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La Gazette de L'État de Poudouchéry
The Gazette of Puducherry

PART - II

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No. }	Puducherry	Tuesday	19th	August	2025
(28 Sravana 1947)					

GOVERNMENT OF PUDUCHERRY
LABOUR DEPARTMENT

(G.O. Ms. No. 9, Puducherry, dated 14th August 2025)

NOTIFICATION

In supersession of the G.O. Ms. No. 5/Lab./AIL/G/2020, dated 07-08-2020 of the Labour Department, Government of Puducherry, save as respects things done or omitted to be done before such supersession, the Lieutenant-Governor, Puducherry, is pleased to notify the 'Third Party Certification Scheme, 2025, under the Puducherry Shops and Establishments Act, 1964'.

1. *Short title, extent and commencement.*— (1) The Scheme shall be called, 'The Third Party Certification Scheme, 2025, under the Puducherry Shops and Establishments Act, 1964'.

(2) The Scheme shall extend to all Shops and Establishments covered under the Puducherry Shops and Establishments Act, 1964.

(3) The Scheme shall come into force with effect from the date of its notification in the Official Gazette.

2. *Object.*— The Scheme aims to further improve the ease of doing business through simplifying the business regulations, reducing compliance burden, and facilitating the various shops and establishments to observe and implement the provisions of various Labour Laws and Rules framed thereunder, viz., Puducherry Shops and Establishments Act, 1964, Minimum Wages Act, 1948, Payment of Wages Act, 1936, Contract Labour (Regulation and Abolition) Act, 1970, Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979, Payment of Bonus Act, 1965, Payment of Gratuity Act, 1972, Maternity Benefit Act, 1961, Equal Remuneration Act, 1976, Motor Transport Workers Act, 1961, Puducherry Industrial Establishments (National Festival Holidays) Act, 1964, Industrial Employment (Standing Order) Act, 1946, the Working Journalists and other Newspaper Employees (Conditions of Service and Miscellaneous Provisions) Act, 1955 and the Sales Promotion Employees (Conditions of Services) Act, 1976.

3. *Scope.*— All the employers who are registered under the Puducherry Shops and Establishments Act, 1964 are eligible to avail the Third-Party Certification Scheme.

4. *Definition.*— In this Scheme, unless the context otherwise requires,-

(i) “Act” means, ‘Puducherry Shops and Establishments Act, 1964 (Act No. 9 of 1964)’;

(ii) “Government” means, the Secretary to the Government (Labour), Puducherry;

(iii) “Returns” means, Consolidated Annual Returns notified vide G.O. Ms. No. 6/AIL/Lab./G/2021, dated 29-11-2021 of the Labour Department, Government of Puducherry;

(iv) “Rules” means, the Puducherry Shops and Establishments Rules, 1964;

(v) "Third-Party Certification" means, certification given by Third-Party Inspector/Auditor on the implementation of the various labour laws in accordance with Form-I appended herewith;

(vi) "Third-Party Inspector/Auditor" means, a qualified practicing Company Secretary who is a Member of the Institute of Company Secretaries of India constituted under section 3 of the Company Secretaries Act, 1980 and approved by the Central Government, and who has not been an employee or on the regular pay roll of the establishment or has not been a consultant of the shop or establishment concerned for the last three years.

5. *Third-Party Certification.*— (1) The Compliance Inspection / Audit shall be carried out as per the standards laid down under the Act / Rules and other applicable Labour laws.

(2) The Third-Party Inspector / Auditor (hereinafter referred to as a Compliance Auditor), conducting the Audit shall maintain a log book of all audits undertaken by him indicating the name and address of the audited establishment, name of the person who has carried out the audit, details of the contact person(s), date of the audit and date of submission of the audit report to the notified Head of the Establishment.

(3) A Compliance Auditor and the person authorized to carry out audit, shall not conduct Compliance Audit of any establishment where such Auditor or person is employed, or is an Occupier, Partner, Director, or Manager of that establishment, or of any other unit owned, operated, managed, or conducted by immediate family members, relatives or extended family members or wherein, that Compliance Auditor or such person has any direct or indirect interest whatsoever. A Compliance Auditor or such person shall not carry out the Compliance Audit of those establishments in which that Auditor or such person has any participation in business within the last three years.

(4) Compliance Auditor and the person authorized to carry out compliance audit shall not disclose, even after he ceases to be an Auditor, any commercial secrets or working processes or other confidential information which may come to his knowledge in the course of duties as an Auditor. Any failure in this regard, may render such an Auditor or person liable for criminal or civil proceedings, as the case maybe, in accordance with the extant law.

(5) If, the Compliance Auditor has carried out the audit in violation of the provisions of the Act or rules or has acted in a manner inconsistent with the intent or the purpose(s) of the Act or rules made thereunder or has omitted or failed to act as required under the Act and rules made thereunder; or for any other similar reason by which he has failed in duties as a Compliance Auditor, he shall be liable to be debarred from conducting such Compliance Audits by the Commissioner of Labour, Government of Puducherry.

(6) The Compliance Auditor shall conduct the audit during the first week of April, succeeding every financial year, and shall immediately forward his Report, to the Head of the Shop or Establishment, on his letterhead in writing with his recommendations regarding the compliance under various Labour Laws.

(7) The Head of the Establishment shall, within one week of the receipt of the Compliance Audit Report, take action on the recommendation of the Auditor as pointed out in the Audit Report and also submit the Action Taken Report/Compliance Report along with proof of compliance to the Third-Party Inspector / Auditor in pursuance to the recommendations made in the Audit Report. The Third-Party Inspector / Auditor shall thereupon issue a Certificate in Form-I and the said Certificate shall be attached as a document while uploading the Return in the online portal (<https://labour.py.gov.in/>) developed for this purpose, to be filed on or before 30th April of the current year, for the previous financial year ending 31st March,

(8) The compliance of the observation / discrepancies pointed out in the Audit Report shall be monitored at the level of Labour Commissioner, Government of Puducherry.

(9) Where discrepancies have been reported in the Third-Party Certification, the Labour Commissioner can direct Inspector concerned to proceed in accordance with law for securing compliance of the provisions. The Inspector concerned shall issue a Compliance Notice for securing compliance and where such compliance has been made, no legal action shall be taken against the Head of the shop or establishment / Manager for any discrepancies / observations / violations of Acts / Rules pointed out by the Auditor in his Audit Report.

(10) The Labour Commissioner may issue directions for inspection of any registered establishment in case of violation of a specific and expressly stated provision of Act or rules made thereunder, with prior approval of the Secretary to Government (Labour), Puducherry.

6. *Interpretation and Clarification.*— If, any doubt arises with regard to interpretation or implementation of any of the provision(s) of this Scheme, or if any specific point requires clarification, the matter shall be referred to the Secretary to Government (Labour), Puducherry for decision and such decision shall be the final and binding.

(By order of the Lieutenant-Governor)

R. SMITHA, I.A.S.,
Secretary to Government (Labour).

ANNEXURE

FORM-I

Third-Party Certification

I, a qualified practising Company Secretary and Member of institute of Company Secretaries of India constituted under section 3 of the Company Secretaries Act, 1980 and approved by the Central Government and in the capacity of Third-Party Inspector / Auditor in accordance with Third-Party Certification Scheme, 2025 under the Puducherry Shops and Establishments Act, 1964 hereby certify as follows:

I have personally verified all the registers, records and notices under the Act and Rules and also under all applicable labour laws and found compliance of the provisions and accordingly the return has been prepared.

(OR)

