(4) The authority entertaining the complaint petition shall call upon the employer by a notice to appear on the date fixed before him either personally or through his agent at a specified time and place together with all relevant documents and witnesses, if any, and shall inform the complainant of the said date, time and place of the hearing of the said case.

(5) If the employer or his agent fails to appear on the date fixed at the specified time and place , the authority may proceed to hear and determine the complaint petition *ex-parte* unless for proper reasons to be recorded in writing the hearing is adjourned to another date.

(6) If the complainant fails to appear on the date fixed or any date subsequent thereto to which the hearing may be adjourned for reasons considered proper the authority may dismiss the complaint.

1. inserted by amendment dated 31.8.2012

2 . inserted by amendment dated 31.8.2012.

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(7) An order passed under sub-rule (5) or sub-rule (6) may, on sufficient cause being shown within thirty days of the date of the order, be set aside and the complaint re-heard, notice being served on the opposite party of the date fixed for hearing.

(8) The Labour Court or the officer authorized in this behalf, as the case may be, shall record briefly the evidence adduced before him, hear the parties summarily and after making such further enquiry as he may consider necessary, pass orders giving reasons thereof. The orders, so passed, shall be communicated to the parties immediately.

¹[(9) Every order issued by or settlement arrived before The Labour Court or designated authority for the said purpose shall be executed in accordance with the procedure laid down for execution of orders as decree of a Civil Court under Order 21 of the Code of Civil Procedure 1908.

²[(10) The Labour Court or designated authority for the purpose as the case may be shall transmit any order or settlement to a Civil Court having territorial jurisdiction and such Civil Court shall execute the order or settlement as if it were a decree passed by it .

22. Application under sub-section (1) of section 28.- (1) An application under sub-section (1) of section 28 shall be made to a Sub-divisional Magistrate or an Assistant Commissioner of Labour ³[or Deputy Commissioner of Labour] of the local area or the Presiding Officer of the Labour Court, mentioned in column 2 of the Schedule hereto annexed having their respective jurisdiction as specified in column 4 of the said Schedule or an Officer authorised in this behalf by notification in the Official Gazette within six months from the date on which the deduction from the wages was made or the date on which the payment of wages was due to be made as the case may be

Provided that an application may be admitted after the period of six months if the applicant satisfies the authority that he had sufficient cause for not making the application within such period:

⁴ [SCHEDULE

Sl. No.	Designation of the Officers	Headquarters	Local limits of Jurisdiction
1	2	3	4
1.	Presiding Officer, Labour Court, Patna Division	Patna	Districts of Patna, Nalanda, Gaya, Nawadah, Aurangabad, Bhojpur and Rohtas of Patna Division
2.	Presiding Officer, Labour Court, Bhagalpur Division	Bhagalpur	Districts of Bhagalpur, Monghyr and santhal Parganas of the Bhagalpur Division and Districts of Saharsa, Purnea and Begusarai Of Kosi Division

1. Added by amendment dated 31.8.2012.
2. Added by amendment dated 31.8.2012.
3. Added by S.O. 1680, dated 10.12.1973.
4. Subs. by Notification No. II/S6-1031-73L & E-1650 dated 28.6.1973

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Sl. No.	Designation of the Officers	Headquarters	Local limits of Jurisdiction
1	2	3	4
3..	Presiding Officer, Labour Court, Tirhut Division	Muzaffarpur	Districts of Muzaffarpur, Vaishali, Sitamarhi, Darbhanga, Samastipur, Madhubani, East Champaran, West Champaran, Saran and Siwan of the Tirhut Division.
4.	Presiding Officer, Labour Court, Ranchi	Ranchi	Districts of Ranchi, Palamau and Hazaribagh of the Chhotanagpur Division.
5..	Presiding Officer, Labour Court, Bokaro Steel City	Bokaro Steel City	Districts of Dhanbad and Giridih of the Chhotanagpur Division
6.	Presiding Officer, Labour Court, Jamshedpur	Jamshedpur	Districts of Singhbhum of Chhotanagpur Division

Provided that the cases pending before the Presiding Officer of Labour Courts from before shall be heard and disposed of by them.

(2) An application under sub-section (1) of section 28, by or on behalf of an employee shall be made in duplicate in Form XII, Form XIII or Form XIV, as the case may be, one copy of which shall bear the requisite court-fee as prescribed in Rule 25. The application shall be accompanied by a certificate signed by the applicant to the effect that the contents of the application are true to the knowledge and belief of the applicant, and that no such application for the same dues has been filed before any other authority.

(3) The authorization to act on behalf of an employee or employees under section 28 shall be given by a certificate in Form XV and shall be presented to the authority hearing the application and shall form part of the record.

(4) Documents relevant to an application may be presented in person or sent by registered post to the authority at any time during such hours as may be fixed by the authority for this purpose.

(5) The authority shall at once endorse or cause to be endorsed on each document the date of the presentation or receipt, as the case may be.

(6) (i) The authority may refuse to entertain an application presented under sub-rule (1), if after giving the applicant an opportunity of being heard, the authority is satisfied for reasons to be recorded in writing, that the applicant is entitled to present an application or the application is barred by reason of the provisions in sub-rule (1) or the application shows no sufficient cause for making a direction under section 28.

(ii) The authority may refuse to entertain an application which is insufficiently stamped or is otherwise incomplete, and if he so refuses, he shall return it with a note about the defects, the application suffers

from. If the application is presented again after removing those defects, the date of representation shall be deemed to be the date of presentation for the purposes of provision in sub-rule (2).

(7) If the application is entertained, the authority shall call upon the employer by a notice in Form XIV to appear before him at a specified time together with all relevant documents and witnesses if any, and shall inform the applicant of the time so specified.

(8) The authority shall briefly record the evidence adduced before him, shall hear the parties summarily and after making such further enquiry as he may consider necessary for a just and proper decision, shall pass orders recording in writing the direction which he may issue under sub-section (3) of section 28, as the case may be, giving the reasons therefore, and communicate the same to the parties without delay.

(9) If the employer or his authorised agent fails to appear at the specified time, the authority may proceed to hear and determine the application *ex-parte*.

(10) If the applicant fails to appear at the specified time, the authority may dismiss the application.

¹[(11) An order passed under sub-rule (9) or sub-rule (10) may on good cause being shown within thirty days of the said order, be set aside and the application reheard, notice being served on the opposite party of the date fixed for rehearing.]

(12) The authority shall in all cases enter the particulars of every direction under sub-section (2) of section 28 in Form XVII which shall be signed and dated by him.

²[(13) The State Government may by notification in the Official Gazette withdraw or recall any case or appeal pending before an authority prescribed under sub-section (2) of Section 26 or sub-sections (1) and (7) of Section 28 of the said Act and transfer the same to another prescribed authority for disposal.]

Sections 28 (4) and 40 (2) (f)

23. Recovery of amount directed to be paid by authority.- Any amount directed to be paid under Sections 26 and 28 may be recovered--

- (a) If the authority is a Magistrate, by authority as if it were a fine imposed by him as Magistrate; and
- (b) If the authority is not a Magistrate, by any Magistrate, to whom the authority sends written requisition duly signed and sealed in this behalf, as if it were a fine imposed by such Magistrate.

Sections 28 (7) and 40 (2) (g)

24. Appeal under sub-section (7) of section 28.- (1) An appeal under sub-section (7) of section 28 shall be preferred, within thirty days of the date on which the decision was made before the Industrial Tribunal, Patna, Bhagalpur and Tirhut Division in respect of the cases relating to Patna, Tirhut, Kosi, and

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- 1. Subs. by S.O. 6, dated 3.1.1974
 - 2. Subs. by S.O. 6, dated 3.1.1974

Bhagalpur and Tirhut Divisions and before the Industrial Tribunal , Chhotanagpur in respect of cases relating to Chhotanagpur Division or an officer authorised in this behalf by a notification in the official gazette:

Provided that the appeals already pending before the Presiding Officer , Industrial Tribunal, Patna , Bhagalpur and Tirhut Divisions, Patna (Appellate Authority) shall be heard and disposed of by him.

(2) An appeal shall be preferred in the form of a memorandum in duplicate, one copy of which shall bear the requisite court-fee stamps as prescribed in Rule 25 setting forth concisely the grounds of appeal and accompanied by a certified copy of the direction against which appeal is preferred.

(3) When an appeal is lodged, the Appellate Authority shall cause a notice to be issued to the respondent in Form XVIII through registered post with acknowledgement due.

(4) The Appellate Authority after hearing the parties and after making such further enquiry, if any, as it may deem necessary, may confirm, vary or set aside the direction from which the appeal is preferred, and shall record an order accordingly with reasons therefore. The orders so passed shall be communicated to the parties without delay.

Section 28

25. Fees.- The court-fee payable in respect of proceedings under Rule 22 and Rule 24 shall be-

- (a) for every application summon a witness – ¹[four annas in respect of each witness;
- (b) For every application made under sub-section (1) of Section 28 by or on behalf of an individual before the authority – ²[eight annas ;
- (c) For every application made under sub-section (1) and sub-section (8) of Section 28 by or on behalf of an unpaid group before the authority – ³[four annas for each member of the group subject to the maximum of five rupees;
- (d) For every appeal under sub-section (7) of section 28- five rupees:

Provided that the authority may, in consideration of the poverty of the applicant, reduce or remit this fee:

Provided further that no fee shall be chargeable in respect of an application presented by an Inspecting Officer.

-
1. Now paisa equivalent to that.
 2. Now paisa equivalent to that.
 3. Now paisa equivalent to that.

CHAPTER V
INSPECTING STAFF

26. Powers of Inspecting Officers.- An Inspecting Officer shall, for the purpose of giving effect to the provisions of the Act and these rules, have powers to do all or any of the following things, namely :

- (a) to inspect and make such examination of the premises and of the registers, records and notices as may appear to him to be necessary for the purpose of satisfying himself that the provisions of the Act and of the rules and any orders passed by Government under the Act are being properly observed;
- (b) to prosecute and to assist in the conduct and defence of any complaint or other proceedings arising under the Act or in the discharge of his duties as an Inspecting Officer;
- (c) to satisfy himself at each inspection that-
 - (i) the registers, records and notices required to be maintained or exhibited under the Act or these rules are properly maintained and exhibited;
 - (ii) the intervals for rest and the holidays required to be granted under the Act are granted and that the limits of hours of work and spread over laid down under the Act are not exceeded;
 - (iii) The provisions of the Act relating to the payment for overtime work are duly observed;
 - (iv) No child below the age of twelve years is allowed to work in any establishment to which the Act applies;
 - (v) The provisions of the Act and any order issued by the Government regarding the opening or closing hours are duly observed; and
 - (vi) How far the defects pointed out at previous inspections have been removed and how far orders previously issued have been complied with;
- (d) To point out all such defects or irregularities as he may have observed and to give orders for their remedy or removal and hand over to the employer a summary of the defects or irregularities and of his orders.

Sections 30 (1) and 40 (2) (m)

27. Records of inspection.- The Inspecting Officer shall keep a separate file of the records of his inspection of each establishment.

¹[27-A. Register of Establishment—The Inspecting Officer shall earmark one page exclusively of the Register of Establishment prescribed in Form II for the purpose of registration /renewal/amendment of each establishment.

Sections 30 (1) and 40 (1) (m)

28. Services of order passed by Inspecting Officer.- Every order passed by the Inspecting Officer under the Act Section 30 (1) and 40 (2) (m). and these rules shall be served on the employer of an establishment-

- (a) By delivering a copy of the same to him personally or at his office; or
- (b) By registered post.

1. Ins. by S.O. 6, dated 3.1.1974

Sections 30 (1) and 40 (2) (m)

¹**29. Inspection Book.**- (1) Every employer shall maintain an Inspecting Officer's Visit and Inspection Book, in which Inspecting Officer may record his remarks regarding any defects that may come to light in the course of an inspection of the establishment, and shall produce it whenever required to do so by an Inspecting Officer.

(2) The Inspecting Officer's Visit and Inspection Book shall be a bound book of size 7" * 6" containing atleast 100(one hundred) pages, every second page thereof shall be consecutively numbered and the unnumbered page between each two consecutively numbered page shall have a vertical perforated straight line on the margin side at a margin of 1". Every numbered page shall contain the following heading at the top: (1) The name of establishment or employer, (2) Locality, (3) registration number of establishment, (4) Date of inspection (5) Time and (6) Remarks.

(3) In case of the Visit Book containing the remarks passed by an Inspecting Officer is lost, the employer shall forthwith report in writing the loss of the visit Book to the Inspecting Officer and immediately maintain a new Visit Book.

30. Hours of inspection.- An Inspecting Officer shall ordinarily visit or inspect an establishment during the normal working hours, but he may visit an establishment at any time if he has reasonable doubts that the employer is infringing the provisions of the Act or the rules beyond such hours.

CHAPTER VI MISCELLANEOUS

31. Display of notices.- Every employer shall exhibit in his establishment a notice containing such extract of the Act and these rules as the Inspecting Officer may direct.

32. Manner in which notices should be exhibited.- Any notice required to be exhibited under these rules shall be exhibited at the main entrance of the establishment and shall be renewed whenever it becomes defaced or otherwise ceases to be clearly legible.

33. Entries in registers, records and notices.- In any register or record which an employer is required to maintain under these rules, the entries relating to a day and shall be made on such day shall be signed and dated.

34. Periods for which registers, records and notices should be preserved.- Save as otherwise provided, the registers, records and notices relating to any calendar year shall be preserved for a period of three years after the end of the calendar year, to which they relate.

35. Suspension of operation of the Act.- The operation of all or any of the provisions of the Act may be suspended by a notification in the Official Gazette up to a period of thirty days at a time in any area in respect of an establishment or any class of establishments on account of public holiday or occasions or for any other reason as the Government may determine:

Provided that the employees of the establishment or class of establishments so exempted shall be entitled in respect of the overtime to wages at the rate laid down in section 21.

1. Renumbered as 29(1), (2) and sub-rule (3) ins. by S.O. 6, dated 3.1.1974

Section 40 (2)

36. Drinking water.- The employer shall make arrangement for the supply of adequate and wholesome drinking water for the employees. The area around the place where drinking water is distributed shall be kept clean and properly drained.

¹ **[36-A. Cleanliness -- (1) (a)** In every establishment all the inside wall of the room and all the ceilings of such rooms , whether such walls or ceilings be plastered or not and all the passages and staircases shall be lime-washed or colour-washed at intervals of not more than twelve months dating from time to time when they were last lime washed or colour-washed and shall be maintained in a clean state.

(b) All beams, rafters, window-frames and other wood work with the exception of floors shall be either lime-washed, colour-washed at intervals of not more than twelve months, dating from the time when they were last lime-washed or colour-washed or shall be painted or varnished at intervals of not more than seven years dating from the time when they were last painted or varnished and shall be maintained in a clean state.

(2) Rubbish, filth, or debris shall not be allowed to accumulate or to remain on any part of the establishment for more than 24 hours and shall be disposed within the said period. All filth and other decomposing matters shall be kept in covered receptacles.

(3) The establishment and the compound surrounding shall be maintained in a strictly sanitary and clean condition. The floor shall be swept or otherwise cleaned at least once daily, and the ceiling, shall be dusted at least once a month.

² **[36-B. Ventilation--** In every establishment arrangement for ventilation openings shall be provided and the opening shall be such as to admit of a continued supply of fresh air.

37. Maintenance of records and registers.- (1) Save as otherwise provided, all registers, records and notices required to be maintained, exhibited or given under these rules shall be either in English or in Hindi in Devanagri script or in Court language of the area.

(2) All such registers and records shall be kept both at the office of the establishment and the place of business.

(3) If the Inspecting Officer is of the opinion that any muster roll or register maintained in an establishment gives in respect of any or all of the employees in that establishment, the particulars required in the Forms IX, X and XI, he may, by order in writing, direct that such muster roll or register shall to be corresponding effect be maintained in place of and be treated as the registers required to be maintained in Forms IX, X and XI of that establishment.

38. Proof of age.- An Inspecting Officer may require an employer to produce an authentic extract from the records of any School, Village Panchayat or Municipality, or in the absence of such extract at least a certificate from a Registered Medical Practitioner showing the age of any person employed by such employer.

1. Ins. by S.O. 6, dated 3.1.1974

2. Ins. by S.O. 6, dated 3.1.

39. Payment of fees.- (1) The fees to be paid into the local treasury under these rules be deposited under the head of account ¹[XXXII – Miscellaneous Social and Development Organization-Receipts from Bihar Shops and Establishments Act, 1953 ”.

(2) No claim for any refund of the fees payable under these rules shall be entertained.

40. Fees for copies of papers and documents.- The Authorities appointed under Rules 15, 21, 22 and 24 may issue copies of papers and documents to the parties on payment of fees prescribed in the Bihar Records Manual, 1951, for supply of papers and documents in district offices.

41. Legal Practitioners.- No legal practitioner shall be allowed to appear in appeals under section 16 and 26.

42. Annual Returns.- Every employer ²[employing 10 or more persons shall send to the Inspecting Officer an annual return for the calendar year giving such information in respect of employment, wages and other matters relating to working conditions of employees as may be required by the Chief Inspecting Officer so as to reach him on or before the 31st March of the succeeding year.

43. Quarterly Returns- Every employer of an establishment employing ten or more persons shall furnish within thirty days of the end of each quarter to the Inspecting Officer of the area concerned a quarterly return in Form XIX for the quarters ending on the 31st March , 30th June, 30th September and 31st December of each year. The Inspecting Officer will compile the return and submit the same to the Chief Inspecting Officer. The Chief Inspecting officer will furnish consolidated return to the Commissioner of Labour every quarter in Form XX.

³[**Rule 43(A):-** “ provided further that notwithstanding the provisions contained in Rule 42 and Rule 43, in such cases where on line return is filed in such format as may be prescribed by the Government for the purpose only such online Return shall be required to be filed on or before 30st of June every year.”

⁴[**Rule 43(B):-** “ The Government, by order, may devise or notify consolidated forms for maintaining registers and records in lieu of the forms prescribed in these rules.

Provided further that the Government may allow the registers and records to be maintained in computerized or digital formats.”

⁵[**44. Carrying of loads** --- (1) No man,woman or young person shall, unaided by another person be required or allowed to lift, move and carry by hand or on head, any load exceeding the maximum limit in weight set out in the following schedule.

-
1. See now Head of Account
 2. Amended dated 30.04.2015
 3. Amended dated 30.04.2015
 4. Amended dated 30.04.2015
 5. Ins. by S.O. 906, dated 16.5.1979

SCHEDULE

Persons	Maximum Limits in Weight
	Kgs.
Adult Male	75
Adult female	30
Adolescent male	30
Adolescent female	20
Male child	16
Female child	13

(2) No person shall either individually or in conjunction with others engage in lifting , moving or carrying by hand or on head any material, article, tool and appliance, if the weight thereof exceeds the maximum limits fixed by the Schedule to sub-rule (1) for any of the persons engaged , multiplied by the number of the persons so engaged.

(3) Where due to technical or practical difficulties it is not possible to reduce the weight to the maximum permissible limits prescribed under sub-rules (1) and (2) above, mechanical devices such as wheel barrows and fork lifts shall be provided for the transportation of loads and action will be taken to ensure that help is made available to the loader to lift such loads for removing them from the wheel barrows or fork lifts, etc.]

FORM I.

[Rule 3.]

APPLICATION FOR REGISTRATION

1. Name of establishment
2. Type of establishment – (a) Shop, (b) Restaurant or Eating house, (c) Residential hotel, (d) Theatre or any other place of public amusement.
3. Full postal address of the establishment.
4. Location of the establishment (including the number of the holding and name of the police-station in which it is situated).
5. Whether the establishment is registered under the ¹[Bihar Sales Tax Act, 1947, and, if so, the registration no. and date.
6. Maximum number of persons proposed to be employed on any day during the calendar year in which this application is filed-
 - (a) Adults (male and female) ...
 - (b) Young person (male and female)
 - (c) Children (male and female) ...
 - (d) Number of employee's family ...

1. Now Bihar Finance Act, 1981.

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7. Particulars of persons having interests in the establishment as employer [see section 2(5).] –

Serial no.	Name and parentage	Designation	Permanent address	Nature of interest
1	2	3	4	5

8. Name, designation and permanent address of the employer (Manager, Agent or any other person) who is in the immediate charge of the general management or control of the establishment.

9. Amount of fee Rs (Rupees) paid in Crossed Indian Postal Orders (No. enclosed) / Treasury on (Vide Challan no. enclosed).

Signature with designation of the Employer

(mentioned in serial 7).

Date

**¹[FORM I-A
(Rule 3-A)**

To,

The Inspecting Officer

The Bihar Shops and Establishment Act, 1953

Sir,

AS the period of registration certificate no.....originally granted subsequently received is due to expire onor has already expired..... I have to enclose herewith the certificate of Registration no.....along with a Crossed Indian Postal Order no.....for Rs.....(Rupees.....), dated.....or have deposited Rs.....only in Treasury (vide Challan no.....) and to request for its renewal.

Signature of employer

Date.....

Place.....

Note:- If the number of employer is more than one or if the Establishment is a public limited company the application will be signed by the person who is duly authorised for the purpose . If the employer is minor, the application shall be signed by the legal guardian of the minor as well.

1. Ins. by S.O. 6, dated 3.1.1974.

¹ [FORM II.
[Rule 3.]

REGISTER OF ESTABLISHMENTS.

District

Serial No.	Name with full address of establishment (serials 1,2,3 and 4 of Form no.1).	Name/s of Employer /s.	Designation, if any of employer/s	Address /es of employer/s	Type of business, trade or profession, carried on (serial 2)	Maximum no. of persons proposed to be employed (serial 6 of Form no. 1)	Sales Tax Registration no, if any, (serial 5 of Form 1).	Amount of fee deposited (give particulars of treasury challan or Postal Order as the case may be).	Registration no.	Signature of Inspecting Officer with date of registration .	Remarks.
		Serials 7 and 8 of Form no. 1									
1	2	3	4	5	6	7	8	9	10	11	12

¹ [FORM III.
[Rule 3.]

CERTIFICATE OF REGISTRATION.

1. Registration Mark and number
2. Name of establishment
3. Full postal address of the establishment
4. Location of the establishment
5. Type of business, trade or profession carried on.
6. Name and designation of the Manager or Agent or any other person in the immediate charge or control of the establishment.
7. Name and designation of other persons having as employer in the establishment.
8. Maximum number of persons to be employed on any day.

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This is to certify that the establishment, the particulars of which have been given above, has been registered under the Bihar Shops and Establishments Act, 1953, on the.....of, 19....., this certificate of registration shall remain valid till the 31st day of December, 19.....

Seal of the Inspecting Officer.

Inspecting Officer
Under the Bihar Shops and Establishments
Act, 1953.
Place of registration

Renewals

Date of renewal	From	To	Signature of the Inspecting Officer with seal

FORM IV.

[Rule 4.]

AMENDMENT OF CERTIFICATE OF REGISTRATION.

To

THE INSPECTING OFFICER,
 UNDER THE BIHAR SHOPS AND
 ESTABLISHMENTS ACT, 1953.

SUBJECT.- Issue of fresh certificate of registration.

SIR,

The following changes in respect of the information concerning my establishment (no. and date of registration), furnished in Form 3 / Form 4, have taken place. Please issue a fresh certificate of registration.

I have deposited Rs..... (rupees) only in the Treasury (vide Challan no.)/ I am enclosing a Crossed Indian Postal Order no..... for Rs..... (rupees.....), (date.....enclosed).

Charges

- 1.
- 2.
- 3.
- 4.

Yours Faithfully,

Name of employer
 Name of establishment
 Address of establishment

FORM V.
[Rule 9(1).]
NOTICE OF CLOSURE.

To

THE INSPECTING OFFICER,
THE BIHAR SHOPS AND ESTABLISHMENTS ACT, 1953

.....DISTRICT.

SIR,

Please note that my establishment, whose registration no. is..... has been closed from

Name of Establishment.....

Address.....

Reason of closure.....

Probable period of closure.....

Number of employees affected.....

Signature of employer,

Name and address of establishment.

Date.....

FORM VI.
[Rule 11 (1).]
NOTICE OF WEEKLY CLOSURE.

Name of establishment.....

Address.....

Registration no.....

Notice is hereby given that with effect from the above establishment shall be closed on

Signature of employer.

Date.....

**FORM VII.
[Rule 12.]
NOTICE OF HOLIDAY.**

Name of establishment.....

Address.....

The persons employed in this establishment shall be given holiday on the day mentioned below in the week following the day of this notice and until further notice :-

Serial no.	Names of employees.	Date on which holiday is allowed.
1	2	3

Signature of employer.

Date.....

**FORM VIII
[Rule 13.]
NOTICE OF PERIOD OF WORKS OF EMPLOYEES.**

Name of establishment.....

Registration no.....

Serial no,	Name of employees	Whether adult or children	Periods of work.						Remarks
			From-	To-	From-	To-	From-	To-	
1	2	3	4	5	6	7	8	9	10

FORM IX.
[*Rule 14.*]

LEAVE WITH WAGES REGISTER.

Serial no.	Name of employee.	Whether adult or child.	Date on which leave-			Nature of leave.	Total leave taken during the year.	Balance carried over.
			Applied for.	Availed -				
				From -	To -			
1	2	3	4	5	6	7	8	9

FORM X.
[*Rule 17.*]

Register of Wages and Overtime payment

Serial no.	Name of employee.	Date on which overtime worked.	Extent of overtime on each occasion.	Total overtime worked.	Wage period.	Rate of wages payable.	Total overtime earning during the wage period.	Gross wage payable.	Deductions, if any.	Actual wages paid.	Signature or thumb impression of employee.	Signature of employer or any person authorized by him.
1	2	3	4	5	6	7	8	9	10	11	12	13

**FORM XI.
[Rule 19.]
REGISTER OF FINES AND DEDUCTIONS.**

Name of establishments.....

Name of employer.....

Serial no.	Name of employees.	Sex	Nature and date of the offence/damage or loss for which fine is imposed/deduction is made.	Whether the employee showed cause against fine/deduction; If so, enter date	Rate of wages.	Date and amount of fine/deduction imposed.	Date/s on which fine/deduction imposed is realized.	Remarks.
1	2	3	4	5	6	7	8	9

N.B.--- Entries not necessary may be struck off.

**FORM XII.
[Rule 22.]
FORM OF INDIVIDUAL APPLICATION.**

In the court of the Authority appointed under the Bihar Shops and Establishment Act, 1953,

for area.

Application no..... of 19

Between A B C – Applicant.

[Through a legal practitioner / an official (which is a registered Trade Union)]

and X Y Z - Opposite Party.

1. A B C is a person employed in the establishment and resides at
The address of the applicant for the service of all notices and processes is
2. X Y Z, the opposite party, is the person responsible for the payment of his wages under section 19 of the Act and his address for the service of all notices and processes is.....

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3. (1). The applicant's wages have not been paid for the following wage periods (given dates), or a sum of Rs..... has been unlawfully deducted from his wages of :-
(Amount) for the wage period (s) which ended on [give date (s)].
(2) (Here give any further claim or explanation.)
4. The applicant estimates the value of relief sought by him at the sum of Rs.....
5. The applicant prays that a direction may be issued under sub-section (2) of section 28 for –
 - (a) Payment of this delayed wages as estimated or such greater or lesser amount as the Authority may find 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 knowledge and belief accurate.

*Signature or thumb impression of the
employed person or legal practitioner
or official of a registered Trade Union
duly authorised.*

**FORM XIII.
[Rule 22.]**

FORM OF GROUP APPLICATIONS.

In the Court of the Authority appointed under the Bihar Shops and Establishment Act, 1953.

for.....area.

Application no.....of 19

Between A B C (state the number).....and others – Applicants

(Through a legal practitioner/ an official of

(which is the registered trade union)]

and X Y Z - Opposite Party.

The applicants state as follows :-

1. The applicants whose names appear in the attached schedule are persons employed in the.....establishment. The addresses of the applicants for service of all notices and processes are.....
2. X Y Z, the opposite party, is the person responsible for the payment of wages under section 19 of the Act and his address for the service of all notices and processes is
3. The applicant's wages have not been paid for the following wage period (s) :-
4. The applicants estimate the value of the relief sought by them at the sum of Rs

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5. The applicants pray that a direction may be issued under sub-section (2) of section 28 for –
- (a) Payment of the applicant’s delayed wages as estimated.....or such greater or lesser amount as the Authority.....may find to be due;
 - (b) Compensation amounting to.....

The applicants certify that the statement of facts contained in this application is to the best of their knowledge and belief accurate.

*Signature or thumb impression of two of
the applicants or legal practitioner
or an official of a registered
trade union duly authorized.*

SCHEDULE.

Name of applicants.

- 1.
- 2.
- 3.
- 4.
- 5.

FORM XIV.

[Rule 22.]

**(FORM OF)APPLICATION BY AN INSPECTING OFFICER OR PERSON
AUTHORISED TO ACT.**

In the Court of the Authority appointed under the Bihar Shops and Establishments Act, 1953.

for.....area.

Application no..... of 19

Between A B C (designators), an Inspector under the Bihar Shops and Establishments Act, 1953
[or a person authorized to act under sub-section (1) of section 28] – Applicant

and X Y Z..... - the Opposite Party.

The applicants states as follows :-

- 1. X Y Z, the opposite party, is the person responsible under the Act for the payment of wages to the following persons :-
 - (1)
 - (2)
 - (3)
- 2. His address for the service of all notices and process is.....

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3. The wages of the said person (s) due in respect of the following wages period (s) have not been paid/ have been subjected to the following illegal deductions :-
4. The applicant estimates the value of the relief sought for the person (s) employed at the sum of Rs.....
5. The applicant prays that a direction may be issued under sub-section (2) of section 28 for –
 - (a) Payment of the delayed wages as estimated or such greater or lesser amount as the Authority may find to be due 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 knowledge and belief accurate.

Signature.

FORM XV.

[Rule 22.]

CERTIFICATE OF AUTHORISATION.

I/We employed person (s) hereby authorize a legal practitioner / an official of....., which is a registered Trade Union to act on my / our behalf under section 28 of the Bihar Shops and Establishments Act, 1953, in respect of the claim against..... on account of the delay in payment of / illegal deduction from my / our wages for.....

Witnesses :-

- (1)
- (2)
- (3)
- (4)

Signature :-

- (1)
- (2)
- (3)
- (4)

I accept the authorization.

Signature.

*Legal Practitioner / Official of a
registered trade union.*

FORM XVI.

[Rule 22.]

NOTICE FOR THE DISPOSAL OF APPLICATION.

To

Whereas under the Bihar Shops and Establishments Act, 1953, a claim against you has been presented to me in the application of which a copy is enclosed, you are hereby called upon to appear before me either in person or by and person duly instructed and able to answer all material questions relating to the application or who shall be accompanied by some person able to answer all such questions on the.....day of.....19 at.....o'clock in the forenoon/afternoon to answer the claim and as the day fixed for your appearance is appointed for the 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 defence.

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Given under my hand and the seal of the Court, this.....day of.....19.....

Seal of the Court.

Appellate Authority

FORM XIX
(Rule 43)

Quarterly report for the month of March/June/ September/December

1. Name of Establishment/ Employer—
2. Address
Town
District
State
3. Type of the establishment
4. Number of days worked during the month
5. Normal working hours
6. 6. Rest interval (Hours)
7. Employment and earning of hired workers

Serial No.	No. of employment at the end of the quarter	No. of man days worked during the month	Emolument paid in cash before deduction	Money value of payment	Ex-gratia cash payment	Contribution to social security funds
1	2	3	4	5	6	7

Men
Women
Young

8. Number of unpaid helpers
N.B.—Ex-gratia cash payments including profit-sharing bonus may be paid annually, quarterly or over any other period and other *ad hoc* cash payments, if any.
Whether the establishment is a—
 - (i) Shop
 - (ii) Commercial establishment
 - (iii) Restaurant, eating house or hotel
 - (iv) Theatre or a place of public entertainment; or
 - (v) Other type should be mentioned here;

**FORM XX
(Rule 43)**

Quarterly Returns on employment and employee compensation of the calendar month
March/June/September/ December, 19..

Category of Shop and Commercial Establishments	Total No. of shops and Commercial establishments Employing 10 or more persons		Total number in employment	Total number of working days	No. of mandays worked	Total emoluments paid in cash before deduction	Money value of concession	Ex-gratia cash payments	Contribution to social security funds	Total
	Covered under B.S. & E. Act	Submitting returns								
1	2	3	4	5	6	7	8	9	10	11

1. Shops (Total)
 - (a) Men
 - (b) Women
 - (c) Children
2. Commercial Establishment (Total)
 - (a) Men
 - (b) Women
 - (c) Children
3. Restaurant, Eating Houses, Hotels (Total)
 - (a) Men
 - (b) Women
 - (c) Children
4. Theatres or any place of public amusement or entertainment (Total)
 - (a) Men
 - (b) Women
 - (c) Children
5. Others (Total)
 - (a) Men
 - (b) Women
 - (c) Children
6. Total
(1,2,3,4,5)

FORM XXI
(See Rule 12-A)
Service Card to Employee

Name of the Establishment..... Address.....

Registration No.....

Personal Particulars of employees	Nature of work with wages at particular date			Signature or thumb impression of the employees	Signature of employer	Signature of Inspection Officer	Remarks
	Designation	With effect from	Rate of wages				
1	2	3	4	5	6	7	8

1. Name
2. Father's name.....
3. Permanent Address.....
4. Local Address.....
5. Age at the time of appointment.....
6. Date of appointment.....

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