



Date : October 9, 2009

Dear Ms. Gupta,

Greetings from the Shopping Centres Association of India!

We wish to introduce ourselves as an association of shopping centres (malls) in India, established as a not for profit organisation. Our members are shopping centre developers, owners and managers and intermediaries. We have been striving for the growth of shopping centres in India and our objectives include:

- Developing the distinct function of the shopping centre towards marketing of consumer goods and services;
- Encouraging best practices and Building up - and inspiring - a body of focused research into the architecture, aesthetic and design aspects of shopping centres
- Delving into macro economic and marketing factors with bearing on the shopping centre industry;
- Developing a mutually profitable partnership with the retail industry;
- Educating and disseminating information about shopping centres in India.

We have been made aware by some of our members of your circular dated 1st October, 2009, ref no. FDE-2009/C.R. 335/Lab-9. On behalf of our members wish to state the following :

1. So far during every election, our members have ensured that their employees get sufficient time to vote by giving out appropriate advisory prior to the designated date for reduction of working hours on the date of elections and will continue to do the same for the ensuing elections.
2. We also wish to bring to your kind notice that the current financial year and the preceding year have been extremely difficult for our members due to the economic slowdown in general and the incidence of terrorist attacks and swine flu in particular, as such untoward happenings dampen the spirits of the customers.
3. In our observation, a lot of our member's licensees are small and medium size retailers and very often rely on daily sales for sustained and continued business.
4. In addition to the loss to the industry, this also leads to huge loss of revenue to the Government by way of VAT and Service Tax.

Your circular has come at a time, when the industry along with its licensees who are typically in the retail & services trade are trying to salvage and pick up the substantially dropped sales, during the present festive period. As you may be aware that typically in our region Diwali is the time during which historically relatively higher sales are reported. Accordingly, total closure during this period would lead to huge loss of revenue to the industry and the government.

You would appreciate that our members have done their substantial bit either providing rebates or giving a waiver of license fee across all categories of retailers to enable sustainability and continuity of business during the period of economic downturn as such total closure would be hurting everyone.

The Shopping Centres operated by our members, besides creating positive and conducive environment for families, provide convenience by merchandising basic needs and wants to the neighbourhoods in which they trade. Stopping them from trading, would in our humble opinion greatly inconvenience these neighbourhoods. Besides Shopping malls are typically places of tourist attraction and we have observed that very often a lot of sales to tourists (Indian & foreigners) sales happen during the Diwali festival.

Considering the above, our humble submission to your kind self, is to allow our members as well as their licensee's to operate their stores and at our end we will ensure that sufficient time is given to their respective employees to take time out to exercise their franchise.

We take this opportunity to invite you any of our member's shopping centres to observe for yourself the multi facet functions of shopping centres.

We request you to kindly provide us your valued guidance and clarification and circulate the necessary amendment to the aforesaid circular.

Thanking you,

Yours sincerely,

Manoj Motta
COO

Ms. Kavita Gupta, IAS
Secretary – Labour
Government of Maharashtra,
Mumbai



Date : October 9, 2009

Dear Mr. Arvind Kumar,

Greetings from the Shopping Centres Association of India!

We wish to introduce ourselves as an association of shopping centres (malls) in India, established as a not for profit organisation. Our members are shopping centre developers, owners and managers and intermediaries. We have been striving for the growth of shopping centres in India and our objectives include:

- Developing the distinct function of the shopping centre towards marketing of consumer goods and services;
- Encouraging best practices and Building up - and inspiring - a body of focused research into the architecture, aesthetic and design aspects of shopping centres
- Delving into macro economic and marketing factors with bearing on the shopping centre industry;
- Developing a mutually profitable partnership with the retail industry;
- Educating and disseminating information about shopping centres in India.

We have been made aware by some of our members of your circular dated 1st October, 2009, ref no. FDE-2009/C.R. 335/Lab-9. On behalf of our members wish to state the following :

1. So far during every election, our members have ensured that their employees get sufficient time to vote by giving out appropriate advisory prior to the designated date for reduction of working hours on the date of elections and will continue to do the same for the ensuing elections.
2. We also wish to bring to your kind notice that the current financial year and the preceding year have been extremely difficult for our members due to the economic slowdown in general and the incidence of terrorist attacks and swine flu in particular, as such untoward happenings dampen the spirits of the customers.
3. In our observation, a lot of our member's licensees are small and medium size retailers and very often rely on daily sales for sustained and continued business.
4. In addition to the loss to the industry, this also leads to huge loss of revenue to the Government by way of VAT and Service Tax.

Your circular has come at a time, when the industry along with its licensees who are typically in the retail & services trade are trying to salvage and pick up the substantially dropped sales, during the present festive period. As you may be aware that typically in our region Diwali is the time during which historically relatively higher sales are reported. Accordingly, total closure during this period would lead to huge loss of revenue to the industry and the government.

You would appreciate that our members have done their substantial bit either providing rebates or giving a waiver of license fee across all categories of retailers to enable sustainability and continuity of business during the period of economic downturn as such total closure would be hurting everyone.

The Shopping Centres operated by our members, besides creating positive and conducive environment for families, provide convenience by merchandising basic needs and wants to the neighbourhoods in which they trade. Stopping them from trading, would in our humble opinion greatly inconvenience these neighbourhoods. Besides Shopping malls are typically places of tourist attraction and we have observed that very often a lot of sales to tourists (Indian & foreigners) sales happen during the Diwali festival.

Considering the above, our humble submission to your kind self, is to allow our members as well as their licensee's to operate their stores and at our end we will ensure that sufficient time is given to their respective employees to take time out to exercise their franchise.

We take this opportunity to invite you any of our member's shopping centres to observe for yourself the multi facet functions of shopping centres.

We request you to kindly provide us your valued guidance and clarification and circulate the necessary amendment to the aforesaid circular.

Thanking you,

Yours sincerely,

Manoj Motta
COO

Mr. Arvind Kumar, IAS
Commissioner of Labour
Office of the Commissioner of Labour,
Commerce Centre,
5th Floor, Tardeo,
Mumbai – 400034.