

STANDARD OPERATING PROCEDURE (SOP)

Registration under The Shops
and Establishment Act
(including 365 days license)

Department of Labour and Employment

Government of J&K

Name of Service

Registration under The Shops and Establishment Act (including 365 days license).

Name of Department

Department of Labour and Employment, GoJK

Policy/Government Order

The Shops and Establishments act, 1966

Documents Checklist

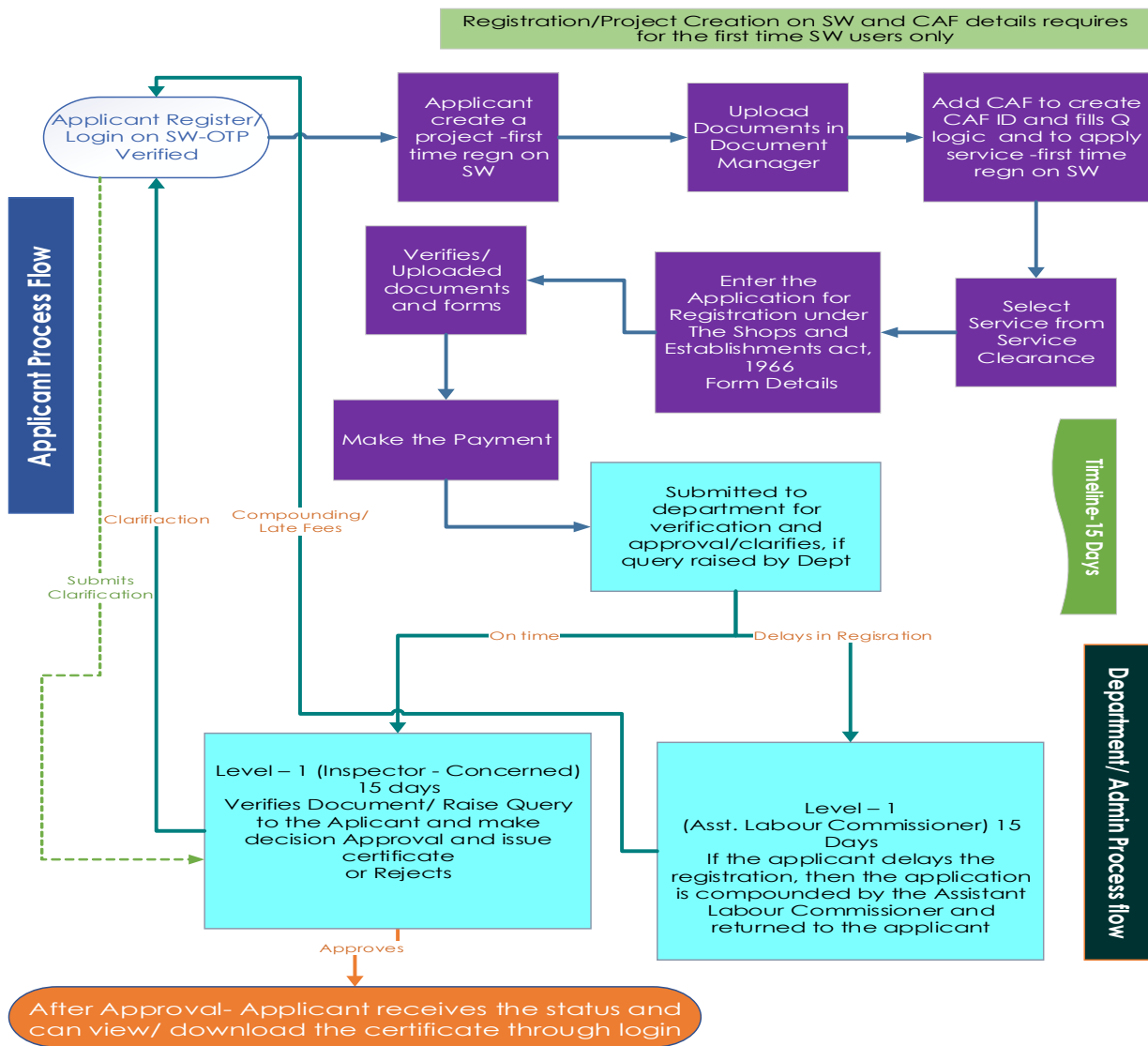
#	Document name	Type	Mandatory
1.	Rent Deed / Affidavit	PDF	Yes
2.	Photograph of the Employer	JPEG/JPG	Yes
3.	Aadhaar Card / Election Card / Driving License of Principal Employer	PDF	Yes
4.	Partnership Deed, if applicable	PDF	No
5.	Photograph of Business Premises / Unit	JPEG/JPG	Yes
6.	GST Certificate or any other registration from competitive authority, if applicable	PDF	No

Fees

#	Category	Fee per annum
1	Hotel (A&E), Nursing Homes, Cinema Halls, Privately managed Educational Institutions (+ 2 level and above), Privately managed Professional Colleges and Institutions, Petrol Pumps, Insurance Companies excluding Life Insurance Corporation, Financial Institutions, Banks excluding Reserve Bank of India and State Bank of India, Chartered Accountant Chamber, and Wine Shops, Vehicle Show Rooms, Gas Agencies, (Not covered under Factories Act).	Rs.2000
2	Computer Training Centres, Jewellers, STD/ISD/PCO Centres, Health Fitness Centres, Health Clinics, X-Ray / Ultra-Sound / ECG Centres, Hostels (C&D Categories), Banquet Halls (Janjgahars), Cable Operators, Medical Agencies, Agencies other than Medical Agencies, Privately managed High Schools, Ice Factories (Not covered under Factories Act).	Rs.1000
3	Privately managed Middle Schools	Rs.800

#	Category	Fee per annum
4	Clinical Laboratories, privately managed Primary Schools, Beauty Parlours, Tent & Light houses, Ice Candy (Not covered under Factories Act).	Rs.500
5	Shops and Commercial Establishments employing 20 or more workers.	Rs.2000
6	Shops and Commercial Establishments employing 10 to 19 workers.	Rs.1000
7	Shops and Commercial Establishments employing 5 to 9 workers.	Rs.500
8	Shops and Commercial Establishments employing 3 to 4 workers.	Rs.300
9	Shops and Establishments employing less than 3 workers.	Rs.150
10	Shops and Commercial Establishments run by the Owners without any employees.	Rs.50

Process Flow: Registration under Shops and Establishments act, 1966



Step by Step Procedure for the application for Registration under Shops and Establishments act, 1966 from Applicant and Department side along with timelines.

Applicant Side:

- I. Applicant registers himself/herself on single window system <http://www.singlewindow.jk.gov.in>. If, already registered on the portal then login with the registered user id and password
- II. Applicants get the registration information on registered email id and registered mobile number.
- III. Your first step is to create a Project (a Project can be your new or existing Business/Industry).
- IV. Once a Project is created, you can fill the Common Application Form for the Project where all the common details required for the project are filled.
- V. Once CAF Id is created, from all the available Forms, click on the Form/Registration you want to apply for.
- VI. Before filling the forms, you will be given instructions about the documents required to submit along with the form. You need to upload these documents before filling the form.
- VII. Now you can apply for Application for Registration under The Shops and Establishment.
- VIII. Make payment of necessary application processing fees online using your debit card/ credit card/ net banking facility
- IX. Filled application form will be submitted to Inspector Labour

Department side:

- X. After online receipt of application form for Registration under The Shops and Establishment with all the necessary documents mentioned above the Inspector Labour shall scrutinize the application along with uploaded documents
- XI. In case of deficiency Inspector Labour shall report the deficiency to the applicant within fifteen working days.
- XII. If there is no deficiency the Inspector Labour shall issue or reject the same within **fifteen** working days (**Timeline 15 working days**)
- XIII. If the applicant delays the registration, then the application is compounded by the Assistant Labour Commissioner and returned to the applicant.
- XIV. The applicant has to submit the necessary compound fee and resubmit the application to Inspector Labour
- XV. The certificate can be downloaded from the applicant login.

Form Fields:

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
1.	Establishment Details	Name of the establishment	Alpha/numeric	Yes
2.		Location of the establishment	Alpha/numeric	Yes
3.		Address 1	Alpha/numeric	Yes
4.		Address 2	Alpha/numeric	Yes
5.		City	Alpha	Yes
6.		District	Alpha/Dropdown	Yes
7.		Pincode: *	Numeric	Yes
8.		E mail Id	Alpha/numeric	Yes
9.		Phone Number	Alpha/numeric	Yes
10.		Nature of work carried on the establishment	Alpha/numeric	Yes
11.		Total number of Workers to be Employed	Alpha/numeric	Yes
12.	Full postal address of office / storeroom / go down / warehouse / workplace that is attached to the establishment but situated in premises different from those of establishment (if any)	Address 1	Alpha/numeric	Yes
13.		Address 2	Alpha/numeric	Yes
14.		City	Alpha/numeric	Yes
15.		District	Alpha/Dropdown	Yes
16.		Pin code	Numeric	Yes
17.		Email Id	Alpha/numeric	Yes
18.		Mobile Number	Numeric	Yes
19.		Partner/Member/Director/Share Holder Information, if any communication	Full Name	Alpha/numeric
20.	Father's / Husband's Full Name		Alpha/numeric	No
21.	Address 1		Alpha/numeric	No
22.	Address 2		Alpha/numeric	No
23.	City		Alpha/numeric	No
24.	District		Alpha/Dropdown	No
25.	Pin code		Numeric	No
26.	Email Id		Alpha/numeric	No

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
27.		Contact Number	Numeric	No
28.	Name, designation and permanent address of employer (Manager, agent or any other personal who is the immediate in charge of the general management of control)	Full Name	Alpha/numeric	Yes
29.		Father's / Husband's Full Name	Alpha/numeric	Yes
30.		Address 1	Alpha/numeric	Yes
31.		Address 2	Alpha/numeric	Yes
32.		City	Alpha/numeric	Yes
33.		District	Alpha/Dropdown	Yes
34.		Pincode	Numeric	Yes
35.		Email Id	Alpha/numeric	Yes
36.		Contact Number	Numeric	Yes
37.		Particulars of members of employer's family in the establishment, if any	Full Name	Alpha/numeric
38.	Father's / Husband's Full Name		Alpha/numeric	No
39.	Address 1		Alpha/numeric	No
40.	Address 2		Alpha/numeric	No
41.	City		Alpha/numeric	No
42.	District		Alpha/Dropdown	No
43.	Pin code		Numeric	No
44.	Email Id		Alpha/numeric	No
45.	Contact Number		Numeric	No
46.	Other Details		Name of the other persons occupying positions of management of employees engaged in confidential capacity, comma separated (if any)	Alpha/numeric
47.		Category of the Shop / Establishment	Dropdown	Yes

#	Section	Caption Name	Type of Field	Mandatory (Yes/No)
48.		Nature of Business*	Alpha/numeric	Yes
49.		Number of employees	Calculator	Yes
50.		Registration Period	Radio Button and Fee Calculator	
51.		Name of the day of week on which weekly holiday will be observed (in case of shops and commercial establishment only)	Dropdown	No
52.	Documents	Rent Deed / Affidavit	Upload Option	Yes
53.		Photograph of the Employer	Upload Option	Yes
54.		Aadhaar Card / Election Card / Driving License of Principal Employer		
55.		Partnership Deed, if applicable		
56.		Photograph of Business Premises / Unit		
57.		GST Certificate or any other registration from competitive authority, if applicable	Upload Option	Yes
58.		Supporting documents, if any	Upload Option	No

Risk Categorization pertaining to Labour Department

i. J&K State Pollution Control Board

As defined by Government Order No 82-SPCB of 2018 dated 22-052018. Priorities of industries will be as follows:

Category	Inspection Schedule Based on Risk/pollution	
Red Category (High Risk)	<ul style="list-style-type: none"> 17 Categories of highly polluting industries as categorized by JKSPCB. Red Category of Industries other than those mentioned above 	Three months (Quarterly basis) Half Yearly
Orange Category	Orange Category of Industries	Once in a year
Green Category (Low Risk)	Green Category of Industries	Once in two years
	Exemption from inspection	To be inspected only in case of Public Complaints, Legal Cases and other mandatory requirements.

ii. Department of Labour and Employment

- As defined by Government Order No 56-L&E of 2018 dated 26-7-2018.
- For boilers, as defined by government from time to time.
- The risk based inspection of the Labour and Employment department is as follows:



Category	Name of the Category	Inspection schedule based on risk/pollution	
I	Highly Hazardous: All factories posing high risk to workers and general public i.e. having off-site and which would require outside help to combat serious accident.	Fertilizer, LPG (Bottling and Storage), Pesticides, Chemical and Pharmaceutical units and other red category units.	Once in six Months
II	Moderately Hazardous: All factories with medium hazard i.e. having on-site risk	Solvent Extraction Plants, Hydrogenating Plants, Paper Mills,	Once in six Months

	only and wherein the accidents could be controlled by the resources on the plant itself or with the help of neighboring units.	Chlorine, Distilleries, Breweries and Sugar Factories.	
III	Less Hazardous: All factories except (i) & (ii) with less hazardous potential i.e. where accidents can be controlled by unit by own resources.	Factories covered under S 85 of the Factories Act 1948.	Once in a year
A	Factories involving mechanical and health hazards.	Rule framed under 21(2) Factories Act 1948 including Paper Mills, Textile Mills, Ice Plants/ Cold Storages, Thermal Power stations and Primary Metallurgical producing units i.e. Zinc, Cadmium, Lead, Mercury Nickel, Aluminum, Copper and Steel.	Once in a year
B	Factories involving health hazards.	Tanneries, Paper Mills not using Chlorine, Board Mills and factories employing 20 or more workers excepting Brick Kiln, Electronic Goods, Printing Press and Saw Mills.	Once in a year
C	Factories which are less prone to accidents	Not included in categories A & B	Once in a year



iii. Food, Civil Supplies and Consumer Affairs Department

As defined under the Legal Meteorology (General Rules) 2011. However, following High Risk category establishments shall come under the preview of JKCIS:

- a. Non- Automatic weighing Instruments
- b. Dispensing Units
- c. Automatic Gravimetric Filling Instruments

Sd/-
(Manoj Kumar Dwevidi) IAS
**Commissioner Secretary to the Government
Industries and Commerce Department**

No: IND/DIC-102/2014-III

Dated: 28.01.2021

Copy to the:-

1. All Financial Commissioners.
2. Principal Secretary to the Lieutenant Governor.
3. Director General, J&K Institute of Management, Public Administration and Rural Development, Jammu.
4. Commissioner/ Secretaries to the Government, Labour & Employment Department.
5. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
6. Director, Information J&K.
7. Administrative Secretary, Food Civil Supplies and Consumer Affairs Department.
8. Director, Archives, Archaeology and Museums.
9. Member Secretary, Jammu & Kashmir State Pollution Control Board.
10. Private Secretary to Commissioner/ Secretary to the Government, Industries and Commerce Department.
- ✓ 11. In-charge website, I&C Department.
12. Notification file.


(Sartaj Hussain Madni)
Deputy Secretary to the Government

Do's and Don'ts

Do's

1. Ensure that relevant document as mentioned in the Standard Operating Procedure is uploaded at appropriate place.
2. Reply at the earliest or in 7 days to the clarification raised by the Department Officer for the Application.
3. Raise grievances on Single Window, if Approval is not granted within specified timeline.
4. Download your Approval certificate/ License/Registration etc. from the portal only.

Don'ts

1. There is no need to visit the Dept. for approval or any clarification.
2. Don't submit any physical hard copy of document to the Dept.
3. Don't upload irrelevant documents in the Application which is not mentioned in the Document Checklist

References:

1. The Shops and Establishments act, 1966 ([A1996_27.pdf \(indiacode.nic.in\)](#))
2. PSGA General Administration Department, Jammu & Kashmir.
([showpdf.aspx \(jkgad.nic.in\)](#))

Appendix

FORM "A"

01. Name of the Establishment, if any
(in block letters)
02. Postal Address Location of the Establishment
03. Situation of Office, Store Room, Go down,
Ware House or work place if any attached
to the establishment but situated premises
different from those of the Establishment.
04. Category of the Establishment i.e, whether
(a) Shop (b) Commercial Establishment
(c) Residential Hotel, Restaurant or Eating House
(d) Theater or other place of public amusement or establishment.

S.No.	Name & Parentage	Designation	Permanent Address	Name of Interest whether Partner/Member/Director Share Holder.

05. Name of Business.....
06. Name, Designation and Permanent Address
of Employer (manager, agent or any other
person) who is in the immediate chare of
the general management of control.....

07. Particulars of members of employer family
in Establishment as defined in Section 2(S)

Name	Age	Sex	Relation with Employer
1.			
2.			
3.			

08. Name of other persons occupying position
of management of employees engaged in
confidential capacity if any.

Name of Employee	Male	Female	Total
Adults			
Children			
Total			

- 09) Name of day of the week on which weekly
holiday will be observed (in case of Shops
and Commercial Establishments only).....

10. Details of remittance enclose copy of Challan
Name of Challan Challan No. & Dated Amount

Place.....
Date.....

Signature of Proprietor/Manager/
Secretary/Managing Director of Person Incharge

FORM "O"

[See Rule (20) 4]

NOTICE OF CLOSE DAY OR AN ALTERATION IN CLOSED DAY

1. Name of the Shop or Establishment

2. Address

Registration No.

Notice is hereby given that with effect from the above Shop/Establishment shall (i) observe as the close day (ii) observeas the close day instead of as previously notified.

Signature of Employer

Copy forwarded to the inspector of Shops/Establishments for information.

Dated

Signature of Employer

Signature of Inspector
With Office Stamp.