



HARYANA STATE LAW COMMISSION

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TWENTY SIXTH REPORT

RECOMMENDATIONS TO ADOPT THE GUIDELINES/POLICY FOR ISSUANCE OF HEALTH TRADE LICENCE AND OPERATION OF SPA AND MASSAGE CENTRES IN HARYANA.

Government of Haryana

HARYANA STATE LAW COMMISSION

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Government of Haryana

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GUIDELINES/POLICY FOR ISSUANCE OF HEALTH
TRADE LICENCE AND OPERATION OF SPA AND
MASSAGE CENTRES IN HARYANA.**

17th June, 2025

Under the garb of spa and massage centres, the prostitution rackets are being run in the State of Haryana. Various incidents of operating illegal activities such as prostitution, human trafficking, etc. are being operated by the owners/managers of such spa and massage centres and this trend has been increasing in the entire State of Haryana which not only undermine the dignity and safety of individual but also tarnish the reputation of law and order controlled by the State Government. The absence of clear

and detailed guidelines leaves a vacuum that allows such illegal activities to flourish, transforming establishments meant for relaxation and wellness into dens of exploitation. It is of dire significance for State of Haryana to prevent the massage and spa centres from becoming illicit establishments of illegal activities such as prostitution and exploitation of gullible girls/women by owners/managers of such centres. Such kind of menace can only be curbed through the framing of strict guidelines/policy that prioritize the safety and dignity of all individuals relating to and working in and patronizing these centres clearly distinguishing legitimate wellness services and illicit activities, implementing a fair and transparent licensing and registration process and establishing clear protocols for inspections and enforcement, etc. At present in the State of Haryana, there are no detailed guidelines/policy to regulate such spa and massage centres to prevent the illegal activities being run under the garb of such centres.

The Hon'ble Punjab and Haryana High Court in *CWP-28707 of 2024, Sabnam Khatun and Ors. Vs. State of Punjab and Ors*, decided on 07.04.2025 directed the Government of

Punjab to frame guideline/policy regulating the operations of spa and massage centres within the State.

The Government of Delhi has already framed guidelines for operation of spa/massage centres in Delhi i.e. for issuance of Health Trade License and operation of such centres.

In view of the directions given by the Hon'ble Punjab and Haryana High Court, it is expedient to deal with such menace and curb such illegal and inhuman activities under the garb of spa and massage centres, some guidelines/policy regulating such activities are required to be drafted.

The Haryana State Law Commission, with this motive, drafted the guidelines/policy for operation of spa/massage centres in the State of Haryana for final approval of the State Government/State Legislature.

The following guidelines are, hereby suggested for approval of the State Government for issuance of Health Trade License and operation of spa/massage centres in the State of Haryana: -

1. DEFINITIONS. –

(a) 'Licence' means the licence issued by the Competent Authority on behalf of the local body after conducting necessary inspections;

(b) 'Manager' means the owner or any person having control of administration and management of a Spa/ Massage centres and/or of the persons working or employed therein;

(c) 'Massage' means any method of treatment of the body for remedial or hygienic purpose including rubbing, stroking, pressing or kneading with the hands, feet or by any mechanical or electrical apparatus or appliances or supplementary aids such as antiseptic oils, powder, cream, lotion or other similar preparation used in this practice;

(d) 'Massage centre' means an establishment or premises by whatever name be known providing massage or any other like service. However, these guidelines for operation of SPA/Massage centre in Haryana shall not be applicable for the Massage or Physio-centres operated by

all the Government/private hospitals and the hospitals of autonomous bodies or any other state-run therapeutic centres;

(e) 'Masseur/therapist' means a person employed by manager for providing massage or other services in a Spa/ Massage centre and having recognized qualifications;

(f) 'Spa' means a resort/establishment providing therapeutic bath, a resort area having mineral springs, a fashionable hotel, or resort or health Spa, a tub for relaxation or invigoration; including a device for raising whirlpools in the water.

2. MANDATORY CONDITIONS FOR OBTAINING LICENCE. -

(a) Engaging in any form of sexual activity in the premises of the Spa/ Massage centre is totally prohibited.

(b) Cross-gender massage shall not be allowed in Spa/Massage centres. Provision for male masseur for massage of males and female masseur for massage of females shall be made.

(c) Male and female Spa centres shall be in different sections of the premises and clearly demarcated with separate entry and no inter-connection.

(d) The Spa/Massage centre services shall not be provided behind locked doors. There shall be no latch and bolt inside the doors of SPA/Massage Centre chambers. There shall be provision of self-closing doors.

(e) The external doors of the massage/spa establishment shall be kept open during working hours.

(f) Mandatory provision for production of ID cards of all customers shall be ensured and proper register containing their contact details including phone numbers and ID proof shall be maintained.

(g) The Spa/Massage centres can remain open only between 9 am to 9 pm.

(h) Proper lighting facilities shall be provided in each room or enclosure.

- (i) The Spa/Massage centre shall have separate toilet & bathroom for males and females with proper drainage system.
- (j) The Spa/Massage centre shall have separate changing rooms for males and females.
- (k) The premises shall not be used for residential purposes nor it shall connect with any residential portion of the premises, if any.
- (l) The Spa/Massage Centre shall ensure cleaning of the premises by employment of employees necessary for cleaning [Housekeeping work etc.]
- (m) Each masseur/masseuse employed at the centre shall possess a degree/diploma/ certificate in physiotherapy/acupressure or occupational therapy.
- (n) The details of all employees including housekeeping staff shall be maintained in a register.
- (o) All employees shall wear ID card issued by the employer and displayed while they working.

(p) All employees for this trade shall be at least 18 years of age.

(q) Local Body shall obtain the Police verification of the Owner/Manager of Spa/Massage Centre before issuing Health Trade License to the Spa/Massage Centre along with premises verification.

(r) There should be no criminal cases pending and no involvement in the Criminal action related to The Immoral Traffic (Prevention) Act, The Protection of Children from Sexual Offences Act or any case of nature of sexual crime registered against any employee of the Spa/Massage Centre. The Owner/Manager of the Spa/Massage centre shall obtain Police Clearance Certificate (PCC) before engagement of any person in employment at the Centre.

(s) The Spa/massage centre shall not violate any laws in force especially the Immoral Traffic (Prevention) Act and shall abide by all the applicable laws, rules and guidelines.

(t) The name, license number, details of license, working hours of each centre shall be displayed in the premises or building in a manner clearly visible from outside.

(u) Details of licensee, manager, employees, working hours of services, types of massages or services available including fees fixed for each item thereof shall be also displayed prominently.

(v) Display Boards in both English and Hindi shall be displayed at appropriate place at the reception containing the following information: -

- i. Site plan of the premises.
- ii. Number of beds category-wise for male and female.
- iii. Details of the employees containing their designation and qualification.
- iv. Helpline numbers for customers i.e. 112 & 181.
- v. Declaration stating that "The Spa and Massage centre is for spa/massage purpose only. If any customer/ employee/ employer is found involved in any activity related to prostitution, then legal action as per the Immoral Traffic (Prevention) Act and/or any other law will be taken against them. The same

can be reported by calling at Helpline Numbers 112 & 181."

(w) CCTV cameras with recording facility shall be installed at Entrance, reception and common areas of the centre. Recording must be retained for at least three months.

(x) Internal complaint committee under the Prevention of Sexual Harassment of Women at Work Place Act shall be established in the centre where more than 10 employees are working. The existence of such Committee should be displayed at a prominent location. Reports as per law should be sent to the concerned authorities.

(y) COVID appropriate behaviour shall be adhered by the Spa/Massage Centres as prescribed by the Ministry of Health & Family Welfare, Government of India from time to time. The Spa/Massage Centres must also abide by the directions of Hon'ble High Court of Punjab and Haryana given in *CWP-28707 of 2024, Sabnam Khatun and Ors. Vs. State of Punjab and Ors, decided on 07.04.2025.*

(z) An undertaking/declaration shall be submitted in the form of an Affidavit (as per Annexure) along with the application for obtaining health trade license for complying with all the above conditions.

3. INSPECTION AND ENFORCEMENT. -

(a) The health trade license shall be issued by the local body only after inspection of the premises.

(b) The health officials, police officers and other concerned authorities shall have the authority to inspect the premises, license, and registers/all records of the Spa/Massage centres to verify the compliance with the above conditions or on suspicion of commission of any offence by the licensee / employees related to any law in force.

(c) In case of any violation of the guidelines, penal action shall be taken as per the applicable laws of concerned local body.

(d) In case of any criminal activity by the Spa/Massage Centre, action as per law shall be taken by the Police.

Annexure

UNDERTAKING (in the form of Affidavit)

I, _____ Son/Daughter of
Shri _____, Age _____ years, resident of
_____ do hereby undertake to comply with
the following conditions: -

(a) The Massage/Spa Centre will not engage in any form of sexual activity in the premises.

(b) Cross-gender massage will not be allowed in Spa/Massage centres. There will be provision for male masseur for massage of males and female masseur for massage of females.

(c) Male and female Spa centres will be in different sections of the premises and clearly demarcated with separate entry and no inter-connection.

(d) The Spa/Massage centre services will not be provided behind locked doors. There will be no latch and bolt inside the doors of SPA/Massage Centre chambers. There will be provision of self-closing doors.

- (e) The external doors of the Massage/spa establishment will be kept open during working hours.
- (f) Mandatory provision for production of ID cards of all customers will be ensured and proper register containing their contact details including phone numbers and ID proof will be maintained.
- (g) The Spa/ Massage centres will remain open only between 9 am to 9 pm.
- (h) Proper lighting facilities will be provided in each room or enclosure.
- (i) The Spa/ Massage centre will have separate toilet & bathroom for males and females with proper drainage system.
- (j) The Spa/ Massage centre will have separate changing rooms for males and females.
- (k) The premises will not be used for residential purposes nor will it connect with any residential portion of the premises, if any.

(l) The Spa/Massage Centre will ensure cleaning of the premises by employment of employees necessary for cleaning [Housekeeping work, etc.]

(m) Each masseur/masseuse employed at the centre will possess a degree/diploma/certificate in physiotherapy/acupressure or occupational therapy.

(n) The details of all employees including housekeeping staff will be maintained in a register.

(o) All employees will wear ID card issued by the employer and displayed while they are working.

(p) All employees for this trade will be at least 18 years of age.

(q) No criminal cases are pending and no involvement in the Criminal action related to the immoral Traffic (Prevention) Act, The Protection of Children from Sexual Offences Act or any case of nature of sexual crime registered against the Deponent, Manager or any employee of the Spa/Massage centre.

(r) The Manager of the Spa/Massage centre will obtain the Police Clearance Certificate (PCC) before engagement of any person in employment at the Centre.

(s) The Spa/massage centre will not violate any laws in force especially the Immoral Traffic (Prevention) Act and will abide by all the applicable laws, rules and guidelines.

(t) The name, license number, details of license, working hours of each centre will be displayed in the premises or building in a manner clearly visible from outside.

(u) Details of licensee, manager, employees, working hours of services, types of massages or services available including fees fixed for each item thereof will be also displayed prominently.

(v) Display Boards in both English and Hindi will be displayed at appropriate place at the reception containing the following information: -

- i. Site plan of the premises.
- ii. Number of beds category-wise for male and female.
- iii. Details of the employees containing their designation and qualification.
- iv. Helpline numbers for customers i.e. 112 & 181.

v. Declaration stating that "The spa/massage centres is for spa/massage purpose only. If any customer/ employee/ employer is found involved in any activity related to prostitution, then legal action as per the Immoral Traffic (Prevention) Act and/or any other law will be taken against them. The same can be reported by calling at Helpline Numbers 112 & 181."

(w) CCTV cameras with recording facility will be installed at Entrance, Reception and Common Areas of the centre. Recording must be retained for at least three months.

(x) Internal complaint committee under the Prevention of Sexual Harassment of Women at Work Place Act will be established in the centres where more than 10 employees are working. The existence of such Committee should be displayed at a prominent location. Reports as per law will be sent to the concerned authorities.

(y) COVID appropriate behavior adhered by the Spa and Massage Centres as prescribed by the Ministry of Health & Family Welfare, Government of India vide their Office Memorandum dated 18.11.2020 & subsequent directions in this regard, The Spa and Massage Centres shall also

abide by the directions of Hon'ble High Court of Punjab and Haryana given in *CWP-28707 of 2024, Sabnam Khatun and Ors. Vs. State of Punjab and Ors, decided on 07.04.2025.*

DEPONENT

VERIFICATION

I, _____ hereby solemnly declare and affirm that the contents of the above affidavit are true and correct to the best of my knowledge and belief. Nothing has been cancelled therein.

DEPONENT
