

Supporting document of S.I.No. 2(a)



ABSTRACT

The Factories Act and Rules - Amendment to the Tamil Nadu Factories Rules, 1950 – Preliminary Notification Confirmed – Orders - Issued.

LABOUR AND EMPLOYMENT (M2) DEPARTMENT

G.O.(Ms) No.61

Dated: 03.04.2017
துன்முகி, பங்குனி 21,
திருவள்ளூர் ஆண்டு 2048.

Read:

1. G.O.(Ms) No. 303, Labour and Employment (M2) Department, dated 20.12.2013.
2. From the Director of Industrial Safety and Health, Letter No.B1/29416/2009, Dated 17.03.2015 and 02.11.2016.

ORDER:

In the Government Order first read above, a preliminary notification was issued to include the guidelines and welfare measures ordered by the High Court of Madras, dated 8.12.2000 on the employment of women in night shifts, amending the Tamil Nadu Factories Rules, 1950 so as to make the provisions as mandatory on the part of the employers and consequently objections and suggestions were also invited from the persons likely to be affected by such amendment.

2. The Director of Industrial Safety and Health in his letter second read above dated 17.3.2015 has stated that objections / suggestions were received from certain associations and they were diligently perused. The Government, after careful examination, have now decided to confirm the orders issued in the Preliminary notification with two more additional conditions.

3. The appended Notification will, accordingly, be published in the Tamil Nadu Government Gazette both in English and Tamil.

4. The Secretary to Government, Tamil Development and Information Department, Secretariat, Chennai-600 009 is requested to send the Tamil translation of the Notification to the Works Manager, Government Central Press, Chennai-600079.

5. The Works Manager, Government Central Press, Chennai-600 079 is requested to send 5 copies of the Tamil Nadu Government Gazette in which the

Notification is published for record to Government. He is also requested to send 5 copies of the Notification directly to the Director of Industrial Safety and Health, Chennai 600 014.

(BY ORDER OF THE GOVERNOR)

P. AMUDHA
SECRETARY TO GOVERNMENT

To

The Works Manager, Government Central Press, Chennai- 600 079 (2 Copies).
The Director of Industrial Safety and Health, Chennai-600 014.
The Secretary to Government, Tamil Development, and Information (Translations) Department, Chennai-600 009. (2 copies).

Copy to:

The Secretary to Government of India, Ministry of Labour, New Delhi – 110 001.
The Personal Assistant to Hon'ble Minister for Labour, Chennai-600 009.
✓ The Private Secretary to the Secretary to Government, Labour and Employment Department, Chennai-600 009.
The Law Department, Chennai-600 009.
Stock File/Spare Copy/ Clean Copy to file (C.No.7913/M2/2015)

//FORWARDED BY ORDER//

⑥ . அமுதா
6/4/17
SECTION OFFICER
6/4/17

APPENDIX.NOTIFICATION.

In exercise of the powers conferred by Section 112 of Factories Act, 1948 (Central Act LXIII of 1948) the Governor of Tamil Nadu hereby makes the following amendment to the Tamil Nadu Factories Rules, 1950 the draft of the same having been previously published, as required by section 115 of the said Act.

AMENDMENTS.

In the said Rules, after rule 84A, the following rule shall be inserted, namely :-
"84 B. Guidelines for the employment of women in night shifts.-(1) It shall be the duty of the occupier of a factory, to take all steps to prevent the commission of the acts of sexual harassment in the factory;

(2) The occupier of a factory shall maintain a complaint mechanism in the factory itself and to dispose of the complaints in time bound manner with strict confidentiality, by constituting a complaint committee which shall consist of such members, headed by a woman familiar with the issues of sexual harassment and not less than half of its members should be women besides a non-governmental organisation's representation;

(3) The women workers shall be allowed to raise the issue of sexual harassment in the workers' meeting;

(4) The occupier of a factory shall take all necessary steps to assist the women workers affected by sexual harassment;

(5) The occupier of a factory shall provide proper lighting in and around the factory;

(6) The occupier of a factory shall ensure that women workers employed in night shift shall not be less than ten and not less than two third of the total strength of workers and one third of the Supervisors / Shift Incharge / Foremen shall be women; as well;

(7) The occupier of a factory shall provide sufficient women security at the entry and exit points and sufficient work sheds for the women workers be employed in night shift;

(8) The occupier of a factory shall provide separate dining facility and separate safe transportation from the factory premises to the nearest point of their residence to the women workers in night shift;

(9) The occupier of a factory shall provide necessary medical facilities and also make these facilities available at any time of urgency in case of injury or incidental acts of harassment, by providing necessary telephone connections;

(10) The occupier of a factory shall ensure that wherever the factory provides boarding and lodging for women workers, the same shall be kept exclusively for women and it should be under the control of women wardens or supervisors;

(11) The occupier of a factory shall ensure that there shall not be less than twelve consecutive hours of rest between the last shift and the night shift whenever a woman worker is changed from day shift to night shift and from night shift to day shift;

(12) The occupier of a factory shall appoint not less than two women workers per night shift who shall go round and work as Special Welfare Assistants;

(13) Whenever there is any untoward incident, the occupier of a factory shall send a report to the Inspector and Police Station concerned as well;

(14) The occupier of a factory shall exhibit these guidelines in a prominent place so that the women workers can be aware of their rights;

(15) Adequate toilet with water facility, shall be provided to the women workers, conveniently situated and easily accessible containing all basic amenities and safety measures to the workers;

(16) Creche facility wherever needed, shall be provided to the women workers for the care of their children with care taker with all essential amenities”.

**P. AMUDHA
SECRETARY TO GOVERNMENT**

//TRUE COPY//

6. அமுதா
6/4/17
SECTION OFFICER
6/4/17