

The Odisha Gazette

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LABOUR & E.S.I. DEPARTMENT

NOTIFICATION

The 31st July, 2025

No. 6956—LESI-LL2-LABGNC-0009/2025/LESI.— In exercise of the powers conferred by sub-section (2) of Section 3 of the Odisha Shops and Commercial Establishments Act, 1956 (Odisha Act 30 of 1956) and in supersession of the notification of the Government in the Labour & E.S.I. Department No.8957-LESI-LL2-LABGNC-0005/2022/LESI., dated the 31st October, 2022 published in the Extraordinary issue of the *Odisha Gazette* No. 3221, dated the 1st November, 2022, the State Government do hereby exempt all the Shops and Commercial Establishments operating in the State from the applicability of Section 23 of the said Act, so as to increase employment opportunities for women and for Ease of Doing Business, by allowing their engagement at night, subject to their safety and security, with the following conditions, namely:—

- (1) The consent of women employees willing to work at night shall be taken in writing;
- (2) There shall be at least three women employees, which may include onsite woman employer, if any;
- (3) Adequate transportation facilities with GPS tracking system to pick-up and drop women employees at or near their residence shall be provided;
- (4) The establishment shall obtain Bio-data and Police verification of each driver of the night transportation vehicle, whether employed directly or through service provider;
- (5) The employer shall provide toilet or washroom and drinking water facilities near the work place where such women employees are employed, with provisions of closed-circuit television (CCTV) surveillance and proper lighting including the passages towards conveniences;

(6) Dedicated telephone numbers of the establishment along with Government Toll-free Helpline number for Women (181) and Labour & ESI Department Helpline number 18003456703 shall be displayed prominently and conspicuously at the establishment and inside vehicles used for transportation of workers;

(7) The employer shall ensure that there shall not be less than eight consecutive hours of rest between the last shift and the night shift, whenever the duty of a woman employee is changed from day shift to night shift and vice versa;

(8) The provisions of the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2023), as applicable to the establishment, shall be complied with;

(9) Any Employer engaging women employees during night, shall submit a Self-certification in the prescribed proforma, electronically, in the designated portal of the Department, that he/she has provided all the facilities as mentioned in this Notification and shall take due care and diligence regarding the safety, security and dignity of women employees;

(10) No adolescent shall be allowed to work whether as an employee or otherwise in any establishment during night;

(11) If any establishment fails to comply with the above conditions, it shall be liable for penalty under section 35 of the Odisha Shops and Commercial Establishments Act, 1956.

Self-Certification

Certified that I/we,, Employer / Manager of M/s....., situated at, Dist....., bearing Registration No.....have complied all the conditions prescribed by the Government of Odisha for engagement of women employees in my/our shop or commercial establishment during night.

Certified further that no woman employee has been engaged in my/our establishment during night without her consent in writing.

I am / We are the authorised person(s) to submit the above declaration which is true to the best of my / our knowledge and belief.

I/We understand and acknowledge that if any of the aforementioned facts or information are found to be false, misleading or misrepresented, I/We shall be held liable for legal action as per applicable Acts and rules.

Signature of the Manager

Name:

Mobile No.

e-mail ID

Date:

Signature of the Employer

Name:

Mobile No.

e-mail ID

Date:

By Order of the Governor

CHITHRA ARUMUGAM

Principal Secretary to Government