

13.02.2025
Item No.15
gd/ssd

WPA(P)/522/2024
URMMISHA BARMAN
VS
STATE OF WEST BENGAL AND ORS.

Mr. Anindya Sundar Das,
Mr. Sudip Sarkar,
Mr. Syed Ali Afzal,
Ms. Paramita Mondal,
Ms. Suva Gayen,
Mr. Suman Halder
..for the Petitioner.

Mr. Sirsanya Bandopadhyay,
Mr. Debopriyo Karan
..for the State.

1. The petitioner who claims to be public spirited person has filed this writ petition praying for a direction upon the respondent/State to issue appropriate notification so as to protect the women who are employed during night shifts more particularly in the IT Sector.

2. In this regard, the petitioner has referred to the notification issued by the Government of Karnataka, notification issued by the Government of Haryana, notification issued by the Government of Himachal Pradesh and the notification issued by the Government of Telangana.

3. Thus, the endeavour of the petitioner in this writ petition is to request the State of West Bengal to formulate a comprehensive guidelines and issue the same in the form of a notification so that all commercial

establishments and the IT Sector companies and the safety and security of the women employees are protected.

4. The petitioner accepts the fact that the Government of West Bengal has introduced a flagship programme called Rattirer Saathi-Helpers of the night for the safety for women specially for those working during night shift has been launched and to be implemented in medical colleges/hospitals, hostels etc. wherever provisions are not already available.

5. The learned senior standing counsel for the State has produced the written instruction given by the Inspector in-Charge, Electronics Complex Police Station, Bidhannagar Police Commissionerate dated 16.1.2025 wherein the safety measures which were implemented by the police authorities in the said area falling within the jurisdiction of the concerned police station has been set over.

6. The endeavour of the petitioner appears to be to introduce a comprehensive guideline and if it is issued in the form of notification, the private establishments and other institutions which are carrying on business in various parts of the State can be called upon to implement the same and if the notification has the statutory flavour, then enforcement of the terms of the notification can also be done which

will effectively address the concerns expressed by the petitioner.

7. The learned senior standing counsel for the State, on instruction, submitted that all the departments are being sensitized and very soon something positive will turn over.

8. Considering all these facts, we direct the Principal Secretary, Department of Home and Hill Affairs to form a team of officers to examine as to how a notification preferably a statutory notification can be issued for the purpose of ensuring safety of the women specially those who are working in night shifts which notification to be made applicable to not only the Government Sector but also to the Private Sector. The said team of officers shall examine the issue and submit their draft recommendation to the Principal Secretary, namely, Home and Hill Affairs who are thereafter take the matter to its logical conclusion.

9. With the above observations, the matter stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(BIVAS PATTANAYAK, J.)