

COMPLIANCE INSPECTION UNDER THE NAGALAND SHOPS AND ESTABLISHMENTS ACT, 1986 AND CORRESPONDING RULES 2015.

PROCEDURES:

1. District Assistant Labour Commissioner office identifies/ prepares a list of shop and establishment for compliance inspection including allocation of inspectors (if required). Date of inspection may not be informed to the shop/establishment owner.
2. Concerned inspector prepares a brief status of the concerned shop and establishment before due date of inspection.
3. Inspector conducts visit to the shop and establishment and hold preliminary discussion with the shop and establishment owner/ employer and workers.
4. Inspector validates the following documents/ records and collects copy of the same if required:
 - a. Public display of Registration Certificate
 - b. Form B-Part II
 - c. Public display of holiday list
 - d. Notice of period of work display
 - e. Payment Record/ Register
 - f. Holiday registers/ Leave Book
 - g. Overtime Register
 - h. Service card in prescribed format
 - i. Annual leave with wages register
 - j. OT Register
 - k. Muster Roll
 - l. Inspector Report/ Records
 - m. Any other queries regarding compliances of the Act
5. Inspector after completing the review and discussion briefs the shop & establishment owner/ employer about his findings.
6. **Manual submission of inspection report:**

Inspector prepare and submits the inspection may report (in prescribed proforma) to the higher authority with his recommendation for initiating necessary actions (if applicable).
7. For any non-compliance, Assistant Labour Commissioner / Inspector issues a show-cause notice to the shop & establishment owner/ employer to provide necessary clarification/ documentations for compliance within the prescribed timeline.

8. Owner/ employer/Management submit necessary clarification/ documentation for compliance within prescribed timeline.
If necessary clarification/ documentation for compliance are not submitted within the prescribed timeline, please go to Step 10.
9. Assistant Labour Commissioner / Inspector review the clarification/ documentations submitted for compliance and assess its adequacy. If the clarifications/ documentations are adequate, then the closure report is filed.
10. If the clarifications/ documentations are not adequate, Assistant Labour Commissioner / Inspector will initiate the prosecution in court.
For the recovery of any amount due, Inspector/employee may file claim in appropriate court.

**INSPECTION UNDER THE NAGALAND SHOPS & ESTABLISHMENTS ACT, 1986 AND
CORRESPONDING RULES 2015**

PART-1 General

1. **Nature of Business: Shop / Establishment**
2. **Number of workers employed**
(a) Men (b) Women (c) Young Persons
(d) Children
3. **Whether Registration Certificate Obtained.** Yes / No
4. **Whether Registration Certificate is valid.** Yes / No
5. **Whether Shop or establishment has obtained
any exemption under the Act (under Section 5).** Yes / No
6. **Wage Period.**
7. **Date of Payment of Wages.**
8. **Mode of Payment.** Cash / Cheque / ECS

PART-II OBSERVATIONS

1. **Whether spread over is being observed as prescribed under the Act and during the
period of rest, the workers are free to leave the place.** Yes / No
2. **Whether any child was found employed.** Yes / No
3. **Whether the working hours and timings in case of young persons, women are being
adhered to.** Yes / No
4. **Whether opening & closing hours are being observed.** Yes / No

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|-----|---|-----------------|
| 5. | Whether close day is being observed, if not, whether the employees are being provided weekly holiday. | Yes / No |
| 6. | Whether the employees are called for duty on National Holidays. If yes, whether they are being paid overtime wage and a compensatory holiday in lieu thereof. | Yes / No |
| 7. | Whether any deduction from wage is being made other than specified. | Yes / No |
| 8. | Whether any fine imposed or deduction made on account of damage or lose to the employer caused by employee has been explained to him personally and also in writing. | Yes / No |
| 9. | Whether fine realized is being utilized in accordance with the directions of the government. | Yes / No |
| 10. | Whether the employees are being allowed privilege leave (16 in a year) and casual/sick leave (12 in a year). | Yes / No |

PART-III Registers, Notices & Records

REGISTERS

1. Register of Employment (in Form-S) (under Rule 54).

OR

Register of Employment and Remuneration of Employees (in Form-J) and Register of Leave (in Form-I) (under Rule 15).

➤ **Whether following notices have been displayed or given:**

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|----|---|-----------------|
| 1. | Notice of Holiday (in Form-G) (under sub section (5) & (7) of Section 11 read with Rule 13(1)). | Yes / No |
| 2. | Notice under Section 36 (5) of the Nagaland Shop & Establishments Act, 1986, to be Exhibited Conspicuously at the Premises of the Establishment (under Rule 11). | Yes / No |
| 3. | Notice of close day or a change in close day (in Form-F) (under Rule 12). | Yes / No |
| 4. | Notice of change (in Form-C) (under Rule 6). | Yes / No |
| 5. | Whether appointment letters have been given to Employees (in Form-T) (under Rule 55). | Yes / No |

PART-IV Hours of Employment & Weekly Holidays

1. No. of Shift in Force.

2. Working Hours in Force:

(a)	From	To	Rest Intervals From	To
(b)	From	To	Rest Intervals From	To
(c)	From	To	Rest Intervals From	To
(d)	From	To	Rest Intervals From	To

3. Whether notice of period of work displayed. Yes / No

4. Whether close day is being observed. Yes / No

5. Whether employees are retained on overtime and if yes overtime wages are paid and maximum overtime hours are adhered to. Yes / No

PART-V Health & Safety

1. Cleanliness. Satisfactory/Unsatisfactory

2. Ventilation and Lighting. Satisfactory/Unsatisfactory

3. Drinking Water. Yes / No

4. Precaution against Fire. Yes / No

5. Safety. Satisfactory/Unsatisfactory

PART VI Child/ Young Persons.

1. Particulars of child workers if any found on work:

2. Particulars of young workers if any found on work:

CHECKLIST FOR INSPECTION UNDER THE NAGALAND SHOPS AND ESTABLISHMENTS ACT, 1986 AND CORRESPONDING RULES 2015

1. Name & address of establishment/employer/proprietor.
2. Date of commencement of Establishment.
3. Registration code under PF/ESI/Registration No./License No.
4. Working Hours.
5. Wage period and date of payment.
6. Nature of Work.
7. Weekly holiday:
8. Number of workers employed on the date of inspection:-

Regular/ Contract Labour:		Total:
Male:	Female:	Total:
9. Name and designation of employer/s representatives/Responsible officer present during the inspection.
10. Notice and abstract of the Act displayed.
11. Registration /Licenses/Code taken under EPF/ESI/CL(R&A)/or any other Act applicable in the establishment.
12. Registration Certificate (in Form B-Part II).
13. Notice of Weekly Closure (in Form F).
14. Notice of Weekly Holidays for the Employees (in Form G).
15. Appointment Letters of Employees (in Form T).
16. Attendance Register.
17. Salary Register (in Form J).

18. Register of Employees (in Form S).

19. Leave Register (in Form I).

20. Overtime Register (in Form N).

21. Visit Book.