

# Haryana Covernment Gazette EXTRAORDINARY

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No. 110-2022/Ext.] CHANDIGARH, WEDNESDAY, JUNE 22, 2022 (ASADHA 1, 1944 SAKA)

#### HARYANA GOVERNMENT LABOUR DEPARTMENT

#### Notification

The 22th June, 2022

No. 11/6/2022-4Lab.— In exercise of the power conferred by clause (b) sub-section (1) of Section 66 of Factories Act, 1948 (Central Act 63 of 1948) and in supersession of all other notifications issued in this behalf, the Governor of Haryana hereby prescribes the following conditions in respect of any factory which apply for the exemption for employing women in the factory during night shift i.e. between the hours of 07.00 PM to 06.00 AM, in respect of their Safety and Security measures or safeguards. Such exemption shall be valid for one calendar year:-

- No women shall be subjected to sexual harassment at any workplace in the factories. 2.
- The provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 or any other law or any other instructions / conditions issued in this regard from time to time by the Central Government or State Government, shall be complied with by the occupier of the factory. 3.
- Every occupier of the factory shall constitute by an order in writing, a Committee to be known as the Internal Committee (IC) as per Section 4(1) of the Sexual Harassment of Women at Workplace (Prevention, Prohibition
  - Where the offices or administrative units of the workplace are located at different places or divisional or sub divisional level, the Internal Committee should be constituted at each administrative units or offices or
- Every occupier shall prepare and as often as may be appropriate, revise, a written statement of his general policy 4. showing his commitment with respect to the prohibition of sexual harassment of the women worker at
- The order regarding constitution of Internal Committee and Policy on prohibition of sexual harassment shall be 5. 6.
- The occupier shall provide proper lighting and CCTV cameras not only inside the factory, but also surrounding of the factory and to all places where the female workers may move out of necessity in the course of her work. 7.
- The occupier or manager shall see that the women workers are employed in a batch of not less than ten and the total of the women workers employed in a night shift shall not be less than 2/3rd of the total strength.
- The Occupier shall provide transportation facility to the women workers from their residence and back (for the 8. night shift), security guards (including female security guard) and each transportation vehicle shall also be equipped with CCTV cameras. Sufficient women security shall also be provided at the entry as well as exit point

- During night shift not less than 1/3rd of strength of the supervisors or shift-in-charge or other supervisory staff 10.
- Declaration/consent from each women worker including security guard, supervisors, shift- in-charge or any other women staff to work during night shift i.e. between 07.00PM to 06.00AM shall be obtained.
- The occupier shall provide appropriate medical facilities by engaging a doctor / female nurse during night shift. 11. Where more than hundred women workers are employed in the shift, a separate vehicle also will be kept ready to meet any emergent situation such as hospitalization, whenever there is a case of injury or incidental acts of harassment etc. Telephone numbers like Police, Hospital and Members of Internal Committee etc. shall be
- In other respects, the provisions of the Factories Act, 1948 and the Rules of other statutory provisions with 12. respect to the hours of work, rest intervals, holidays, separate canteen or rest room facility for women workers, the provisions of Payment of Equal Remuneration Act and all other Labour Legislations shall be followed by 13.
- The women workers working in all shifts shall have a monthly meeting through their representatives with the occupier as grievance day and the occupier shall try to comply all just and reasonable grievances. 14.
- The occupier shall organise workshops, orientation programs and awareness programs at regular intervals for sensitising the women workers about their rights to protection against sexual harassment at workplace and the provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 15.
- The occupier or manager shall send a copy Annual report prescribed under Section 22 of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 on or before the 31st January of each year to the Labour Commissioner, Haryana and Assistant Director, Industrial Safety & Health of their jurisdiction about the details of women workers.
  - An express report shall also be sent to the concerned Assistant Director, Industrial Safety & Health and local Police Station as well, whenever there is some untoward incident.
- Any other condition as may be specified in this regard by the Central or State Government from time to time. 16.

All the above said conditions shall be applicable to the management of the factories where women workers are working, in the factories.

> DR. RAJA SEKHAR VUNDRU, Additional Chief Secretary to Government, Haryana, Labour Department.



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No. 132-2022/Ext.] CHANDIGARH, FRIDAY, JULY 22, 2022 (ASADHA 31, 1944 SAKA)

#### हरियाणा सरकार

श्रम विभाग

#### अधिसूचना

दिनांक 22 जुलाई, 2022

संख्या 11/06/2022—4श्रम.— कारखाना अधिनियम, 1948 (1948 का केन्द्रीय अधिनियम 63) की धारा 66 के उप-धारा (1) खंड (ब) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए तथा इस संबंध में जारी अन्य सभी अधिसूचनाओं के अधिक्रमण में, हरियाणा के राज्यपाल, इस द्वारा किसी भी कारखानें के संबंध मे जो रात्री पाली अर्थात् रात्रि 07.00 बजे से प्रातः 06.00 बजे के दौरान, कारखानें में महिलाओं को काम पर रखने के लिए छूट हेतू आवेदन करते है, उनके बचाव और सुरक्षा के उपाय या रक्षा के उपायों के संबंध में, निम्नलिखित शर्तें निर्धारित करते हैं। ऐसी छूट एक कैलेंडर वर्ष के लिए वैध होगी:--

- कारखानों में किसी भी कार्य स्थल पर किसी भी महिला का यौन उत्पीड़न नहीं किया जाएगा।
- महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध और प्रतितोष) अधिनियम, 2013 के प्रावधान या केन्द्र सरकार तथा राज्य सरकार द्वारा समय—समय पर इस संबंध में जारी कोई अन्य कानून या कोई अन्य निर्देश / शर्तों का
- प्रत्येक कारखानें का नियोक्ता महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध और प्रतितोष) अधिनियम, 2013 की धारा 4(1) के अनुसार लिखित आदेश द्वारा एक समिति का गठन करेगा जिसे आंतरिक समिति के रूप में
  - जहां कार्यस्थल के कार्यालय या प्रशासनिक इकाइयाँ अलग-अलग स्थानों या मंडल या उपमंडल स्तर पर स्थिर हों, वहां आंतरिक समिति का गठन प्रत्येक प्रशासनिक इकाइयों या कार्यालयों या कार्यस्थलों पर अलग से किया जाएगा।
- प्रत्येक नियोक्ता कार्यस्थल पर महिला श्रमिकों के यौन उत्पीड़न के निषेध के संबंध में अपनी प्रतिबद्धता दर्शाने वाली नीति तैयार करेगा और जितनी बार उचित हो उसे संशोधित करेगा।
- आंतरिक समिति के गठन और यौन उत्पीड़न के निषेध पर नीति से संबंधित आदेश कार्यस्थल पर विशिष्ट स्थानों पर
- नियोक्ता न केवल कारखानें के अंदर बल्कि कारखानें के आस-पास और उन सभी स्थानों पर उचित प्रकाश व्यवस्था 6. और सीसीटीवी कैमरे उपलब्ध करवाएगा जहां महिला श्रमिक आवश्यकता अनुसार अपने काम के दौरान बाहर निकल
- नियोक्ता या प्रबंधक यह भी ध्यान रखे कि महिला श्रमिक 10 से कम संख्या के बैच में नियोजित न की जायें तथा रात्रि 7. पाली में कारखानों में नियोजित महिला श्रमिकों की संख्या, कुल संख्या के दो तिहाई से कम न हों।

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- 8. नियोक्ता महिला श्रमिकों को रात्रि पाली के लिए उनके घर से आने जाने हेतू सुरक्षा गार्डस युक्त (महिला सुरक्षा गार्ड सहित) परिवहन सुविधा प्रदान करेगा तथा प्रत्येक परिवहन वाहन में सीसीटीवी कैमरा भी लगा हो। प्रवेश तथा निर्गम द्वार पर महिला सुरक्षा की समुचित व्यवस्था की जाएगी।
- 9. रात्रि पाली के दौरान सुपरवाईजर या सिफ्ट प्रभारी या अन्य सुपरवाईजरी स्टाफ में महिलाओं की संख्या एक तिहाई से कम नहीं होनी चाहिए।
- 10. सुरक्षागार्ड, सुपरवाईजर, सिफ्ट प्रभारी या अन्य महिला कर्मचारी सिहत प्रत्येक महिला श्रिमिक से रात्रि पाली अर्थात् रात्रि 07.00 बजे से प्रातः 06.00 के दौरान काम करने के लिए घोषणा/सहमित प्राप्त की जाएगी।
- 11. नियोक्ता रात्रि पाली के दौरान एक चिकित्सक / महिला नर्स की नियुक्ति करते हुये उचित चिकित्सा सुविधाएं प्रदान करेगा। जहां पाली में सौ से अधिक महिला श्रमिक कार्यरत है, वहां किसी भी आकस्मिक स्थिति जैसे अस्पताल में भर्ती पुलिस, अस्पताल तथा आंतरिक समिति के सदस्यों आदि के टेलिफोन नंबर विशिष्ट स्थानों पर प्रदर्शित करेगा।
- 12. अन्य मामलों में कारखानों अधिनियम, 1948 के प्रावधान, काम के घंटे, आराम के अंतराल, अवकाश, महिला श्रमिकों के लिए अलग कैन्टीन या विश्राम कक्ष की सुविधा, सामान वेतन अधिनियम के प्रावधान, अन्य सभी श्रम कानूनों के प्रावधान विधानिक प्रावधानों के नियमों का नियोक्ता द्वारा पालन किया जाएगा।
- 13. सभी पालियों में काम करने वाली महिला श्रमिकों को अपने प्रतिनिधियों के माध्यम से नियोक्ता के साथ शिकायत दिवस के रुप में मासिक बैठक की जाएगी तथा नियोक्ता सभी न्याय संगत और उचित शिकायतों का निवारण करने का प्रयास करेगा।
- 14. नियोक्ता नियमित अंतराल पर कार्यशालाओं, अभिविन्यास कार्यक्रम तथा जागरुकता कार्यक्रमों का आयोजन करेगा ताकि महिला श्रमिकों को कार्यस्थल पर यौन उत्पीड़न के खिलाफ उनके अधिकारों तथा महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध और प्रतितोष) अधिनियम, 2013 और उसके तहत बनाए गए नियमों के बारे में जागरुक
- 15. नियोक्ता या प्रबंधक प्रत्येक वर्ष की 31 जनवरी को या उससे पहले महिला श्रमिकों के विवरण के बारे में महिलाओं का कार्यस्थल पर लैंगिक उत्पीड़न (निवारण, प्रतिषेध और प्रतितोष) अधिनियम, 2013 की धारा 22 के तहत निर्धारित वार्षिक भेजेगा।
  - कोई अप्रिय घटना होने की स्थिति में संबंधित सहायक निदेशक, औद्योगिक सुरक्षा एवं स्वास्थ्य तथा स्थानीय पुलिस थाना को एक्सप्रेस रिर्पोट भेजी जाएगी।
- 16. केन्द्र या राज्य सरकार द्वारा समय समय पर इस संबंध में विनिर्दिष्ट की जाने वाली कोई अन्य शर्त। उपरोक्त सभी शर्ते उन कारखाना प्रबंधकों पर लागू होंगी जहाँ महिला श्रमिक काम कर रही हैं।

डॉ० राजा शेखर वुंदरु, अतिरिक्त मुख्य सचिव, हरियाणा सरकार, श्रम विभाग।

9758-C.S.-H.G.P. Pkl.

### LABOUR DEPARTMENT

Information Sheet to be filled by occupier/manager of the factory seeking the exemption for working of women workers during night shift.

1.				
1.	Details of the Factory			
(a)	ID No. (assigned at the departmental portal)			
(b)	Name & complete address	s of the		
(c)	Landline/Mobile No.			
(d)	E-mail			
2.				
(a)	Details of the Occupier of the I	Factory		
(b)	Address			
(c)	Contact No.			
3.				
(a)	Details of the Manager of the Name	ie Factory		
(b)	Address			
(c)	Contact No.			
4.	Details of F			
	Details of Factory Licence unde	er the Factories Act. 1948		
	License No.	Valid up to	No. of	Power (in HP)
5.	Monuferi		Workers	
5.	Manufacturing Process:			
	Number of workers employed in the factory	l in the Men	e Men Women To	
			Women	Total
-	Number of			
	Number of women workers to l	be employed in the night ship	ft l	
	Exemption required			
				The state of the s
		( P.M to	A.M)	
	The provisions of the Court	( P.M to	A.M)	
	The provisions of the Sexua Workplace (Prevention Provisions)	al II		
	The provisions of the Sexua Workplace (Prevention, Pro 2013 to provide protection	al Harassment of Women	n at Yes/no	
	2013 to provide protection	al Harassment of Women hibition and Redressal)	n at Yes/no	
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	2013 to provide protection women at workplace are being Proof regarding the declaration workers to work during night security guards, supervisor more	al Harassment of Women shibition and Redressal) against sexual harassmen g implemented? on/consent of all the wo shift is attached? (i.e wor	n at Yes/no Act, It of  Men Yes/no kers	Page No.
	2013 to provide protection women at workplace are being Proof regarding the declaration workers to work during night security guards, supervisor, nurs Proof of framing of policy of processing the proof of provided the provided	al Harassment of Women shibition and Redressal) against sexual harassmen g implemented? on/consent of all the wor shift is attached? (i.e wor se etc.)	n at Yes/no Act, It of  Men Yes/no kers	Page No.
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14	Details with proof deployment of sufficient women security guards, supervisors and wardens in the night shift is attached? (i.e duty roster, photos, copy of agreement for the current year having the clause for service to be provided during night shift.		Page No.
	Details with proof of transportation facility provided to the women workers from their residence and back (for the night shift) and deployment of security guard (including female security guard) in each vehicle is attached? (i.e route chart, photos, security guard details, copy of agreement for the current year having the clause for service to be provided during night shift etc.)		Page No.
6.	Details with proof regarding providing of free mediate	Yes/no	Page No.

### Declaration:-

Department notification r certain terms and condi 07.00PM to 06.00AM. T conditions as contained in	e and affirms that I have gone through the Haryana Govt. Labour to
Place: Dated:	(Signature with seal) Name Designation (Occupier/Manager)