

MATERNITY BENEFIT (ASSAM AMENDMENT) ACT, 1963

ASSAM AGT OF 1964 THE MATERNITY BENEFIT-(ASSAil AMENDMENT) ACT, 1963 (Received the assent of the President on the 31st May 19 64) [Published in the Assam Gazelle Extraordinary, dated the 2nd June 1964] An Act to amend the Maternity Benefit Act, 1961 in its application to the State of Assam WHEREAS it is expedient to amend the Maternity Central Act Preamble Benefit Act, 1961 hereinafter called the principal Act NO•53 1961. in its application to the State of Assam, in the manner hereinafter appearing ; It is hereby enacted in the Fourteenth Year of the Republic of India as follows 1. (1) This Act may be called the Maternity Short title, extent and Benefit (Assam Amendment) Act, 1963. commence- ment. (2) It extends to the whole of the State of Assam. .9 Amendment of Section 4 of the Cen- tral Act No. 53 of 19610 Amendment of Section 5 of Central Act No. 53 of 1961. 'Right to payment CT maternity benefit. (3) It shall come into force on such 'date as may be notified in this behalf by the State Govern- ment in the official Gazette, 2. In sub-sections (J) and (2) of Section 4 of thé principal Act, for the words "six weeks" wherever occurring between the words "the" and "immediately" the words "eight weeks" shali be substituted

3. For Section 5 of the principal Act, the follow" ing shall be substituted, namely 5.(1) Subject to the provision of this Act every woman shall be entitled to, and her,, employer shall be liable for, the payment of maternity benefit at the rate of her wages for the period as prescribed under sub-section Such payment shall be made weekly in case of a woman working on daily wage basis and monthly in the case of a wOman working on monthly wage basis. Explanation,---For the purpose of this sub- section, weekly payment of wages means in case of wornan working on daily wage basis, such daily wage multiplied by six. (2) No woman shall be entitled to maternity benefit unless she has worked directly under the employer from whom. she claims such benefit for a 0,12 raise, J 2 totai ot- one hundred and GiCy days during the .period of twelve months immediately preceding the date on which the 'notice of expected delivery. is given and where no notice has been given or in case of miscar- riage daring the nrlve months precedh!g the date of delivery or the date of miscarriage Provided lhat the qtalifying period OE one hundred and fifty days aforesaid shall not apply to a woman who has immigrated into the State of Assam and was pregnant at the time of immigration, computing the number of days on which a woman worked, the days on which (a) she has been laid off under an agreement or as permitted Central Act No, 20 of hy Standing Orders under the Industrial Employment 1946. (Standing Orders) Act, 1946, or under the Industrial Disputes Act, 1947 and (b) she has been on leave with Central Act full wages, earned in the previous year or on maternity No. 14 Of 1947. leave or on sick leave shall be included. (3). The maximum period for which any woman shall be entitled to maternity benefit shall be twelve weeks, that is to says four weeks upto and including the day of delivery and eight weeks imme- diately following the day of delivery;' 4, For sub- section (5) of Section 6 of the princi- Amendment of Section pal Act, the following shall be substituted, namely 6 of Central Act NoS3 of 1961, "(5) The amount of maternity benefit for the period preceding the date of her' expected delivery and the amount due for the subsequent ' period shall be paid by the employer on- production of such proof as may be prescribed regarding pregnancy and delivery of a child," 5, -In Section 9 of the principal Act, for the words amendment of Section six weeks" occurring between the words "of 't and 9 of Central Act No.5\$ Immediately" the words c geight weeks" 01 1961. Repeal stituted

6. The Assam Maternity Benefit Act repealed.shall be subG 944 is 'hereby AGP (Leg)