



MANUAL
OF
Sr. INSPECTOR
SHOPS AND ESTABLISHMENTS
DEPARTMENT A WARD

MUNICIPAL CORPORATION OF GREATER
MUMBAI

Office of the
Sr. Inspector, Shops & Establishments, "A" Ward
Municipal office Bldg., 5th Floor,
134-E, Shahid Bhagatsingh Marg,
Fort, Mumbai - 400 001
22607030/ 22607034

INTRODUCTION

Background

Shop assistants and commercial employees are an important section of the working class population rendering useful service to the community, but they did not enjoy any protection of legislation till the year 1940 in this country. The working conditions of the Shop assistants and the commercial employees in the city of Mumbai were worse than the employees employed in unregulated factories. The majority of employees of such establishments had no education but were experts in carrying on their business and their business knowledge was superior. The daily working hours of employees in shops were not fixed and exceeded more than 12 hours a day. The condition was worse in respect of meek munims who worked from morning till midnight and grew gray in the service of their pedhis. The system of granting rest interval was not heard of and the granting of a paid holiday depended solely upon the whims of the management. The Government of Bombay Province as it existed under the British Rule was the first province in undivided India to make an attempt in this direction when in the early thirties a private bill was introduced by Shri R. P. Bakhle. It did not meet with the approval of the then Government as there was no sufficient data for formulating guidelines in this behalf. That bill however aroused such interest that the Government through the Labour Commissioner conducted an inquiry into the working conditions in five important cities. Mumbai, Ahmedabad, Hubli, Poona and Sholapur. The report received in his behalf revealed appalling conditions especially in restaurants, eating houses and various retail trades. There was insistent demand for the betterment working conditions in the cloth markets in Mumbai, which resulted in attracting the attention of the Government.

Such going to the history of the enactment of the Bombay Shops & Establishment Act. It is seen from records that the then Government of Bombay through its labour office conducted an inquiry in the year 1935 into the wages, hours of work and conditions of employment in the retail trade of some town in the Bombay Presidency. The picture which presented itself to the Government was far from happy and a maiden attempt was made by the then Government of Bombay to bring order out of chaos and regulate the hours of work and conditions of service by promulgating the Bombay Shops and Establishment Act, 1939

The Administration of the Bombay Shops & Establishment Act, 1939, was entrusted to the local authorities in Bombay province in areas where these existed as they possessed the inspecting staff for licensing of such shops in accordance with the municipal regulations in force. Further the municipal inspectorial staff was in close contact and was well conversant with the needs of such establishments. The Act had solitary effect on the conditions of work of the employees.

The Bombay Shops & Establishment Act, 1948 is a social piece of legislature, the main object

of this Act is to consolidate and amend the law relating to the regulating of condition of work of employment in Shops, Commercial Establishments, Residential Hotels, Restaurants, Eating Houses, Theatres and other places of public amusement or entertainment and other establishments. This Act extent to the whole of State of Maharashtra. As provided in the Act it is the duty of every local authority to enforce within the area subject to its jurisdiction, the provision of this Act subject to such supervisions of the State Government as may be prescribed. The Municipal Corporation of Greater Mumbai being a local authority for this Metropolitan City of Mumbai, the enforcement of the provisions of Bombay Shops & Establishment Act, 1948 is entrusted to the Municipal Corporation.

Short History of the Department :

The Bombay Shops & Establishment Act, 1939 was first time passed on 2.11.1939 and the Shops & Establishments Department was created in the month of November, 1940. the Bombay Shops & Establishment Act first to introduce the legislation regulating the working conditions of Shop Assistants in India. the enforcement of the provisions of the Act was entrusted to the local authority. So far as the Municipal Corporation of Greater Mumbai was concerned, the Shops & Establishments Department was placed under the Superintendent of Licence for the purpose of administration as its future development could not at that stage be forced. However, 10 years later 1950 the then Municipal Commissioner suggested that Shops & Establishments Department had now reached a major stage in its growth and need separated from the Licence Department and placed in a separate head. The Corporation under its Resolution No.658 of 19.1.1950 accepted the

Commissioner's recognition and the department came to be placed under the chief

Inspector of Shops & Establishments Department. The point that with the Commissioner in suggesting separate from Licence department were that the Superintendent of Licence was already over-burdened with the control of licence of storages and trades, control of advertisement and control of hawkers. The extension of Mumbai City with the suburbs increased the work till further and therefore, he felt that in the exist of vacancy the department should be placed under an Independent Officer. They could draw initiative and constructive ideas to each work.

Since the separation save social and economic were held so as to ascertain the social and economic condition of the employees affected by the Act, and the department was efficiently managed by 5 succeeded Chief Inspectors till 18th December, 1964. With the retirement of the last Chief Inspector the department again came to be placed under Superintendent of Licence by keeping the post of CISE in abeyance from 18.12.1964.

The issue was again examined by then Municipal Commissioner on receipt of the letters received from Shri P.G.Kher, the then Minister of Urban Development and Works, Government of Maharashtra and Shri Shanti Patel, the then Leader Bombay Municipal Congress Party.

In view of the above observation, the issue was once again examined and finally as per M.C.'s

order under No. MPS/9975(140) of 11/12/72 Shops and

Establishment department was separated from Licence Department from 1/12/72 with Chief Inspector Shops & Establishment as a Head of the department.

The co-ordination Scheme was introduced from 1/7/1972 in accordance with which Shops & Establishment inspectors are now required to attend to the work of the Licence and factory department.

On 1st December, 1978 coordination scheme was dissolved and since then Shops & Estt. Department is functioning independently under the Head of Chief Inspector, Shops & Estt. Department.

Only source of income of this department is collection of fees are registration of establishments and renewal of the Registration Certificate.

Section - 4 (1) (b) (i)

The particulars of functions and duties of the public authority:

| | | |
|-----|------------------------------|---|
| 1. | Name of Public Authority | Sr. Inspector (Shops & Estt.) |
| 2. | Address | “A” Ward Municipal office Bldg., 5 th Floor, 134- E, Shahid Bhagatsingh Marg, Fort, Mumbai 400 001. |
| 3. | Head of the Office | Sr. Inspector |
| 4. | Parent Govt. Deptt. | Chief Inspector (S&E) |
| 5. | Reporting to which office | Assistant Commissioner, “ A ” Ward |
| 6. | Jurisdiction Geographical | “ A ” Ward is bounded by the Central Railway Line on the East, Arabian Sea on West, Kakasaheb Gadgil Marg, Kashinath Dhuru Marg on North and Haji Ali, Keshavrao Khade Marg & Sant Gadge Maharaj Chowk on South side covering North Central portion of the City. |
| 7. | Mission | 1) To implement Maharashtra shops and Establishment Act-1948 and other labour welfare Act |
| 8. | Vision | Labour welfare. |
| 9. | Objective | 1) To implement Maharashtra shops and Establishment Act-1948 and other labour welfare Act. |
| 10. | Functions | 1) To verify received applications i.e A ,E forms and issue new registration certificate and amend the reg. cft respectively 2) To visit non renewals establishments and take action as per Maharashtra Shops and Establishment Act.-1948 3).To visit and verify and registers and record of the employees. 4) To observe the minimum wages as per Minimum Wages Act. 5)To observe closing and opening hours of establishments. |
| 11. | Details of Services Provided | 1)To issue new registration certificate. 2)To renew registration certificate 3) To issue duplicate registration certificate 4)To amend registration certificate |

| | | |
|-----|--------------------------|---|
| | | |
| 12. | Physical Assets | N I L |
| 13. | Organization's Chart | Structural Separate sheet attached. |
| 14. | Telephone Nos. Timing | & Office <u>Tel. No.:-</u> 22607030 / 22607034 <u>Office Timing:</u> 9.00 am to 12.30 pm & 10.30 am to 5.30 pm for clerical staff. (Monday to Friday) 1 st , 3 rd & 5 th Saturdays. |
| 15. | Weekly Holidays | 2 nd & 4 th Saturdays, Sunday & Public Holidays. |

The particulars of the department, function and duties.

The main function of the Shops & Establishment Department is to enforcing the provisions of the following Labour enactment in area of Municipal Corporation of Greater Mumbai.

- 1) Bombay Shops & Establishment Act, 1948
- 2) Payment of Wages Act, 1936
- 3) Minimum Wages Act, 1948
- 4) Maternity Benefit Act
- 5) Child Labour (Prohibition and Regulation Act, 1986)

The object of these labour enactments is to regulate the condition of work and employment in respect of employees working in different categories of establishments viz. shops, commercial establishments, residential hotels and restaurants, theaters and other public amusement centers, etc. The State Government exercises the supervisory powers on working of the Acts through the Commissioner of Labour, Mumbai and other designated officers as provided under Rule 16 of Maharashtra Shops and Establishments Rules, 1961.

The Senior Inspector has to process the applications received for registration under the Shops & Establishment Act and he has to register the new establishment under the Shops & Establishment Act and renew the registration certificate

periodically. The Inspector appointed under section 48 of the Act not only acts as an Advocate for the employees working in various establishments but also has to see that cordial relations are maintained between the owner and the servant in the interest of smooth running of the business/trade or profession. He is deemed to be a "PUBLIC SERVANT" within the meaning of Section 21 of the Indian Penal Code. He is also an "Assistant Public Prosecutor" when appears in the Court of Law to conduct proceedings in respect of cases filed by him against the offenders under various provisions of the Bombay Shops & Establishment Act and Rules there under. He pleads the cases filed under different provisions.

The inspectorial staff has to perform indoor and outdoor work. During outdoor work, the Inspectors are supposed to perform outdoor duties for 3 1/2 hours in aggregate for which no scheduled time is fixed. They are expected to adjust their duties in such a way that the time required for checking major breaches of the Act is covered within their duty hours for outdoor work. During the course of outdoor work, the Inspectors have to visit various establishments and to detect breaches of the provisions of the Acts and rules framed there under and to launch prosecutions on defaulting employers. The major breaches of the provisions of the Act are non-registration, non-renewal of Registration Certificates, opening of establishments before prescribed hours, closing of the establishments later than prescribed hours, exceeding total hours of work, continuous work without rest interval, spread over, not granting privilege leave, keeping the establishments open on weekly

closed day, employing female employees after prescribed hours, employing child labours, not providing Identity Cards to certain class of employees and not paying wages in accordance with the rates prescribed under the Minimum Wages Act,1948. The major breaches of the provisions of rules are of the nature of procedural lapses viz. non-maintaining prescribed registers of employment and leave, visit-book, not providing leave book to the employees and not making suitable entries therein, not producing requisite record, register notices for inspections on demand. They are also to conduct the court cases in the Court of Law in the capacity of Assistant Public Prosecutor.

Strength of Department

Chief Inspector, Shops & Establishments is responsible to the Municipal Administration being a Municipal department and to the State Government and supervise the work of the following staff of the department.

| | | |
|---------------------------|---|---|
| 1) Senior Inspectors | - | 2 |
| 2) Inspectors | - | 6 |
| 3) Clerks | - | - |
| 4) Senior Shop Attendants | - | 1 |
| 5) Shop Attendants | - | 3 |

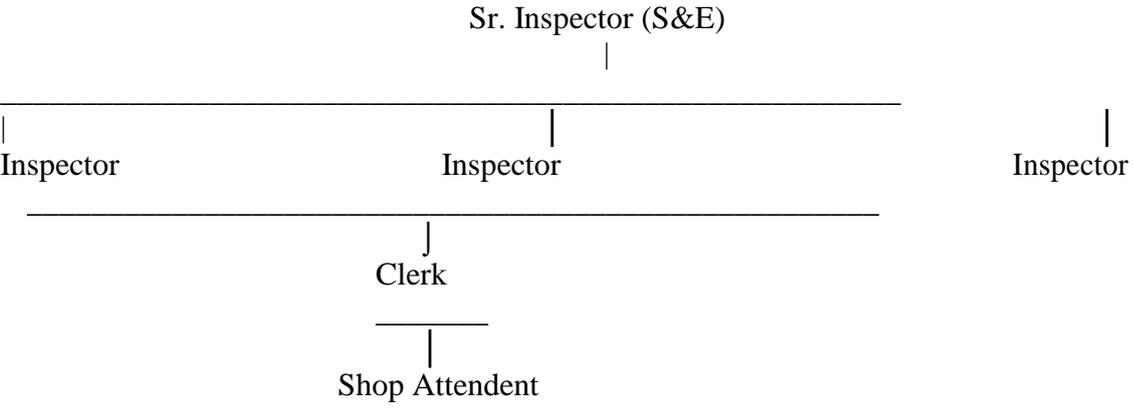
The department is headed by the Chief Inspector (Shops & Establishments). He is assisted by 4 Deputy Chief Inspectors/ 2 Head Clerks and other clerical staff at the Head Office level. The working of this department carries out by Senior Inspector in each Ward who is assisted by the Inspectors, Clerks and Shops Attendants accordingly to the strength of number of establishments registered in the Ward.

The Inspectorial staff, as well as clerical and other staff of different wards work under the functional set up of the Ward Officers. However their work is supervised by the Chief Inspector.

The Administrative Head Quarters of this department is situated at Address: Office of the Chief Inspector

Shops & Establishment Dept.
Bhimabai Rane Municipal School
4th Flr. Rajaram Mohan Ray Marg,
Girgaon, Mum- 400004.

Organization's Structural Chart



Section 4 (i) (b) (ii)

The powers of officers and employees in the office of Sr. Inspector (Shops & establishment)

A

| Sr No | Designation | Powers Financial | Under which legislation/rules/orders/ & Rs. | Remarks |
|-------|---------------------|------------------|---|---------|
| 1. | Sr. Inspector (S&E) | Nil | Maharashtra Shops & Establishment Act-1948 | |
| 2. | Inspector(S&E) | Nil | Maharashtra Shops & Establishment Act-1948 | |

B

| Sr No | Designation | Powers Administrative | Under which legislation/rules/orders/ & Rs. | Remarks |
|-------|---------------------|-----------------------|---|---------|
| 1. | Sr. Inspector (S&E) | nil | | |
| 2. | Inspector(S&E) | nil | | |

C

| Sr No | Designation | Powers Magisterial | Under which legislation/rules/orders/ & Rs. | Remarks |
|-------|---------------------|--------------------|---|---------|
| 1. | Sr. Inspector (S&E) | Nil | - | |
| 2. | Inspector(S&E) | Nil | - | |

D

| Sr No | Designation | Powers Quasi judicial | Under which legislation/rules/orders/ & Rs. | Remarks |
|-------|---------------------|-----------------------|---|---------|
| 1. | Sr. Inspector (S&E) | Nil | - | |
| 2. | Inspector(S&E) | Nil | - | |

E

| Sr No | Designation | Powers Administrative | Under which legislation/rules/orders/ & Rs. | Remarks |
|-------|---------------------|-----------------------|---|---------|
| 1. | Sr. Inspector (S&E) | Nil | - | |
| 2. | Inspector(S&E) | Nil | - | |
| | | | | |

The powers and duties of the officers and employees

Senior Inspector

Senior Inspector is the Head of the Section in the Ward so far Shops and Establishments Department is concerned.

Duties :

- 1) To accept 'A', 'B' and 'E' forms along with prescribed fees.
- 2) To attend to table work comprising of writing of Monthly Abstracts, Court Registers, G diary, Field book, information sheets, offense sheets etc.
- 3) To investigate complaints.
- 4) To check the verification work (of A & E forms) done by Inspectors (Shops & Estts.)
- 5) To propose Mass Raid Program.
- 6) To visit the establishments for routine check up and test checking of visits paid by Inspectors (Shops & Estts.)
- 7) To attend various courts, for filing the cases, as also for conducting them.
To conduct Mass Raids, both day and night.
- 8) To exercise supervision and control as a representative of C.I.S.E. over the Inspectors, Clerks and Peons attached to the Wards.
- 10) To issue Registration Certificates as per verified A forms.
- 11) To assign the work to the Inspectors (Shops & Estts.) under him in the matter of registration, renewal and routine check as also to solve their practical difficulties.
- 12) To attend to the members of the public coming to the Ward office for elucidation of the various provisions of the Act.
- 13) To co-ordinate submission of official returns required by the office are sent to the office on their due dates.
- 14) Remittance of fees every day.
- 15) Maintenance of following register.
 - a. A form register
 - b. E form register
 - c. Complaint Register
 - d. Court Register
 - e. Offence sheets register
 - f. Stock register for
 - i. A form
 - ii. B form
 - iii. E form
 - iv. Receipt Book
 - v. Field book
 - vi. Registration Certificate book
 - g. Dead Stock Register
- 16) To keep liaison between Ward Office and Head Office.
- 17) To issue duplicate Registration Certificate.

Inspector

Duties :

- 1) To attend Ward Office at 9.00 A.M. to 12.00 Noon and after that 3½ hours field work.
- 2) To accept 'A', 'B' and 'E' forms along with prescribed fees. However under the SAP system introduced by Municipal Corporation of Greater Mumbai the responsibility of collections of cash is now entrusted with the staff posted at C.F.C. counter of respective Municipal Corporation of Greater Mumbai Ward.
- 3) To verify 'A' and 'E' forms.
- 4) To attend work comprising of writing of Monthly abstracts, offense-sheets register, Court table register, 'G' Diary, information sheets etc.
- 5) To visit the establishments for routine checking.
- 6) To attend various courts for filing the cases and also for conducting them.
- 7) To attend various mass raids.
- 8) To remit fees every day. However under SAP system the work of remittance of the cash is entrusted with the staff posted at C.F.C. Counter of respective Municipal Corporation of Greater Mumbai ward.
- 9) To see that all establishments covered by the provisions of the Act are properly registered and registration certificate properly renewed.
- 10) To see that registers, records and notices as prescribed are properly maintained – by employers of the establishments.
- 11) To check the opening hours and closing hours of different categories of establishments.
- 12) To check weekly holidays of the establishments.
- 13) To see that no child is allowed in any establishment and no young person or female workers are allowed to work during the prohibited hours.
- 14) To check weekly holiday of the establishments other than shops and commercial establishments, specified in the notice displayed at the establishment.
- 15) To check the rest intervals as specified in the employment register.
- 16) To see that identity cards are given to the employees working in residential hotels, restaurants and eating house.
- 17) To see that attendance cards are given to all employees concerned by the Minimum Wages Act, 1948.
- 18) To see that the provisions of the Act and rules regarding leave are properly observed.
- 19) To see that provisions of Act and rules relating to cleanliness, lighting and precautions against fire are properly observed.
- 20) To see that the provisions of the Act relating to the payment for Overtime work are duly observed.

Correspondence Clerk

Duties

- 1) To register all the papers concerning with correspondence section in the Worksheet maintained.
- 2) To put outward mark against the relevant Nos. as entered in worksheet while sending these papers for outward disposal.
- 3) Compilation and subsequently preparation of the following various reports concerning with the Shops & Estts. Act, 1948 and M.W. and the Minimum Wages Act, 1948 such as -
 - a) Quarterly reports under Bombay Shops & Establishment Act, 1948 and M.W.Act 1948.
 - b) Annual reports under Bombay Shops & Establishment Act, 1948 and M.W.Act, 1948 to be sent to the Commissioner of Labour.
 - c) Annual Administration Report under Bombay Shops & Establishment Act, 1948 and M.W.Act,1948 to be sent to M.C. and such higher authorities.
 - d) Monthly Mass Raid results and programme.
 - e) The weekly report in respect of women employee working in Bars and permit rooms. And to prepare the statement showing the work done and the action initiated by the inspectorial staff in that respect.
- 4) To prepare information on various matters which is called for from time to time by the commissioner of labour, Municipal Commissioner or such higher authorities.
- 5) Maintenance of record.
 - a) To maintain 'A' class records.
 - b) To maintain office copies file for day to day correspondence made with various authorities / parties etc.
 - c) To maintain the file for work of inspectorial staff, abstracts and other papers.
- 6) To take entries in relevant Register for the complaints received from outside parties etc.
- 7) To draft letters to be issued to the Commissioner of Labour, Unions, various municipal authorities, Councillors and outside parties.
- 8) To draft replies for Short Notice Questions, Interpellations etc..
- 9) To assist Asstt. P.I.O. / P.I.O. in collecting and preparing information in connection with the applications under Right to Information Act,2005 received in Chief Inspector, Shops & Establishments Head Office.
- 10) To attend any other work in relation to correspondence section entrusted from time to time by the superiors.

Duties of Clerk working in various wards in Shops & Estt. Department

1. He should attend the Ward Office regularly and punctually.
2. The usual records i.e. offense-sheet register and 'A' form, 'E' Form Register etc. must be maintained by him. Dead Stock Register, Sale of A, B form register, the stock register of A, B, E receipt book be properly maintained and preserved.
3. He should prepare Registration Certificates of 'A' form given by the Sr. Inspector every day. He should prepare dockets etc. and keep them duly arranged.
4. 'C' Register should be maintained up-to-date by him and entries of changes as per 'E' form, cancellations etc. should be carefully taken under attestation of the Sr. Inspector. He should thoroughly check the 'C' Register for detecting non-renewals every year and submit his report to the Sr. Inspector.
5. He should maintain and submit daily worksheet in proforma 'C' and enter outdoor and indoor dispatch.
6. He should see that all the dockets are arranged serially category-wise, all B & E forms, closed day notices and other relevant papers are kept with the respective dockets. Cancelled dockets should be kept serially again after cancellation entries are taken. This work should be kept up-to-date.
7. He should carry out the duties entrusted to him by the Sr. Inspector from time to time.

Duties of Court Clerk

- 1) To maintain Offence-sheet Register.
- 2) To maintain Court Register.
- 3) To quote previous convictions and prepare previous conviction Records.
- 4) To prepare sanction sheets
- 5) To prepare Court dockets
- 6) To prepare board for court days
- 7) To prepare summonses.
- 8) To register cases in Court Register in the Court.
- 9) To file decided cases separatel
- 10) To maintain work-sheet Register.

Sr. Shop Attendant

Duties :

The duties of Sr. Shop Attendants will be that of Shop Attendant and in addition he will have to supervise and control the work of other Shop Attendants working in the Ward. He will ensure that the dockets of the registered establishments maintained at Ward level are up-to-date with 'E' form in it. he will accompany the Sr. Inspectors in the field. Similarly, Sr. Shop Attendant who will ensure that summons are served on the party in time. He will responsible for the overall of the Shop Attendants working in the Ward.

Shop Attendant

Peons working in the Ward Offices are to be treated as Shop Attendants.

Duties : Indoor work :

1. Dockets of Registration Certificates to be sorted out and to be arranged in chronological order.
2. To arrange counter-foils of Registration Certificates issued to the different parties.
3. To check a counter-foil and find out whether the establishment have renewed their Registration Certificates in time or not in order to prove the cases of defaulters to the notice of the Inspector.
4. To find out the entries from 'C' Register for putting up the offence-sheets by the Inspectors and also filling the cases.
5. To refer the various registers for finding out the correct number of Registration Certificate, E forms are submitted by the parties for renewal of their Certificates.

Out-door Work :

1. To accompany the Inspectorial staff at odd hours and for Mass Raids for checking provisions of the Bombay Shops & Establishments Act, 1948.
2. To accompany the Inspectors in the Metropolitan Magistrate Courts and give evidence in the contested matters.
3. Delivery the Registration Certificates to employers and their establishments.
 4. Service of summons and execution of warrants.
 5. To do work during the office hours in Ward Officers.
 6. Such other work as entrusted by Inspectors and Sr. Inspectors.

Section-4(1)(b)-(iii)

The procedure followed in the decision making process, including channels of supervision and accountability in the office

Sr. Inspector (S&E)

-1-

Name of Activity -To issue Registration Certificate

Related Provision -Section 7(1) (4)

Name of the Act -Maharashtra Shop & Establishment Act-1948

Rules -NIL

Government Resolutions -NIL

Circulars -Section 4(1)(b)(V)-Sr.No.1

Office Order -NIL

| Sr. No | Activity | Steps Involved | Time Limit | Authority role and responsibility of the employee/ officer in connection with each activity. (mention designation) | Remarks |
|--------|---------------------------------------|--|--------------------------------------|--|---------|
| 1 | To issue new Registration Certificate | Employer has to submit A form along with undertaking and prescribe fees(In case of partnership partnership deed and in case of company incorporation cft and list of director) within 30 day after commencement of business in ward ,,s CFC centre. -Area Inspector will verify correctness of the statement made by employer by visiting the premises where business is situated. -Inspector will submit the verified A form to obtain the order of Sr. Inspector for issue registration cft. -Sr. Inspector will issue registration certificate within 15 days from receipts of application | 15 days after receipt of application | Inspector/Sr. Inspector | |

-2-

Name of Activity -To renew Registration Certificate

Related Provision -Section 7(2A) and 7(2AA)

Name of the Act -Maharashtra Shop & Establishment Act-1948

Rules -NIL

Government Resolutions -NIL

Circulars --

Office Order -NIL

| Sr. No | Activity | Steps Involved | Time Limit | Authority role and responsibility of the employee/ officer in connection with each activity. (mention designation) |
|---------------|-----------------------------------|---|---------------------------------------|---|
| 1 | To renew Registration Certificate | Registration certificate is valid upto end of the year, employer has to submit B form along with prescribe renewal fees 15 days before expiry of calendar year. i.e. Before 16 th December. Employer can renew the registration certificate for three years. | 15 day before expiry of calendar year | -Employer |

-3-

Name of Activity -To amend Registration Certificate

Related Provision -Section -8 / rule 8

Name of the Act -Maharashtra Shop & Establishment Act-1948

Rules -NIL

Government Resolutions -

NIL Circulars --

Office Order -NIL

| Sr. No | Activity | Steps Involved | Time Limit | Authority role and responsibility of the employee/ officer in connection with each activity. (mention designation) |
|---------------|-----------------------------------|--|-------------------|---|
| 1 | To amend Registration Certificate | E form is to be submitted along with prescribe fees and documents related to change.(i.e.-copy of retirement deed and dissolution deed in case of partnership and ,resolution or form no 32 in case of company) | 10 days | - |

-4-

Name of Activity -To issue duplicate Registration Certificate

Related Provision -- -

Name of the Act -Maharashtra Shop & Establishment Act-1948

Rules -NIL

Government Resolutions -NIL

Circulars --

Office Order -NIL

| Sr. No | Activity | Steps Involved | Time Limit | Authority role and responsibility of the employee/ officer in connection with each activity. (mention designation) |
|---------------|---|---|-------------------|---|
| 1 | To issue duplicate Registration Certificate | If any registration certificate issued under Maharashtra Shop & Establishment Act-1948 is lost, defaced or destroyed , employer shall apply with prescribe fees for issuing duplicate registration certificate. | - 10 days | - |

-5-

Name of Activity -Cancellation of Registration Certificate

Related Provision -- section-9

Name of the Act -Maharashtra Shop & Establishment Act-1948

Rules -NIL

Government Resolutions -NIL

Circulars --

Office Order -NIL

| Sr. No | Activity | Steps Involved | Time Limit | Authority role and responsibility of the employee/ officer in connection with each activity. (mention designation) |
|---------------|--|---|-------------------|---|
| 1 | Cancellation of Registration certificate | After closing of business , employer has to inform area inspector within 10 days for cancellation of certificate. Or at the time of visit of area inspector found any business closed down, inspector can cancel the reg. cft. Form C register. | - 10 days | - |

Section-4(1)(b)-(iv)

**Norms set for discharge of its functions in the office of Sr inspector (S&E)/
G/South ward.**

Organizational Targets (Annual)

| Sr. No. | Designation | Activity | Units to be covered | Financial Targets in Rs. | Time Limit | Remarks |
|---------|---------------|---|---------------------|---|---|---------|
| 1. | Sr. Inspector | As mentioned in Section 4 (1) (b) (iii) | | There are no financial targets set for this department. As mentioned earlier the work is carried out on day to day basis. | Time limit for each activity is as mentioned in Section 4 (1) (b) (iii) | |
| 2. | Inspector | As mentioned in Section 4 (1) (b) (iii) | | There are no financial targets set for this department. As mentioned earlier the work is carried out on day to day basis. | Time limit for each activity is as mentioned in Section 4 (1) (b) (iii) | |

| | | | | | | |
|---|--------------|---------------|-----|----|---|---|
| 3 | Sr.Inspector | Minimum visit | 150 | .- | - | - |
| 4 | Sr.Inspector | Mass Raid | 05 | - | - | - |
| 5 | Sr.Inspector | Offence sheet | 10 | - | - | - |
| 7 | Inspector | Minimum visit | 200 | - | - | - |
| 8 | Inspector | Mass Raid | 05 | - | - | - |
| 6 | Inspector | Offence sheet | 20 | - | - | - |

Section-4(1)(b)-(v)

The rules, regulation, instructions, manuals and records held by it or under its control or used by its employees for discharging its functions of Shops & Establishment Dept.

| Sr. No. | Subject | G.R./Circular/Office order. Rule no. notification etc. date. | Remarks if any |
|--------------|--|---|-------------------|
| 1. | To issue new Registration certificate | As per provision of Maharashtra Shops.& Establishment Act-1948 Circulars No- 1)CI/11/SEC DT-6.8.2001 2)CI/13/SEC DT-13.8.2001 3)CI/14/SEC DT-10.3.2005 4)CI/33/SEC DT-19.11.2001 5)CI/35/SEC Dt-19.1.2002 | |
| 2 | Recovery of Trade Refusal Charges | Administrator's Resolution (SC)N0-752 dt-22.1.1984 item no-55(Oct-1984) -Ch.Engg/6123/SWM dt-5.6.1999 -Ch.Engg./19201/SWM dt-17.2.2004 | |
| 3. 4 5 | Revised Fess and renewal fees under MS&EAct-1948 Authorization under Minimum Wages Act-1948 Norms set up for visit and Mass raid | BSE/21(7181)Lab-9 dt-15.12.203 काआ/ग्रावितअं/1094/म. कां.द, ददनांक1.2.1994 BSE/1569/146295/Lab-III dt-2.9.197 | |
| | | -MMC/9585dt-27.9.1976 | |
| 6 | To observe weekly closed day in various area in jurisdiction of MCGM | Corporation Resolution No-1015 dt-26.11.1964 | |
| 7 8 | Common weekly day of all hair cutting saloon and Hamamkhanas through out MCGM area Implementing the provision of Maharashtra Shop and Establishment Act-1948 and Minimum Wages Act-1948 | MDJ/6805 dt-13.3.1969(Pursuant to the Corporation Resolution No-1341 and 1345 dt-13.2.1969) Provision of Maharashtra Shop and Establishment Act-1948 and Minimum Wages Act-1948 | |

Section-4(1)(b)(vi)

A Statement of Categories of documents that are held by department under its control

A Class of record and duration of preservation is as given below :-

| Class | Duration |
|-------|-----------|
| A | Permanent |
| B | 30 years |
| C-2 | 15 years |
| C-1 | 10 years |
| C | 5 years |
| D | 1 year |

| Sr. No | Category of the document | | Procedure to obtain the documents | Held by / Under control |
|--------|--------------------------|----------------------|-----------------------------------|-------------------------|
| | Category | Name of the document | | |
| 1 | A | Act & Rules | By way of application | Chief Inspector, |

| | | | | |
|---|---|--|-------------------------------------|--|
| | | (old copies) | under Right of Information Act 2005 | Shops & Establishments (C.I.S.E.) |
| 2 | A | A Form of Existing establishments | -”- | Sr. Inspector of the concerned Ward Office |
| 3 | A | Administration Report to M.C. (Printed) | -”- | C.I.S.E. |
| 4 | A | Approved forms under the B.S.& E.Act and Payment of Wages Act. | -”- | C.I.S.E. |
| 5 | A | B Forms of existing estt. | -”- | Sr. Inspector of the concerned Ward Office |
| 6 | A | Correspondence with Govt. of | -”- | C.I.S.E. |

| | | | | |
|----|---|---|--|--|
| | | Commissioner of Labour, Bombay on important matters | | |
| 7 | A | Circulars regarding policy matters | -"- | C.I.S.E. |
| 8 | A | Case papers where M.C. has taken an important decision in the matter of Acts and where Solicitor's opinions have been obtained or given. | -"- | C.I.S.E. |
| 9 | A | C Registers as prescribed under M.S.& R. Rules | -"- | Sr. Inspector of the concerned Ward Office |
| | | 1961 | | |
| 10 | A | Certificates in form 'D' (Middle-foils-counterfoils) | -"- | Sr. Inspector of the concerned Ward Office |
| 11 | A | Govt. Notifications, orders and circulars issued in the matter of B.S.&E Act, Payment of Wages Act 1936, Minimum Wages Act, and Workmen's Compensation Act, 1923. | By way of application under Right to Information Act 2005. | C.I.S.E. |
| 12 | A | High Court Judgments | -"- | C.I.S.E. |
| 13 | A | Lower Court Judgments | -"- | C.I.S.E. |

| | | | | |
|----|---|---|-----|--|
| 14 | A | Press Notes- Important | -"- | C.I.S.E. |
| 15 | A | Renewal of Registration Certificates file | -"- | Sr. Inspector of the concerned Ward Office |
| 16 | A | Verified 'E' forms | -"- | Sr. Inspector of the concerned Ward Office |
| 17 | B | A Forms of closed establishments | -"- | Sr. Inspector of the concerned Ward Office |
| 18 | B | Annual Report to Govt. | -"- | C.I.S.E. |
| 19 | B | B Forms of Closed Estt. | -"- | Sr. Inspector of the concerned Ward Office |
| 20 | B | Survey Reports | -"- | C.I.S.E. |
| 21 | C | Approved Chemist & Druggist Estts. case papers | -"- | C.I.S.E. |
| 22 | C | Circulars regarding Policy matters extra copies | -"- | C.I.S.E. |
| 23 | C | Monthly Returns under the B.S.&E Act,1948 & Minimum Wages Act, 1948 | -"- | C.I.S.E. |
| 24 | C | Offence sheets | -"- | Sr. Inspector of the concerned Ward Office |
| 25 | C | Complaints | -"- | C.I.S.E. & Sr. Inspector of the concerned Ward Office |

| | | | | |
|----|-----|---|---|--|
| 26 | C-1 | Receipt Books | -”- | Sr. Inspector of the concerned Ward Office |
| 27 | C-1 | Remittance Books | -”- | Sr. Inspector of the concerned Ward Office |
| 28 | D | Administration Report to M.C. (Manuscripts) | -”- | C.I.S.E. |
| 29 | D | Abstract of work done by the Inspectors | -”- | C.I.S.E. & Sr. Insp. of concerned Ward Office. |
| 30 | D | Correspondence with parties | -”- | C.I.S.E. & Sr. Inspector of concerned Ward Office. |
| 31 | D | Court cases which have been decided to be kept only for 2 calendar years as per Circular No. SL/6 of 66-67 dt 9.4.66 | By way of application under Right of Information Act 2005 | Sr. Inspector of the concerned Ward Office |
| 32 | D | Cancelled ‘A’ and ‘B’ forms | -”- | Sr. Inspector of the concerned Ward Office |
| 33 | D | G Diaries or Field Books | -”- | Sr. Inspector of the concerned Ward Office |
| 34 | D | Extra copies of Govt. Notifications, orders and circulars issued in the matter of B.S.E. Act, Payment of Wages Act, 1936, | -”- | C.I.S.E. |

| | | | | |
|----|---|---|-----|---|
| | | Minimum Wages Act, and Workmen's Compensation Act 1923. | | |
| 35 | D | Extra copies of High Court Judgements | -"- | C.I.S.E. |
| 36 | D | Extra copies of | -"- | C.I.S.E. |
| | | Lower Court Judgments | | |
| 37 | D | Material gathered for Annual and Administration Report | -"- | C.I.S.E. |
| 38 | D | Papers received | -"- | C.I.S.E. & Sr. Insp. of concerned Ward Office |
| 39 | D | Press Notes – unimportant | -"- | C.I.S.E. |

Section-4(1)(b)(vii)

The particulars of any arrangement that exist for consultation with or representation by the members of the public in relation to the formulation of its policy or administration thereof.

-N.A.

Section-4(1)(b)(viii)

A Statement of the Boards, Councils, Committees and other bodies consisting of two or more persons constituted as part of the department or for the purpose of its advice and as to whether meeting of these Boards are open to the public or the minutes of such meetings are accessible for public.

-N.A

Section-4(1)(b)(ix)

Directory of officers & employees of G/South ward

| Sr NO | Designation | Name of the officers/ employees | Cadre | Dt of joining the post | Contact details ph/ fax / E mail |
|-------|-------------------|---------------------------------|-------|------------------------|----------------------------------|
| 1 | Senior Inspector | Shri. P. S. Gabhale | B | 25.11.2010 | 22607030 |
| 2 | Senior Inspector | Smt. A. J. Narkadan | B | | 22607030 |
| 3 | Inspector | Smt. Y. R. Choughule | C | 05.05.2014 | 22607034 |
| 4 | Inspector | Shri. V. V. Kandalgaonkar | C | 13.09.2011 | 22607034 |
| 5 | Inspector | Shri. P. K. Gole | C | 24.03.2011 | 22607034 |
| 6 | Inspector | Shri. M. A. Bhangare | C | 03.05.2014 | 22607034 |
| 7 | Inspector | Shri. S. N. Gunjkar | C | 12.06.2001 | 22607034 |
| 8 | Inspector | Shri. S. M. Surve | C | 06.09.2011 | 22607034 |
| 9 | Sr.Shop Attendant | Shri. R. N. Kambale | D | 10.05.2013 | 22607034 |
| 10 | Shop Attendant | Shri. S. U. Shejwal | D | 30.05.1989 | 22607034 |
| 11 | Shop Attendant | Shri. A. S. Mohite | D | 05.06.2012 | 22607034 |
| 12 | Shop Attendant | Shri. M. Z. Gawali | D | 22.10.1993 | 22607034 |

Section - 4(1)(b)(x)**Details of remuneration of officers and employees in the office of Shop & Establishment dept. A Ward.**

| Sr. No. | Name | Designation Cadre | Basic Pay | DA | HRA | CCA | Special Allowance/ Transport Allowance /Project Allowance | Total |
|----------------|--------------------------|--------------------------|------------------|-----------|------------|------------|--|--------------|
| 1 | Shri. P. S. Gabhale | Senior Inspector B | 16820 | 22491 | 6306 | | 1063 | 46680 |
| 2 | Smt. A. J. Narkadan | Sr. Inspector B | 21730 | 27745 | 546 | | 1063 | 51084 |
| 3 | Smt. Y. R. Choughule | Inspector C | 10510 | 13814 | 3873 | | 1063 | 29260 |
| 4 | Shri. V.V. Kandalgaonkar | Inspector C | 15910 | 20020 | 5613 | | 1063 | 42606 |
| 5 | Shri. P. K. Gole | Inspector C | 14890 | 18928 | 5307 | | 1063 | 40188 |
| 6 | Shri. M. A. Bhangare | Inspector C | 12210 | 15633 | 4383 | | 1063 | 33289 |
| 7 | Shri. S. N. Gunjkar | Inspector C | 19120 | 23454 | 6576 | | 1063 | 50213 |
| 8 | Shri. S. M. Surve | Clerk C | 17190 | 21389 | 547 | | 1063 | 40189 |
| 9 | Shri. R. N. Kambale | Senior Shop Attendant D | 11440 | 14274 | 4002 | | 600 | 30316 |
| 10 | Shri. S. U. Shejwal | Shop Attendant D | 11840 | 14702 | 4122 | | 600 | 31264 |

| | | | | | | | | |
|----|--------------------|------------------|-------|-------|------|--|-----|-------|
| 11 | Shri. A. S. Mohite | Shop Attendant D | 5950 | 8346 | 2340 | | 600 | 17236 |
| 12 | Shri. M. Z. Gawali | Shop Attendant D | 10820 | 13557 | 3801 | | 600 | 28778 |

Section-4(1)(b)(xi)

The Budget allocated to each of its agency indicating the particulars of all plans, proposed expenditure and reports on disbursement made.

- No budgetary provision at ward level for this deptt.

Section-4(1)(b)(xii)

The manner of execution of subsidy programmes

-N.A.

Section-4(1)(b)(xiii)

The particulars of recipients of concession, permits or authorisation granted by it.

-N.A.

Section-4(1)(b)(xiv)

The details in respect of information available or held by it, reduced to electronic form.

| Sr.No. | Type of Documents file/Register | Sub Topic | In which Electronic Format it is kept | Person in Charge |
|---------------|--|------------------|--|-------------------------|
| 1 | C Register | Nil | Any other (Hard Disk) | Sr.Inspector(S&E) |

Section 4(1)(b)(xv)

Manual – 15

Particulars of facilities available for citizen for obtaining information in the office of Sr. Inspector (Shop & Establishment) at G/South Ward.

Types of facilities-

- Information about facilities for inspection of record.

| Sr.No. | Type of Facility | Timings | Procedure | Location | Person Incharge |
|---------------|--------------------------------------|---|--|--|--|
| 1. | Inspection of Record as per RTI Act. | 10.00 a.m. to 1.00 p.m on Tuesday and Thursday (except holidays) with prior appointment only. | For inspection of records no fee for first hour will be charged, however fee of Rs.5/- for each 15 minutes or fraction thereof will be charged thereafter. | Office of Sr. Inspector (S&E)Room no.13, 2nd Floor, G/South ward office, Elphinstone Mumbai-12 | Sr. Inspector (Shop & Establishment) G/South Ward. |

Section-4(1)(b)(xvi)

Details of public information Officers /APIO/Appellate authority in the jurisdiction of
(
public authority)

PIO

A

| Sr. NO | Name of PIO | Designation | Jurisdiction as PIO under RTI | Address/Ph. NO. | Email id for purpose RTI | Appellate authority |
|--------|---------------------|---------------|-------------------------------|---|--------------------------|---------------------|
| 1 | Shri. P. S. Gabhale | Sr. Inspector | A Ward | "A" Ward Municipal office Bldg., 5 th Floor, 134-E,Shahid Bhagatsingh Marg, Fort, Mumbai 400 001. | | AC |
| 2 | Smt. A. J. Narkadan | Sr.Inspector | A Ward | | | Srinsp04.se |

APIO

B

| Sr. NO. | Name of APIO | Designation | Jurisdiction as APIO under RTI | Address/Ph No./Ph. NO. |
|---------|--------------|-------------|--------------------------------|------------------------|
| | - | - | - | - |

Appellate authority

C

| Sr. NO. | Name of Appellate Authority | Designation | Jurisdiction as Appellate Authority | PIO Reporting | Email-id for purpose of RTI |
|---------|-----------------------------|--------------------|-------------------------------------|---------------|-----------------------------|
| 1. | Shri Chandrashekhar Chore | Astt. commissioner | A Ward | Sr.Inspector | |

Section-4(1)(b)(xvii)

Such other information available in the department.

Statistical Data :

1) Establishments Registered Under the Bombay Shops & Establishments Act, 1948

The following chart will show the total number of Establishments Registered under this Act, as on 31.12.2014

| Category | A Ward | | | |
|------------------------------------|--------|--|--|--|
| Shops | 6447 | | | |
| Commercial Establishments | 13948 | | | |
| Residential Hotels | 134 | | | |
| Restaurants & Eating Houses | 622 | | | |
| Theaters & other Amusement Centers | 26 | | | |
| Total | 21177 | | | |