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PART - I

சிறப்பு வெளியீடு

EXTRAORDINAIRE

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அதிகாரம் பெற்ற
வெளியீடு

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GOVERNMENT OF PUDUCHERRY LAW DEPARTMENT

No. 123/Leg./17-LD/Repub.

Puducherry, the 13th April 2017.

NOTIFICATION

The following Act of the Parliament of the Ministry of Law and Justice (Legislative Department), Government of India, New Delhi, published in the Gazette of India, is hereby republished for general information of the public.

(By order)

N. MURUGAVEL,
Under Secretary to Government (Law).

MINISTRY OF LAW AND JUSTICE
(Legislative Department)

New Delhi, the 28th March, 2017/Chaitra 7, 1939 (Saka).

The following Act of Parliament received the assent of the President on the 27th March 2017, and is hereby published for general information:-

THE MATERNITY BENEFIT (AMENDMENT) ACT, 2017
No. 6 OF 2017

[27th March, 2017]

An Act further to amend the Maternity Benefit Act, 1961.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

Short title, and commencement.

1. (1) This Act may be called the Maternity Benefit (Amendment) Act, 2017.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Amendment of section 3.

2. In the Maternity Benefit Act, 1961 (hereinafter referred to as the principal Act), in section 3, after clause (b), the following clause shall be inserted, namely:—

53 of 1961

'(ba) "commissioning mother" means a biological mother who uses her egg to create an embryo implanted in any other woman;'

Amendment of section 5.

3. In the principal Act, in section 5,—

(A) in sub-section (3)—

(i) for the words "twelve weeks of which not more than six weeks", the words "twenty-six weeks of which not more than eight weeks" shall be substituted;

(ii) after sub-section (3) and before the first proviso, the following proviso shall be inserted, namely:—

"Provided that the maximum period entitled to maternity benefit by a woman having two or more than two surviving children shall be twelve weeks of which not more than six weeks shall precede the date of her expected delivery;"

(iii) in the first proviso, for the words "Provided that", the words "Provided further that" shall be substituted;

(iv) in the second proviso, for the words "Provided further that", the words "Provided also that" shall be substituted;

(B) after sub-section (3), the following sub-sections shall be inserted, namely:—

"(4) A woman who legally adopts a child below the age of three months or a commissioning mother shall be entitled to maternity benefit for a period of twelve weeks from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be.

(5) In case where the nature of work assigned to a woman is of such nature that she may work from home, the employer may allow her to do so after availing of the maternity benefit for such period and on such conditions as the employer and the woman may mutually agree."

4. In the principal Act, after section 11, the following section shall be inserted, namely:—

Insertion of new section 11A.

"11A. (1) Every establishment having fifty or more employees shall have the facility of creche within such distance as may be prescribed, either separately or along with common facilities:

Creche facility

Provided that the employer shall allow four visits a day to the creche by the woman, which shall also include the interval for rest allowed to her.

(2) Every establishment shall intimate in writing and electronically to every woman at the time of her initial appointment regarding every benefit available under the Act."

Dr. G. NARAYANA RAJU,
Secretary to the Government of India.

THE EMPLOYEE'S COMPENSATION (AMENDMENT) ACT, 2017

No. 11 OF 2017

[12th April, 2017]

An Act further to amend the Employee's Compensation Act, 1923.

BE it enacted by Parliament in the Sixty-eighth Year of the Republic of India as follows:—

1. (1) This Act may be called the Employee's Compensation (Amendment) Act, 2017.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

8 of 1923

2. In the Employee's Compensation Act, 1923 (hereinafter referred to as the principal Act), after section 17, the following section shall be inserted, namely:—

Insertion of new section 17A.

"17A. Every employer shall immediately at the time of employment of an employee, inform the employee of his rights to compensation under this Act, in writing as well as through electronic means, in English or Hindi or in the official language of the area of employment, as may be understood by the employee."

Duty of employer to inform employee of his rights.

3. In the principal Act, in section 18A, in sub-section (1),—

Amendment of section 18A.

(i) in clause (d), for the word and figures "section 16," the words and figures "section 16, or" shall be substituted;

(ii) after clause (d), the following clause shall be inserted, namely:—

"(e) fails to inform the employee of his rights to compensation as required under section 17A,";

(iii) in the long line, for the words "which may extend to five thousand rupees", the words "which shall not be less than fifty thousand rupees but which may extend to one lakh rupees" shall be substituted.

Amendment of
section 30.

4. In the principal Act, in section 30, in sub-section (1), in the first proviso, for the words "three hundred rupees", the words "ten thousand rupees or such higher amount as the Central Government may, by notification in the Official Gazette, specify" shall be substituted.

Omission of
section 30A.

5. Section 30A of the principal Act shall be omitted.

Dr. G. NARAYANA RAJU,
Secretary to the Government of India.