THE UTTAR PRADESH DOOKAN AUR VANIJYA ADHISHTHAN ADHINIYAM, 1962[1]

[U. P. ACT NO. XXVI OF 1962]

[Passed in Hindi by the Uttar Pradesh Legislative Council on September 25, 1962 and by the Uttar Pradesh Legislative Assembly on November 1, 1962 with amendments which was approved by the Uttar Pradesh Legislative Council on November 5, 1962.

Received the assent of the President on December 18, 1962 under Article 201 of 'the Constitution of India' and was published in the Uttar Pradesh Gazette Extraordinary, dated December 26, 1962.]

AN

ACT

to consolidate and amend the law relating to the regulation of conditions of work and employment in the shops and commercial establishments

It is hereby enacted in the thirteenth year of the Republic of India as follows :

CHAPTER I

PRELIMINARY

Short title, extent and application

1. (1) This Act may be called the Uttar Pradesh Dookan aur Vanijya Adhishthan Adhiniyam, 1962.

(2) It extends to the whole of Uttar Pradesh.

(3) The provisions of this Act referred to in Schedule I shall, in the areas mentioned in the said Schedule, apply to the extent specified therein and the State Government may from time to time, direct, by notification in the Gazette, that all or any of the provisions of this Act shall also apply in relation to such areas and to such extent as may be specified in the notification.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context-

(1) 'apprentice' means a person, not being, a person below the age of 12 years, employed for purposes of training, with or with-out wages, by an employer in any trade or calling ;

[(1-A) 'Chief Inspector' means the Chief Inspector appointed under section 29 and, includes a Deputy Chief Inspector or Inspector appointed under that section;][2]

(2) 'child' means a person who has not completed his fourteenth year ;

(3) 'close' means not open within the meaning of clause (13) ;

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1. For Statement of Object and Reasons, see U. P. Gazette, extraordinary dated September 15, 1962.
2. Added by section 2 (1) of U.P. Act No. 54 of 1976

Act LXIII of 1948

(4) 'commercial establishment' means any premises, not being the premises of a factory, or a shop, wherein any trade, business, manufacture, or any work; in connexion with, or incidental or ancillary thereto, is carried on for profit and includes a premises wherein journalistic or printing work, or business of banking, insurance, stocks and shares, brokerage or produce exchange is carried on, or which is used as theatre, cinema, or for any other public amusement or entertainment, or where the clerical and other establishment of a factory, to whom the provisions of the Factories Act, 1948, do not apply, work;

(5) 'day' means the period of 24 hours beginning at midnight:

Provided that in the case of an employee, whose hours of work extend beyond midnight, day means the period of 24 hours beginning from the hour of commencement of his duty ;

(6) "employee" means a person wholly or mainly employed on wages by an employer in, or in connexion with any trade, business or manufacture carried on in a shop or commercial establishment, and includes----

(a) caretaker, mali or a member of the watch and ward staff;

(b) any clerical or other staff of a factory or industrial establishment, which is not covered by the provisions of the Factories Act, 1948; and

(c) any apprentice or a contract or piece-rate worker;

(7) "employer" means a person who owns, or who holds charge of, or has ultimate control over the trade, business or manufacture carried on in a shop or commercial establishment, as the case may be, and includes the manager, agent or any other person acting on behalf of the employer in the management or control of such trade, business or manufacture ;

(8) "factory" shall have the meaning assigned to it in the Factories Act, 1948, so however as not to include the premises where the clerical or other establishment of a factory, to whom the provisions of that Act do not apply, work;

(9) "family" in relation to an employer means the husband or wife, as the case may be, son, daughter, father, mother, brother or sister of such employer, who lives with and is wholly dependent on him;

(10) "inspector" means an Inspector, Deputy Chief Inspector or the Chief Inspector, appointed under section 29 of this Act ;

(11) "leave" means the period of absence from duty with wages to which an employee is entitled under Chapter III of this Act ;

(12) "night" means such period of twelve consecutive hours, So however as always to include the interval between 10 p.m. and 6 a.m., as may be prescribed;

(13) "open" in relation to a shop or commercial establishment means open for the service of any customer, or for the business trade or manufacture, normally carried on in the Shop or commercial establishment ;

[(13A) 'Owner', in relation to a shop or commercial establishment includes a person who runs or is incharge of such shop or commercial establishment;][1]

(14) "prescribed" means prescribed by the rules made under this Act ;

(15) "retail trade or business" means the business of sale of goods in small quantities and the rendering of services to customers, and includes the business of a barber or hair-dresser, the sale of cooked food, refreshments or intoxicating liquors and retail sale by auction ;

(16) "shop" means any premises where any wholesale or retail trade or business is carried on, or where services are rendered to customers, and includes all offices, godowns or warehouses, whether in the same premises or not, which are used in connexion with such trade or business;

(17) "State" means the state of Uttar Pradesh ;

(18) "wages" means all remuneration (whether by way of salary, allowances or otherwise) expressed in terms of money, or capable of being so expressed, which would if the terms of employment, express or implied, were fulfilled, be payable to an employee, and includes---

(a) any bonus ;

(b) any sum payable to the employee by reasons of the termination of his employment ; and

(c) any additional remuneration payable under the terms of his employment ;

(19) "week" means a period between the midnight on Saturday and the midnight on the following Saturday; and

(20) "young person", means a person who is not a child and has not completed his seventeenth year.

The provisions of the Act not to apply to certain persons, shops and commercial establishments

3. (1) The provisions of this Act shall have no application to---

(a) employees occupying positions of confidential, managerial or supervisory character in a shop or commercial establishment, wherein more than five employees are employed :

Provided that the number of employees so exempted in a shop or commercial establishment shall not exceed ten per cent of the total number of employees thereof ;

(b) employees whose work is inherently intermittent, as in the case of a traveler or canvasser ;

(c) offices of Government or local authorities ;

(d) offices of the Reserve Bank of India ;

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1. Added by section 2 (ii) of U.P. Act No. 54 of 1976

(e) establishments for the treatment or care of the sick, infirm, destitute or mentally unfit; and

(f) members of the family of an employer;

(2) A list of the employees referred to in clause (a) of sub-section (1) shall be displayed at a conspicuous place in the shop or commercial establishment and a copy thereof shall be sent to the Inspector concerned.

Powers of the Government to exempt any class of shops or Commercial establishments from the operation of the Act

(3) The State Government may, in public interest, by notification in the Gazette, exempt, subject to such conditions as it may impose in this behalf, any shop or commercial establishment or any class of Shops or commercial establishments from the operation of all or any of the provisions of this Act.

Withdrawal of exemption by State Government

(4) The State Government may, likewise by notification in the gazette, withdraw in whole or in part, permanently, or for such period as may be specified, any exemption granted under sub-section (3).

Savings

4. Nothing contained in this Act shall adversely affect any right or privilege to which any employee may be entitled, on the date on which this Act begins to apply to him, under any law, award, agreement, contract, custom or usage, in force on that date.

[CHAPTER I-A
Registration of shops and Commercial Establishments

Register of shops and commercial establishments

4-A The Chief Inspector shall maintain in such form and containing such particulars as may be prescribed, a register of all shops and commercial establishments, to which this Act applies :

Provided that different such registers may be maintained for different areas and for different classes of shops and commercial establishments.

Registration

4-B (1) Every owner of a shop or commercial establishment shall within three months of the commencement of such business or within three months of the commencement of the Uttar Pradesh Dookan Aur Vanijya Adhisthan (Sansodhan) Adhiniyam, 1976, whichever is later, apply to the Chief Inspector for registration of his shop or commercial establishment.

(2) Every application for registration under sub-section (1) shall be in such form and shall be accompanied by such fees as may be prescribed.

(3) The Chief Inspector shall, on being satisfied that the prescribed fee has been deposited, register the shop or commercial establishment in the register maintained under section 4-A and shall issue a certificate of registration to the owner in such form and in such manner, as may be prescribed.

Term and renewal of registration certificate

4-C The registration certificate granted under section 4-B shall be valid for such period as may be prescribed, and shall on an application being made in that behalf and upon payment of the prescribed fees, be renewable from time to time by the Chief Inspector for such further period as may be prescribed.

Duplicate Registration certificate

4-D When a registration certificate is lost, destroyed or torn, or is defaced or otherwise becomes illegible, the Chief Inspector shall in the manner prescribed and on payment of the prescribed fee, issue a duplicate registration certificate.][1]

CHAPTER II

HOURS OF BUSINESS

Hours of business

5. (1) No shop or commercial establishment, not being a shop or commercial establishment mentioned in Schedule II, shall, on any day, open earlier, or close later than such hour as may be prescribed in this behalf.

(2) Notwithstanding the provisions of sub-section (1), earlier opening, or later closing, hour's party be prescribed for different classes of shops or commercial establishments, or for different areas, or for different periods of the year.

(3) The State Government may, at any time, by notification in the Gazette, add to or remove from Schedule II, any class of shop or commercial establishments.

Hours of work and overtime

6. (1) No employer shall require or allow an employee to work on any day for more than :--

(a) five hours in the case of a child;

(b) six hours in the case of a young person ; and

(c) eight hours in the case of any other employee :

Provided that any employee, not being a young person or a child, may be required or allowed to work longer than the aforesaid hours of work, so however, that the total number or hours of work (including overtime) does not exceed ten on any one day except on a day of stock-taking or making of accounts:

Provided further that the total number of hours of overtime work shall not exceed fifty in any quarter.

Explanation-- "quarter" means a period of three consecutive months beginning on the 1st of January, the 1st of April, the 1st of July or the 1st of October.

(2) An employee, who has worked in excess of the hours of work fixed under clause (c) of sub-section (1), shall be paid by his employer wages at twice the ordinary rate, for every hour of such overtime work.

Explanation 1--- For the purposes of this sub-section, ordinary rate means the basic wages plus such allowances (including the cash equivalent of the advantage accruing through the concessional sale to employees of foodgrains and other articles), as the employee is for the time being entitled to but does not include bonus.

Explanation 2- In calculating the wages payable to an employee for overtime Work, a day shall be reckoned as consisting of eight working hours.

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1. Added by section 3 of U.P. Act No. 54 of 1976

Intervals for rest and spread over of working hours in a day

7. The working hours in a shop or commercial establishment shall be so arranged that each employee gets an interval of not less. than half an hour for rest after not more than five hours of continuous work, and the periods of work and intervals of rest of an employee do not spread over more than twelve hours in one day;

Provided that the State Government may, in public interest and subject to such conditions as it may consider necessary or expedient, increase the said spread over period either generally or for a class of shops or commercial establishments.

CHAPTER III

HOLIDAYS AND LEAVE

Close days

8. (1) Every employer shall keep his shop or commercial establishment, not included in Schedule II, closed on-

(a) one day in a week ; and

(b) such public holidays in a years as may be prescribed, to be hereinafter referred to, as close days,

(2) The choice of a close day, not being a close day which is a public holiday shall, subject to the approval of the authority appointed by the state Government in this behalf, rest with the employer. A notice specifying all close days shall be prominently displayed by the employer in a conspicuous place in the shop or commercial establishment.

(3) The close day shall not be altered by the employer except once in a year and with the approval of the authority appointed under sub-section (2), to be obtained in the manner prescribed. Any such alteration shall take effect as from the first day of January of the year following :

Provided that where the employers in one locality do not observe' the same day of the week as the close day, the authority appointed under sub-section (2) may, in the manner prescribed; fix a day as, the close day for such locality :

Provided further that the authority may, on the written request of the majority of the employers in a locality, at anytime after six months from the date on which a close day was earlier fixed, alter, with effect from a date to be specified by him, the close day, not- being a close day which is a public holiday.

Explanation:-- "locality" means any compact area declared as such by public notice by the authority appointed under sub-section (2).

Holidays

9. Every employee, not being a watchman or a caretaker, shall be allowed by the employer holiday on-

(i) every close day which is a public holiday ; and

(ii) one whole day in each week:

Provided that nothing in clause (ii) shall apply to any employee whose total period of employment in the week (including any day spent on leave or any holiday), is less than six days.

Earned leave, sickness leave and casual leave

10. (1) Every employee, who has been in continuous employment of the Same employer for a period of twelve months or over, shall, in addition to any holiday allowed under section 9, be entitled to earned leave for not less than fifteen days for every twelve months of such service:

Provided that a watchman or a caretaker who has been in continuous employment for a period of twelve months or over shall be, entitled to not less than sixty days earned leave for every twelve months of such service.

(2) Every employee; who has been in continuous employment of the same employer for a period of six months or over shall, subject to such conditions as may be prescribed, be further entitled to sickness leave for not less than fifteen days in anyone calendar year.

(3) Every employee shall, subject to such conditions as may be prescribed, be also entitled, in addition to earned leave and sickness leave, to casual leave for not less than ten days in anyone calendar year.

(4) Subject to the provisions of the rules made under this Act, all leave shall be granted when applied for.

(5) Any earned leave not availed of in any year by an employee shall be added to such leave accruing to the employee in the year following:

Provided that the total period of earned leave admissible to all employees at any time shall not exceed 45 days.

(6) In computing the period of continuous employment of an employee within the meaning of sub-section (1) or (2), the period during which he has been on leave under this section-shall he included.

(7) Where the services of an employee are terminated by his employer, or where the employee terminates the employment, the employer shall be liable to pay to the employee wages for the number of days for which the earned leave is due to him.

Payment for leave refused

11. (1) When earned leave is refused to an employee having to his credit such leave for forty-five days, he shall be entitled, in respect of the period covered by the refusal, to an amount which would have been payable to him as wages for the period in case he had been on leave during that period.

(2) The amount payable under sub-section (1) shall be in addition to the wages payable for the period.

(3) On an employee receiving the said amount, the earned leave to his credit shall be reduced by the number of days in respect of which such amount is received.

Wages for holidays and leave

12. For every holiday, and for each day of leave allowed under this Act, the employee shall be entitled to wages at a rate not less than that rate to which the employee was entitled for the day immediately preceding the holiday or the day of leave availed by him, anything to the contrary contained in any other law, contract, custom or usage notwithstanding.

CHAPTER IV

WAGE DEDUCTIONS AND NOTICES OF DISCHARGE

Wage period

13. (1) Every employer shall fix a period, (hereinafter referred to as the wages period), at the expiry, and in respect, of which wages shall be payable to his employees.

(2) No wage period shall exceed one month.

(3) The wages of every employee shall be paid-within such period as may be prescribed.

(4) The remuneration due to an employee in lieu of unavailed period of leave, and the wages earned by him, shall be paid-

(a) where the termination of his employment is by or on behalf of the employer, before the expiry of the second working day after such termination ; and

(b) where the termination of his employment is by the employee, on or before the next pay day.

Payment of wages for the period of earned leave

14. (1) An employee proceeding on earned leave shall, on demand, be given advance payment of the wages for half the period of the leave, and the wages for the wage period immediately preceding such leave. The wages, for the remaining half period of such leave shall be payable to him along With the wages for the first wage period after he resumes duty.

(2) The wages for the period of sickness leave shall be payable to the employee along With his wages for the first wage period after he resumes duty.

Deductions from wages

15. No deductions from the wages of an employee shall be made except to such extent, and in such manner, as may be prescribed.

Fines on employees

16. No fines in excess of three per cent of the wages payable to an employee for any wage period shall be imposed on him by the employer.

Register of fines

17. (1) The employer shall maintain a register in the prescribed form, wherein shall be entered all fines Imposed and recoveries thereof.

(2) Fines recovered from employees shall be applied only to such purposes as may be beneficial to them and approved by the authority empower in this behalf by the State Government.

Recovery of wages

Act IV of 1936

18. The wages of an employee if not paid as provided by or under this Act, shall be recoverable in the manner provided in the Payment of Wages Act, 1936, as if the same were wages payable under that Act.

Discharge of employee by his employer

19. (1) No employee, other than an employee engaged for a specified period or in a leave vacancy, shall be discharged from service by his employer except on the ground that-

(a) the post held by him has been retrenched : or

(b) he is unfit to perform his duties on the ground of physical infirmity or continued ill- health;

and he has been served with a notice in writing containing the grounds of discharge. The notice shall be for a period of not less than thirty days, or such longer period as may be required. under the terms of employment:

Provided that the notice of discharge may be of a shorter period if the same is accompanied with payment of wages to the employee for the number of days the notice is short of the required period.

(2) Nothing in sub-section (1) shall apply to dismissal for misconduct.

Termination of employment by an employee

20. (1) No employee, other than an employee engaged for a specified period or in a leave vacancy shall terminate his employment except after notice of thirty days, or of such longer period, as may be required under the terms of his employment.

(2) Where an employee fails to comply with the provisions of sub-section (1), his unpaid wages for Period not exceeding fifteen days may be forfeited to his employer.

CHAPTEER-V

EMPLOYMENT OF CHIDREN AND WOMEN

Prohibition of employment of children

21. No child shall be required, or, allowed; to work in any shop or commercial establishment except as an apprentice in such employment as may be notified by this, State Government in the Gazette.

Prohibition of employment of women and children during night

22. No woman or child shall be required, or allowed, to work, whether as an employee or otherwise in any shop or commercial establishment during night.

Prohibition of employment of women during certain period

23. No employer shall knowingly require or allow a woman to work, and no woman shall work in any shop or commercial establishment during the period of six weeks following the day on which she is delivered of a child.

Right of absence during pregnancy

24. (1) A pregnant woman employee may, by seven clear days notice in writing, require her employer to relieve her from duty for a period not exceeding six weeks preceding the expected date of delivery.

(2) On receipt of the notice the employer shall, subject to the provisions of sub-section (3), permit such employee to remain absent from duty, for a period of six weeks ending with the expected date of her delivery.

(3) (a) On receipt of the notice, the employer may require such employee to be examined at his cost by a lady doctor, if she so desires, or, otherwise, by any qualified medical practitioner or a midwife.

(b) if the woman employee-

(i) refuses to submit herself to medical examination; or

(ii) on such examination is found not pregnant, or not, likely to be delivered of a child within six weeks of the date from which permission for absence from duty is desired;

the employer may refuse to relieve her from duty, so however that the employee, if found pregnant, shall be allowed to remain 'absent from duty for a period of six weeks prior to the expected date of her delivery.

Maternity leave

25. The periods of absence from duty in respect of which a woman employee is entitled to maternity benefits under section 26 of this Act, shall be treated as authorized absence from duty, and the woman employee shall be entitled to maternity benefits, but not to any wages, for any of these periods.

Maternity benefit

26. Every woman employee who has been; for a period of not less than six months preceding the date of her delivery, in continuous employment of the same employer, (whether in the same or different shops or commercial establishments), shall be entitled to receive from her employer for the period of-

(a) six weeks immediately preceding the day of delivery; and

(b) six weeks following the day of delivery ;

such maternity benefits and in such manner ,as may be prescribed:
Provided that no woman employee shall be entitled to receive such benefits for a day during on of the aforesaid periods, on Vehicle she attends work and receives wages therefor.

Intervals for rest

27. A woman employee, during the period she is nursing her child, shall, in addition to the regular intervals of rest, be entitled to two breaks of half an hour each for the aforesaid purpose.

prohibition of discharge or, removal from service during or on account of absence from duty owing to confinement

28. (1) No employer shall discharge or remove from service any woman employee on account of, or during the period of, absence from duty allowed to her under section 25.

(2) No woman employee shall, as a result of her discharge or removal from service within six months of the day of her delivery, be deprived of the maternity benefits, which she would have, but for the discharge or removal, been entitled to, if the same is held by the inspector to be without sufficient cause.

CHAPTER VI

ENFORCEMENT AND PENALTIES

Appointment of inspectors

29. The State Government may appoint a Chief Inspector and a Deputy Chief Inspector, for the whole of Uttar Pradesh, and as many Inspectors for different areas thereof as may be considered necessary.

Powers of the inspectors to enter, etc.

30. Subject to such conditions as may be prescribed an inspector may, at all reasonable times, enter any place which is or which he has reason to believe to be, a shop or commercial establishment, for the purpose of examining the registers, records or other document kept therein. The inspector may take with him such persons to assist him as he may consider necessary, and the owner or the occupant, for the time being, of the place shall allow them to enter and examine the said registers, records or documents. The inspector may seize such of them as he may require for the purpose of contravention of any of the provisions of this Act or the rules made thereunder.

Inspectors, etc. to be public servants
Act XLV of 1960

31. The Chief Inspector, the Deputy Chief Inspector and every Inspector appointed under section 29, shall be deemed to be to public servant within the meaning of section 21 of the Indian Penal Code.

Maintenance of registers and records by the employers

32. An employer shall maintain such registers and records and display such notices, as may be prescribed.

Contravention of provisions

33. Any person, who contravenes, or fails to comply with, any of the provisions of this Act, or of the rules made thereunder, other than those of sub-section (1) of section 20, shall be guilty of an offence under this Act.

Offences by companies etc.

34. (1) If the person committing an offence under this Act or the rules made thereunder is a company, the company as well as every person in charge of, and responsible to, the company for the conduct of its business at the time of the commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly :

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company, and it is proved that the offence has been committed with the consent or connivance of, or that the commission of the offence is attributable to any neglect on the part of, any director, manager secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation-- For the purposes of this section--

(a) "company" means any body corporate and includes a firm or other association of individuals ; and

(b) "Director" in relation to a firm is a partner in the firm.

Punishment

35. Any person guilty of an offence under this Act shall be liable to fine which may, for the first offence, extend to one hundred rupees and, for every subsequent offence, to five hundred rupees.

Limitation of prosecution

36. (1) No court shall take cognizance of any offence under this Act or the rules made thereunder, except on complaint in writing made within six months of the date on which the offence is alleged to have been committed.

courts empowered to try offences under this Act

(2) No court inferior to that of a Magistrate of the Second Class shall try any offence under this Act, or the rules made thereunder.

CHAPTER VII

MISCELLANEOUS

Protection of action taken under this Act

37. No suit, prosecution or other legal proceedings shall lie against any officer or authority under this Act, for anything done, or intended to have been done, in good faith, in pursuance of the provisions of this Act or the rules or orders made thereunder.

Presumption

38. Whenever a shop or commercial establishment is actually opened, it shall be presumed that it is opened for the service of any customer or for the business, trade or manufacture normally carried on in the shop or commercial establishment.

Application of Workmen's Compensation Act and Rules Act No. 8, 1923

39. The provisions of the Workmen's Compensation Act, 1923 and of the rules made thereunder, shall, *mutatis mutandis* apply to every employee of a shop or commercial establishment.

Rule making power

40. (1) The State Government [may by notification make rules][1] to carry out the purposes of this Act.

(2) In particular, and without prejudice to the generality of the foregoing powers, the State Government may make rules regarding all or any of the following matters; namely- ----

(a) the registers and records to be maintained by an employer ;

(b) the notices to be displayed by an employer;

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1. Substituted by section 4 (i) of U.P. Act No. 54 of 1976.

[(b-1) the form of register of shops and commercial establishments under Chapter I-A;

(b-2) the fees for registration, for renewal of registration certificate and for issue of duplicate registration certificate under Chapter I-A;

(b-3) the form of registration certificate under Chapter I-A;][1]

(c) deductions that may be made from the wages of an employee ;

(d) fines and dismissals;

(e) regulating the grant of casual leave and the payment of wages for the period of such leave;

(f) regulating the grant of other leave;

(g) maternity benefits and their payment;

(h) matters which are to be, or may be prescribed under this Act.

(3) The rules made under this section shall be subject to the condition of previous publication.

(4) [* * *][2]

Repeal U.P. Act XXII of 1947

41. The United Provinces Shops and Commercial Establishments Act, 1947, is hereby repealed.

SECHDULE I

See section I (3)

Part A

All the provisions of this Act shall apply to the shops and commercial establishments in the areas mentioned below :-

Name	Area in which all the provisions of this act shall apply
1. Agra	Municipal and Cantonment areas.
2. Allahabad	Ditto.
3. Bareilly	Ditto.
4. Kanpur	Ditto.
5. Dehra Dun	Ditto.
6. Jhansi	Ditto.
7. Meerut	Ditto.
8. Mussoorie	Ditto.
9. Mathura	Municipal and Cantonment areas.
10. Naini Tal	Ditto.
11. Sitapur	Ditto.
12. Rampur	Ditto.
13. Shahjahanpur	Ditto.

1. Substituted by section 4 (ii) of U.P. Act No. 54 of 1976.
2. Omitted by section 4 (iii) of ibid.

Name	Area in which all the provisions of this act shall apply
l4. Varanasi	Municipal and Cantonment areas and contiguous areas of Lanka, Vidyapith Road, Bhojubir, Shivpur and Pandepur.
15. Lucknow	Municipal and Cantonment areas, Charbagh, Alambagh, Notified area and contiguous areas of Chandganj- Kalan, Alambagh and Mawaiya.
16. farrukhabad-cum fatehgarh	Municipal and Cantonment areas and contiguous areas of Lalbagh, Barhpur, Nekpur and Bholepur.
17. Aligarh	Municipal area.
18. Firozabad	Ditto.
19. Faizabad	Ditto.
20. Gorakhpur	Ditto.
21. Hapur	Ditto.
22. Hathras	Ditto.
23. muzaffarnagar	Ditto.
24. Saharanpur	Ditto.
25. Gonda	Ditto.
26. Ghaziabad	Ditto.
27. Kaimganj	Ditto.
28. Mirzapur	Ditto.
29. Bulandshahr	Ditto.
30. Bara Banki	D:tto.
31. Banda	Ditto.
32. Hardoi	Ditto.
33. jaunpur	Ditto.
34. Pilibhit	Ditto.
35. Orai	Ditto.
36. Bahraich	Ditto.
37. Sultanpur	Ditto
38. Azamgarh	Ditto.
39. Etawah	Ditto.
40. Rae Bareli	Ditto
41. Padrauna	Ditto
42. Hamirpur	Ditto
43. Basti	Ditto
44. Mainpuri	Municipal area
45. Unnao	Ditto.
46. Pratapgarh	Ditto.
47. Deoria	Ditto.
48. Lakhimpur Kheri	Ditto.
49. Ghazipur	Ditto.
50. Bijnor	Ditto.
51. Fatehpur	Municipal area and contiguous areas of Colleotorganj, Hariharganj, Railbazar, Deviganj and Radhanagar .
52. Kannauj	Municipal area and contiguous areas of Saraimeran and Mekrandnagar.

Name	Area in which all the provisions of this act shall apply
53. Ballia	Municipal area
54. Chandausi	Ditto.
55. Kasganj	Ditto.
56. Bhadohi (Varanasi)	Ditto.
57. Ramnagar (Naini tal)	Ditto.
58. Haldwani	Ditto.
59. Shamli	Ditto.
(Muzaffarnagar)	Ditto.
60. Budaun	Ditto.
61. Shikohabad	Ditto.
(mainpuri)	Ditto.
62. Kashipur (Naini Tal)	Municipal area and Railway Settlement, Notified
63. Mahoba (Hamirpur)	area, Railway Station and the Railway Institute.
64. Moradabad	

Part B

Section 2,3,8,9,12,13,15,19,32,33,34,35, and 40 shall apply to all the shops and commercial establishments in the areas mentioned below:

Name	Area in which the said sections shall apply
1. Roorkee	Municipal and Cantonment areas.
2. Khurja	Municipal area.
3. Hardwar	Ditto.
4. Balrampur(Gonda)	Ditto.
5. Maunath Bhanjan	Ditto.
6. Tilhar	Ditto.
7. Nagina	Municipal area
8. Najibabad	Ditto.
9. Deoband(saharanpu	Ditto.
r)	Ditto.
10. Shahabad (Hardoi)	Ditto.
11. Panditwari	
(Dehradun)	Ditto.
12. Jalaun	Ditto.
13. Amethi	Ditto.
14. Karvi(Banda)	Ditto.
15. Moghalsarai	Ditto.
16. Tanda(Faizabad)	Ditto.
17. Gaura barhaj	
(Deoria)	Ditto.
18. Kairana	
(Muzaffaranagar)	Ditto.
19. Baraut (Merut)	Ditto.
20. Vrindaban	
(Mathura)	Ditto.
21. Mawana (Meerut)	

22.	Jalalpur (Faizabad)	Ditto.
23.	Kotdwara (Garhwal)	Ditto.
24.	Etah	Ditto.
25.	Lalitpur(Jhansi)	Ditto.
26.	Mauranipur (Jhansi)	Ditto.
27.	Sambhal (Moradabad)	Ditto.
28.	Amroha (Moradabad)	Ditto
29.	Chandpur (Bijnor)	Ditto.
30.	Almora	Ditto.
31.	Bisalpur(Pilibhit)	Ditto.
32.	Biswan (Sitapur)	Ditto.
33.	Gola Gokarannath (Kheri)	Ditto.
34.	Konch (Jalaun)	Ditto.
35.	Kalpi (Jalun)	Ditto.
36.	Khatauli (Muzaffarnagar)	Ditto.
37.	Auraiya (etawah)	Ditto.
38.	Dhampur (Bijnor)	Ditto.
39.	Sikandrabad(Bulandshahr)	Ditto.
40.	Rishikesh (Dehra dun)	Ditto.
41.	Ujhani (Budaun)	Ditto.
42.	Bharthana (Etawash)	Town area
43.	Rasra (Ballia)	Notified area
44.	Shahganj (Jaunpur)	Ditto.
45.	Chibramau(Farrukhabad)	Town area.
46.	Modinagar(Meerut)	Ditto.

Part C

All the provisions of this Act shall apply to those employees of vacuum pan sugar factories in the State to whom the Provisions Factories Act, 1948, do not apply.

Part D

All the provisions of this Act shall apply to commercial establishments of all the cane co-operative societies in the State.

SCHEDULE II

(Shops and commercial establishments to which the provisions of actions 5 and 8 shall not apply)

1. Shops and commercial establishments exclusively or mainly dealing in meals, refreshments, newspapers and periodicals, medicines, medical and surgical appliances, vegetables, sweetmeats, milk, cooked food, flowers, pan (betel leaves and nuts), meat, fish, poultry, game, eggs, ice, fresh fruits and green fodder. .

2. Cinemas, theatres and other places of public amusement or entertainment.

3. Clubs and residential hotels.

4. Stalls and refreshment rooms at railway stations.

5. Shops for the sale of motor spirit and motor or aircraft spares and accessories.

6. Shops and establishments of barbers and hair dressers.

7. Government licensed shops or establishments dealing in spirituous liquors or narcotic drugs.

8. Such shops dealing exclusively or mainly in material needed for burial, funeral and cremation purposes, as may be notified by the Collector in the manner prescribed.

9. Shops exclusively or mainly dealing in the business of hire of patromax, bands and loudspeakers required for marriages and other ceremonial occasions.

10. Shops in any exhibition, public show, fairs or bazars run for charitable purposes.

11. Transport services.

12. Electric and water supply undertakings.

13. Shops dealing exclusively or mainly in repairs of cycles, rickshaws, tonga, ekka and bullock-cart.