

WEST PAKISTAN SHOPS AND ESTABLISHMENTS RULES, 1969

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TEXT

WEST PAKISTAN SHOPS AND ESTABLISHMENTS RULES, 1969²

No.19-2(L-IV)/69.- [Rules made by the Governor of West Pakistan in exercise of the powers conferred by section 32 of the West Pakistan Shops, and Establishments Ordinance, 1969 (West Pakistan Ordinance VIII of 1969), and in supersession of the Punjab Trade Employees Rules, 1940, the Sind Shops and Establishments Rules, 1941 and the North West Frontier Province Trade Employees Rules, 1949], the Governor of the West Pakistan is pleased to make the following rules, namely:-

WEST PAKISTAN SHOPS AND ESTABLISHMENTS RULES, 1969

1. Short title, commencement and application.— (1) These Rules may be called the West Pakistan Shops and Establishments Rules, 1969.

(2) They shall come into force at once.

³(3) These rules shall apply to all the areas and places in West Pakistan to which the West Pakistan Shops and Establishments Ordinance, 1969 is applicable.

2. Definitions.— In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them:

(a) "Chief Inspector", "Deputy Chief Inspector" and "Inspector" means persons appointed under section 25;

(b) "Form" means a form appended to these rules;

⁴(c) "Ordinance" means the West Pakistan Shops and Establishments Ordinance, 1969; and

(d) "Section" means a section of the Ordinance

3. Choice of weekly holiday.— (1) Intimation about the choice of a weekly holiday required to be submitted under sub-section (5) of section 6 shall be sent by the employer in Form-I to the Deputy Chief Inspector with a copy thereof to the Inspector of the area in which the establishment is situated.

(2) A notice in Form-II of the weekly holiday to be observed in the establishment shall be exhibited at a conspicuous place near the main entrance of the establishment.

4. Change of weekly holiday.— (1) An application for changing the weekly holiday shall be submitted by the employer in Form-III to the Deputy Chief Inspector of the area in which the establishment is situated, who may grant such application.

(2) When the approval of the Deputy Chief Inspector to the change of weekly holiday has been obtained the employer shall affect necessary change in Form-II to be exhibited in the establishment.

5. Fencing and guarding machinery.--- All the machinery mechanically or electrically propelled in an industrial establishment shall be guarded in the following manner:

- (a) The following parts of transmission machinery shall be securely fenced if in motion and within reach of employees:
 - (i) All shafts, couplings, collars, clutches, toothed wheels, pulley driving straps, chains and ropes, except such as are, in the opinion of the Inspector, by construction or position equally safe to every person employed in the establishment as they would be securely fenced or guarded.
 - (ii) All projecting set screws, keys, nuts or bolts on revolving parts, except such as are counter-sunk or otherwise made equally safe.
 - (iii) The underside of all heavy over head main driving belts or ropes if there is any probability of persons having to pass under them.
- (b) The following parts of machine tests shall be securely fenced. The back gears and change wheels of lathes, the back and level gearing of drilling machines, and the gear wheels of planning, shaping, allotting and milling machines which are within six feet of any spot on which any persons may have to stand or on which any person may have to pass in the course of his employment.
- (c) Every platen machine and guillotine cutting machine in a printing work shall be fitted with an efficient finger guard.
- (d) All emery wheels and tool grinding machines shall be fitted with strong iron-hood guards and shall have a plate glass shield so fitted as to prevent flying particles from entering into the operators' eyes.
- (e) All circular saws of more than six inches in diameter shall be provided with a strong metal-hood guard with a riving knife at the back of the saw.
- (f) All hand saws shall be fitted with expanded metal cage guards enclosing the upper half of the machine. The saws under the table shall also be completely guarded.
- (g) All electrical circuits or parts of such circuits or any object electrically connected with them, whether commonly or occasionally in an electrified condition, which by reason of their position could cause injury to any person, shall be protected adequately, either by non-metallic fencing or insulation or by both, in such manner as to remove danger of injury:

Provided that under no case shall, any conditions or combinations of conditions which are subject to objection under any other enactment accepted as adequate.
- (h) Safety coloured glasses shall be provided to the workers operating on welding plants.

6. An employee desiring to obtain annual leave shall apply well in time to the employer who shall issue order on the application in accordance with his entitlement and shall convey such order in writing to him at least two days prior to the commencement of such leave.

7. Casual leave.— Ordinarily the prior sanction of the employer shall be obtained on an application for casual leave before such leave is availed of by an employee, but where the circumstances are such that it is not possible for the employee to obtain such prior sanction, he shall inform his employer as soon as may be practicable about the fact of his absence and probable duration of casual leave which shall in no case exceed three days at a time.

8. Records and Registers.— Every employer shall for the purposes of the Ordinance maintain the following records and registers:

- (a) Register of employment and remuneration in ¹Form-IV.
- (b) Register of leave in Form-V.
- (c) Inspection Book in Form-VI (for establishments excluding shops).

9. Display of notices.— Every employer of an establishment registered under section 24 shall, for the purposes of the Ordinance, display the following information in a conspicuous place near the main entrance of his establishment painted on a wooden or metallic board and shall send a copy thereof to the Chief Inspector, Deputy Chief Inspector and Inspector of the area concerned:

- (a) Day of payment of wages.
- (b) List of festival holidays to be observed in the establishment.

10. Production of record for inspection.— The employer shall be ²responsible for the proper maintenance of all Registers and records prescribed under these rules and shall produce or cause to be produced the same for inspection when so desired by the Inspector or any other Officer having authority under these rules.

11. Penalties.— Whosoever commits breach of any of these rules shall, on conviction, be punishable with fine which may extend to fifty rupees and where the breach is a continuing one with a further fine which may extend to ten rupees for every day during which the breach continues.

12. Duties of Inspectors and other officers.— (1) For ensuring due observance of the provisions of the Ordinance thereunder, the Inspector shall inspect the shops and other establishments within the area of his jurisdiction and the Registers and other records required to be maintained by them, and may call for such other information from the employer of any such shop or establishment, he may deem necessary.

(2) Every Inspector shall submit a daily report to the Deputy Chief Inspector of his area in duplicate showing the names and particulars of the establishments inspected, irregularities detected, the action proposed to be taken and such other information or particulars as may be directed by the Chief Inspector from time to time.

(3) The Deputy Chief Inspector shall forward the duplicate copy of the Inspector's report, along with his observations, if any, to the Chief Inspector for his information:

¹Printed in the Gazette Notification as "Form II"

²Printed in the Gazette Notification as "reponsible"

FORM-I
[see rule 3]
Intimation of closed day

To

The Deputy Chief Inspector of Shops
and Establishments.

Name of Establishment

Address

Registration Certificate No

Intimation is hereby given that with effect from the establishment
shall observe Friday/Sunday as the closed day.

Date

Signature of the Employer/Employers.

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FORM-II
[see rule 3]
Notice of closed day

Closed day to be
observed.

FRIDAY/SUNDAY

(Block letters):

1. Name and address of the Establishment
2. Registration No Date of Registration.....
Date of renewal
3. Name of employer/employers
4. No. of employees.....

Signature of employer.

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FORM III

[see rule 4 (1)]

Application for the change of weekly close-day

To,

The Deputy Chief Inspector of
Shops and Establishments.
..... Region.

Sir,

I/We the Occupier/Occupiers/Owner/Owners/Employer/Employers of the establishment desire to change the close-day of my/our establishment from to with effect from

It is, therefore, requested that necessary approval may please be accorded.

Signature of Occupier/Occupiers/
Owner/Owners/Employer/Employers.

FORM-V
[See Rule 8]
Register for Leave

Name of establishment Registration
 No.....

Name of Employee with present age Date of
 Wages.....

Nature of work Date of
 Employment.....

Annual Leave						Casual Leave					Sick Leave								
Date of application	Date of Sanction	Leave applied		Balance	Leave accumulated	Amount paid in lieu of leave	Date of application	Date of sanction	Leave sanctioned		Balance	Date of application	Date of sanction	Leave sanction		Balance	Leave accumulated	Signature or thumb imp of employee	Remarks
		From	To						From	To				From	To				

FORM-VI [see Rule 8]
INSPECTION BOOK [For Establishments excluding Shops]
NAME OF ESTABLISHMENT

Date of Inspection

Name and designation
 of Inspecting Officer

Irregularities
 Noticed

Signature of the Inspecting officer.

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¹ In Sind. the words "West Pakistan" subs. by "Sind". Sind Govt. Gaz. Pt. IV-A, Apt. 6, 1980. p2.4=1981 PLS 60.

² Noti. No. 19-2 (L-IV) 69. Nov, 18, 1969. Gaz. of West Pakistan Extr. Nov. 22, 1969, p. 2085 = 1969 PLS 139.

³ In respect of Sind sub rule (3) deleted, ibid.

⁴ In respect of Sind, the words "West Pakistan" subs. by "Pakistan", ibid.