



# भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० ६] नई दिल्ली, मंगलवार, मार्च २८, २०१७/चैत्र ७, १९३९ (शक)  
No. 6] NEW DELHI, TUESDAY, MARCH 28, 2017/CHAITRA 7, 1939 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## 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:—

1. (1) This Act may be called the Maternity Benefit (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 :

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.

53 of 1961.

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:—

Amendment  
of section 3.

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

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

Amendment  
of 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:—

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

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.”.

Insertion of  
new section  
11A.

Crèche  
facility.

DR. G. NARAYANA RAJU,  
*Secretary to the Govt. of India.*



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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 914]

नई दिल्ली, शुक्रवार, मार्च 31, 2017/चैत्र 10, 1939

No. 914]

NEW DELHI, FRIDAY, MARCH 31, 2017/CHAITRA 10, 1939

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 31 मार्च, 2017

का.आ. 1026(अ).— केन्द्रीय सरकार, प्रसूति प्रसुविधा (संशोधन) अधिनियम, 2017 (2017 का 6) की धारा 1 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा --

(i) 1 अप्रैल, 2017 जिससे उक्त अधिनियम के प्रावधान, सिवाय धारा 3 की उप-धारा (5); तथा

(ii) 1 जुलाई, 2017 जिससे उक्त अधिनियम की धारा 3 की उप-धारा (5),

प्रवृत्त होंगे, ऐसी तारीख नियत करती है।

[फा. सं. एस-36012/03/2015-सा.सु.-I]

मनीष कुमार गुप्ता, संयुक्त सचिव

## MINISTRY OF LABOUR AND EMPLOYMENT NOTIFICATION

New Delhi, the 31st March, 2017

**S.O. 1026(E).**— In exercise of the powers conferred by sub-section (2) of section 1 of the Maternity Benefit (Amendment) Act, 2017 ( 6 of 2017), the Central Government hereby appoints—

(i) the 1<sup>st</sup> day of April, 2017 as the date on which the provisions of the said Act, except sub-section (5) of section 3; and

(ii) the 1<sup>st</sup> day of July, 2017, as the date on which sub-section (5) of section 3 of the said Act,

shall come into force.

[F.No.S-36012//03/2015-SS-I]

MANISH KUMAR GUPTA, Jt. Secy.

1833 GI/2017

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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 934]

नई दिल्ली, सोमवार, अप्रैल 03, 2017/चैत्र 13, 1939

No. 934]

NEW DELHI, MONDAY, APRIL 03, 2017/CHAITRA 13, 1939

श्रम और रोजगार मंत्रालय

शुद्धिपत्र

नई दिल्ली, 3 अप्रैल, 2017

का.आ. 1049(अ.).—दिनांक 31 मार्च, 2016 के का.आ. सं. 1026(अ.) के द्वारा भारत के राजपत्र, असाधारण, भाग-II, खण्ड-3, उप-खण्ड (ii) में प्रकाशित भारत सरकार, श्रम और रोजगार मंत्रालय की दिनांक 31 मार्च, 2017 की अधिसूचना संख्या 914 में 'धारा 3 की उप-धारा (5)' शब्दों और अंकों के लिए दोनों स्थानों पर 'धारा 4 की उप-धारा (1)' शब्द और अंक पढ़े जाएं।

[फाइल सं. एस-36012/03/2015-सा.सु.-I]

मनीष कुमार गुप्ता, संयुक्त सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

CORRIGENDUM

New Delhi, the 3rd April, 2017

**S.O. 1049(E).**—In the Government of India, Ministry of Labour and Employment notification No.914 dated 31<sup>st</sup> March,2017, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii), vide number S.O. 1026 (E) dated the 31<sup>st</sup> March, 2016,—for the words and figures 'sub-section (5) of section 3', the words and figures 'sub-section (1) of section 4' may be read at both the places.

[F.No.S-36012/03/2015-SS-I]

MANISH KUMAR GUPTA, Jt. Secy.

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