

GOVERNMENT OF PUNJAB
DEPARTMENT OF LABOUR
(LABOUR BRANCH)

NOTIFICATION

The ~~30~~³¹ July, 2025

No.- Labour-Lab0Misc/79/2023/-2L/ 659 Whereas vide Notification No. 21/13/2020-4 Labour/30 dated 20th February, 2014 issued in pursuance to the fact that Section 66(1)(b) of Factories Act 1948 having been struck down by the Hon'ble High Court of Judicature at Madras, all factories registered under the Factories Act, 1948 in the State were allowed to employ women in the night shift that is from 10:00 PM to 05:00 AM subject to the conditions laid down therein. Thereafter vide Notification No. Labour-Lab0Misc/79/2023-2L/952-53, dated 03.10.2023 the said conditions were modified partly.

II. And whereas it is expedient that earlier notified conditions regarding allowing women to work in Factories in night shifts be amended. Therefore in supersession of the Notification No. 21/13/2020-4Labour/30 dated 20th February, 2014 and Notification No. Labour-Lab0Misc/79/2023-2L/952-53, dated 03.10.2023, all factories registered under the Factories Act, 1948 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 the 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 sensitising 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) provide necessary facilities to the Internal Committee or the Local Committee, as the case may be, for dealing with the complaint and conducting an inquiry;
 - (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,

2

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 Inspector of Factories 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 $2/3^{\text{rd}}$ 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 Factories Act and Punjab Factories Rules, 1952.
 - (11) Wherever the factory 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 (Section 57) and Prohibition of overlapping of shifts (Section 58) of The Factories Act, 1948.
 - (13) In other respects, the provisions of the Factories Act 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 factory, with an 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 once granted will continue, till it is withdrawn by the competent authority as per IV above.

VI. These conditions shall also be applicable to all the factories that have already obtained permission from the Government for employing women in night shifts.

Dated, Chandigarh:

**MANVESH SINGH SIDHU, IAS
Secretary to Govt. of Punjab
Department of Labour**

Endst No. Labour-Lab0Misc/79/2023/-2L/ 660

Dated, Chandigarh: 30/7/2025

A copy of the above is forwarded to Controller, Printing & Stationary, Punjab with the request to publish this notification in Punjab Government Ordinary Gazette.

Manvesh Singh
Superintendent

No. Labour-Lab0Misc/79/2023/-2L/ 661

Dated, Chandigarh: 30/7/25

A copy is forwarded to the following for information and necessary action :

1. Principal Secretary to Chief Minister, Punjab.
2. Additional Chief Secretary, Industries & Commerce, Punjab.
3. Labour Commissioner, Punjab.
4. Director Factories, Punjab.

Manvesh Singh
Superintendent

CC:

1. P.S to Secretary, Department of Labour.
2. P.A to Additional Secretary, Department of Labour.