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EXTRAORDINARY

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GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

(Labour Branch)

NOTIFICATION

The 3rd March, 2022

No. Labour-Lab0PSCA/2/2021-5L/I/325484/2022.-In supersession of Punjab Government Notification No 21/66/2013-4L/325624 dated 15th October, 2014, the Governor of Punjab is pleased to formulate a Scheme for the Shops and Establishments in the State under the Puniab Shops and Commercial Establishment Act 1958 for giving exemption from the provisions of Section-30 of the Act. The exemption will be given on case to case basis on receipt of applications from the establishments on the following terms and conditions:-

1. The Establishment must be registered/ renewed under the Punjab Shops and Commercial Establishment Act, 1958.
2. The total no. of hours of work of an employee in the establishment shall not exceed nine hours on any one day and 48 hours in a week.
3. The spread over inclusive of interval for rest in the establishment shall not exceed twelve hours on any one day.
4. The total no. of hours of overtime work shall not exceed fifty in any one quarter and the person employed for over time shall be paid remuneration at double the rate of normal wages payable to him calculated by the hour.
5. The Management will ensure protection of women from Sexual Harassment at work place in terms of the direction of the Hon'ble Supreme Court in the case of Vishaka & Others Vs. State of Rajasthan vide Judgment dated 13-8-1997 (AIR 1997 Supreme Court-3011).
6. The Management will provide adequate Security and proper Transport facility to the women workers including women employees of contractors during the evening/night shifts.
7. In case the management is not providing transport facility or security through employees directly recruited by him and proposes to provide through service providers then the Management shall

- execute the Security and Transport Facility Contract with an appropriately licensed/registered Security Agency.
8. The Management will ensure that women employees will board the vehicle in the presence of security guards on duty.
 9. The Management will ensure that the Security In-charge/Management have maintained the Boarding Register or computerized record consisting of the Date, Name of the Model & Manufacturer of the Vehicle, Vehicle Registration No., Name of the Driver, Address of the Driver, Phone/Contact No. of the Driver and Time of Pickup of women employees from the residence to establishment and vice versa.
 10. The Management will ensure that the Attendance Register of the security guard is maintained by the security in-charge/management.
 11. The Management will also ensure that the transport vehicle in-charge/security in-charge/management maintains a movement register.
 12. No employee of any establishment shall knowingly employ a woman and no woman shall engage in employment in any establishment during six weeks following the day of her confinement or miscarriage.
 13. The Management will ensure that the vehicle does not have black or tinted glasses and also ensure that there are no curtains in the vehicle and occupants of vehicle are clearly visible from all sides.
 14. The Management will ensure that emergency call nos. are prominently displayed inside the vehicle. The Management will also ensure that the driver will not pick up any women employee first for work place and will not drop her last at home/her accommodation.
 15. The Management will ensure that the driver will not leave the dropping point before the women employee enters into her accommodation.
 16. The Management will ensure that there is an annual self defence workshop/training for women employees.
 17. In the night shift, minimum of five women employees shall be employed.
 18. The manager of the establishment will be required to abide by the provisions of Sexual Harassment of Women at Work Place (Prevention, prohibition and Redressal) Act. 2013.
 19. Such other conditions as may be specified in this regard by the Labour Department from time to time.

Chandigarh
The 3rd March, 2022

RAVNEET KAUR, I.A.S.
Special Chief Secretary to Government of Punjab,
Department of Labour.