

SPARKON TEXTILE VENTURES PRIVATE LIMITED	DATA PRIVACY POLICY	Formats
Docc.:- STVPL/2025-26/HR/05	Rev. No.:- 05	Rev. Date:- 03/01/2025
Approved By :- Manager	Issued By :- MR	Eff. Date :- 03/01/2024

DATA PRIVACY POLICY

The **Factories Act, 1948**, does not explicitly address **data privacy** or **personal data protection** of workers. However, certain provisions within the Act, along with other **Indian labor laws and data protection laws**, provide guidance on the **privacy and confidentiality of worker records** in factory settings.

1. Employee Data Protection Under the Factories Act, 1948

Though **data privacy** is not explicitly covered, the Act mandates employers to maintain **certain records** about workers while ensuring their **confidentiality**:

a) Medical and Health Records (Section 11, 41, 87)

- Employers must maintain **health and medical records** of workers, especially those exposed to hazardous processes.
- These records should be **kept confidential** and **shared only with authorized authorities** (e.g., labor inspectors, government officials).
- Workers have a **right to access** their own medical records.

b) Worker Registers and Personal Information (Section 62 & 79)

- Employers must maintain:
 - **Worker attendance registers**
 - **Leave and wage records**
 - **Personal employment details**
- Employers must **ensure these records are not misused** or shared without the worker's consent, except for legal purposes.

2. Applicability of Data Privacy Laws to Factories

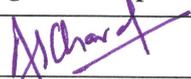
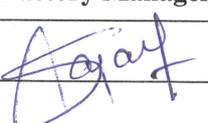
Since the Factories Act, 1948, does not comprehensively cover data privacy, **other laws apply to data protection in industrial settings**, including:

a) The Information Technology Act, 2000 (IT Act)

- **Section 43A & 72A** of the **IT Act, 2000** mandates that:
 - Employers handling **sensitive personal data** (e.g., **health records, financial details, biometric data**) must protect it.
 - Any unauthorized disclosure can lead to **legal penalties**.

b) Digital Personal Data Protection Act (DPDP Act), 2023

- The **DPDP Act, 2023**, applies to factories that collect, store, or process **personal data of employees**.
- **Key obligations for employers:**
 - **Obtain employee consent** before collecting personal data.

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- Use data only for intended employment-related purposes.
- Secure employee data from leaks or breaches.
- Grant employees the right to access and correct their personal data.
- **Penalties for Data Breaches:**
 - Non-compliance with data protection laws can result in **finest up to ₹250 crore** under the DPDP Act.

3. Employer Responsibilities for Data Privacy in Factories

To comply with **privacy laws and labor regulations**, factory employers should:

1. **Limit data collection** – Only collect **necessary** employee information.
2. **Secure storage** – Keep **health, wage, and personal data** in secure systems.
3. **Restrict access** – Allow only **authorized HR or management personnel** to access employee records.
4. **Obtain consent** – Get **written consent** from workers before sharing any personal data.
5. **Train HR and supervisors** – Educate managers on **data privacy responsibilities**.
6. **Report data breaches** – If employee data is leaked, **notify the affected employees and legal authorities**.

4. Penalties for Violating Employee Data Privacy

Factories that **fail to protect employee data** may face:

- **Legal action** under the **DPDP Act, 2023** or **IT Act, 2000**.
- **Fines up to ₹250 crore** for major data breaches.
- **Penalties under labor laws** for mishandling worker records.

Conclusion

While the **Factories Act, 1948**, does not have a dedicated **data privacy policy**, it indirectly mandates **confidentiality of worker records**. Factories must also comply with **modern data protection laws (DPDP Act, IT Act)** to ensure **worker data privacy and security**.



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