

**THE
KARNATAKA
SHOPS AND COMMERCIAL ESTABLISHMENTS
RULES, 1963**

(As amended by GSR 258, dated 6-6-1967; GSR 390, dated 26-12-1975; GSR 66, dated 19-2-1977; GSR 198, dated 18-10-1982; GSR 8, dated 10-1-1983; GSR 27, dated 19-1-1984; GSR 12, dated 11-1-1985; GSR 31, dated 20-1-1986; GSR 106, dated 11-6-1992; Notification Nos. LD 37 LSC 97, dated 31-8-1998; LD 16 KABANI 2001(IV), dated 6-7-2002; LD 237 LET 2002, dated 18-9-2003; LD 104 LET 2004(I), dated 1-3-2006; LD 104 LET 2004, dated 9-5-2006; LD 336 LET 2005, dated 6-3-2007; LD 324 LET 2008, dated 31-12-2008 and LD 10 LET 2009, dated 22-4-2010, w.e.f. 22-4-2010.)

GSR 15.—In exercise of the powers conferred by sub-section (1) of Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), the Government of Karnataka hereby makes the following Rules, the draft of the same having been published as required by sub-section (4) of the said section in the Karnataka Gazette, dated the 16th May, 1963, in Notification No. PLM 82 LSC 61, dated the 10th May, 1963, namely:—

1. Title.—These rules may be called the Karnataka Shops and Commercial Establishments Rules, 1963.

2. Definitions.—In these rules, unless the context otherwise requires,—

- (a) "Act" means the Karnataka Shops and Commercial Establishments Act, 1961;
- (b) "Form" means a form appended to these rules;
- (c) "Government" means the Government of Karnataka;
- (d) "Schedule" means the schedule appended to these rules;
- (e) "Section" means a section of the Act;
- (f) Words and expressions used in the Act and not defined in these Rules shall have the meanings assigned to them in the Act.

3. Registration of establishments, etc.—(1) Within the period specified in sub-section (3) of Section 4, the employer of every establishment shall send to the Inspector of the area concerned a statement in Form "A" together with the fees specified in Schedule I.

¹[Provided that a factory or an Industrial Establishment ²for the Commercial Establishments] may use the combined application form as prescribed under the Karnataka Factories Rules, 1969 in lieu of Form 'A' under this rule.]

(2) The fees payable under sub-rule (1) ³[x x x x x] shall be paid into the local Treasury under the Head of Account "XXI-Miscellaneous-b-Labour" and the receipt obtained therefor shall be sent along with ⁴Form "A" ⁵[x x x x x].]

3-A. Renewal of Registration Certificate.—(1) The Registration Certificate issued under sub-section (2) of Section 4, shall be renewed ⁷[once in five years] before the date of its expiry. The employer of every establishment shall send to the Inspector of the area concerned a statement in duplicate, in ⁸Form "A" before ninety days from the date of expiry of such registration certificate.

(2) The fees for renewal of the Registration Certificate shall be the same as the fees specified in Schedule I.] ⁹[x x x x x].

4. Manner of registering establishments and the form of registration certificate.—On receipt of the statement and the fees prescribed in ¹⁰[Rule 3 or Rule 3-A], the Inspector shall after being satisfied about the correctness of the statement, register the establishment in the register of establishments which shall be in Form "B" and shall issue a Registration Certificate to the employer in Form "C".

4-A. Issue of Duplicate Certificate of Registration.—Where a certificate of registration granted or renewed under Rule 3 or 3-A, is lost, defaced, or accidentally destroyed a duplicate copy of the certificate of registration may be granted on payment of a fee of ¹¹[rupees fifty only.]

1. Inserted by Notification No. LD 16 KABANI 2001(TV), dated 6-7-2002, w.e.f. 12-9-2002.
2. Inserted by Notification No. LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006
3. The words, figure and letter "and Rule 3-A" omitted by Notification No. LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006
4. Substituted for the word and letter "Form "A"" by GSR No. 8, dated 10-1-1983, KGD 11-1-1983, No. SWL 7 LSC 82.
5. The words and letters "or Form AA, as the case may be" omitted by Notification No. LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006
6. Rule 3-A inserted by GSR No. 8, dated 10-1-1983, KGD 11-1-1983, No. SWL 7 LSC 82.
7. Substituted for the words "every year" by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998
8. Substituted for the word and letters "Form AA" by Notification No. LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006
9. The words and figures "Except for category of establishment at Sl. No. 1 for which no renewal fee shall be paid" omitted by GSR No. 106, dated 5-6-1992, w.e.f. 5-6-1992, KGD 11-6-1992, No. SWL 13 LSC 88.
10. Substituted for the word and figure "Rule 3" by GSR No. 8, dated 10-1-1983, KGD 11-1-1983, No. SWL 7 LSC 82.
11. Rule 4-A inserted by GSR No. 27, dated 19-1-1984, KGD 20-1-1984, No. SWL 7 LSC 82.
12. Substituted for the words "Rupees Fifteen only" by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998

5. Changes how notified.—The employer shall notify to the Inspector concerned any change in respect of any information contained in his statement under ¹[Rule 3 or Rule 3-A] in ²[Form "A"] within 15 days after the change has taken place.

6. Computation of cash equivalent of certain concessions.—(1) The cash equivalent of the advantage accruing through the concessional sale of foodgrains and other articles payable to workers proceeding on leave or for the purpose of calculation overtime rate of wages shall be the difference between the value at the average rates in the nearest market prevailing during the month immediately preceding his leave and the value at the concessional rates allowed of foodgrains and other articles he is entitled to.

(2) For the purpose of cash equivalent monthly average market rate of foodgrains and other articles shall be as computed by the Department of Labour.

7. Enquiry for fixing, opening and closing hours of establishments.—(1) Before issuing a notification under sub-section (1) of Section 11, the Government shall make an enquiry under sub-section (2) of Section 11 in the manner specified in the following sub-rules.

(2) The Government shall give notice of its intention to pass such order. The notice shall be in Form "E" and shall, unless a copy of the order proposed to be passed is annexed to it, specify the area and the establishment or establishments or class or classes of establishments to which the order shall apply the hours of opening or the hours of closing or both, which are proposed to be fixed and the days in respect of which such hours are so proposed to be fixed. The Notice shall also state that objections and suggestions with respect to such orders, if any, may be sent to the officer mentioned in the notice within one month from the date of such notice.

(3) The notice shall be published in the Official Gazette and the copies of the notice shall be affixed at such public places in the area to which the order is proposed to be applied as the State Government may deem fit. Copies of the notice shall be sent to the local authority in whose jurisdiction such area is situated and to such associations or organisations as the State Government may deem fit. The notice shall also be published in at least one newspaper having circulation in such area.

(4) The State Government shall consider all objections and suggestions received by them before issuing the notification under sub-section (1) of Section 11.

1. Substituted for the word and figure "Rule 3" by GSR No. 8, dated 10-1-1983, KGD 11-1-1983, No. 5WL 7 LSC 82

2. Substituted for the word and letter "Form D" by Notification No. LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006

8. Leave with wages register.—(1) The employer shall maintain a leave with Wages Register in Form "F" ¹[x x x x x]

Provided that where the Inspector is of the opinion that any muster-roll or register maintained as part of the routine of the establishment or return made by the employer given in respect of any or all of the persons employed in the establishment the particulars for the enforcement of Chapter IV of the Act, he may, by order in writing direct that such muster-roll or register or return shall, to the corresponding extent, be maintained in place of and be treated as the register or return required under this rule for that establishment.

(2) The register maintained under sub-rule (1) shall be preserved for a period of three years after the last entry in it and shall be produced before the Inspector on demand.

9. Leave with wages book of the persons employed.—(1) The employer shall provide each employee with a book called the "Leave with wages book" in Form "H". The book shall be the property of the employee and entries of the dates of holidays or interruptions in service shall be made therein by the employer from time to time. The employer shall not keep it for more than 10 days at a time to make the entries.

(2) The employer shall on being satisfied that the employee has lost his leave with wages book provide him with a duplicate thereof on payment of 25 paise.

10. Production of Medical Certificate by employee.—If so required by the employer in writing the employee shall submit a Medical Certificate signed by a registered or recognised Medical Practitioner, Vaidya or Hakim stating the cause of the absence and the period for which the employee is, in his opinion, unable to attend to his work.

²[11. Notice by employee for not availing himself of leave with wages due to him in a year.—x x x x x.

12. Programme of leave with wages to be prepared by employer.—x x x x x.

13. Members of one family to be allowed leave on the same date.—x x x x x.

14. Notice by employer of alteration of dates fixed for leave.—x x x x x.

15. Exchange of leave between employees.—x x x x x.

16. Cleanliness of an establishment.—x x x x x.]

17. Establishment to be sufficiently lighted.—The latrines, passages, stairs, hoists, establishment grounds, in so far as the entrance of the said

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1. The words "and make a return to the Inspector concerned in Form "G" not later than the 1st September of the year subsequent to that to which it relates" omitted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998
2. Rules 11, 12, 13, 14, 15 and 16 omitted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998

places is not closed, shall during working hours be provided with such lighting as will ensure safety of movement or passage through them.

18. Building of more than one storey to be provided with two stairs.—Every building of more than one storey shall be provided with at least two sets of stairs or steps permanently fixed either inside or outside the building, so as to afford direct and unimpeded access from every part of the establishment to the ground level. Such stairs shall be provided with a suitable and sufficient handrail or other convenient support. In establishments employing less than 40 persons, the Inspector may accept in lieu of a second set of stairs or steps such other means of escape in case of fire as can reasonably be required in the circumstances of each case.

19. Exits to external stairs to open from inside.—Every window or door giving access to an external staircase shall be so arranged as to open immediately from inside.

20. Precaution against fire.—No person shall smoke or use a naked light or cause or permit any such light to be used, in the immediate vicinity of any inflammable material in any establishment.

21. Duties of Inspectors.—(1) The Inspector shall make such examination as may appear to him to be necessary for the purpose of satisfying himself that the provisions of the Act and of these rules and any order passed by Government under the Act are duly observed. In particular he shall satisfy himself—

- (i) that the establishment is duly registered under the Act;
- (ii) that the registers, records and notices required to be maintained or displayed under the Act or these rules are properly maintained or displayed;
- (iii) that the intervals of rest and holidays required to be granted or observed under the Act are granted and observed and the limits of hours of work and spread-over laid down under the Act are granted and observed and the limits of hours of work and spread-over laid down under the Act are not exceeded;
- (iv) that the provisions of the Act and any notification issued by the Government regarding the opening and closing hours are duly observed;
- (v) that the provisions of the Act and the rules regarding leave are properly observed;
- (vi) that the provisions of these rules relating to cleanliness, lighting and precaution against fire are properly observed;
- (vii) that the provisions of the Act relating to the payment for overtime work are duly observed;
- (viii) that no child is allowed to work in any establishment.

(2) For carrying out such examination, the Inspector may interrogate such persons on the premises as he may deem necessary provided that no such person shall be required under this rule, to answer any question, the answer to which might tend to incriminate him.

¹[21-A. Procedure for Prosecution.—An Inspector shall obtain the prior approval of the Chief Inspector ²[or any other officer not below the rank of an Assistant Labour Commissioner specially authorised by him in this behalf] before making a complaint in respect of an offence punishable under the Act, rules or orders made thereunder.]

22. Ascertainment of age by the Inspector.—An Inspector may require an employer to produce a certificate of age from a registered medical practitioner in respect of any employee, such certificate shall be in Form "J".

23. Submission of diary by Inspectors.—The Inspectors shall keep a file of the records of his inspection arranged in monthly bundles and shall submit to the officer to whom he is subordinate on the 15th day of each month a diary in Form "K".

24. Maintenance of registers and records and display of notices.—³[(1) x x x x.

(2) x x x x x.

(3) x x x x x.]

(4) Every employer shall exhibit in his establishment a notice in Form "P" specifying the day or days of the week on which the persons employed by him shall be given a holiday. The notice shall be exhibited before the persons to whom it relates cease work on the Saturday immediately preceding the first week during which it is to have effect.

(5) Every employer shall exhibit in his establishment a notice containing such extracts of the Act and these rules in ⁴[Kannada] and in the language of the majority of the employees.

(6) Any notice required to be exhibited under these Rules shall be exhibited in such manner that it can be readily seen and read by any person whom it affects and shall be renewed whenever it becomes defaced or otherwise ceased to be clearly legible.

(7) In any register or record which an employer is required to maintain under these rules the entries relating to any day shall be made on such day.

(8) Save as otherwise provided in these Rules, the registers, records and notices relating to any calendar year shall be preserved till the end of the next calendar year.

1. Rule 21-A inserted by GSR No. 390, dated 26-12-1975, KGD 1-1-1976, No. SWL 3 LSC 75.
2. Inserted by GSR No. 66, dated 19-2-1977, KGD 24-2-1977, No. SWL 3 LSC 75.
3. Sub-rules (1), (2) and (3) omitted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998.
4. Substituted for the word "English" by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998.

(9) If on any application made by an employer in writing, the Government is satisfied that any muster-roll, register or record maintained by such employer gives in respect of all or any of the persons employed in his establishment the particulars required to be shown in any register, record or notice prescribed under this rule the State Government, may, by order in writing direct that such muster-roll, register or record shall, to the corresponding extent, be maintained in place of such register, record or notice, as the case may be.

[(9-A) The appointment order issued by the employer under Section 6-A shall be in Form 'Q'.]

[(9-B) Every employer shall maintain a combined Muster Roll-cum-Register of Wages in Form 'T' in respect of the employees employed in the establishment:

Provided that where an employer has maintained Form 'T', he need not be required to maintain other Muster Roll or Register of Wages separately which contains the same information already available in Form 'T'.

(9-C) Every employer shall send a combined Annual Return in Form 'U' to the concerned Inspector on or before 31st January of every year:

Provided that where an employer furnishes annual returns in Form 'U', he need not furnish any other annual return containing the same information.]

(10) Save as otherwise provided in sub-rule (5), all registers, records, muster-rolls and notices required to be maintained, exhibited or given under these Rules shall be either in English or in Kannada.

(11) Every employer shall maintain a Visit Book in which an Inspector visiting the establishment may record his remarks regarding any defects that may come to light at the time of his inspection and shall produce it whenever required to do so by an Inspector.

Where an office, storeroom, godown, warehouse or work place used in connection with the trade and business of an establishment is situated at premises other than the premises of the establishment, all registers, records, muster-rolls, visit book and notices required to be maintained, exhibited or given under the Act, and these rules shall be separately so maintained, exhibited, or given in respect of and at such office, storeroom, godown, warehouse or work place.

[24-A. Exhibition of name Board.—The name Board of every establishment shall be in Kannada and wherever other languages are also used, the versions in such other languages shall be below the Kannada

1. Sub-rule (9-A) inserted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998
2. Sub-rules (9-B) and (9-C) inserted by Notification No. LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006
3. Rule 24-A substituted by Notification No. LD 324 LET 2008, dated 31-12-2008, w.e.f. 31-12-2008

version. The name Board in Kannada version shall be written more predominantly by providing more space than for other languages, if any.]

[24-B. Exemption under Section 25.—(1) Where power to exempt establishments of Information Technology or Information Technology enabled services under the proviso to Section 25 is delegated by the State Government under Section 37 to the Commissioner for Labour, Bangalore or the Deputy Labour Commissioner having jurisdiction, every employer who intends to seek exemption under Section 25 to engage women employees during night shift, shall make an application in Form R to the Commissioner for Labour or the Deputy Labour Commissioner having jurisdiction, with the list of women employees willing to work in night shifts. There shall be at least five women employees in one night shift.

(2) On receipt of the application under sub-rule (1), the Commissioner for Labour or the Deputy Labour Commissioner concerned may, grant exemption in Form S.]

[25. Appeals under Section 39.—(1) The Assistant Commissioners of Labour shall, within the areas of their respective jurisdiction be the officers to whom appeals in respect of orders under sub-section (1) of Section 39 shall lie.

(2) Every such appeal shall be presented within 30 days from the date on which the order of removal or dismissal was communicated to the employee:

Provided that an appeal may be admitted after the said period of 30 days if the appellant shows sufficient cause that the appeal could not be presented in time.

(3) Every appeal shall be in the form of a memorandum setting forth concisely the grounds of objection to the order and shall be accompanied by a copy of the order appealed against.]

[26. Penalty for contravention.—Whoever contravenes Rules 8, 9, 9-A, 9-B, 9-C, 17, 18, 19, 20, 22, 24 and 24-B shall on conviction, be punishable with fine which shall not be less than five hundred rupees but which may extend to one thousand rupees and whoever contravenes Rule 24-A shall on conviction, be punishable with fine of ten thousand rupees and for each continued offence be punishable with fine which shall not be less than ten thousand rupees.]

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1. Rule 24-B inserted by Notification No. LD 237 LET 2002, dated 18-9-2003, w.e.f. 20-9-2003
 2. Rule 25 substituted by GSR 258, dated 6-6-1967, KGD 15-6-1967, No. LMA 2 LSC 67.
 3. Rule 26 substituted by Notification No. LD 324 LET 2008, dated 31-12-2008, w.e.f. 31-12-2008

FORM 'A'*[See Rules 3, 3-A and 5]*

Combined Application for Registration/Renewal/Any change under Karnataka Shops and Commercial Establishments Act, 1961 and Rules thereunder

PART A

1. Name of the establishment and postal address

Tel: Fax: E-mail

1A. Name of the Head Office, if any with postal address:

Tel: Fax: E-mail

2. Details of the Proprietor/Managing Partner/Director

(In case of partnership or registered company necessary documents shall be enclosed)

Sl. No.	Name	Desgn. (wkg./Non-wkg.)	Residential Address	Tel: [O][R]	Fax/E-mail
(1)	(2)	(3)	(4)	(5)	(6)

3. Details of the Head of the unit/Authorised signatory/Manager

Sl. No.	Name	Desgn.	Residential Address	Tel: [O][R]	Fax/E-mail
(1)	(2)	(3)	(4)	(5)	(6)

4. Nature of Business :

5. Date of commencement of Business :

6. Name of member's of employer's family, employed in the establishment, indicate the relationship with the employer :

7. No. of employees
(Men, Women, Young person, Total) :
8. Particulars of fees remitted
(Receipt/Challan No., Date, Amount) :
9. Notified Weekly Holiday :

PART B

In case of renewal, the following information shall be furnished in addition to the information in Part A

Renewal for the years From:..... To:

Original Registration Certificate No. :

Ward No. and Date of issue/Circle :

PART C

Original Registration Certificate No. :

Ward No. and Date of issue/Circle :

The following changes have taken place in respect of information furnished in Part A

Sl. No.	Sl. No. in Part A	Present description	Description after the change	Reasons for change (Necessary documents shall be enclosed)
(1)	(2)	(3)	(4)	(5)

I/We hereby certify that the information furnished under Parts A, B and C of this Combined Application Form, are complete and true to the best of my/our knowledge and in case any information proved to be false, I/We would be liable for legal consequences thereof.

Date :
Place:

Signature of Employer/Authorised Signatory
Designation and Seal.]

*

FORM 'B'

[See Rule 4]

Register of Establishment

Name of the Place/ :

No. of Corporation Division :

Municipal Division /Ward :

1. Sl. No.
2. Registration Certificate Number with date.
3. Name of employer.
4. Name of the manager, if any.
5. Postal address of the establishment.
6. Name of the establishment, if any.
7. Nature of business.
8. Number of members of employers family, adult, males, women, young persons.
9. Number of other persons occupying position of management or employees engaged in confidential capacity.
10. Total number of employees—

Adults	:
Men	:
Women	:
Young persons	:
Total	:
11. Registration valid upto
12. For the year Date of renewal
13. Fees paid for renewal.
14. Date of expiry.
15. Remarks.

FORM 'C'

[See Rule 4]

Registration Certificate of Establishments

- | | | | |
|----|-------------------------------------|---|------------------|
| 1. | Registration No. | : | |
| 2. | Name of Establishment | : | |
| 3. | Name of Employer | : | |
| 4. | Nature of the Business | : | |
| 5. | Postal address of the Establishment | : | |
| 6. | Number of persons employed | : | |
| 7. | Registration fee paid | : | Rs. P |

Office of the Inspector, under
the Karnataka Shops &
Commercial Establishment Act, 1961

It is hereby certified that the has been registered as a under the Karnataka Shops and Commercial Establishments Act, 1961, this day of 19

The Registration is valid upto.....

Signature of the Inspector and seal.
.....

Renewal

1. For the year 19
2. Date of Renewal
3. No. of persons employed
4. Amount of fees paid
5. Challan No. and Date.
6. Date of expiry.

Signature of the Inspector and seal.]

FORM 'D'

[See Rule 5]

x x x x x]

FORM 'E'

[See Rule 7(2)]

Notice is hereby given that the Government proposes to issue a notification under sub-section (1) of Section 11 of the Karnataka Shops and Commercial Establishments Act, 1961, that with effect from no Shops/Commercial Establishment situated in shall be opened on any day earlier than and/or shall be closed later than

Any person wishing to prefer any objection or make any suggestion with respect of the above proposal shall send the same in writing to the Commissioner of Labour before the day of 19 Dated this day of 19.....

FORM F

[See Rule 8]

Register of Leave with wages

1. Sl. No. in the Register of adult/
young person :
2. Date of entry into service :
3. Name of the person :
4. Father's/husband's name :

Part-I Earned Leave

No. of days worked			Leave earned	Leave at credit (including balance, if any, on return from leave on last occasion)
From	To	Total days worked		
1	2	3	4	5

1. Form D omitted by LD 104 LET 2004(I), dated 1-3-2006, w.e.f. 24-3-2006

2. Form 'F' substituted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998

Leave availed			Balance on return from leave	Date on which wages for leave paid and amount paid	Remarks
From	To	No. of days			
6	7	8	9	10	11

Part-II Sick/Accident Leave (with pay)

Year	Sick/Accident Leave		Balance at the end of the year
	of Credit	Availed	
1	2	3	4
1997			
1998]			

—
 [FORM 'G'

x x x x x x]

—
 [FORM 'H'

[See Rule 9]

Leave with Wage Book

1. Sl. No. in the Register of adult/young person :
2. Date of entry into service :
3. Name of the person :
4. Father's/Husband's name :
5. Address :

1. Form 'G' omitted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998

2. Form 'H' substituted by Notification No. LD 37 LSC 97, dated 31-8-1998, w.e.f. 2-9-1998

Part-I Earned Leave.—

No. of days worked			Leave earned	Leave at credit (including Balance, if any, on return from leave on last occasion)
From	To	Total days worked		
1	2	3	4	5

Leave taken			Balance on return from leave	Date on which wages for leave paid and amount paid	Remarks
From	To	No. of days			
6	7	8	9	10	11

Part-II Sick/Accident leave (with pay)

Year	Sick/Accident Leave		Balance at the end of the year
	of Credit	Availed	
1	2	3	4
1997			
1998}			

—
 1]FORM 'I'
 x x x x x]
 —

FORM 'J'

[See Rule 22]

Form of Certificate

I hereby certify that I have personally examined (name)..... son/daughter of.....residing at..... and that he/she has completed his/her twelfth/seventeenth year.

Description marks are

Thumb impression or signature

Medical Practitioner.

FORM 'K'

[See Rule 23]

Diary of the Inspector for the month ending 19

Date	Place	Establishment inspected	Establishments inspected for definite purposes	Remarks on defects found directions and orders issued
1	2	3	4	5

FORM 'L'

XXXXX

FORM 'M'

XXXXX

FORM 'N'

XXXXX

FORM 'O'

XXXXX]

FORM 'P'

[See Rule 24(4)]

Notice

Holiday

<i>The persons employed* in this</i>	<i>Commercial Establishment-Shop</i>
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Shall be given a holiday on the day named below in the week following the date of this Notice and until further notice.**

<i>***Name or class of persons employed</i>	<i>Day on which holiday is allowed</i>
---	--

Signature of Employer.

Date.....

*Strike out the words which are not appropriate.

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

***If the same day is fixed for all the persons employed, the word "all" only need be inserted in this Column.

'[FORM 'Q'

[See Rule 24(9-A)]

Appointment Order

1. Name and address of the Establishment :
2. Name and address of the Employer :
3. Name of the Employee :
4. His/Her Postal Address :
5. His/Her Permanent address :
6. Father's/husband's Name :
7. Date of Birth :
8. Date of His/Her entry into employment :
9. Designation :
10. Nature of work entrusted to him :

11. His/Her serial number in the Register of employment :
12. Rates of wages payable to him/her :
- (i) Basic
- (ii) VDA
- (iii) Other allowances if any

Total _____

Place :

Date :

Signature of the Employer

Acknowledgement by Employee
with date and signature

Seal of the Establishment]

[FORM R

[See Rule 24-B(1)]

1. Name and address of the Establishment
2. Name of the Employer/Director
3. Postal address for communication
4. Total number of employees-Men-Women-Total
5. Particulars of women employees who are willing to work during night shift:

Sl. No.	Name and residential address of the women employees	Nature of work	Mode of transportation provided	Whether security will be provided at workplace	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

6. Any other information employer may wish to furnish.

Signature of the Employer.

FORM S

[See Rule 24-B(2)]

In exercise of the powers conferred on me by the proviso to Section 25 read with Section 37 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), empowering the undersigned to issue orders under Section 25 of the said Act, I Commissioner of Labour in Karnataka, Bangalore or Deputy Labour Commissioner of the region hereby grant exemption to M/s. to employ women workers as shown in Form R during night subject to the conditions mentioned below:

Date:

Place:

Signature and seal of the authority.

CONDITIONS

- (1) The regulations stipulated under Sections 7, 8, 9, 10 and 12 of the Act shall continue to apply to the women employees working during night shift.
- (2) Transport facilities from the residence to workplace and back shall be provided free of cost and with adequate security.
- (3) Employment of women employees shall be on rotation basis.
- (4) Adequate number of security guards shall be posted during night shift.
- (5) Sufficient rest rooms, latrines and washing facilities with adequate water supply shall be provided separately for women employees so as to secure privacy.
- (6) The establishment should bear the cost of creche facility obtained by the women employees from voluntary or other organisations.
- (7) Employer has to notify any change in respect of any information furnished in Form R within 15 days.
- [(8) The Company shall obtain bio-data of each driver and conduct pre-employment screening of the antecedents of all drivers employed on their own. As regards the drivers employed through out sourcing, the company shall ensure to its satisfaction that the collection of bio-data and pre-employment screening of the antecedents of the drivers is carried out by the service provider;

- (9) The Schedule of route of the pick up and drop shall be decided by the supervisory office of the company only, in case of exigencies, change of drivers/routes/shifts shall be allowed only with the prior knowledge of supervisory officers/employees;
- (10) The telephone number, particularly Mobile Phone numbers and addresses of the women employees shall not be disclosed to unauthorised persons;
- (11) Careful selection of routes shall be made in such a way that ordinarily no women employees shall be picked up first and dropped last;
- (12) The company shall provide security guards at work place and for night shift vehicles when women employees are being picked up first or dropped last;
- (13) The designation supervisors of the company/service providers may randomly check the vehicles on various routes as far as possible;
- (14) Company shall have a control room/travel desk for monitoring vehicle movements.]
- [(15)] Breach of aforesaid conditions attracts withdrawal of exemption granted]

[FORM T

Combined Muster Roll-cum-Register of Wages

[See Rule 24(9-B) of the Karnataka Shops and Commercial Establishments Rules, 1963]

in lieu of

1. Forms I and II of Rule 22(4); Form IV of Rule 28(2); Forms V and VII of Rule 29(1) and (5) of the Karnataka Minimum Wages Rules, 1958.
2. Form I of Rule 3(1) of the Karnataka Payment of Wages Rules, 1963.
3. Form XIII of Rule 75; Forms XV, XVII, XX, XXI, XXII and XXIII of Rule 78(1)(a)(i), (ii) and (iii) of the Contract Labour (Regulation and Abolition) (Karnataka) Rules, 1974.
4. Form XIII of Rule 43; Forms XVII, XVIII, XIX, XX, XXI, XXII of Rule 46(2)(a), (c) and (d) of the Inter-State Migrant Workmen

1. Condition (8) renumbered as Condition (15) by Notification No. LD 336 LET 2005, dated 6-3-2007, w.e.f. 22-3-2007

2. Forms T and U inserted by Notification No. LD 104 LET 2004, dated 9-5-2006, w.e.f. 24-3-2006

Month/year													
Deductions													
ESI	PF	PT	TDS	Society	Insurance	Sal. Adv.	Fines	Damages/ Loss	Others	Total	Net Payable	Mode of payment Cash/ Cheque/ No.	Employee Signature/ Thumb impression
(25)	(26)	(27)	(28)	(29)	(30)	(31)	(32)	(33)	(34)	(35)	(36)	(37)	(38)

Signature of the employer/Authorised Signatory.

FORM 'U'
COMBINED ANNUAL RETURN

[See Rule 24(9-C) of the Karnataka Shops and Commercial Establishments Rules, 1963]

in lieu of

1. Form XXV of Rule 82(2) of the Contract Labour (Regulation and Abolition) (Karnataka) Rules, 1974.
2. Form III of Rule 22(4) of the Karnataka Minimum Wages Rules, 1958.
3. Form XX of Rule 20(1) of the Karnataka Payment of Wages Rules, 1963.
4. Form L of Rule 16 of the Karnataka Maternity Benefit Rules, 1963.

1. Name of the Establishment.

2. Full Postal Address

Location Address Telephone Fax E-mail

1. Establishment

2. Registered office/
Head Office

3. Name and Residential Address of the Employer or a person responsible for Conduct and Control of the Business:

Name	Designation	Residential Address	Telephone (O)(R)	Mobile	E-mail
(1)	(2)	(3)	(4)	(5)	(6)

4. Name and Residential Address of the Manager/Authorised signatory:

Name	Designation	Residential Address	Telephone (O)(R)	Mobile	E-mail
(1)	(2)	(3)	(4)	(5)	(6)

5. Nature of business of the establishment

6-A. Particulars of employment:

No. of persons on Roll as on 1-1-2001. (beginning of the year)	No. of persons on Roll as on 31-12-2001. (at the end of the year)	No. of days worked	No. of man days worked during the year			No. of man hours worked including O.T. during the year			Total Amount of salary/ wages paid including O.T. wages and allowances
			Men	Women	Total	Men	Women	Total	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

6-B. No. of employees whose employment is ceased:

No. of employees discharged/ dismissed/terminated/retiree d/resigned/retired during the year	Amount of compensation paid	No. of employees suspended during the year	Amount of subsistence allowance paid
(1)	(2)	(3)	(4)

7. Particulars of Earned Leave with Wages:

Category of employees	Total No. of persons employed	No. of employees eligible for earned leave	No. of employees availed/granted earned leave	No. of employees paid wages/salary in lieu of earned leave
(1)	(2)	(3)	(4)	(5)
(i) Men				
(ii) Women				

8. Whether the following welfare measures are provided?

- | | |
|---|-----------------------|
| (1) Canteen | Yes/No/Not applicable |
| (2) Creches | Yes/No/Not applicable |
| (3) Shelters, Rest rooms
and Lunch rooms | Yes/No/Not applicable |
| (4) Transport facility | Yes/No/Not applicable |

9. Maternity Benefits.

9-A. Particulars of Maternity Benefits:

1.	Total No. of women workers who worked for a period of 160 days in the last 12 months immediately preceding the date of delivery	
2.	No. of women workers discharged/dismissed in the last 12 months	
3.	No. of women workers for whom prenatal confinement and post-natal confinement is provided by the employer with free of cost	
4.	No. of women workers died (a) Before delivery (b) After delivery	

9-B. Leave/additional leave details:

Item	No. of women applied for leave	Leave sanctioned	Leave rejected
Miscarriage			
Illness (additional leave under Section 10)			

9-C. Maternity Benefit paid:

Item	No. of claims received	No. of leaves sanctioned	No. of claims rejected	Total benefit paid in rupees
Confinement				
Miscarriage				
Illness				
Medical Bonus				

10. Particulars of deductions made from salary (wages)

	No. of employees involved	Total amount of deduction made
(i) Fines		
(ii) Damages/Loss		
(iii) Breach of Contract		
(iv) Others		
Total		

11. Contract Labour:

Names and address of the contractors	Period of contract		Nature of work	No. of contract workmen employed	No. of days worked	No. of man days worked
	From	To				
(1)	(2)	(3)	(4)	(5)	(6)	(7)
			Total			

Certified that the information furnished above to the best of my knowledge and belief, is correct.

Date: _____
 Place: _____

Signature of employer/Manager/
 Authorised signatory
 Name (IN CAPITALS)
 Designation].

[SCHEDULE I

[See Rules 3 and 3-A]

Sl. No.	Category of establishment	Fees (Rs.)
1.	Shops and Commercial Establishment having Nil employees	250.00
2.	Shops and Commercial Establishment having 1 to 9 employees	500.00
3.	Shops and Commercial Establishment having 10 to 19 employees	3,000.00
4.	Shops and Commercial Establishment having 20 to 49 employees	8,000.00
5.	Shops and Commercial Establishment having 50 to 99 employees	15,000.00
6.	Shops and Commercial Establishment having 100 to 250 employees	30,000.00
7.	Shops and Commercial Establishment having 251 to 500 employees	35,000.00
8.	Shops and Commercial Establishment having 501 to 1,000 employees	45,000.00
9.	Shops and Commercial Establishment having above 1,000 to employees	50,000.00]

THE
KARNATAKA
SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) RULES, 1967

GSR 258.—In exercise of the powers conferred by sub-section (1) of Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), the Government of Karnataka hereby makes the following rules the draft of the same having been previously published in Notification No. LMA 2 LSC 67, dated 24th February, 1967, in the Karnataka Gazette, dated 2nd March, 1967, namely:—

1. **Title.**—These rules may be called the Karnataka Shops and Commercial Establishments (Amendment) Rules, 1967.

2. **Substitution of new rule for Rule 25.**—In the Karnataka Shops and Commercial Establishments Rules, 1963, for Rule 25, the following rule shall be substituted, namely:—

"25. Appeals under Section 39.—(1) The Assistant Commissioners of Labour shall, within the areas of their respective jurisdiction be the officers to whom appeals in respect of orders under sub-section (1) of Section 39 shall lie.

(2) Every such appeal shall be presented within thirty days from the date on which the order of removal or dismissal was communicated to the employee:

Provided that an appeal may be admitted after the said period of thirty days if the appellant shows sufficient cause that the appeal could not be presented in time.

(3) Every appeal shall be in the form of a memorandum setting forth concisely the grounds of objection to the order and shall be accompanied by a copy of the order appealed against".

THE
KARNATAKA
SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) RULES, 1975

GSR 390.—Whereas, a draft of the rules to amend the Karnataka Shops and Commercial Establishments Rules, 1963 was published as required by sub-section (4) of Section 40 of the Karnataka Shops and Commercial

1. Published in the Karnataka Gazette, dated 15-6-1967, vide Notification No. LMA 2 LSC 67, dated 6-6-1967
2. Published in the Karnataka Gazette, dated 1-1-1976, vide Notification No. SWL 3 LSC 75, dated 26-12-1975

Establishments Act, 1961 (Karnataka Act 8 of 1962), in Notification No. GSR 282 (SWL 3 LSC 75), dated 1st October, 1975 published in the Karnataka Gazette, Extraordinary, Part IV, Section 2-C(1) of dated 6th October, 1975, inviting objections and suggestions from all persons likely to be affected thereby for a period of 45 days from the date of publication of the said notification in the Gazette.

And whereas, the said Gazette was made available to the public on 6th October, 1975.

And whereas, no objections or suggestions have been received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 40 of the said Act, the Government of Karnataka, hereby makes the following rules, namely.—

1. Title and commencement.—(1) These rules may be called the **Karnataka Shops and Commercial Establishments (Amendment) Rules, 1975.**

(2) They shall come into force at once.

2. Insertion of new Rule 21-A.—After Rule 21 of the Karnataka Shops and Commercial Establishments Rules, 1963, the following rule shall be inserted, namely.—

"21-A. Procedure for prosecution.—An Inspector shall obtain the prior approval of the Chief Inspector before making a complaint in respect of an offence punishable under the Act, rules or orders made thereunder."

**THE
KARNATAKA
SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) RULES, 1976**

GSR 66.—Whereas, a draft of the rules further to amend the Karnataka Shops and Commercial Establishments Rules, 1963 was published as required by Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), in Notification No. GSR 323 (SWL 3 LSC 75), dated 4th October, 1976 on page 4184 in Part IV, Section 2-C(i) of the Karnataka Gazette, dated 6th October, 1976, inviting objections and suggestions from all persons likely to be affected thereby within 30 days from the date of publication of the said notification in the Gazette.

And whereas, the said Gazette was made available to the public on 6th October, 1976.

And whereas, no objections or suggestions have been received on the said draft.

Now, therefore, in exercise of the powers conferred by Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), the Government of Karnataka, hereby makes the following rules, namely.—

1. Title and commencement.—(1) These rules may be called the **Karnataka Shops and Commercial Establishments (Amendment) Rules, 1976.**

(2) They shall come into force at once.

2. Amendment of Rule 21-A.—In Rule 21-A of the Karnataka Shops and Commercial Establishments Rules, 1963, after the words "Chief Inspector", the words "or any other officer not below the rank of an Assistant Labour Commissioner specially authorised by him in this behalf" shall be inserted.

**THE
KARNATAKA
SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) RULES, 1982**

GSR 198.—Whereas, the draft of the rules further to amend the Karnataka Shops and Commercial Establishments Rules, 1963 was published as required by Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), in Notification No. SWL 7 LSC 82, dated 4th June, 1982, in the Karnataka Gazette, Extraordinary, dated 5th June, 1982, inviting objections and suggestions from all the persons likely to be affected thereby on or before 7th July, 1982.

And whereas, the said Gazette was made available to the public on the 5th June, 1982.

And whereas, the objections/suggestions received, in respect of the said draft notification were considered.

Now, therefore, in exercise of the powers conferred by Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), the Government of Karnataka makes the following rules, namely.—

1. Short title and commencement.—(1) These rules may be called the **Karnataka Shops and Commercial Establishments (Amendment) Rules, 1982.**

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

1. Published in the Karnataka Gazette, Extraordinary, dated 19-10-1982, vide Notification No. SWL 7 LSC 82, dated 18-10-1982

2. **Substitution of new Schedule-I.**—For Schedule-I appended to the Karnataka Shops and Commercial Establishments Rules, 1963, the following schedule shall be *substituted*, namely,—

“SCHEDULE-I

[See Rule 3]

Sl. No.	Category of Establishments	Fee
(1)	(2)	(3)
		Rs.
1.	Shops and Commercial Establishments engaging no employees	5
2.	Shops and Commercial Establishments employing between 1 and 10 employees	10
3.	Shops and Commercial Establishments employing between 11 and 20 employees	25
4.	Shops and Commercial Establishments employing between 21 and 50 employees	75
5.	Shops and Commercial Establishments employing between 51 to 100 employees	100
6.	Shops and Commercial Establishments employing more than 100 employees	250*

**“THE
KARNATAKA
SHOPS AND COMMERCIAL ESTABLISHMENTS
(AMENDMENT) RULES, 1982**

GSR 8.—Whereas, the draft of the Karnataka Shops and Commercial Establishments (Amendment) Rules, 1982 was published as required by Section 40 of the Karnataka Shops and Commercial Establishments Act, 1961 (Karnataka Act 8 of 1962), in Notification No. SWL 7 LSC 82, dated 6th December, 1982 in Part IV, Section 2-C(i) of the Karnataka Gazette, Extraordinary, dated 7th December, 1982 calling for objections and suggestions from persons likely to be affected thereby on or before 22nd December, 1982.

And whereas, the said Gazette was made available to the public on 7th December, 1982.

1. Published in the Karnataka Gazette, Extraordinary, dated 11-1-1983, vide Notification No. SWL 7 LSC 82, dated 10-1-1983