

THE MATERNITY BENEFIT (AMENDMENT) ACT, 1995

No. 29 OF 1995

[17th August, 1995.]

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

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

Short title and commencement.

1. (1) This Act may be called the Maternity Benefit (Amendment) Act, 1995.

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

Amendment of section 3.

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

53 of 1961.

'(ha) "medical termination of pregnancy" means the termination of pregnancy permissible under the provisions of the Medical Termination of Pregnancy Act, 1971.'

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34 of 1971.

Amendment of section 4.

3. In section 4 of the principal Act,—

(a) in sub-section (1), for the words "or her miscarriage", the words ", miscarriage or medical termination of pregnancy" shall be substituted;

(b) in sub-section (2), for the words "or her miscarriage", the words ", miscarriage or medical termination of pregnancy" shall be substituted.

Substitution of new section for section 9.

4. For section 9 of the principal Act, the following section shall be substituted, namely:—

Leave for miscarriage, etc.

"9. In case of miscarriage or medical termination of pregnancy, a woman shall, on production of such proof as may be prescribed, be entitled to leave with wages at the rate of maternity benefit, for a period of six weeks immediately following the day of her miscarriage or, as the case may be, her medical termination of pregnancy."

* 1.2.1996: vide notification no. S.O. 80 (E), dt. 31.1.1996

5. After section 9 of the principal Act, the following section shall be inserted, namely:—

“9A. In case of tubectomy operation, a woman shall, on production of such proof as may be prescribed, be entitled to leave with wages at the rate of maternity benefit for a period of two weeks immediately following the day of her tubectomy operation.”

Insertion of new section 9A.

Leave with wages for tubectomy operation.

6. In section 10 of the principal Act, for the words “or miscarriage”, the words “, miscarriage, medical termination of pregnancy or tubectomy operation” shall be substituted.

Amendment of section 10.

Section 9A

Section 10

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