



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು
ವಿಶೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪ಎ Part - IVA	ಬೆಂಗಳೂರು, ಸೋಮವಾರ, ೦೭, ಆಗಸ್ಟ್, ೨೦೨೩ (ಶ್ರಾವಣ, ೧೬, ಶಕವರ್ಷ, ೧೯೪೫) BENGALURU, MONDAY, 07, AUGUST, 2023 (SHRAVANA, 16, SHAKAVARSHA, 1945)	ನಂ. ೩೭೯ No. 379
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PARLIAMENTARY AFFAIRS AND LEGISLATION SECRETARIAT

NOTIFICATION

NO: DPAL 04 SHASANA 2023, BENGALURU, DATED: 07.08.2023

The Factories (Karnataka Amendment) Bill, 2023 ಇದಕ್ಕೆ 2023ರ ಜುಲೈ ತಿಂಗಳ 10ನೇ ದಿನಾಂಕದಂದು ರಾಷ್ಟ್ರಾಧ್ಯಕ್ಷರ ಅನುಮತಿ ದೊರೆತಿದ್ದು, ಸಾಮಾನ್ಯ ತಿಳುವಳಿಕೆಗಾಗಿ ಇದನ್ನು 2023ರ ಕರ್ನಾಟಕ ಅಧಿನಿಯಮ ಸಂಖ್ಯೆ: 33 ಎಂಬುದಾಗಿ ದಿನಾಂಕ: 07.08.2023 ರಂದು ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದ ವಿಶೇಷ ರಾಜ್ಯಪತ್ರಿಕೆ (ಭಾಗ IV) ಯಲ್ಲಿ ಪ್ರಕಟಿಸಬೇಕೆಂದು ಆದೇಶಿಸಲಾಗಿದೆ,-

KARNATAKA ACT NO. 33 OF 2023

(First Published in the Karnataka Gazette Extra-ordinary on the 7th day of August, 2023)

THE FACTORIES (KARNATAKA AMENDMENT) ACT, 2023

(Received the assent of the President on the 10th day of July, 2023)

An Act further to amend the Factories Act, 1948 in its application to the State of Karnataka.

Whereas, it is expedient further to amend the Factories Act, 1948 (Central Act LXIII of 1948) in its application to the state of Karnataka for the purposes hereinafter appearing;

Be it enacted by the Karnataka State Legislature in the Seventy-fourth Year of the Republic of India, as follows:-

1. Short title and commencement:- (1) This Act may be called the Factories (Karnataka Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 54:- In section 54 of the Factories Act, 1948 (Central Act LXIII of 1948) (hereinafter referred to as the Principal Act),-

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- (i) the existing provision shall be numbered as sub-section (1); and
 - (ii) after sub-section (1) so numbered, the following shall be inserted, namely:-

“(2) The State Government may by notification in the official Gazette, extend the daily maximum hours of work specified in this section up to twelve hours inclusive of interval for rest in any day, subject to a maximum of forty eight hours in any week as specified in section 51, in respect of any group or class or description of factories on such conditions as it may deem expedient, subject to the written consent of such worker for such work, and the remaining days of the said week for the worker shall be paid holidays.”

3. Amendment of section 55.- In section 55 of the Principal Act, after sub-section (2), the following shall be inserted, namely:-

“(3) The state government may by notification extend the total number of hours of work of a worker without an interval to six hours in respect of any group or class or description of factories on such conditions as it may deem expedient due to the provision of flexibility in working hours as specified in sub-section (2) of section 54.”

4. Amendment of section 56:- In section 56 of the Principal Act,-

- (i) the existing provision shall be numbered as sub-section (1); and
- (ii) after sub-section (1) so numbered, the following shall be inserted, namely:-

“(2) The State Government may by notification in the Official Gazette increase the spread over up to 12 hours inclusive of his intervals for rest in respect of any group or class or description of factories on such conditions as it may deem expedient, due to the provision of flexibility in working hours as specified in sub-section (2) of section 54.”

5. Amendment of section 59.- In section 59 of the Principal Act, for sub-section (1), the following shall be substituted, namely:-

“(1) Where a worker works in any factory,-

- (i) for more than nine hours in any day or for more than forty eight hours in any week, working for six days in any week;
- (ii) for more than ten hours in any day or for more than forty eight hours in any week, working for five days in any week;
- (iii) for more than eleven and a half hours in any day working for four days in any week, or works on paid holidays

-he shall in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages.”

6. Amendment of section 65.- In section 65 of the Principal Act, in sub-section (3),-

(i) in clause (iv), for the words “seventy five” the words “one hundred and forty four hours” shall be substituted;

(ii) after clause (iv) the following shall be inserted, namely:-

“(v) a worker shall be required to work overtime subject to the written consent of such worker for such work.”

7. Substitution of section 66.- For section 66 of the Principal Act, the following shall be substituted, namely:-

“66. Further restriction on employment of women.- The provisions of this Chapter shall, in their application to women in factories, be supplemented by the following further restrictions, namely:-

(a) no woman shall be required or allowed to work in any factory except between the hours of 6 A.M. to 7 P.M:

Provided that a woman may be required or allowed to work in any factory between the hours of 7 P.M to 6 A.M subject to the following conditions, namely:-

(i) It shall be the duty of the employer or other responsible persons at the work places to prevent or deter the commission of acts of sexual harassment and to provide the procedures for the resolution, statement or prosecutions of acts of sexual harassment by taking all steps required;

(ii) Express prohibition of sexual harassment in any form such as unwelcome sexually determined behaviour either directly or by implication or

advances or contact to gain contact or demand sexual favours or make sexually coloured remarks or showing pornography or any other unwelcome physic, verbal or non-verbal contact of sexual nature;

(iii) Provide appropriate working conditions in respect of works, leisure, health and hygiene to further ensure that there is no hostile environment towards women at workplaces and no woman employee should have reasonable grounds to believe that she is disadvantaged in connection with her employment;

(iv) The employer shall maintain a complaint redressal mechanism in the factory itself and the said mechanism shall ensure time-bound treatment of complaint. Such mechanism shall provide, when necessary a Complaint Committee, a special counsellor or other support services including the maintenance of confidentiality;

(v) The female employees shall be allowed to raise issues of sexual harassment to workers in the workers meeting and other appropriate forums;

(vi) The employer shall provide proper lighting and CCTV coverage 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 work. CCTV coverage shall be storage for not less than forty five days;

(vii) The employer shall see that the women workers are employed in a batch not less than ten;

(viii) Sufficient women security shall be provided during the night shift at the entry as well as exit point;

(ix) Sufficient number of rest rooms shall be provided for the female workers to arrive in advance and also leave after the working hours;

(x) The employer shall provide transportation facility to the women workers from their residence and back (for night shift) and security guards (including female security guard) and each transportation vehicle shall also be equipped with CCTV camera and GPS;

(xi) During night shift not less than 1/3rd of strength of the supervisor shift-in-charge or foreman or other supervisory staff shall be women;

(xii) There shall be not less than twelve consecutive hours of rest or gap between the last shifts and the night shift wherever a women worker is changed from day shift to night shift and so also from night shift to day shift;

(xiii) The establishment shall obtain Bio-data of each driver and conduct pre-employment screening of the antecedents of all drivers employed on their own. As regards the driver employed through outsourcing, the company shall ensure to its satisfaction that the collection of Bio-data and conduct pre-employment screening of the antecedents of the drivers is carried out by the service provider;

(xiv) The telephone number, particularly mobile phone numbers email ID and address of the women employees shall not be disclosed to unauthorised persons;

(xv) Careful selection of routes shall be made in such a way that no women employees shall be picked up first and dropped last; and

(xvi) It shall not be made compulsory or obligatory for any women worker to work in night shifts. Written consent shall be obtained from the women workers who are interested to work in night shifts.

(b) There shall be no change of shifts except after a weekly holiday or any other holiday.”

By Order and in the name of
the Governor of Karnataka,
G. SRIDHAR
Secretary to Government
Department of Parliamentary
Affairs and Legislation