GOVERNMENT OF PUDUCHERRY

ABSTRACT

Labour – Act and Rules – Industrial Relations Code, 2020 – Puducherry Industrial Relations Rules, 2026 – Preliminary Notification – Orders – Issued.

LABOUR DEPARTMENT

G.O.Ms.No.6/AIL/LAB/T/2026 Puducherry, 09.06.2026

READ: This Department I.D Note No.M/1203/2026 dated 08.06.2026.

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O R D E R :

The following Notification shall be published in the next issue of the Official Gazette of the Government of Puducherry:-

NOTIFICATION

Whereas, the draft of the Puducherry Code on Industrial Relation Rules, 2021 and Puducherry Industrial Relations Recognition of Negotiating Union or Negotiating Council and Adjudication of Disputes of Trade Unions Rules, 2021 were respectively published in Official Gazette of Puducherry No.45 dated 10.11.2021 and Gazette No. 8 dated 22.2.2022 inviting objections and suggestions from persons likely to be affected thereby;

And whereas, it is decided by the Government of Puducherry to publish revised following draft rules for information of all persons likely to be affected thereby;

Now therefore, the following draft rules of Puducherry Industrial Relations Rules, 2026, which the Lieutenant Governor, Puducherry proposes to make in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (Central Act No. 35 of 2020) are hereby published, as required by sub-section (1) of said section 99, for information of all persons likely to be affected thereby and the notice is hereby given that the said draft rules will be taken into consideration after the expiry of a period of fifteen days from the date on which the copies of the Official Gazette in which this draft of rules is published are made available to the public.

2. Objections and suggestions, if any, may be addressed to the Labour Commissioner, Labour Department, Government of Puducherry, by email to lc@py.gov.in .

3. Objections and suggestions, which may be received from any person with respect to the said draft rules before expiry of the period specified above, will be considered by the Government.

DRAFT RULES

CHAPTER-I

PRELIMINARY

1. Short title, extent and commencement.- (1) These rules may be called, 'the Puducherry Industrial Relations Rules, 2026'.

(2) They extend to the whole of the Union Territory of Puducherry.

(3) They shall come into force from the date of their final publication in the Official Gazette of the Government of Puducherry.

2. Definitions.- (1) In these rules, unless the subject or context otherwise requires,-

(a) "Code" means the Industrial Relations Code, 2020 (35 of 2020);

(b) "Electronically" means any information submitted by email or uploading on the designated portal or digital payment in any mode for the purposes of the Code;

(c) "Form" means a form appended to these rules;

(d) "Government" means the Administrator of the Union Territory of Puducherry appointed by the President of India under Article 239 of the Constitution of India.

(e) "Section" means a section of the Code.

(2) Words and expressions used in these rules which are not defined herein, but are defined in the Code, shall have their respective meanings assigned to them in the Code.

3. Memorandum of settlement under clause (*zi*) of section 2.– (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in **Form-I**.

(2) The settlement shall be signed, —

(a) by the employer or by his authorized agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate; and

(b) on behalf of workers, by any of the following office bearers of Trade Union, namely: –

(i) President; or

(ii) Vice-President; or

(iii) Secretary (including the General Secretary); or

(iv) Joint Secretary; or

(v) any other office bearer of the Trade Union authorized in this behalf by the President and Secretary of the Union; or

(vi) five representatives of workers duly authorized in this behalf at the meeting of the workers held for the purpose.

(3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.
(4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the Commissioner of Labour together with a copy of the memorandum of settlement signed by the parties to the dispute.

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post, to the Commissioner of Labour and to the concerned conciliation officer.

(6) The conciliation officer shall file all settlements effected under the Code in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.
(7) The register referred to in sub-rule (6) shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:

Provided that signature of conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation:

Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than Form I.

CHAPTER II

BI-PARTITE FORUMS

4. Works Committee, its constitution and matters related thereto., under section 3 –

(1) Constitution of Works Committee: Every employer to whom an order made by the Commissioner of Labour under sub-section (1) of section 3 relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this rule referred to as the Committee) to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, in the manner specified in this rule.

(2) Number of Members: (i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.
(ii) The total number of members of the Committee shall not exceed twenty.

(iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein.

Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in Works Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(3) Representation of Employer: Subject to the provisions of this rule, the representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with, the working of the industrial establishment.

(4) Consultation with Trade Union: Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall ask such registered Trade Union or Trade Unions to inform him in writing as to—

(a) number of the workers who are members of such registered Trade Union or Trade Unions; and

(b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Commissioner of Labour, who shall, after hearing the parties, decide the matter and his decision shall be final.

(5) Group of Worker's representative's: On receipt of the information called for under sub-rule (4), the employer shall provide for the choosing of worker's representative of the Committee in the following manner, namely:—

(a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union shall nominate the worker's representatives of the Committee;

(b) in the case of the negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable as to how the representatives of workers shall be elected for the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information called for under sub-rule (4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any reference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the Commissioner of Labour.

(6) Electoral Constituencies: The employer may, if he thinks fit, direct that the workers shall vote in either by groups, sections, shops or departments.

(7) Qualification of Candidates for election: Any worker, of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation. — For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(8) Qualification for voters: All workers who are not less than eighteen years of age and who have put in not less than six months continuous service in the industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation.— For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(9) Fixation of schedule for Election: (i) The employer shall give a minimum time period of at least three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii)The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and later than fifteen days after the closing date for receiving nominations.

(iii)The date of election fixed under sub-rule (i) shall be notified at least seven days in advance to the workers concerned and such notice, which shall specify the number of seats to be elected, shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

(10) Nomination of Candidates for election: (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii) Each nomination paper referred to in clause (i) above shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking election shall represent, and shall be delivered to the employer.

(11) Scrutiny of Nomination papers: (i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinized by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii) A nomination paper shall be held to be not valid under sub-rule (11), if—

(a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) the requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is unable to be present at the time of scrutiny, he may send a duly authorized nominee for the purpose.

(12) Withdrawal of Candidates: Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13) Voting in Election: (i) If the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall be forthwith declared as duly elected.

(ii) Where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14) Officers of the Committee: (i) The Committee shall have among its office-bearers a Chair person, a Vice Chairperson, a Secretary and a Joint-Secretary.

(ii) The Chairperson of the Committee shall be nominated by the employer from amongst the employer's representatives of the Committee and he shall, as far as possible, be the head of the industrial establishment.

(iii) The Vice-Chairperson shall be elected by the members of the Committee representing the workers, from amongst themselves:

Provided that in the event of equality of votes in the election of the Vice-Chairperson, the matter shall be decided by a draw of lot.

(iv) The Secretary and the Joint-Secretary of the Committee shall be elected every year.

(v) The Committee shall elect the Secretary and the Joint Secretary provided that where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and vice versa:

Provided that the post of the Secretary or the Joint Secretary, as the case may be, shall not be held by a representative of the either the employer or the workers for three consecutive years:

Provided further that the employer's representatives shall not take part in the election of the Secretary or Joint Secretary, as the case may be, and only the representatives of the workers shall be entitled to vote in elections for the post of Secretary or Joint Secretary:

Provided also that in the event of equality of votes in an election under this sub-rule, the matter shall be decided by a draw of lot.

(15) Term of Office: (i) The term of office of the members of the Committee other than a member chosen to fill a casual vacancy shall be three years.

(ii) Every member chosen to fill a casual vacancy shall hold office for the remaining period of the term of his predecessor.

(iii) The membership of any member, who fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, shall stand forfeited.

(16) Vacancies: In the event of worker's representative ceasing to be a member under clause (iii) of sub-rule (15) or ceasing to be employed in the industrial establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule for the remaining period of the Committee from the same group to which the member vacating the seat belonged.

(17) Power to Co-Opt: The Committee shall have the right to co-opt persons employed in the industrial establishment having particular or special knowledge of a matter under discussion in a consultative capacity and such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

(18) Meetings: (i) The Committee may meet as often as necessary but not less often than once in three months.

(ii) The Committee shall at its first meeting regulate its own procedure.

(19) Facilities for meetings, etc.: (i) The employer shall provide accommodation for holding meetings of the Committee and shall also provide all necessary facilities to the Committee and to its members for carrying out the work of the Committee.

(ii) The Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting.

(iii) The Secretary of the Committee may with the prior concurrence of the Chairperson, put up notice regarding the functions of the Committee on the notice board of the industrial establishment.

(20) Annual Return: The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(21) Dissolution of Works Committee: The Commissioner of Labour, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of this rule or that not less than two-thirds of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer, may, and if so required by the Commissioner of Labour, shall take steps to re-constitute the Committee in accordance with this rule.

5. Choosing of members from the employers and the workers for Grievance Redressal Committee under sub-section (2) of section 4.- (1) The Grievance Redressal Committee (hereinafter in this rule referred to as the Grievance Committee) in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and workers, which shall not exceed ten.

(2) The representatives of the employer in the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The worker's representative of the Grievance Committee shall be chosen in the following manner, namely: —

(a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14, such negotiating union or negotiating council, as the case may be, shall nominate the worker's representatives of the Grievance Committee;

(b) in the case of a negotiating council under sub-section (4) of section 14, the nomination shall be in such manner that every registered Trade Union representing in the negotiating council shall be represented in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognized negotiating union or negotiating council referred to the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform:

Provided further that there shall be adequate representation of women workers in the Grievance Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(4) The tenure of the members of the Grievance Committee shall be three years.

(5) Where there is no recognized negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the Commissioner of Labour, who shall, after hearing the parties, decide the matter, whose decision shall be final.

6. Application in respect of any dispute to be filed before the Grievance Redressal Committee by an aggrieved worker under sub-section (5) of section 4.- (1) Any aggrieved worker may file an application stating his grievance therein and dispute before the Grievance Redressal Committee giving his name, designation, employee code or token number, department where he is posted, length of his service in years, category of worker, address for correspondence, contact number, details of grievances and relief sought therefor.

(2) The application referred to in sub-rule (1) may be sent electronically or otherwise.

(3) The application referred to in sub-rule (1) shall be filed within one year from the date on which the cause of action of such dispute arose.

7. Manner of filing application for the conciliation of grievance as against the decision of the Grievance Redressal Committee to the conciliation officer under sub-section (8) of section 4.- Any worker who is aggrieved by the decision of the Grievance Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application through the designated portal or by speed post, or in person, within a period of sixty days from the date of the decision of the Grievance Committee or from the date on which the period specified in sub-section (*6*) of section 4 expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member.

Provided that in case of manual receipt of such application through speed post or in person, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the Trade Union and worker.

CHAPTER-III

TRADE UNIONS

8. Payment of subscription by members of the Trade Union under clause (f) of section 7 and payment of subscription under sub-section (4) of section 15.— (1) The Trade Union may collect the subscription from its members as provided under the rules of the Trade Union as approved by the Registrar.

(2) On request of the Trade Union, the employer may deduct the amount of subscription from the wages of the employee after obtaining their written consent. The amount so deducted shall be construed as an authorized deduction under clause (k) of sub-section (2) of section 18 of the Code on Wages, 2019 (Central Act 29 of 2019).

(3) The payment of minimum subscription by members of Trade Union shall be as provided under the rules of the Trade Union approved by the Registrar but shall not be less than thirty rupees per annum.

9. Manner of annual audit under clause (j) of section 7.— (1) The annual audit of the account of any registered Trade Union or federation of Union shall be conducted by an auditor appointed to audit the account of companies under section 139 of the Companies Act, 2013 (Central Act 18 of 2013);

Provided that where the membership of Trade Union did not at any time during the financial year exceed 250, annual audit of the accounts may be conducted by any two members of the Union;

(2) The auditor appointed in accordance with these rules shall be given access to all the books of the Trade Union and shall verify the annual return with the accounts and vouchers relating thereto and shall thereafter sign the auditor's declaration appended to **Form-II,** indicating separately on that Form under his signature or their signatures, a statement showing in what respect he or they find the return to be incorrect, unvouched or not in accordance with the Code. The particulars given in this statement shall indicate -

(a) every payment which appears to be unauthorized by the rules of the Trade Union or contrary to the provisions of the Code;

(b) the amount of any deficiency or loss which appears to have been incurred by the negligence or misconduct of any person;

(c) the amount of any sum which ought to have been but is not brought to account by any person;

Provided that in case of audit of political fund of a registered Trade Union, the audit shall be carried out along with the audit of the general account of the Trade Union and by the same auditor.

(3) Every registered Trade Union shall maintain the following books and registers to facilitate the audit of its accounts:—

(a) Applications for membership, register of membership and subscription**;**

(b) Register of receipts and disbursements of the General Fund Account;

(c) Minutes book to record the proceedings of all meeting:

(d) Register of stock, tools and plant to show the furniture, fittings and valuable documents relating to the immovable property of the Trade Union;

(e) Machine-numbered subscription receipt book;

(f) Register of receipts and disbursements for the political fund (if there is a political fund); and

(g) a file of vouchers.

10. Form of declaration to be made by an affidavit and the manner of making the same under clause (a) of sub-section (1) of section 8.—

Every application for registration of a Trade Union under section 8 of the Code shall be made to the Registrar either electronically or otherwise along with a declaration made regarding the authenticity of information given through an affidavit in **Form-III.**

11. Form of general statement of the assets and liabilities of the Trade Union under sub-section (2) of section 8.—

The statement of the assets and liabilities of the Trade Union shall be submitted to the Registrar in **Form-IV** either electronically or otherwise along with a copy of annual audit report.

12. Form of application for registration under sub-section (1) of section 8 and the form of issuing certificate of registration to be issued by the Registrar to the applicant Trade Union under sub-section (2) of section 9.— The application for registration under sub-section (1) of section 8, shall be in **Form V** and on receipt of an application for registration of Trade Union, the Registrar after due verification of information and particulars submitted with the application either by himself or through any other officer authorised by him and found proper and the certificate of registration to be issued by the Registrar to the applicant under sub-section (2) of section 9 shall be in **Form VI.**

13. Register for entering the name and other particulars of Trade Union under sub-section (1) & (3) of section 9 and verification of application of the Trade Union under sub-section (5) (i) of section 9. — (1) The Registrar after issuing the certificate of registration shall enter the name and other particulars of the Trade Union in a register, to be maintained in **Form-VII** electronically for the purpose of sub-section (3) of section 9.

(2) Every application for cancellation or withdrawal of registration under clause (i) of sub-section (5) of section 9 shall be signed by the Secretary and seven or more members of the Trade Union. The application shall be sent to the Registrar either electronically or otherwise.

(3) On receipt of an application for the cancellation or withdrawal of registration of a Trade Union, the Registrar, if he has reason to believe that the applicants have not been duly authorised by such Union to make the same, may, for the purpose of ascertaining the fact, require from the

applicants such evidence as deemed necessary and examine any office-bearer of such Union.

(4) The Registrar shall, before granting the application, satisfy himself that the withdrawal or cancellation of registration was approved by a general meeting of the Trade Union, or if it was not so approved, that it has the approval of the majority of the members of the Trade Union. For this purpose, he may call for such further particulars as he may deem necessary and examine any officer of the Union.

(5) The certificate of registration issued to a Trade Union under sub-section (2) of section 9 shall be surrendered by the Secretary of the Union when the Registrar decides to withdraw or cancel such certificate under clause (i), (ii) or clause (iii) of sub-section (5) of section 9 of the Code.

14. Period within which appeal is to be preferred by Trade Union to Tribunal under sub-section (1) of section 10.—

Any appeal made under sub-section (1) of section 10 of the Code shall be filed within sixty days from the date of the order against which the appeal is made, to the Industrial Tribunal accompanied with a copy of the Order of the Registrar.

15. Manner of sending the communication and notices under sub-section (1) and the manner to inform the Registrar under sub-section (3) of section 11.— (1) All communications and notices to the registered Trade Union shall be sent by the Registrar either electronically or otherwise to the address of the head office of the Trade Union as entered in the register in **Form - VII** maintained by the Registrar.

(2) All communications and notices by a registered Trade Union with respect to any change in any of the particulars of the Trade Union or its rules or membership shall be sent either electronically or otherwise to the Registrar within thirty days from the date of such change.

16. Manner of Recognition of Negotiating Union or Negotiating Council.-

(1). Matters for negotiation between negotiating union or negotiating council and employer for the workers employed in the industrial establishment under sub-section (1) of section 14.- The matters pertaining to workers which the negotiating union or negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 are specified, as below:-

(i) classification of grades and categories of workers;

(ii) order passed by an employer under the standing orders applicable in the industrial establishment;

(iii) wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;

(iv) hours of work of the workers, rest days, number of working days in a

week, rest intervals, working of shifts;

(v) leave with wages and holidays;

(vi) promotion and transfer policy and disciplinary procedures;

(vii) quarter allotment policy for workers;

(viii) safety, health and working conditions and related standards;

(ix) such matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and

(x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

(2). Criteria for recognizing a single registered Trade Union of workers as sole negotiating union of workers under sub-section (2) of section 14.— Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than 30 percent of the total workers employed in an industrial establishment, then the employer of such industrial establishment shall recognize such Trade Union as the sole negotiating union of the workers.

(3). Manner of verification of membership of Trade Unions in an industrial establishment under sub-sections (3) and (4) of section 14.— (i) (a) The Commissioner of Labour shall appoint a verification officer for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case may be, shall commence three months before the expiry of the tenure of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognised by the employer under the Code.

(b) The Verification Officer may utilize the services of other officers to assist him depending upon the quantum of work of membership verification.

(c) The Verification Officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the Commissioner of Labour.

(ii) The employer of an industrial establishment shall bear all expenses and make arrangements in connection with the verification of membership of the Trade Unions under clause (i).

(iii) (a) The Trade Unions which satisfy the following conditions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of the negotiating council of the workers, as the case may be, namely:-

such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (Central Act No. 35 of 2020), as the case may be; and

(b) The application for recognition made by Trade Union shall be accompanied with the copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the Trade Union submitted to the Registrar of Trade Unions.

(iv) (a) In case the negotiating union or negotiating council, as the case may be, has been constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, as the case may be, sufficiently in advance, but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be.

(b) The date of reckoning shall be the date of appointment of the verification officer for the industrial establishment for the purpose of verification of membership of Trade Unions.

(c) The employer of the establishment shall forward the documents and records submitted by the Trade Unions, to the verification officer.

(d) On receipt of the documents and records, the Verification Officer shall scrutinize the records and documents submitted by the Trade Union to ascertain the status of registration of Trade Unions and related matters.

(e) The verification officer shall hold meeting with the representatives of employer of industrial establishment and all participating Trade Unions to decide about the process of verification of the membership of Trade Unions through secret ballot.

(f) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

(4). Verification of membership of Trade Unions through secret ballot.— (i) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment at least sixty days before the date of actual voting, to decide -

(a) publication of voters list;

(b) date, time, mode of voting, place of voting;

(c) date, time and place of counting; and

(d) other modalities relating to secret ballot.

(ii) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions. All participating Trade Unions shall be allotted symbols in the same meeting. If no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, then, the decision of the verification officer shall be final and he shall publish the schedule, program and procedure of such secret ballot election.

(iii) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.

(iv) The voter list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (iii) and the voters list shall contain the name, father's name, designation, worker number/identity card number issued by the employer and place of posting of the worker. The final voter list shall be published by the employer after obtaining the approval of verification officer and shall be displayed at notice board at the main entrance and website, if any, of the industrial establishment. A copy of such voters list shall also be sent to the participating Trade Unions by hand or by speed post or through electronic mode.

(v) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalization of the list.

(vi) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.

(vii) After final counting of votes, the result shall be declared by the verification officer. The result sheet shall contain the name of all Trade Unions participated in election, total number of votes polled and the number of votes cast in favour of each of the trade union which participated in the election.

(5). Verification report to the employer.— The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

(6). Recognition of Trade Union as negotiating union or constituents of negotiating council.— (i) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to a Trade Union as a negotiating union or a constituent of negotiating council as per the provisions of sub-section (3) or sub-section (4) of section 14 of the Code as the case may be.

(ii). Any recognition either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually decided by the employer and the Trade Union, as the case may be:

(7). Facilities to be provided by industrial establishment to a negotiating Union or negotiating Council under sub-section (7) of section 14.— In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities to the negotiating union or negotiating council, as

the case may be, namely:-

(i) notice-board for the purpose of displaying the information relating to activities; of negotiating union or negotiating council, as the case may be;

(ii) venue and necessary facilities for holding discussions by the negotiating Union or negotiating council, as the case may be, as per schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council, as the case may be;

(iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council, as the case may be;

(iv) facility for entrance of the office bearers of the negotiating union or negotiating council, as the case may be, in the industrial establishment for the purposes of ascertaining the matters which are relating to working conditions of the workers;

(v) employer of the industrial establishment shall deduct subscription of the members of the Trade Unions on the basis of the written consent of the worker;

(vi) when the office bearers of the negotiating union or negotiating council shall be holding meetings with the employer as per agreed schedule between employer and such employed office bearers shall be treated as on duty; and

(vii) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council, as the case may be.

17. The objects under sub-section (1) and sub-section (2) of section 15.—

(1) The general funds of a registered Trade Union shall not be spent on any other objects than the following, namely:-

(a) the payment of salaries, allowances and expenses to office-bearers of the Trade Union;

(b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;

(c) the prosecution or defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;

(d) the conduct of industrial disputes on behalf of the Trade Union or any member thereof;

(e) the compensation of members for loss arising out of trade disputes;

(f) allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;

(g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members, or under policies insuring members against sickness,

accident or unemployment;

(h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependents of members;

(i) the upkeep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such;

(j) the payment of rent to place where the trade union is situated and for payment of taxes if any;

(k) expenditure incurred towards stationery, printing and postage;

(l) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any calendar year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year; and

(m) subject to any conditions contained in the notification, any other objects notified by the Government of Puducherry in the official Gazette.

(2) A registered Trade Union may constitute a separate fund, from contributions separately levied from or made to that fund, from which payments may be made, for the promotions of the civic and political interests of its members, in furtherance of any of the following objects, namely:-

(a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of any legislative body constituted under the Constitution or of any local authority, before, during, or after the election in connection with his candidature or election; or

(b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or

(c) the maintenance of any person who is a member of any legislative body constituted under the Constitution or for any local authority; or

(d) the registration of electors or the selection of a candidate for any legislative body constituted under the Constitution or for any local authority; or

(e) the holding of political meetings of any kind, or the distribution of political literature or political documents of any kind.

(3) No member shall be compelled to contribute to the fund constituted under sub-section (2); and a member who does not contribute to the said fund shall not be excluded from any benefits of the trade union or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (except in relation to the control of management of the said fund) by reason of his not contributing to

the said fund; and contribution to the said fund shall not be made a condition for admission to the Trade Union.

18. Manner of making application for adjudication of dispute before the Tribunal under sub-section (1) of section 22.— Where any dispute arises between –

(i) one Trade union and another; or

(ii) one or more workers who are members of the Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or

(iii) one or more workers who are refused admission as members of the Trade Union; or

(iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorized in this behalf by the Trade Union,

then, the aggrieved person may make application to the Tribunal having jurisdiction, in **Form-VIII** within a period of one year from the date on which the dispute arises, electronically or by speed post or in person.

19. Manner of amalgamation under sub-section (2), and the manner of sending signed amalgamation to the Registrar of a different State under sub-section (3) of section 24.— (1) Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such Trade Unions or either or any of them, provided that the votes of at least one-half of the members of each or every such Trade Union entitled to vote are recorded, and that at least sixty per cent of the votes recorded are in favour of the proposal.

(2) On receipt of a notice of amalgamation under sub-section (3) of section 24, if the head office of the amalgamated Trade Union is in the other State/Union Territory, the Registrar shall consult the Registrars of Trade Unions in other State/Union Territory so amalgamating if any, before registering the amalgamated Trade Union under sub-section (6) of Section 24.

(3) When the amalgamated Trade Union is registered under sub-section (6) of Section 24, it shall be assigned a number in the register in **Form-VII** and the Registrar shall issue a new certificate in **Form-VI.** The amalgamation shall have effect from the date of such registration.

(4) The Registrar shall also note the fact of amalgamation against the entries, if any, relating to the Trade Unions so amalgamated in the register in **Form-VII** and send intimation of the registration of the amalgamated union to the Registrars of the Trade Unions so amalgamated in other State/ Union Territory, if any.

20. Distribution of funds of the Trade Union on dissolution by Registrar under sub-section (2) of section 25.—

Where it is necessary for the Registrar, under sub-section (2) of section 25, to distribute the funds of a Trade Union which has been dissolved, he shall divide the funds in proportion to the amounts contributed by the members on roll at the

time of dissolution by way of subscription to the several funds of the Trade Union during their membership. In the event of the death of a member of a Trade Union subsequent to the date of its dissolution but prior to the distribution of funds, the Registrar shall pay the sum payable to such member to his legal dependents.

21. Annual Returns of the Trade Union- The date before which a general statement shall be forwarded annually to the Registrar, the particulars to be contained in general statement and its form, the person by whom and the manner in which such general statement shall be audited under clause (a) of sub section (1) of section 26.—

The annual return to be furnished under clause (a) of sub section (1) of section 26 shall be submitted electronically or otherwise to the Registrar by the 31st day of December in each year and shall be in **Form-IX.**

22. Manner and purpose of recognition of a Trade Union or a federation of Trade Unions by the Government of Puducherry as a State Trade Union at the State level and the authority and the manner of deciding dispute by it under sub-section (2) of section 27.— (1) In case a Trade Union or a federation of Trade Unions, intends to be recognized as a State Trade Union, may make an application in **Form-X** to the Commissioner of Labour.

(2) The said authority, as the case may be, shall, after due enquiry, decide such application within thirty days of its receipt and send copies of the decision to the applicant and the Registrar of Trade Unions.

(3) If any dispute arises in relation to such recognition, the said Authority shall refer the dispute to the Tribunal. The Tribunal shall after giving an opportunity of hearing to the applicant decide the appeal within forty five days and the order shall be binding upon the parties.

CHAPTER IV

STANDING ORDERS

23. Manner of forwarding information to Certifying Officer under sub-section (3) of section 30 and the period within which the amendment of standing order is to be done as observed by the certifying officer under the proviso thereof.- (1) If the employer adopts the model standing order of the Central Government referred to in section 29 with respect to matters relevant to his industrial establishment or undertaking, then, he shall intimate the concerned certifying officer electronically, or by speed post, or in person, the specific date from which the provisions of the model standing orders which are relevant to his establishment or undertaking have been adopted.

(2) The model standing order adopted under sub-rule (1) shall apply to the industrial establishment, and to all its units in the UT of Puducherry.

(3) On receipt of information in sub-rule (1), the certifying o fficer shall enter the details of the industrial establishment which has adopted the model standing order in the register maintained under rule 30.

(4). Where, the certifying officer observes that the industrial establishment, which has intimated adoption of model standing orders, is also engaged in activities other than for which model standing orders have been adopted, then, he may, within a period of thirty days from such receipt of intimation of model standing orders so adopted, direct such employer to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions and direct such employer to comply the same within a period of thirty days from the date of the receipt of such direction and send a compliance report only in respect of those provisions which the certifying officer has so directed to get included.

(5) If no observation is made by the certifying officer within a period of thirty days of the receipt of the information as specified in sub-rule (1), then, the model standing order shall be deemed to have been certified by the certifying officer.

(6) The provisions of the model standing orders adopted in accordance with the provisions of these rules shall remain in force with effect from the date specified in sub-rule (1).

(7) Without prejudice to the provisions of this rule, the certifying officer shall not raise any observation if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

24. Choosing of representatives of workers of the industrial establishment or undertaking for issuing notice by certifying officer, where there is no Trade Union operating, under clause (ii) of sub-section (5) of section 30. – (1) Where there is no Trade Union as is referred to in clause (ii) of sub-section (5) of section 30, then, the certifying officer, shall call a meeting of the workers to choose three representatives, to whom he shall, upon their being chosen, issue notice along with a copy of the standing order or modification, as the case may be, in English, as well as the translation thereof in Tamil for Puducherry/Karaikal region, Telugu for Yanam region, Malayalam for Mahe region, where the industrial establishment is situated, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders which shall be submitted within fifteen days from the date of receipt of such notice.

(2) The Trade Union or negotiating union or constituent of negotiating council shall be given a copy of the draft standing orders or modification, as the case may be, in English, as well as the translation thereof in Tamil for Puducherry/Karaikal region, Telugu for Yanam region, Malayalam for Mahe region, where the industrial establishment is situated, for seeking their comments or suggestions, if any, within fifteen days from the date of the receipt of the notice in this rule.

25. Authentication of certified standing orders under sub-section (8) of section 30.- The standing orders or the modifications in the standing orders certified in pursuance of sub-section (8) of section 30 shall be authenticated by the certifying officer and shall be sent electronically, or a hard copy thereof by

speed post, as the case may be, within seven days from the date of such authentication to all concerned, that is to say, the employer and all the registered Trade Unions or chosen representative of workers:

Provided that there shall not be any requirement of authentication under this rule in cases of deemed certification under sub-section (3) of section 30 and in cases where the employer has certified adoption of model standing orders.

26. Statement to accompany draft standing orders under sub-section (9) of section 30.- (1) The statement to be accompanied with a draft standing order shall contain, the particulars such as name of the industrial establishment or undertaking concerned with registration numbers under the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) , address, email address, contact number and the strength and details of workers employed therein including particulars of Trade Union, if any, to which such workers belong.

(2) The statement to be accompanied with a draft modification in an existing standing order shall contain the particulars of such standing order which is proposed to be modified along with a tabular statement containing details of each of the relevant provision of that standing order in force and the proposed modification therein and reasons therefor.

(3) The statement referred to in sub-rules (1) and (2) shall be signed by a person authorized by the industrial establishment or undertaking.

(4) The model standing orders, if modified, shall also apply to all the units of the industrial establishment in Union Territory of Puducherry.

27. Conditions for submission of draft Standing Order by group of employers in similar establishment under sub-section (10) of section 30.- In cases of group of employers engaged in similar industrial establishments, they may, after consultations with the concerned Trade Union, submit a joint draft of standing order under section 30 and for the purpose of proceedings specified in sub-sections (1), (5), (6), (8) and (9) thereof:

Provided that the joint draft of standing orders, in cases of group of employers engaged in similar industrial establishments, shall be drafted and submitted to the certifying officer, who shall, certify or refuse to certify the said joint draft standing orders, after recording reasons therefor.

Provided further that certifying officer shall give notice to all the concerned parties, and ensure reasonable opportunity of being heard before certifying the standing orders.

28. Disposal of appeal by appellate authority under section 32:- (1) An employer or Trade Union or the negotiating union or negotiating council, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any Union or such representative body of the workers of the industrial establishment or undertaking, may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 within sixty days of the receipt of such order, and for that purpose draw up a memorandum of

appeal in a tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added along with the reasons therefor, and file it electronically or in person with the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given, —

(a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;

(b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unions of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and

(c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Unions of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal referred to in sub rule (1).

(4) The appellate authority may at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it may have called for or considers relevant, if produced, and after hearing the parties, dispose of the appeal.

29. Sending copies of the order of the appellate authority under sub-section (1) and the language and the manner of maintaining standing order under sub-section (2) of section 33. - (1) The order of the appellate authority shall be sent electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating union or negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed.

(2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter, shall be maintained by the employer in English and in Tamil for Puducherry/Karaikal region, Telugu for Yanam region, Malayalam for Mahe region, where the industrial establishment is situated.

(3) The certified standing orders shall be displayed in legible condition by the employer on the special board to be maintained for the purpose at the entrance or near the entrance of the industrial establishment through which majority of workers enter and may also be posted on the designated portal/website, if any, of such industrial establishment.

30. Register for filing finally certified standing orders by the certifying officer and fee for furnishing certified copy of such orders under section 34.— (1) The certifying officer shall maintain electronically, a register in **Form-XI**, of all finally certified standing orders or deemed to have been certified or adopted model standing orders, of all the concerned industrial establishments, which shall, contain details of,–

(a) the unique number assigned to each standing order;

(b) name of industrial establishment;

(c) nature of industrial establishment;

(d) date of certification or deemed certification or date of adoption of model standing orders by each establishment or undertaking;

(e) the areas of operation of the industrial establishment; and

(f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified standing orders referred to in sub-rule (1) to any person applying therefor, on payment of two rupees per page or such fees as may be notified by the Government of Puducherry from time to time, of the Certified standing orders or deemed standing orders, as the case may be.

(3) The payment of fee for getting certified standing orders may also be made through electronic mode.

31. Application for modification of standing orders to be made before certifying officer under sub-section (2) of section 35.- The application for modification of an existing standing order under sub-section (2) of section 35 shall be submitted electronically or in person or speed post and shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force, and proposed modifications therein, reasons thereof and the details of registered Trade Unions operating therein, and such statement shall be signed by a person authorized by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.

CHAPTER V

NOTICE OF CHANGE

32. The manner of giving of notice for change proposed to be effected under clause (i) of section 40.- (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in **Form-XII** electronically or by speed post or in person, to such workers likely to be affected by such change and shall also upload such notice on the designated portal/website, if any, of the industrial establishment.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on the electronic notice board at the main entrance of the industrial establishment:

Provided that when there is a registered Trade Union or registered Trade Unions or a negotiating union or negotiating council relating to the concerned industrial establishment, a copy of such notice shall also be served in the manner specified in sub-rule (1) on the secretary of such Trade Union or each of the Secretaries of such Trade Unions, or Secretary of the negotiating Union or constituent of negotiating council, as the case may be.

CHAPTER VI

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

33. Form of arbitration agreement and the manner of signing by parties thereto under sub-section (3) of section 42. – (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement as provided in **Form-XIII**.

(2) The arbitration agreement referred to in sub-rule (1) shall be signed by the parties to the said agreement and it shall be accompanied by the consent, either in writing or electronically, of arbitrator or arbitrators endorsing the copy thereof to the Secretary to Government (Labour), Government of Puducherry and to the concerned conciliation officer.

(3) The arbitration agreement referred to in sub-rule (1) shall be signed

(i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the company or corporation authorized for such purpose;

(ii) in the case of the workers, by the officer of the registered Trade Union authorized in this behalf or by five representatives of the workers duly authorized in this behalf at a meeting of the concerned workers held for such purpose; and

(iii) in the case of an individual worker, by such worker himself or by an officer of registered Trade Union of which the worker is a member; or by another worker in the same establishment duly authorized by him in this behalf.

Explanation.- For the purposes of this rule, the term, "officer",-

(a) in case of an association of the employers, means any officer of such association of the employers authorized for such purpose; and

(b) in case of a registered Trade Union, means any of the following officers of such Trade Union authorized for such purpose, namely:-

(i) President; or

(ii) Vice-President; or

(iii) Secretary (including the General Secretary); or

(iv) a Joint Secretary; or

(v) any other officer of such Trade Union authorized in this behalf by the President and Secretary of such Trade union.

34. Issuing of notification under sub-section (5) of section 42.- Where an industrial dispute has been referred to arbitration and the authority notified by the Government of Puducherry is satisfied that the persons making the reference represent the majority of each party, it shall publish a notification in this behalf in the Official Gazette and upload it in the website of the Labour Department, Government of Puducherry, for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute and they may present their case before the arbitrator or arbitrators appointed for such purpose.

35. Choosing representatives of workers where there is no Trade Union under sub- section (5) of section 42.- Where there is no Trade Union, the representatives of workers to present their case before the arbitrator or arbitrators in pursuance of clause (c) of the proviso to sub-section (5) of section 42, shall be chosen by a resolution passed by the majority of concerned workers in **Form-XIV** authorizing therein to represent the case and the workers shall be bound by the acts of their representatives who have been so chosen to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

36. Manner of filling up of the vacancy under sub-section (9) of section 44 and procedure for selection, salaries and allowances and other terms and condition of Judicial Member of the Industrial Tribunal under sub-section (5) of section 44.- (1) The Government of Puducherry may, on recommendation of the High Court of Madras, by notification in the Official Gazette appoint any officer of the District Judge cadre of the Tamil Nadu and Puducherry Judicial Service as a Judicial Member for the Industrial Tribunal for the adjudication of industrial disputes and for performing such other functions as may be assigned to him under this Code.

(2) The salary, allowances of the Judicial Member shall be such as admissible to the Judicial officer of the District Judge cadre.

(3) Every person appointed as Judicial Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the **Form-XV.**

37. Manner of filling up of the vacancy under sub-section (9) of Section 44 and procedure for selection, salaries and allowances and other terms and condition of Administrative Member of the Industrial Tribunal under sub-section (5) of section 44.- (1) The Government of Puducherry may by notification in the Official Gazette appoint an Administrative Member for the Industrial Tribunal for the adjudication of Industrial Disputes and for performing such other functions as may be assigned to him under this Code.

(2) A person shall not be qualified for appointment as Administrative Member of a Tribunal unless he holds the post of the Secretary to the Government of Puducherry or its equivalent having a Degree in Law or Master of Social Work or Post Graduate Diploma in Labour Law or Human Resource Management or Industrial Relations from any recognized University and shall have atleast one year of experience of handling the labour related matters or in quasi-judicial functions.

(3) Every person appointed as the Administrative Member shall, before entering upon his office, make and subscribe an oath of office and secrecy in the **Form-XV**.

(4) The salary, allowances and other service conditions shall be as per the rules applicable on the officer appointed as the Administrative Member.

38. Matters in respect of which a conciliation officer and Tribunal shall have the same powers as are vested in Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), under clause (d) of sub-section (3) of section 49. —

In addition to the powers conferred by the Industrial Relations Code, 2020, the conciliation officer and the Tribunal shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908), when trying a suit in respect of the following matters, clause (a) for conciliation officer and from clause (b) to (d) for the Tribunal, namely:

(a) enter any building, factory, workshop, or other place or premises whatsoever, and inspect the same or any work, machinery, appliance or article therein, or any matter relevant to the subject matter of the conciliation, investigation, enquiry or adjudication;

(b) discovery and inspection;

(c) granting adjournment;

(d) reception of evidence taken on affidavit,

and the Tribunal may summon and examine any person whose evidence appears to it to be material and shall be deemed to be a Civil Court within the meaning of sections 384, 385 & 387 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).

39. Holding conciliation proceedings under sub-section (1), full report under sub-section (4), and application and the manner of deciding such application under sub-section (6) of section 53.- (1) Where the conciliation officer receives any—

(a) notice of a strike or lockout given under rule 40 or rule 41; or

(b) application in respect of an existing industrial dispute; or

(c) information regarding apprehended industrial dispute,

then, he shall—

(i) in case of clause (a), enter the details on the designated portal and hold conciliation proceedings and inform the concerned parties the date of sitting for such purpose;

(ii) in case of clause (b), enter the details on the designated portal and examine the application and if he finds that such dispute pertains to the jurisdiction of concerned Government, transfer the application to the concerned authority or otherwise proceed with the application and hold the conciliation in respect thereof; and

(iii) in case of clause (c), enter the details on the designated portal and issue a fresh notice to the Parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer's representative and the worker's representative shall, on receipt of the notice referred to in sub-rule (1), submit their respective statements in respect of the said dispute in the first meeting of the conciliation proceedings.

(3) The conciliation officer shall, without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and right settlement thereof and hold conciliation proceedings between the Parties to the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.

(4) If no settlement is arrived at in the conciliation proceedings referred to in sub-rule (3), the conciliation officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on designated portal and forward a copy thereof through electronic mode or by speed post or in person to the parties to the dispute and to the Commissioner of Labour. The report shall be made accessible to the parties concerned on the said designated portal.

(5) If a settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the conciliation officer shall, apart from submitting a report thereof to the Commissioner of Labour along with a memorandum of the settlements signed by the parties to the dispute, also upload such report and memorandum of settlement on the designated portal.

(6) The report referred to in sub-rule (4) shall, *inter alia*, contain the submissions of the employer, worker or Trade Union, as the case may be, involved in the dispute and it shall also contain the efforts made by the conciliation officer to bring the parties to an amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion arrived at by the conciliation officer.

(7) All the evidences before the conciliation officer, except the documentary evidence, shall be filed in the form of affidavit and the parties to the dispute shall also file the application or, as the case may be, reply or rejoinder thereof in the form of an affidavit.

(8) In case of an industrial dispute which has not been settled during the conciliation proceedings, an application in **Form–XVI** may be made before the Tribunal by either of the parties concerned for adjudication within 90 days from the date on which the report under sub-rule (4) is made. The Tribunal shall direct the party raising the dispute to file a statement of claim with complete details along with relevant documents, list of supporting documents and witnesses within thirty days from the date on which the application is filed. A copy of such statement may also be sent electronically or uploaded on the designated portal or otherwise for service on each of the opposite parties in the dispute.

(9) Where the Tribunal finds that the party raising the dispute, despite its directions under sub-rule (8), did not forward the copy of the statement of claim and other documents to the opposite party or parties, it shall give directions to the concerned party to furnish the copy of the statement to the opposite party or parties, granting extension of fifteen days for filing the statement, if the Tribunal finds sufficient cause for not filing the statement of claim and other documents within time.

(10) The Tribunal after ascertaining that the copies of statement of claim and other related documents are furnished to the other side by the party raising the dispute, the Tribunal shall fix the first hearing as soon as possible and within a period of one month from the date of receipt of the application. The opposite party or parties shall file their written statement together with supporting documents and the list thereof and list of witnesses, if any, within a period of thirty days from the date of first hearing and simultaneously forward a copy thereof to the opposite party or parties for service.

(11) Evidence shall be recorded in Tribunal or may be filed on affidavit but in the case of affidavit, the other party shall have the right to cross-examine each of the deponents filing the affidavit. Where the oral examination of each witness proceeds, the Tribunal shall make a memorandum of the substance of what is being deposed. While recording the oral evidence, the Tribunal shall follow the procedure laid down in rule 5 of Order XVIII of the First Schedule to the Code of Civil Procedure, 1908 (Central Act 5 of 1908).

(12) The Tribunal may summon and examine any person whose evidence appears to it to be material for deciding the case and shall be deemed to be a civil court within the meaning of sections 384, 385 and 387 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (Central Act 46 of 2023).

(13) The representatives of the parties appearing before a Tribunal shall have the right of examination, cross-examination and of addressing the Tribunal when

evidence has been called.

(14) Where assessors are appointed to advise a Tribunal under sub-section (5) of section 49 in relation to proceeding before it, the Tribunal shall obtain the advice of such assessors, but such advice shall not be binding on such Tribunal.

(15) On completion of evidence, arguments may be heard immediately or a date may be fixed for arguments, which shall not be beyond a period of fifteen days from the closure of evidence.

(16) The Tribunal shall not ordinarily grant an adjournment for a period exceeding a week at a time, but not in any case more than three adjournments in all, at the instance of the parties to the dispute, shall be granted:

Provided that the Tribunal for reasons to be recorded in writing, grant an adjournment exceeding a week at a time but not in any case more than three adjournments, at the instance of any one of the parties to the dispute, shall be granted.

(17) In case any party defaults or fails to appear at any stage, the Tribunal may proceed with the case *ex-parte*, and decide the application in the absence of the defaulting party:

Provided that the Tribunal may on the application of either party filed before the submission of the award, revoke the order that the case shall proceed *ex-parte*, if it is satisfied that the absence of the party was on justifiable grounds, and proceed further to decide the matter as contested.

(18) The proceedings before Tribunal shall be held in open court:

Provided that the Tribunal may direct any proceeding before it to be held by video conferencing.

Provided further that the Tribunal may at any stage direct that any witness shall be examined or its proceedings be held in-camera.

(19) The Tribunal shall communicate its award electronically to the parties concerned and the Commissioner of Labour and upload on the designated portal within one month from the date of the pronouncement of the award.

(20) A party in an award, who wants to obtain a copy of the award or other document, may obtain a copy of the award or other document after depositing the fee electronically in the Tribunal, or such fees as may be notified by the Government of Puducherry from time to time. The manner of depositing the fee is as follows:-

(a) fee for obtaining a copy of an award or the document filed in any proceedings of Tribunal be charged at the rate of ₹ 2/- (Rupees two per page only).

(b) For certifying a copy of any such award or order or document, a fee of ₹ 2/- (Rupees two per page only).

(c) Copying and certifying fees shall be payable electronically.

(d) Where a party applies for immediate delivery of a copy of any such award or document, an additional fee equal to one-half of the fee leviable under this rule shall be payable.

40. Application for recovery of dues under section 59. — (1) Where any money is due from an employer to a worker or a group of workers under a settlement or an award or under the provisions of Chapter IX or Chapter X of the Code, the worker or the group of workers, as the case may be, may apply in **Form-XVII** for the recovery of such money due:

Provided that in the case of a person authorized in writing by the worker, or in the case of the death of the worker, the assignee or heir of the deceased worker shall make the application in **Form-XVIII**.

(2) Where any worker or a group of workers is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money, the worker or the group of workers, as the case may be, may apply to the Tribunal having jurisdiction, in **Form-XIX** for the determination of the amount due or, as the case may be, the amount at which such benefit should be computed, and such Tribunal shall decide the application within a period not exceeding three months from the date on which the application is filed:

Provided that in the case of the death of a worker referred to in this sub-rule, the application shall be made in **Form-XX** by the assignee or heir of the deceased worker.

CHAPTER VIII

STRIKES AND LOCK-OUTS

41. Number of persons by whom the notice of strike shall be given, the person or persons to whom such notice shall be given and the manner of giving such notice under sub-section (4) of section 62. – (1) The notice of strike referred to in sub-section (1) of section 62 shall be given to the employer of an industrial establishment in **Form-XXI**, which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy thereof electronically or by speed post to the concerned conciliation officer and Commissioner of Labour.

(2) The date of receipt of the notice referred to in sub-section (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 39.

(3) If the employer of an industrial establishment receives any notice of strike as referred to in sub-section (1) of section 62 from any person employed by him, then he shall, within five days from the date of receiving of such notice, intimate the same electronically or physical mode, to the concerned conciliation officer and Commissioner of Labour.

42. Notice of lock-out under sub-section (5) and authority under sub-section (6) of section 62. – (1) The notice of lock-out referred to in sub-section (2) of section 62 shall be given by the employer of an industrial establishment in **Form-XXII** to the Secretary of every registered Trade Union relating to such industrial establishment endorsing a copy thereof to the concerned conciliation officer and Commissioner of Labour by speed post or electronically.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the website, if any, of such industrial establishment and the date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 39.

(3) If the employer gives to any person employed by him a notice of lock-out, then he shall within five days from the date of such notice, intimate electronically or physical mode, the same to the concerned conciliation officer and Commissioner of Labour.

CHAPTER IX

LAY-OFF, RETRENCHMENT AND CLOSURE

43. Service of notice before retrenchment of worker under clause (c) of section 70. - If any employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year under him, then, such employer shall give prior notice of such retrenchment, in **Form - XXIII** to the authority notified by the Government of Puducherry, and to the Commissioner of Labour and concerned conciliation officer by e-mail or speed post, in the following manner, namely:-

(a) where notice is given to a worker, notice of retrenchment shall be sent within three days from the date on which notice is served on the worker;

(b) where no notice is given to the worker and he is paid one month's wages in lieu thereof, notice of retrenchment shall be sent within three days from the date on which such wages are paid; and

(c) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of retrenchment shall be sent so as to reach the authority notified by the Government of Puducherry and a copy thereof to the Commissioner of Labour and the concerned conciliation officer, at least one month before such date:

Provided that if the date of termination of service agreed upon is within thirty days of the agreement, the notice of retrenchment shall be sent to concerned authority notified by the Government of Puducherry along with a copy thereof to the Commissioner of Labour and the concerned conciliation officer within three days of the agreement.

44. Manner of giving an opportunity for re-employment to retrenched workers under section 72.- (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board or electronic board in a conspicuous place in the premises of the industrial establishment at least seven days before the actual date of retrenchment.

(2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, then, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their service seniority.

(3) The employer shall arrange for the display on a notice board or electronic board in a conspicuous place in the premises of the industrial establishment the details of vacancies at least fifteen days before the date on which such vacancies are to be filled and shall also give intimation of those vacancies by speed post or through e-mail to every one of all the retrenched workers eligible to be considered therefor, to the latest address or e-mail, given by each of them at the time of retrenchment or at any time thereafter:

Provided that when the number of such vacancies is less than the number of retrenched workers, it shall be sufficient if the intimation is given by the employer individually to the senior most retrenched workers in the list referred to in sub-rule (1) and the number of such senior-most workers being double the number of such vacancies:

Provided further that where the vacancy is of duration of less than one month there shall be no obligation on the employer to send intimation of such vacancy to individual retrenched workers:

Provided also that if a retrenched worker, without sufficient cause being shown in writing to the employer, does not offer himself for re-employment on the date or dates specified in the intimation sent to him by the employer under this sub-rule, the employer may not intimate to him the vacancies that may be filled on any subsequent occasion.

(4) Immediately after complying with the provisions of sub-rule (3), the employer shall also inform the negotiating union or the constituent of negotiating council or Trade Unions connected with the industrial establishment, of the number of vacancies to be filled and names of the retrenched workers to whom intimation has been sent under that sub-rule:

Provided that the provisions of this sub-rule need not be complied with by the employer in any case where intimation is sent to every worker mentioned in the list prepared under sub-rule (1).

45. Service of Notice by the employer for intended closure under sub-section (1) of section 74. — (1) If an employer intends to close down an industrial establishment, he shall give notice within the time as specified in sub-section (1) of section 74 of such closure in **Form-XXIII** to the authority notified by the Government of Puducherry and a copy thereof to the Commissioner of Labour and concerned conciliation officer by e-mail or speed post.

(2) A copy of the notice referred to in sub-rule (1) shall also be sent to the registered Trade Unions or authorized representatives of workers, as the case may be, operating in the Industrial establishments.

CHAPTER X

SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAIN ESTABLISHMENTS

46. Manner of making application to the Government by the employer for the intended lay-off and the manner of serving copy of such application to workers under sub-section (2) of section 78.- (1) An application for permission under sub-section (1) of section 78 shall be made by the employer in **Form – XXIV** electronically to the Government of Puducherry or such authority as may be notified by the Government of Puducherry stating clearly therein the reasons for the intended lay off and a copy of such application shall be served simultaneously to the worker concerned, electronically, or in person, or by speed post.

(2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance of the industrial establishment.

47.Time-limit for review under sub-section (7) of section 78.- (1) The Government of Puducherry or such authority as may be notified by the Government of Puducherry may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (4) of section 78.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application, within thirty days from the date on which the order is made, to the Government of Puducherry or such authority as may be notified by the Government of Puducherry for reviewing the order and that Government or said authority shall, within two months from the date on which the application is made, dispose of the same after providing the concerned parties an opportunity of being heard.

(3) Where the Government of Puducherry or such authority as may be notified by the Government of Puducherry decides to review the order referred to in sub-rule (1) on its own motion, it may take necessary steps within one month from the date on which the order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

48. Manner of making application to the Government by employer for intended retrenchment and manner of serving copy of such application to workers under sub-section (2) of section 79.- (1) An application for prior permission referred to in clause (b) of sub-section (1) of section 79 shall be made by the employer in **Form-XXIV** electronically, to the Government of Puducherry or such authority as may be notified by the Government of Puducherry stating clearly therein the reasons for the intended retrenchment and a copy of such application shall be sent to the concerned workers, electronically or in person or by speed post.

(2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

49.Time-limit for review under sub-section (6) of section 79.- (1) The Government of Puducherry or such authority as may be notified by the Government of Puducherry may, either on its own motion or on the application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (3) of section 79.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which such order is made, to the Government of Puducherry or such authority as may be notified by the Government of Puducherry for reviewing that order and that Government or said authority shall, within a period of two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.

(3) Where the Government of Puducherry or such authority as may be notified by the Government of Puducherry decides to review the order referred to in sub-rule (1) on its own motion, it may take necessary steps within one month from the date on which such order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

50. Application to the Government by the employer for intended closing down of an industrial establishment and the manner of serving copy of such application to the representatives of workers under sub-section (1) of section 80.- An employer who intends to close down an industrial establishment, to which the provisions of Chapter X of the Code apply, shall apply to the Government of Puducherry or such authority as may be notified by the Government of Puducherry in **Form- XXIV** electronically for prior permission, at least ninety days before the date on which the intended closure is to become effective, stating clearly therein the reasons for such intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and in person or by

speed post.

51. Time-limit for review under sub-section (5) of section 80.- (1) The Government of Puducherry or such authority as may be notified by the Government of Puducherry may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission under sub-section (2) of section 80.

(2) The employer or any worker concerned may make an application, along with the order referred to in sub-rule (1), within thirty days from the date on which the order is made, to the Government of Puducherry or such authority as may be notified by the Government of Puducherry for reviewing that order and that Government or said authority shall, within a period of two months from the date on which the application is made, dispose of that application after providing the concerned parties an opportunity of being heard.

(3) Where the Government of Puducherry or such authority as may be notified by the Government of Puducherry decides to review the order referred to in sub-rule (1) on its own motion, it may take necessary steps within one month from the date on which the order is made, and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

CHAPTER XI

WORKER RE-SKILLING FUND

52. Manner of utilization of fund under sub-section (3) of section 83.— (1) Every employer who has retrenched a worker or workers in his industrial establishment under the Code, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers into the accounts (name of the account shall be displayed on the website of the Labour Department, Government of Puducherry) to be maintained by the Office of the Labour Officer (Conciliation) for Puducherry Region/ Office of the Labour Officer (Karaikal) for Karaikal region/ Office of the Assistant Inspector of Labour in the respective regions of Mahe & Yanam, as required.

(2) The fund so received under sub-rule (1) shall be transferred by the Office of the Labour Officer (Conciliation) for Puducherry Region/ Office of the Labour Officer (Karaikal) for Karaikal region/ Office of the Assistant Inspector of Labour in the respective regions of Mahe & Yanam electronically to each of the retrenched worker's account or retrenched workers' accounts, as the case may be, within forty-five days of retrenchment to enable him/them to utilise that amount for his/their re-skilling.

(3) The employer shall also submit the list containing the name of each retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details, to the respective offices mentioned in sub-rule (1).

CHAPTER XII

OFFENCES AND PENALTIES

53. Manner of composition of offence by a Gazetted Officer specified under sub-section (1) of section 89 and the manner of making application for the compounding of an offence specified under sub-section (4) of section 89.- (1) The authority notified by the Government of Puducherry for the purposes of compounding of offences under sub- section (1) of section 89 (hereinafter referred to as the Compounding Officer) shall, if he is of the opinion that any offence under the Code for which the compounding is permissible under the said section and in respect of which prosecution is not instituted, send a notice to the accused in **Form-XXV** consisting of three parts through the designated portal.

(2) In Part I of **Form-XXV**, the compounding officer shall, *inter alia*, specify—

(a) the name of the offender and his other particulars;

(b) the details of the offence and the section under which the offence has been committed; and

(c) the compounding amount required to be paid towards the composition of such offence.

(3) In Part II of the **Form-XXV**, the compounding officer shall specify the consequences if the offence is not compounded, and Part III of the said Form shall contain the application to be filed by the accused, if he desires to compound the offence.

(4) Each notice referred to in sub-rule (1) shall have a continuous unique number containing alphabets or numerical and other details such as compounding officer concerned, industrial establishment, year, place and type of inspection for the purpose of easy identification.

(5) The accused to whom the notice referred to in sub-rule (1) is served, may send the duly filled up application in Part III of the notice, in the account specified by the compounding officer in the notice, **Form-XXV** to the compounding officer electronically and deposit the compounding amount electronically, or by cash, or demand draft, as the case may be, within fifteen days of the receipt of the notice.

(6) Where the prosecution has already been instituted against the accused in the court of competent jurisdiction, the accused may make an application to such court to allow composition of the offence against him and that court may, after considering the application, allow composition of the offence by the compounding officer in accordance with the provisions of section 89 and procedure specified in this rule.

(7) If the accused complies with the requirement of sub-rule (5), the compounding officer shall compound the offence for the amount of money deposited by the accused and—

(a) if the offence is compounded before the institution of prosecution, then, no complaint for prosecution shall be instituted against the accused;

(b) if the offence is compounded pending proceeding under section 85, the compounding officer shall intimate the composition to the officer referred to in that section, who shall, after intimation, close the proceeding in respect of the accused person of such offence; and

(c) if the offence is compounded after the institution of prosecution under sub-rule (6) with the permission of the court, then, the compounding officer shall treat the case as closed and intimate the composition of the offence to the competent court by which such composition was allowed and after receiving such intimation, the court shall discharge the accused person and close the prosecution.

(8) The compounding officer shall exercise the powers to compound the offence under this rule, subject to the direction, control and supervision of the Commissioner of Labour.

CHAPTER XIII

MISCELLANEOUS

54. Protected workers under sub-section (3) and (4) of section 90.—

(1) Every registered Trade Union connected with an industrial establishment, to which the provisions of the Code apply, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of such Trade Union who are employed in that establishment and who, in the opinion of such Trade Union should be recognised as "protected workers".

(2) Any change in the incumbency of any officer of the Trade Union referred to in sub-rule (1) shall be communicated to the employer by such Trade Union within fifteen days of such change.

(3) The employer shall, within fifteen days of the receipt of the names and addresses from the Trade Union under sub- rule (1) and subject to the provisions of sub-section (3) and sub-section (4) of section 90, recognize such workers to be protected workers for the purposes of the said section and communicate to such Trade Union, in writing, the list of workers recognized as protected workers for a period of twelve months from the date of such communication.

(4) Where the total number of names received by the employer under sub-rule (1) exceeds the maximum number of protected workers, admissible for the industrial establishment under sub-section (4) of section 90, the employer shall recognize only such maximum number of workers as protected workers:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Trade Unions that the numbers of recognized protected workers in individual Trade Unions bear practicably the same proportion to one another as the membership figures of the Trade Unions; and the employer shall in that case intimate in writing to the President or the Secretary of each of the concerned Trade Union, the number of protected workers allotted to it:

Provided further that where the number of protected workers allotted to such a Trade Union under this sub- rule falls short of the number of officers of such Trade Union seeking protection, then that Trade Union shall be entitled to select the officers to be recognized as protected workers; and such selection shall be made by that Trade Union and communicated to the employer within five days of the receipt of written intimation of the employer in this regard.

(5) Where a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, such dispute shall be referred to the Commissioner of Labour, whose decision thereon shall be final.

55. Complaint by an aggrieved employee under section 91.- (1) Every complaint of an aggrieved employee under section 91 shall be made electronically, or by speed post in **Form - XXVI** and shall be accompanied by as many copies commensurate with the number of opposite parties mentioned in such complaint.

(2) Every complaint under sub-rule (1) shall be verified by the aggrieved employee making the complaint or by authorized representative of such employee proved to the satisfaction of the conciliation officer, arbitrator or Industrial Tribunal, as the case may be, to be acquainted with the facts of the case.

56. Authorization of worker for representing in any proceeding under sub-section (1) of section 94.- Where the worker is not a member of any Trade Union, then, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed, may be authorized in **Form- XIV** by such worker to represent him in any proceeding under the Code relating to a dispute in which that worker is a party.

57. Authorization of employer for representing in any proceeding under sub-section (2) of Section 94.- Where an employer is not a member of any association of employers, then, such employer may authorize in **Form – XIV** an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged, to represent him in any proceeding under the Code relating to a dispute in which that employer is a party.

58. Submission of a copy of certain Forms to office of Director General, Labour Bureau.– A copy each of Form XXI (notice of strike), Form XXII (notice of lockout), Form XXIII (notice for intimation of retrenchment or closure), Form XXIV (application for permission of lay-off or retrenchment or closure) and Form XXV (compounding of offences), shall be shared electronically with the Director General, Labour Bureau.

59. Publication for communication.– For the purposes of communication to effect service of messages and documents under these rules, the Government of Puducherry, Industrial Tribunal, every employer, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in

these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

60. Maintenance of records, registers, forms, notice and display board.– (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under the Code and under these rules shall also be maintained in electronic manner in the required format or containing the information as is required.

(2) The records, registers, forms, notices, display boards and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the Inspector-cum-Facilitator or the concerned authority specified in this behalf under the Code or these rules.

FORM-I

(See Rule 3)

(MEMORANDUM OF SETTLEMENT ARRIVED AT IN THE COURSE OF CONCILIATION PROCEEDINGS OR OTHERWISE)

Names of Parties:

..... Representing employer(s);

..... Representing workers;

Short recital of the case

.....

Terms of settlement

.....

Signature of the parties

Witnesses:

(1)

(2)

*Signature of Conciliation officer

In case the settlement arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the concerned Conciliation officer and Commissioner of Labour.

FORM - II

(See rule 9 (2))

FORM OF AUDITORS' DECLARATION

The undersigned having had access to all the books and accounts of the..... Union, and having examined the foregoing statement and verified the same with the accounts, vouchers and returns thereto, certify that the Union has properly maintained its membership registers and its accounts and the member had paid their membership subscriptions to the Union as shown in the foregoing statement of the General Fund Account of the Unions object to the remarks, if any appended hereto.

Auditor.

FORM-III

(See rule 10)

FORM OF AFFIDAVIT

I, ... S/o Sh..... Age ..... yrs and r/o do hereby solemnly affirm and declare as under:-

1. That I am the elected/designated .....(post) of.....(Name of Trade Union) with its Head Office situated at.....(Address of Trade Union).

2. That to the best of my knowledge and belief no Union/Association by the name of "..... Union (Name of Union)"is registered in Puducherry or anywhere in India.

3. That in case of any legitimate claimant of Union's name, we will surrender the certificate and change name of the union as per directions of the Registrar Trade Unions, Puducherry.

4. That no member or office bearer has ever been convicted by Courts of India for any offence involving moral turpitude and sentenced to imprisonment.

5. That all particulars supplied as per Forms and Schedules as well as other documents are true.

6. That the scope of the Union shall be for the employees of ..... (Name of Establishment)

7. That there are ..... employees working in ..... (Name of Establishment) and out of which.....employees are members of our union.

8. That I shall furnish such other documents and/or information as required by the Registrar for the purpose of this application.

9. That this is my true statement and it conceals nothing and that no part of it is false.

10. That the authority shall be at liberty to take appropriate action against me if any information/document furnished is found to be false, frivolous or incorrect.

11. That the list of Trade Union Member along with attested Aadhar Number for verification is appended with the affidavit and no member has been compelled or forced to share the Aadhar Number.

DEPONENT

Verification:-

Verified at ..... (Place) on.....(Date) that the contents of the above affidavit are true and correct to the best of my knowledge and belief.

DEPONENT

FORM-IV

(See rule 11)

STATEMENT OF ASSETS AND LIABILITIES

Statement of Liabilities and Assets on the.....day of.....20.....

[This need not be filled in if the Union came into existence less than one year before the date of application for registration.]

Liability	₹	Assets	₹
Amount of general fund Amount of political fund Loans from Debts due to Other liabilities (to be specified)		CASH In the hands of Treasurer In the hands of Secretary In the hands of In the bank Securities as per list Unpaid subscription due Loans to ..... Immovable property..... Goods and furniture and others Other assets (to be specified)	
Total liabilities		Total Assets	

List of Securities

Particulars	Nominal value	Market value at date on which accounts have been made up	In hands of

N.B.: Columns should not be left blank.

If no securities, NIL should be entered.

Treasurer

FORM-V

(See rule 12)

APPLICATION FOR REGISTRATION OF TRADE UNION

Dated the..... day of .....

1. We hereby apply for the registration of a Trade Union under the name of
2. The address of the Head Office of the Union is
3. The Union came into existence on the.....day of.....
4. The Union is a Union of employers / workers engaged in the Industry/Establishments.
5. A copy of the rules of the Union duly subscribed as required by section 6 of the Industrial Relations Code, 2020, is appended hereto.
6. The list of Officers are given in Schedule –I, annexed hereto.
7. The particulars given in Schedule-II show the provision made in the rules for the matters detailed in Section 6 of the Industrial Relations Code, 2020.
8. (To be struck out in the case of Unions which have not been in existence for one year before the date of application) The particulars required by section 8(2) of the Industrial Relations Code, 2020 are given in Form-IV.
9. We have been duly authorised to make this application by * a resolution of a General Body Meeting of the Union held on....., in consonance of the section 8 (1) (c) of the Industrial Relations Code, 2020.
10. The statements contained in the application are true to the best of my knowledge and belief.

---

*State whether the Authority was given by a resolution of a General Body Meeting of the Union if not, in what other way it was given.

Sl.No.	Name	Signature	Occupation	Address

Note: Father's Name of the Signatories should be furnished. The Names and Addresses of the Signatories should be written in CAPITAL LETTERS.

To

The Registrar of Trade Unions
Government of Puducherry
Puducherry.

SCHEDULE – I

LIST OF OFFICERS

Sl.No.	Title	Name	Age	Address	Occupation

SCHEDULE-II

REFERENCE TO RULES

The numbers of the rule making provision for the several matters detailed in column (1) are given in column (2).

MATTERS	RULE No.
Name of the Union	1
The whole of the objects for which the Union has been established.	2
The whole of the purposes for which the general funds of the Union shall be applicable.	20
Maintenance of List of Members	10,16(c)
The facilities provided for the Inspection of List of members by Officers and members.	10,16(c)
Admission of ordinary members	3,5
The admission of honorary / temporary members	4
The conditions under which fines or forfeitures can be imposed or varied.	7,8
The conditions under which members are entitled to benefits assured by the Rules.	6
The manner in which the rules shall be amended varied or rescinded.	26
The manner in which the members of the executive and the other Officers of the Union shall be appointed or removed.	7,11
The safe custody of the Funds	21
The Annual Audit of the accounts	24
The facilities for the inspection of the account books by Officers and members	10
The manner in which the Union may be dissolved	25

RULES FOR THE TRADE UNION

Rules of
the.....

1. The name of the Union shall be

2. The objects of the Union shall be-

(a) to regulate, the relation between the members and their employer and also public;

(b) to render help to the members by constitutional method;

(c) to secure to them fair conditions of life and work;

(d) to endeavour to redress their grievances;

(e) to provide relief to members against sickness, oldage, unemployment and death;

(f) to co-operate and federate with organizations of workers having similar objects.

3. Any workmen who is employed in..... *(Here specify the trade or industry, the establishment and the area over which the Union is to function)* and who is not below the age of 15 years shall be eligible to become an ordinary member of the Union, provided he submits a written application to the Union in the form appended seeking admission and agreeing to abide by the rules and bye-laws that may be made by the Union from time to time.

4. Persons, not actually engaged or employed in the..... ..... *(Here specify the trade or industry, the establishment and the area over which the Union is to function)* with which the Union is connected may be admitted as honorary members of the Union for the purpose of serving in the executive of the Union. The number of such honorary members shall not be more the half the number of members in the Executive Committee of the Union.

5. Every ordinary member shall pay, a monthly Subscription of ₹ .....(Rupees.....only). Any members who fails to pay his subscription shall forfeit his claim to any benefit from Union from the date of his ceasing to be a member. The Executive Committee may, however, restore the membership of such person if he pays of his arrears of subscription.

6. With reference to the financial position of the Union, the Executive Committee shall decide from time to time the benefits to be given to the members. A member shall be entitled to the benefits of the Union only if he has been a member for atleast six months and if he has paid his subscription to the Union upto-date.

7. Any officer or member of the Union found working against the interests of the Union he may be removed from the Union or otherwise punished on a resolution to that effect passed at a general meeting of the Union provided the member concerned is given previous intimation of the action proposed to be taken against him.

8. If a member goes on strike without the sanction of the Union, he shall not

been titled to any benefits from the Union from the date on which he has so stuck work. This is in addition to any other penalty which may be imposed on him under the previous rule.

9. No member of the union shall go on strike in violations of the provisions under the Industrial Relations Code, 2020.

10. A register of members, account books and other prescribed registers and books shall be kept at the registered office of the Union and property maintained by the Officers responsible. The registers and books should be open to inspection by any Officer or member of the union at the registered office on all working days during the hours.

11. The affairs of the Union shall be conducted by an Executive Committee consisting Honorary President, ... President,.....Vice-President, Secretary, ... Joint Secretary, ... Assistant Secretary,..... Treasurer, ...Joint Treasurer and representatives. All of them shall be elected at the annual general meeting of the Union and shall hold office till the next election. Interim vacancies in the Executive Committee shall be filled by the committee by co-option and the co-opted members shall hold office till the next election by the General Body. None of the members of the executive shall be below the age of 18 years.

12. Meeting of the Executive Committee shall be held atleast once in a month. Special meeting of the Committee shall be held whenever the President considers it necessary. On receipt of a requisition from 1/3rd of the members of the Committee, the President shall convene special meetings of the Committee within ten days of the receipt of the requisition. The presence of the 1/3rd of the No. of members of the Committee shall be necessary to constitute a quorum for the meeting of the Committee. Seven days notice shall specify the subjects to be discussed.

13. The President shall preside overall meetings of the Union and of its Executive Committee preserve order and sign all minutes. He shall have powers to convene special meetings of the Union and of the Executive Committee whenever he considers it necessary.

14. The Vice-President shall assist the President and shall act for him in his absence.

15. When the President and Vice-President are not present, the meeting shall elect a Chairman from among the members present. The Chairman of the meeting shall have a casting vote only in the case of equality of vote on any question.

16. The Secretary shall exercise general supervision and control over the affairs of the Union. He shall be responsible for :

a. Conducting all correspondences on behalf of the Union;

b. Recording the minutes of the meeting of Committee and of the General Body;

c. Maintaining the register of members and other books and registers (other than account books and registers) prescribed by or under the Trade Unions Act;

d. Convening in consultation with the President, ordinary meeting of the Union and of Executive Committee and issuing notice and agenda therefore and

e. The office of the Secretary shall not be combined with that of any other office except that of the President, when the office is so combined, the persons elected to office shall be designated the 'President-Secretary' and not merely 'President'.

17. The Joint Secretary, Assistant Secretary shall assist the Secretary in his work and shall act for him in his absence. Nothing in this rule, however, shall be

deemed to confer on any other person, the power and right to exercise the powers of Secretary so long as the Secretary is himself able to perform them.

18. The Treasurer shall maintain the accounts of the Union, collect amount due, issue receipt there for and make payments on proper vouchers.

19. There shall be held in the month of January every year an Annual General meeting of all the members of the Union to transact the following business-

a. to adopt the report of the work done by the Union and consider the audited statements of accounts of the previous year and report of the auditor thereon;

b. to elect the office-bearers and other members of the executive committee for the current year; and

c. to transact such other business as may be brought forward after notice in the prescribed manner.

d. The President may call for a special meeting of the members of the Union whenever he thinks it necessary and shall do so on a requisition signed by 1/10th of the total number of members of the Union. Such meetings shall be held within 20 days of the receipt of the requisition. Atleast 15 days notice shall be given to the members of the Union. The notice shall specify the subjects to be discussed and 7 days notice shall be given to the members of the Union. If that subject has not been mentioned in the notice of the meeting itself. The presence of atleast 1/3rd of the total number of members of the Union shall be necessary to constitute a quorum at a meeting of the members of the Union.

20. Subscription from members and donations shall form the General funds of the Union. The general funds of the Unions shall be spent only on such of those objects of the Union which are consistent with rule 17(1) of the Puducherry Code on Industrial Relations Rules, 2026.

(a) the payment of salaries, allowances and expenses to office-bearers of the Trade Union;

(b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;

(c) the prosecution or defence of any legal proceeding to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;

(d) the conduct of industrial disputes on behalf of the Trade Union or any member thereof;

(e) the compensation of members for loss arising out of trade disputes;

(f) allowances to members or their dependents on account of death, old age, sickness, accidents or unemployment of such members;

(g) the issue of, or the undertaking of liability under, policies of insurance on the lives of members, or under policies insuring members against sickness, accident or unemployment;

(h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependents of members;

(i) the upkeep of a periodical published mainly for the purpose of discussing

questions affecting employers or workmen as such;

(j) the payment of rent to place where the trade union is situated and for payment of taxes if any;

(k) expenditure incurred towards stationery, printing and postage;

(l) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any calendar year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year; and

(m) subject to any conditions contained in the notification, any other objects notified by the Government of Puducherry in the official Gazette.

21. All receipts of the Union shall be deposited in the name of the Union in any bank selected by the Executive Committee and within a reasonable time after collection as may be fixed by the Committee. Receipts Should not be utilized or spent directly before depositing into the bank. Amounts required by the Union for meeting any expenditure should be drawn from the bank account only on the joint signatures of Secretary and Treasurer of the Union. The Treasurer may however be authorized to retain a sum not exceeding ₹..... (Rupees.....only) for meeting the running expenses of the Union.

22. The Secretary may authorize urgent expenditure not exceeding ₹..... (Rupees.....only)between 2 meetings of the Executive Committee. The Executive Committee may authorizes an urgent expenditure not exceeding ₹..... (Rupees..... .....only) between 2 meetings of the General body. All other expenditure requires prior sanction of the general body. The funds of the Union shall be disbursed on vouchers by this Secretary and the Treasurer.

23. The Executive Committee may constitute a separate fund for the promotion of the civil and political interest of the members, subject to the provisions of the rule 17(2) of the Puducherry code on Industrial Relations, Rules, 2026.

24. The accounts of the Union shall be audited once a year by an auditor possessing the qualifications prescribed under the Trade Unions Act. The responsibility shall be upon the Executive Committee to see that the accounts are so audited.

25. The Union shall be dissolved if atleast 3/4th of the total number of members present at a general body meeting of the Union, record their votes in favour of the dissolution and the office bearers at the time of dissolution shall divide the funds of Trade Unions in proportion to the amounts contributed by the members or to their legal representative on roll at that time of dissolution, by way of subscription to the several funds of the Trade Union during their membership, failing which the office bearers at the time of dissolution shall handover the entire funds to the Registrar of Trade Unions Pondicherry to distribute the same in accordance with provisions of section 25 (2) of the Industrial Relations Code, 2020 and rule 20 of the Puducherry Code on Industrial Relations Rules, 2026.

26. The Office bearers at the time of dissolution are jointly, and legally, responsible for the distribution of Trade Union funds to the member of the Trade Union or their legal representatives.

27. The rules of the Union may be amended, varied or rescinded by a majority of members in a General Body Meeting.

APPENDIX

I,..... S/o. Thiru ..... in the ....hereby apply for admission as a member of the .....Union.

I agree to abide by the rules and Bye-laws that may be made by the Union.

SIGNATURE OF THE APPLICANT
PRESIDENT / SECRETARY

SIGNATURE OF THE APPLICANT

1.
2.
3.
4.
5.
6.
7.
8.
9.

FORM-VI

(See rule 12 and rule 19(3))

CERTIFICATE OF REGISTRATION OF TRADE UNION

No.....

It is hereby certified that the.....(Name of trade union) has been registered under the Industrial Relations Code, 2020 (35 of 2020) on this the ..... day of .....20..

Registrar of Trade Unions

Seal.

FORM-VII

(See rule 13(1), 15(1) & 19(3))

REGISTER OF TRADE UNIONS

1. Serial number.
2. Date of registration.
3. (a) Name of the members making the application.
   (b) Occupations of members making the application.
   (c) Addresses of the members making the application.
4. Name of Trade Union.
5. Address of the head office of trade Union.
6. Date of establishment of Trade Union.
7. Officers of Trade Union.
   Title
   Name
   Age
   Occupation
   Address
8. Signature of the Registrar.
9. (a) Whether provision has been made for a separate fund under section15 (2) and, if so, from what date.
   (b) Initials of the Registrar.
10. (a) Date of intimation for alteration of rules.
    (b) Date of Registration of alteration of rules and issue of a certified copy thereof;
    (c) Initials of the Registrar.
11. (a) Date of registration of change of address of registered office:
    (b) Address of the Trade Union as changed.
    (c) If the changed address is in another State/Union Territory whether extracts of registration sent to the Registrar of the other State/Union Territory.
    (d) Initials of the Registrar.
12. (a) Date of registration of change of name.
    (b) Name of the Trade Union as changed.
    (c) Initials of the Registrar.
13. (a) Date of registration of amalgamation.
    (b) Name of the amalgamated union.
    (c) Registration number of the amalgamated Union.
    (d) Initials of the Registrar.
14. (a) Date of application for cancellation of registration under section 9(5)(i).
    (b) Date of giving notice for cancellation or withdrawal under proviso clause of section 9(5)(iii).
    (c) Date of issue of order withdrawing or cancelling registration.
    (d) Initials of the Registrar.
15. (a) (i) Names of the members applying for dissolution.
        (ii) Occupation of the members applying for dissolution.
        (iii) Addresses of the members applying for dissolution.
    (b) Date of registration of dissolution and issue of certificate to that effect.
    (c) Number and date of Registrar's proceedings ordering distribution of fund under section 25(2) if any.
    (d) Initials of the Registrar.

FORM-VIII

(See rule 18)

APPLICATION TO TRIBUNAL

Before the Hon'ble Industrial Tribunal,..... (Place of the Industrial Tribunal)

(A) Name and Address of Applicant(s)

Versus

(B) Name and Address of opposite party(ies)

Brief facts of the dispute (statement regarding specific issues of dispute may be mentioned) which are connected with and relevant to the dispute under sub-section (l) of Section 22 of Industrial Relations Code, 2020 (35 of 2020).

Prayer:

The applicant(s) pray(s) that instant application may be admitted for adjudication and request(s) to pass appropriate award in the matter.

Name and Signature of the worker(s) or
Officer of Trade Union, raising the dispute

FORM-IX

(See rule 21)

ANNUAL RETURNS FOR THE YEAR ENDING 31ST DECEMBER, 20…

PART-A

1	Name of the Trade Union/Federation			
2	Address of the Trade union/ Federation.			
3	Registered Head Office.			
4	Number and date of certificate of registration			
5	Classification of Industry			
6	Classification of Sector [please state to which of the following four categories the union belongs) (a) Public Sector – Central Sphere (b) Public Sector – State sphere (c) Private Sector –Central Sphere (d) Private Sector – State Sphere			
7	Name of the all India Body / Federation to which affiliated.			
8	Affiliation number.			
9	Membership fee per month/per quarter/per half-year/ per year.			
10	Return to be made by Federation of Trade Unions (i) Number of unions affiliated at the beginning of the year (ii) Number of unions joined during the year (iii) Number of unions disaffiliated during the year (iv) Number of unions affiliated at the end of the year			
11	Number of members on books at the beginning of the year	Male	Female	Total
12	Number of members admitted during the year (add)			
13	Number of members left during the year (deduct)			
14	Total number of members on books at the end of the year			
15	Number of ordinary members who have actually paid their subscription for the whole financial year as per the enclosed list			
16	Number of members contributing to political fund			

Note : Sl. No. 11 to 16 need not be made by Federation of Trade Unions.

Secretary.

PART-B

GENERAL FUND ACCOUNT

Income	₹	Expenditure	₹
Balance at the beginning of Year Contribution from members at per member Donations Sales of periodicals, books, rules, etc. Interest on investments Income from miscellaneous sources (to be specified)		Salaries, allowances and expenses of Officers. salaries, allowances and expenses of establishments. Auditor's fees Legal expenses Expenses in conducting trade disputes Compensation paid to members for loss arising out of trade disputes Funeral, old age, sickness, unemployment benefits, etc. Educational, Social and religious benefits. Cost of publishing periodicals Rents, rates and taxes Stationery, printing and postage Expenses incurred under Rule 17(1) (to be specified). Other expenses (to be specified). Balance at the end of year	
Total		Total	

PART-C

POLITICAL FUND ACCCOUNT

Balance at beginning of year	₹	Payments made on objects specified in 17(2) Rule (to be specified)	₹
Contribution from members at per member		Balanced at the end of the year.	
Total		Total	

Treasurer

PART-D

STATEMENT OF LIABILITIES AND ASSETS ON THE 31ST DAY OF DECEMBER, 20.....

LIABILITIES	₹	ASSETS	₹
Amount of general fund Amount of political fund Loans from Debts due to Other liabilities (to be specified)		CASH In the hands of Treasurer In the hands of Secretary In the hands of In the bank Securities as per list Unpaid subscriptions due Loans to ..... Immovable property..... Goods and furniture and others Other assets (to be specified)	
Total Liabilities		Total Assests	

PART-E

LIST OF SECURITIES

Particulars	Nominal Value	Market value at date on which accounts have been made up	In Hands of
(1)	(2)	(3)	(4)

N.B.: Columns should not be left blank.
If no securities, NIL should be entered

Treasurer

PART-F

AUDITOR'S REPORT

We have audited the foregoing "General Fund Account" in Part 'B' and the "Political Fund Account" in Part 'C' of the _____(name of the Trade Union) for the year ending_____ and also the statements of Liabilities and Assets in Part 'D' and the list of securities in Part 'E' of the said Trade Union as on .....and report that:

1. We have obtained all the information and explanations and have had access to all the books and accounts of the Trade Union which were necessary for the purpose of our audit;
2. The Trade Union has properly maintained its membership register and its books of accounts as required by law;
3. (Subject to whatever remarks or qualifications the auditor wants to make). In our opinion and to the best of our information and according to the explanations given to us, the foregoing accounts statements and lists have been properly drawn up and they give a true and correct view of income and expenditure, assets and liabilities of the Trade Union.

NOTE : - If the state of account is such that the Auditor is unable to express the opinion on the "True and Correct" aspect of the accounts, statement and the list, he should state his reasons therefor.

Thiru _____ and Thiru _____ are appointed as internal auditors for the year _____ in the General Body Meeting held on _____

Auditor

PART-G

The following changes of office bearers have been made during the year…….

OFFICE BEARERS RELINQUISHING OFFICE

Name	Office	Date of relinquishing office

OFFICE BEARERS APPOINTED FOR THE YEAR……..

Title	Name	Age	Residential Address	Occupation	Date of appointment

Secretary

Note: Particulars regarding all the office bearers including Executive Committee Members should be given. If the space is insufficient, particulars may be furnished in a separate sheet.

MEMBERS LIST FOR THE YEAR….

Note: Particulars regarding new members, their date of joining to be furnished separately. Similarly particulars regarding left members i.e., their names, date of leaving, reasons for leaving should also be furnished separately.

FORM-X

(See rule 22(1))

APPLICATION FOR RECOGNITION AS A STATE LEVEL TRADE UNION OR FEDERATION OF TRADE UNIONS

Name of the Trade union / Federation of Trade Unions .....

Address .....

Dated the.....day of.....20.....

To

The Commissioner of Labour,

Puducherry.

Dear Sir,

I am to state that at the general meeting of the members/at the meeting of the executive of the above-mentioned Trade Union / Federation of Trade Unions which was held at .....on the day of..... 20....., it was resolved that the union should apply to you for recognition as State Level Trade Union under sub section (2) of section 27 of the Industrial Relations Code, 2020 (35 of 2020). A copy of the resolution in this behalf signed by the President/Chairman of the Trade Union is enclosed.

2. The Trade Union is duly registered on the .....day of.....year..... under Certificate No.....issued by the Registrar of Trade Unions.

3. A copy of the rules of the Trade Union is attached.

4. The address of the head office of the Trade Union to which all the communications may be addressed is.....

5. The Trade Union has affiliation of other Trade Unions in the state, list of such Trade Unions and their addresses, registration details and membership etc., is attached herewith.

6. The Trade Union has total..... members (number) in the state (District Wise, Trade Union wise membership details to be provided)

Signature of the General Secretary/Secretary.

FORM-XI

(See rule 30)

(REGISTER FOR CERTIFIED STANDING ORDERS)

PART I

Industrial Establishment

Unique and continuous number	Name of the industrial establishment	Nature of the industrial establish ment	Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order	Date of adoption or date of deemed authentication or date of certification/ authentication of standing order
(1)	(2)	(3)	(4)	(5)

Date of filing appeal	Date and nature of decision	Amendment made on appeal, if any	Date of the dispatch of the copy of standing orders as settled on appeal	Any other relevant detail
(6)	(7)	(8)	(9)	(10)

Part-II

Should contain the certified copy of the Standing Orders electronically.

FORM-XII

(See rule 32)

NOTICE OF CHANGE OF SERVICE CONDITIONS PROPOSED BY AN EMPLOYER

Name of employer.....

Address.....

Dated the .....day of ..... 20.....

In accordance with sub-section (1) of section 40 of Industrial Relations code, 2020(35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from ..... in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to the said Code.

Signature.....

Designation .....

ANNEXURE

(Here specify the change/changes intended to be effected)

Copy forwarded to:

The Secretary of registered Trade Union, if any.

FORM-XIII

(See rule 33(1))

AGREEMENT FOR VOLUNTARY ARBITRATION

Between

…….Name of the parties representing employer (s)

And

…….Name of the parties representing worker (s)

It is hereby agreed between the parties to refer the following dispute to the arbitration of ……..[here specify the name(s) and address(es) of the arbitrator (s).

(i) Specific matters in dispute.

(i) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

(ii) Name of the worker in case he himself is involved in the dispute or the name of the Union, if any, representing the worker or workers in question.

(iii) Total number of workers employed in the undertaking affected.

(iv) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrator(s) shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator(s) shall make his (their) award within a period of…….. (here specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the Government of Puducherry or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh Arbitrator.

Signature of the parties Representing employer/ any office of the Trade union/ Representing worker/workers.

Witnesses:

1. ……

2. ……

Copy to: (i) The Secretary to Government (Labour), Puducherry.

(ii) The Conciliation officer [here enter office address of the Conciliation Officer for the region concerned].

FORM–XIV

(See rules 35, 56 & 57)

AUTHORISATION BY A WORKER, GROUP OF WORKERS, EMPLOYER OR GROUP OF EMPLOYERS TO BE REPRESENTED IN A PROCEEDING BEFORE THE AUTHORITY UNDER THE INDUSTRIAL RELATIONS CODE, 2020

Before the Authority

(Here mention the authority concerned)

In the matter of:. …… (mention the name of the proceeding)

……workers

Versus……Employer

I/we hereby authorize Shri /Shrimathi/Kumari ……to represent me/us in the above matter.

Dated this……day of……20…….

Signature of person(s) nominating the representative(s)
Address

Accepted

Signature of Representative(s)
Address

FORM-XV

(See rule 36(3) and rule 37(3))

FORM OF OATH OF OFFICE FOR JUDICIAL MEMBER OR ADMINISTRATIVE MEMBER (WHICHEVER IS APPLICABLE) OF INDUSTRIAL TRIBUNAL

I, A, B., having been appointed as Judicial Member/Administrative Member (whichever is applicable) of Industrial Tribunal (Name of the Tribunal) do solemnly affirm/ do swear in the name of God that I will faithfully and conscientiously discharge my duties as the Judicial Member/Administrative Member of Industrial Tribunal (Name of the Tribunal) to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will and that I will uphold the Constitution and the laws of the land.

(Signature)

Place:

Date:

FORM–XVI

(See rule 39(8))

APPLICATION TO BE SUBMITTED BEFORE THE TRIBUNAL IN THE MATTER NOT SETTLED BY THE CONCILIATION OFFICER

Before…… (here mention the name of the Tribunal)

In the matter of:

…… Applicant

Address……

Versus

…… Opposite party (ies)

Address……

The above mentioned applicant begs to states as follows :-

(Here set out the relevant facts and circumstances of the case).

The applicant prays that the instant dispute may please be admitted for adjudication and request to pass appropriate Award.

Date ……

Place ……

FORM - XVII

(See rule 40(1))

APPLICATION UNDER SUB-SECTION (1) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020

To

The Secretary to Government (Labour), Puducherry.

Sir,

I/We have to state that I am/we are entitled to receive from M/s……

…….a sum of Rs. .....(in words) on account of.....under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020)/ in terms of the award dated the.....given by...../in terms of the settlement dated the.....arrived at between the said M/s.....and their worker through.....the duly elected representatives.

I/We further state that I/we served the management with a demand notice by registered post on..... for the said amount which the management has neither paid nor offered to pay to me/us even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I/We request that the said sum may kindly be recovered for the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020) and paid to me/us as early as possible.

Signature of the applicant(s)

Address(es)

Station:

Date:.

ANNEXURE

[(Here indicate the details of the amount(s) claimed.)]

FORM – XVIII

(See rule 40(1))

APPLICATION BY A PERSON AUTHORISED BY A WORKER OR BY THE ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SUB-SECTION (1) OF SECTION 59 OF THE-INDUSTRIAL RELATIONS CODE, 2020

To
The Secretary to Government (Labour), Puducherry.

Sir,

I Shri/Shrimati/Kumari……..have to state that Shri/Shrimati/Kumari……..is/was entitled to receive from M/s……..a sum of Rs. ……..(in words) on account of……under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020)/in terms of the award dated the …….. given by……../in terms of the settlement, dated the……..arrived at between the said M/s…….. and their worker through…… the duly elected representatives.

I further state that I served the management with a demand notice by registered post on…….. for the said amount which the management has neither paid nor offered to pay to me even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020), and paid to me as early as possible.

I have been duly authorized in writing by……..(here insert the name of the worker) to make this application and to receive the payment of the aforesaid amount due to him.

I am the assignee/heir of the deceased worker and am entitled to receive the payment of the aforesaid amount due to him.

Station……. Signature of the authorized person/assignee/heirs
Date……
Address(es)…….

ANNEXURE

(Here indicate the details of the amount claimed.)

FORM – XIX

(See rule 40(2))

APPLICATION UNDER SUB-SECTION (2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020

Before the Tribunal……(Mention the name of the Tribunal)

Between……and ……

(1) Name of the applicant(s)……

(2) Name of the employer……

The petitioner(s)…… a worker of ……M/s……of……The petitioner(s) undersigned, worker/workers of ……is/are entitled to receive from the said M/s. …… the money / benefits mentioned in the statement hereto annexed.

It is prayed that the Tribunal may be pleased to determine the amount/amounts due to the petitioner (s).

Signature or Thumb Impression (s) of the applicant(s)

Address (es)……

Place……

Date……

ANNEXURE

(Here set out the details of the money due or the benefits accrued together with the case for their admissibility.)

FORM - XX

[See rule 40(2)]

APPLICATION BY A PERSON WHO IS AN ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SUB- SECTION (2) OF SECTION 59 OF THE INDUSTRIAL RELATIONS CODE, 2020

Before the Tribunal.....(Mention the name of the Tribunal)

Between

(i) Name of the applicant(s)..... .....

(ii) Name of the employer.....

I am/We are the assignee(s) of the deceased worker and am/are entitled to make an application on his behalf.

Shri/Smt.....former worker of M/s.....of.....is entitled to receive from the said M/s. .....the money/benefits mentioned in the statement hereto annexed;

It is prayed that the Tribunal may be pleased to determine the amount/amounts due to the deceased worker.

Name and Address of worker.....

Signature of the assignee/heirs

Address (es).....

Place.....

Date.....

ANNEXURE

(Here set out the details of the money due or the benefits accrued together with the case for their admissibility.)

FORM-XXI

(See rule 41 and 58)

NOTICE OF STRIKE TO BE GIVEN BY REGISTERED TRADE UNION

…….(NAME OF UNION)/ GROUP OF WORKERS

Name of the Union:……

Name of five elected representatives of workers……

Dated the……day of……20……

To

(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations code, 2020 (35 of 2020) I/We hereby give you notice that I propose to call a strike / we propose to go on strike on ……20……, for the reasons explained in the annexure.

Yours faithfully,

(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on …… (date), vide resolution attached.

ANNEXURE

Statement of the Case.

Copy to;

1) The Labour Commissioner of Labour, Puducherry.
2) The Conciliation officer……(here enter office address of the Conciliation Officer).

FORM-XXII

(See rule 42 and 58)

NOTICE OF LOCK-OUT TO BE GIVEN BY AN EMPLOYER OF AN INDUSTRIAL ESTABLISHMENT

Name of employer .....

Address.....

Dated the.....day of.....20.....

In accordance with the provisions of section 62(5) of the Industrial Relations Code, 2020 (35 of 2020), I/we hereby give notice to all concerned that it is my/our intention to effect lock out in..... department(s), section(s) of my/our establishment with effect from .....for the reasons explained in the annexure.

Signature.....

Designation.....

ANNEXURE

1.	Statement of reasons

Copy forwarded to:

(1) The Secretary of the Registered Union, if any.

(2) The Commissioner of Labour.

(3) The Conciliation officer.....(here enter office address of the Conciliation officer).

FORM- XXIII

(See rules 43, 45 and 58)

NOTICE OF INTIMATION OF RETRENCHMENT/CLOSURE TO BE GIVEN BY AN EMPLOYER TO THE GOVERNMENT UNDER THE PROVISIONS OF CHAPTER IX OF THE INDUSTRIAL RELATIONS CODE, 2020 AND RULES MADE THERE UNDER

(To be submitted online. In case of exigencies, on paper in the prescribed format below)

Name of Industrial Establishment /Undertaking/ Employer.....

Labour Identification Number .....

Dated.....

(Note: The intimation for Closure/Retrenchment to the authority notified by the Government of Puducherry shall be served sixty days and thirty days before commencement of Closure/Retrenchment respectively)

To

..... [The authority notified by the Government of Puducherry).

1. *(Retrenchment) (a) Under Section 70(C) of the Industrial Relations Code, 2020 (35 of 2020), I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of ..... Workers** with effect from.....(DD/MM/YYYY)

   or

   (Closure) (b) Under Section 74(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby intimate you that I*/we* have decided to close down,.....(name of the industrial establishment or undertaking) with effect from.....(DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers).

2. The reason for Retrenchment / Closure is.....
   .....
   .....

3. * The worker(s)* concerned were given on the..... (DD/MM/YYYY) one

month's notice in writing as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020).

or

* The worker(s) concerned have been given on the .....(DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020).

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

6. I* / we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures enclosed herewith true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of Employer/ ***Authorized Representative with Seal)

(* Strike off which is not applicable.)
(** Indicate number in figures and words both)
(***Copy of Authorization letter issued by the employer shall be enclosed)

Copy to :

1. The Commissioner of Labour, Puducherry.
2. The Conciliation officer.....(here enter office address of the Conciliation officer).
3. The Statistical Inspector, Labour Department, Puducherry. (Only for statistical Purpose).
4. The Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM – XXIV

(see rule 46, 48, 50 and 58)

APPLICATION FOR PERMISSION OF LAY-OFF/ CONTINUATION OF LAY-OFF/ RETRENCHMENT/ CLOSURE TO BE GIVEN BY AN EMPLOYER / INDUSTRIAL ESTABLISHMENT /UNDERTAKING TO THE GOVERNMENT OF PUDUCHERRY UNDER THE PROVISIONS OF CHAPTER X OF THE INDUSTRIAL RELATIONS CODE, 2020 AND RULES MADE THEREUNDER

(To be submitted online. In case of exigencies on paper in the specified format below)

Name of Industrial Establishment or Undertaking or Employer.....

Labour Identification Number.....

Dated.....

(Note: The application to the Government of Puducherry shall be served as indicated below:
Lay-off : at least 15 days before the intended Lay-off
Continuation of Lay-off – at least 15 days before the expiry of earlier Lay-off
Retrenchment – at least 60 days before the intended date of retrenchment
Closure – at least 90 days before the intended date of closure)

To,

..... [The authority notified by the Government of Puducherry).

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020 (35 of 2020), I*/we* hereby apply for permission to lay-off .....workers** out of total of ..... workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from..... (DD/MM/YYYY).

or

(Continuation of lay-off) (b). Under section 78(3) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission to continue the Lay-off .....workers** out of total of.....laid off workers** in my*/our*establishment (details to be given in Annexure-I) with effect from.....(DD/MM/YYYY).

or

(Retrenchment) (c). Under section 79(2) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission for intended retrenchment of..... workers out of total of ..... workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from.....(DD/MM/YYYY).

or

(Closure) (d). Under section 80(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annexure-1) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is.....(number of workers).

(Lay-off/Continuation of Lay-off) The worker(s) concerned were given on..... (DD/MM/YYYY) notice in writing as required under section 78(2)/ section 78(3)* of

the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/Closure) The worker(s) concerned were given on…….. (DD/MM/YYYY) three month's notice in writing as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

or

……*(Retrenchment/ Closure) The worker(s) have been given on……(DD/MM/YYYY) three month's pay in lieu of notice as required under section 79*/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

2. The details of affected worker(s) is at Annexure II.

3. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

4. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

5. I/ We* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

6. I/ We hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of Employer/ ***Authorised Representative

with Seal)

(* Strike off which is not applicable.)

(** Indicate number in figures and words both)

(***Copy of Authorization letter issued by the employer shall be enclosed)

ANNEXURE I

(Please give replies against each item)

1	Name of the undertaking with complete postal address, email, mobile and land line.	
2	Status of undertaking— (i)Whether Central public sector/State public sector/like other; (ii)Whether a private limited company/ partnership firm; (iii) Whether the undertaking is Licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers.	
3	(a) Corporation Identification Number	
	(b) Goods and Service Tax Identification Number (GSTIN)	
4	(i)Annual production, item-wise for preceding three years- (ii)Production figures, month-wise, for the preceding twelve months.	
5	Audit report of the legal entity that own the establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6	Names of the inter-connected companies or companies under the same management.	
7	Details of lay-off/ retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchment the number of workers involved in each such lay-off/ Retrenchment / continuation of lay off	
8	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

ANNEXURE II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of the Worker	Category (Highly Skilled / Skilled/ Semi-skilled / Unskilled)	Date from which in service in/with the said establishment/ Undertaking/ Employer	Wage as on date of Application	Remark
1						
2						
3						

Copy to :

1. The Commissioner of Labour, Puducherry.
2. The Conciliation officer……(here enter office address of the Conciliation officer).
3. The Statistical Inspector, Labour Department, Puducherry. (Only for statistical Purpose).
4. The Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM –XXV

(See Rule 53 and 58)

NOTICE TO THE EMPLOYER/PERSON WHO COMMITTED AN OFFENCE FOR THE FIRST TIME , FOR COMPOUNDING OF OFFENCE UNDER SECTION 89 OF THE INDUSTRIAL RELATIONS CODE, 2020 READ WITH RULE 58

The undersigned, the Compounding Officer, for the purposes of section 89 of the Industrial Relations Code, 2020 (35 of 2020), hereby intimates you that the allegation has been made against you for committing offence for the violation of various provision of this Code as per the details given below:—

PART – I

1. Name and Address of the offender Employer/person- …….. ……

2. Address of the Establishment …….

3. Particulars of the offence …….

4. Section of the Code under which the offence is committed

…….

5. Compounding amount required to be paid towards composition of the offence

…….

PART – II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding the offence as per section 89 of the Industrial Relation Code, 2020 (35 of 2020), read with rule 57, along with an application duly filled in part – III of this notice.

In case you fail to deposit the said amount within the time so specified, no further opportunity shall be given to you and necessary steps shall be taken for filing of prosecution under section 87 of the said Code shall be issued.

(Signature of the Compounding Officer)

Date:

Place:

PART – III

(Application under sub-section (4) of section 89 of the Industrial relations Code, 2020 read with rule 41 for compounding of offence)

1. Name of applicant (name of the employer/person who committed the offence under the Industrial Relations Code, 2020 (35 of 2020) to be mentioned.....

2. Address of the applicant .....

3. Particulars of the offence
.....
.....
4. Section of the Code under which the offence has been committed
.....

5. Details of the compounding amount deposited (electronically generated receipt to be attached).....

6. Details of the prosecution, if filed for the violation of above mentioned offences may be given .....

7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
.....
.....
.....
8. Any other information which the applicant desires to provide
.....
.....
.....

Applicant
(Name and signature)

Dated:

Place:

Copy to:
The Statistical Inspector, Labour Department, Puducherry.
(Only for statistical purpose).

FORM –XXVI

(See rule 55)

(COMPLAINT UNDER SECTION 91 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Tribunal……..,
In the matter of :..... Reference No.....

A..... Complainant(s);

Versus

B..... Opposite Party(ies).

Address:

The petitioner(s) begs/beg to complain that the Opposite Party (ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relation Code, 2020 as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Industrial Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 43 of the Industrial Relations Code, 2020 (35 of 2020) are submitted herewith.

Dated this, the .....day of.....20..... Signature of the Complainant(s)

Verification

I do solemnly declare that what is stated in paragraph…..above is true to my knowledge and that what is stated in paragraphs……..above is stated upon

information received and believed by me to be true. This verification is signed by me at..... on .....day of.....20.....

Signature

or thumb impression of the person verifying.....

//BY ORDER OF THE LIEUTENANT- GOVERNOR//

Digitally signed by Sandirakumaran
Date: 09-06-2026 18:22:49

(S.SANDIRAKUMARAN)
UNDER SECRETARY TO GOVERNMENT (LABOUR)

To

The Director of Stationery & Printing,
Puducherry.

with a request to publish the said notification in the Official Gazette and to supply 20 copies thereof to this Department for reference and record.

Copy to:

1. The District Collector, Puducherry / Karaikal.
2. The Commissioner of Labour, Puducherry.
3. The Deputy Labour Commissioner, Puducherry.
4. The Regional Administrator, Mahe/ Yanam.
5. The Labour Officer, (Enforcement), Puducherry.
6. The Labour Officer, (Conciliation), Puducherry
7. The Labour Officer, (Welfare Schemes), Puducherry.
8. The Labour Officer, Karaikal.
9. The Inspector of Factories, Puducherry/Karaikal.
10. The Assistant Inspector of Labour, Puducherry/Karaikal/Mahe/Yanam
11. The Web Master, Labour Department, Puducherry.
12. G.O. File.
13. Spare.