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PART I

Punjab Government Notifications and Orders

GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

(LABOUR BRANCH)

NOTIFICACIÓN

The 30th July, 2025

No.-Labour-Lab0PSCA/2/2021/-5L/656.- Whereas vide Notificación No. Lahour-Lab0PSCA/2/2021-5L/325484/2022, dated 03.03.2022, issued in pursuance to formulate a scheme for the Shops and Establishments in the State under the Punjab Shops and Commercial Establishment Act 1958 for giving exemption from the provisions of Section-30 of the Act.

II. And whereas it is expedient that earlier notified conditions regarding allowing women to work in shops and Establishments in night shifts be amended. Therefore in supersession of the Notification No. Labour-Lab0PSCA/2/2021-5L/325484/2022, dated 03.03.2022, all shops and Establishments registered under the Punjab Shops and Commercial Establishment Act 1958 in the State are allowed exemption to employ women in the night shifts, with their consent, subject to the following conditions :-

- (1) It shall be the duty of the employer to ensure implementation of all provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and Rules and Instructions thereof, in true letter and spirit.
- (2) In accordance with the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, every employer shall :
 - (a) provide a safe working environment at the workplace which shall include safety from the persons coming into contact at the workplace;
 - (b) display at any conspicuous place in the workplace, the penal consequences of sexual harassments; and the order constituting, the Internal Committee under sub-section (1) of Section 4;
 - (c) organise workshops and awareness programmes at regular intervals for sensitizing the employees with the provisions of the Act and orientation programmes for the members of the Internal Committee in the manner as may be prescribed;
 - (d) Propvide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;

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- (e) assist in securing the attendance of respondent and witnesses before the Internal Committee or the Local Committee, as the case may be;
 - (f) make available such information to the Internal Committee or the Local Committee, as the case be, as it may require having regard to the complaint made under sub-section (1) of Section 9;
 - (g) provide assistance to the woman if she so chooses to file a complaint in relation to the offence under the Indian Penal Code (45 of 1860) / Now under Bharatiya Nyaya Sanhita 2023, or any other law for the time being in force;
 - (h) cause to initiate action, under the Indian Penal Code (45 of 1860) / Now under Bharatiya Nyaya Sanhita 2023, or any other law for the time being in force, against the perpetrator, or if the aggrieved woman so desires, where the perpetrator is not an employee, in the workplace at which the incident of sexual harassment took place;
 - (i) treat sexual harassment as a misconduct under the service rules and initiate action for such misconduct;
 - (j) monitor the timely submission of reports by the Internal Committee.
- (3) Wherever the employer fails to comply, take necessary action or contravenes or attempts to contravene or abets contravention of any of the provisions of The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, he shall be liable to the penalties as per Section 26 of the Act apart from facing prosecution as may be warranted under any other laws under which he may also be accused.
 - (4) The employer shall send report whenever there is any kind of sexual harassment to the Labour Inspector and Internal Complaints Committee constituted under the POSH Act, 2013.
 - (5) The employer shall ensure that all places where the female workers are working or they have to move out of necessity in the course of night shift is properly lit and has adequate electricity backup.
 - (6) The employer shall see that the women workers are employed in a batch and the total of the women workers employed in a night shift shall not be less than 5 or 2/3rd of the total strength of the shift, whichever is less.
 - (7) CCTV facilities in the premises shall be installed to ensure safety of women workers at night. The employer will maintain all recordings of night shifts for at least 45 days.
 - (8) At least two women security personnel shall be deployed during the night shift at the workplace of women workers.
 - (9) The women workers will be provided with all necessary safeguards in common transport like no curtains or dark films/screens on windows, properly lit interiors, prominently displayed Police Helpline, Security In-Charge and Management phone numbers. Proper logs will be maintained of the vehicles along with details of driver, helper (if any) and security staff (if any).
 - (10) The employer shall maintain first-aid and medical facilities as prescribed under the Punjab Shops and Commercial Establishment Act 1958.
 - (11) Wherever the Establishment provides boarding and lodging arrangements for the female workers, the same shall be kept exclusively for the women under the control of women wardens or supervisors.
 - (12) There shall be compliance of provision of Night Shift and Prohibition of overlapping of shifts of Punjab Shops and Commercial Establishment Act 1958.
 - (13) In other respects, the provisions of the Punjab Shops and Commercial Establishment Act 1958 and the rules of other statutory provisions with respect to the hours of work and the Payment of Equal Remuneration Act and all other Labour Legislations shall be followed by the employer.
 - (14) The female workers who work in night shifts and regular shifts shall have a monthly meeting through their

representatives with principal employer once in eight weeks as grievance day and the employer shall strive to address all their just and reasonable grievances.

- (15) The employer shall be at liberty to employ female workers as a whole or in part during night shift, provided, the above directions are complied with.
- III. On receipt of application online, by the Department of Labour, from the person authorised by the shops and establishment, with and undertaking that the above said conditions shall be complied with, the exemption will be auto generated within 24 hours.
- IV. The competent authority reserves right to revoke such exemption by passing a speaking order, after giving a notice of 15 days and an opportunity of being heard.
- V. This exemption shall be once granted will continue, till it is withdrawan by the competent authority as per IV above.
- VI. These conditions shall also be applicable to all the shops and Establishments that have already obtained permission from the Government for employing women in night shifts.

Chandigarh

MANVESH SINGH SIDHU, IAS
Secretary to Government of Punjab
Department of Labour