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புதுச்சேரி மாநில அரசிதழ்
La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

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GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Ms. No. 14/AIL/Lab./G/2022, Puducherry, dated 07th October 2022)

ORDER

The Government of Puducherry, Labour Department in order to enhance Ease of doing Business and minimise the regulatory compliance burden hereby eliminates the renewal of registration under the Puducherry Shops and Establishments Act, 1964.

Accordingly, the Secretary to Government (Labour), Government of Puducherry in exercise of the powers conferred by sub-section (1) of section 6 of the Puducherry Shops and Establishments Act, 1964 (Puducherry Act 36 of 1964), in public interest, hereby exempts all Shops and Establishments from the provisions of sub-section (4) of section 7 of the said Act and sub-rule (1) of rule 6 and hereby eliminates the

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renewal of registration and directs all Shops and Establishments in the Union territory of Puducherry to pursue auto renewal on submission of Self Certification through online every year along with the fees prescribed for registration through GRAS online portal (<https://gras.py.gov.in>).

(By order)

P. MUTHU MEENA,

Under Secretary to Government (Labour).

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Ms. No. 15/Lab./AIL/G/2022, Puducherry, dated 07th October 2022)

ORDER

As part of Ease of doing Business initiatives in the Union territory of Puducherry, Business Reform Action Plan 2022 has recommended to mandate the Join Inspection system responsible for conducting inspections by the Labour Department and the Inspectorate of Factories and Boilers.

2. The “Self Certification-*cum*-Online Inspection Scheme” for shops and other establishments issued, Notification *vide* G.O. Ms. No. 05/AIL/Lab./G/2020, dated 07-08-2020 published in the Official Gazette No. 41, dated 12-08-2020 and subsequently amended *vide* G.O. No. 2/AIL/Lab./G/2021, dated 15-02-2021 and published in the Extraordinary Gazette of Puducherry No. 7, dated 19-02-2021. The Inspection Scheme and Certification Scheme of Chief Inspectorate of Factories was notified *vide* G.O. Ms. No. 1/19/Lab./G., dated 03-01-2019 of the Labour Department, Puducherry.

3. In the circumstances as per the recommendations of the DPIIT, Government of India, direction is accorded for conducting the Joint Inspection System through the Central Inspection System (CIS) as detailed below:

Central Inspection System Inspections under

1. The Equal Remuneration Act, 1976
2. The Minimum Wages Act, 1948

3. The Shops and Establishments Act
4. The Payment of Bonus Act, 1965
5. The Payment of Wages Act, 1936
6. The Payment of Gratuity Act, 1972
7. The Contract Labour (Regulation and Abolition) Act, 1970
8. The Factories Act, 1948 and
9. Indian Boilers Act, 1923.

Joint Inspection System Inspections under

- * The Equal Remuneration Act, 1976
- * The Factories Act, 1948 (as applicable)
- * The Maternity Benefit Act, 1961
- * The Minimum Wages Act, 1948
- * The Shops and Establishments Act (as applicable)
- * The Payment of Bonus Act, 1965
- * The Payment of Wages Act, 1936
- * The Payment of Gratuity Act, 1972
- * The Contract Labour (Regulation and Abolition) Act, 1970
- * The Labour Welfare Fund Act (Not applicable)

4. The Inspection Scheme, categories of the establishments to be inspected (Risk based), Schedule of Inspections and the Procedures may be followed by the Inspecting Officials as per the Notifications of the Labour Department listed below:

- (a) G.O. Ms. No. 05/AIL/Lab./G/2020, dated 07-08-2020
- (b) G.O. Ms. No. 02/AIL/Lab./G/2021, dated 15-02-2021
- (c) G.O. Ms. No. 01/2019/Lab./G, dated 03-01-2019

5. The above procedures shall be followed by the Officers/Inspectors except the instructions issued by the Commissioner of Labour and specific order issued by the Government on special occasions in the interest of public.

(By order)

P. MUTHU MEENA,
Under Secretary to Government (Labour).

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Ms. No. 16/AIL/Lab./G/2022, Puducherry, dated 27th October 2022)

NOTIFICATION

Whereas, in order to achieve better services and to promote the “Ease of doing Business” - Business Reform Action Plan 2022, the Government of Puducherry, is in the process of rationalising and simplifying the various Labour Acts, so as to create more conducive environment for Shops and Establishments, and also based on the request of the Confederation of Indian Industries, it has become necessary to permit the shops and establishments to remain open for 24 x 7 hours on all days without compromising the provisions of the Puducherry Shops and Establishments Act, 1964 (Puducherry Act 36 of 1964) in the interest of the general public;

Now, therefore, in exercise of the powers conferred under section 6 of the Puducherry Shops and Establishments Act, 1964 the Lieutenant-Governor of Puducherry, in public interest, hereby exempts all Shops and Establishments employing 10 or more persons, from the provisions of sub-section (1) of section 10 and sub-section (1) of section 16 of the said Act and permits them to be open for 24 x 7 hours on all days of the year, for a period of three years with effect from the date of publication, unless it is revoked, subject to the following conditions, namely:-

1. Every employee shall be given one day holiday in a week on rotation basis and the details of every employee shall be provided in ‘Form IX’ added to the Puducherry Shops and Establishments Rules, 1964 and shall be exhibited by the employer in a conspicuous place in the establishments.

2. Every employer shall exhibit details of the employees who are on holiday/leave on daily basis, in a conspicuous place in the establishments.

3. The wages including overtime wages of the employees shall be credited to their respective Savings Bank Account.

4. An employer shall not require or allow any person employed to work therein for more than eight hours in any day and forty-eight hours in any week and the period of work including over time shall not exceed ten and a half hours in any day and fifty-seven hours in a week.

5. If, employees are found working on any holiday or after normal duty hours without proper indent of overtime, penal action will be initiated against the employer/manager as laid down in the Puducherry Shops and Establishments Act, 1964 and the Puducherry Shops and Establishments Rules, 1964.

6. Women employees shall not be required to work beyond 8.00 p.m on any day in normal circumstances:

Provided that the employer after obtaining written consent of the women employees shall allow them to work between 8.00 p.m. to 6.00 a.m., subject to providing adequate protection of their dignity, honour and safety.

7. Transport arrangements shall be provided to the women employees who work in shifts. A notice to this effect shall be exhibited at the main entrance of the establishment indicating the availability of transport.

8. The employees shall be provided with restroom, washroom, safety lockers and other basic amenities.

9. Every employer employing women employees shall constitute Internal Complaints Committee against sexual harassment of women under the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 (Central Act 14 of 2013) and the said Committee shall be operative.

10. The abovesaid terms and conditions shall be treated and implemented in addition to those provisions specified in the Puducherry Shops and Establishments Act, 1964 and the Puducherry Shops and Establishments Rules, 1964.

11. In the case of violation of any statutory provision or any of the above terms and conditions notices by the Inspector or otherwise, necessary penal action will be initiated against the employer/manager as laid down in the Puducherry Shops and Establishments Act, 1964 and the Puducherry Shops and Establishments Rules, 1964.

(By order of the Lieutenant-Governor)

P. MUTHU MEENA,

Under Secretary to Government (Labour).