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Enabling the 24-Hour Workforce: Haryana’s 2025 Notification Opens Night Shifts to Women Worker

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Introduction

In a significant move aimed at advancing gender inclusivity in the industrial workforce, the Haryana Labour Department has issued a notification on July 4, 2025, permitting the employment of women workers during night shifts (7:00 PM to 6:00 AM) in factories subject to strict safety, consent, and welfare safeguards. This progressive policy shift reflects a growing recognition across Indian states of the need to balance equal opportunity with workplace protections.

Legal Background

Historically, Section 66(1)(b) of the Factories Act, 1948 prohibited the employment of women in factories during night hours. However, this provision has increasingly been challenged for being discriminatory and violative of Article 14 (equality before the law) and Article 15 (prohibition of discrimination on grounds of sex) of the Constitution of India. Courts and state governments have gradually shifted towards enabling night shift employment for women, provided that adequate safeguards are implemented.

Under this legal framework, state governments are empowered to grant exemptions under Section 66(1)(b), subject to conditions they deem necessary in the interest of safety and welfare of women employees. The present Haryana notification supersedes all previous notifications on this subject.

Key Highlights of the Haryana Notification (Dated July 4, 2025)

The notification, issued under No. 11/6/2022-4Lab, lays down a comprehensive set of conditions that must be fulfilled by any factory seeking to employ women during night shifts:

1. Voluntary Consent: Every woman worker, including supervisors, security personnel, and shift-in-charges must provide written consent to work night shifts.

2. POSH Act Compliance: Employers must ensure full compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 and its rules, as well as any other applicable laws or guidelines.

3. Workplace Safety and Surveillance:

- Adequate lighting and CCTV coverage are required both within and around the factory premises.
- Women workers must be deployed in groups of not less than four during the night shift.

4. Mandatory Transportation:

- Factories must provide safe transport facilities to and from the residences of women workers.
- Each vehicle should be equipped with CCTV cameras, GPS tracking, and be staffed with trained security guards (including at least one female guard) and responsible drivers.
- Where drivers are engaged through a third party, employers must ensure pre-employment verification and background checks.
- Women may opt out of transport facilities through a written declaration.

5. Medical Assistance:

- Employers must arrange for medical support during night hours, including a female nurse or doctor, or tie-ups with nearby hospitals and ambulance services for emergency care.
- Emergency contact numbers (e.g., police, ambulance, hospitals) must be displayed prominently.

6. Labour Law Compliance: All provisions of the Factories Act, 1948, Equal Remuneration Act, and other applicable labour laws regarding hours of work, canteen/restroom facilities, and wages must be adhered to.

7. Incident Reporting: Any untoward incident must be immediately reported to the Assistant Director of Industrial Safety & Health and the local police station.

8. Self-Certification Mechanism:

- Applications for night shift exemptions must be filed online within two weeks of commencing such work for women.
- Approvals will be granted automatically based on self-certification, simplifying the compliance process.

9. Future Modifications: The State Government reserves the right to impose additional conditions as necessary.

10. Validity: The exemption granted under this notification is valid for one year from the date of issuance.

Conclusion

The 2025 Haryana notification marks a progressive milestone in India's evolving labour regulatory framework. While it removes an outdated restriction on women's employment, it simultaneously raises the bar for employer accountability by prescribing detailed safeguards aimed at ensuring dignity, safety, and equality at the workplace.

This development aligns Haryana with other forward-looking states like Maharashtra, Tamil Nadu, Karnataka, and Uttar Pradesh, all of which have issued similar exemptions under Section 66(1)(b). As India continues to expand its manufacturing base and global competitiveness, such policy frameworks are vital to promoting both economic participation and gender justice in industrial employment.

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