

अखिल भारतीय आयुर्विज्ञान संस्थान
अंसारी नगर, नई दिल्ली-29

एफ.नं.36-6/86-स्था.। (पी/एफ)

दिनांक: 10.10.2023

कार्यालय ज्ञापन

विषय: मातृत्व लाभ (संशोधन) अधिनियम, 2017 को वापस लेने संबंधी।

अधोहस्ताक्षरी को सक्षम प्राधिकारी के निर्णय से अवगत कराने का निदेश दिया गया है कि दिनांक 03.04.2018 के समसंख्यक कार्यालय ज्ञापन (प्रतिलिपि संलग्न) को तत्काल प्रभाव से रद्द/वापस लिया माना जाए क्योंकि मातृत्व लाभ (संशोधन) अधिनियम, 2017 के प्रावधान एम्स (नई दिल्ली) के कर्मचारियों के संबंध में लागू नहीं होते हैं जोकि सीसीएस (छुट्टी) नियमावली, 1972 के अंतर्गत आते हैं।

संलग्नक:- यथोपरि

(अनिता टेटे)

वरिष्ठ प्रशासनिक अधिकारी

वितरण:

- 1) सभी केन्द्र के प्रमुखगण/विभागों/एककों/अनुभागों के अध्यक्षगण
- 2) चिकित्सा अधीक्षक (अस्पताल)/डॉ. रा.प्र.केंद्र
- 3) सभी स्थापना अनुभागों के वरिष्ठ प्रशासनिक अधिकारी/प्रशासनिक अधिकारीगण
- 4) कंप्यूटर सुविधा - इसे संस्थान की आधिकारिक वेबसाइट पर अपलोड करने के अनुरोध सहित।

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
Ansari Nagar, New Delhi-29

F.No.36-6/86-Estt.I (P/F)

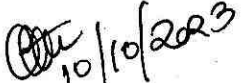
Dated: 10.10.2023

OFFICE MEMORANDUM

Subject: The Maternity Benefit (Amendment) Act, 2017 - withdrawn thereof.

The undersigned is directed to convey the decision of the Competent Authority that the office memorandum of even number dated 03.04.2018 (copy enclosed) may be treated as cancelled/withdrawn with immediate effect as the provisions of the maternity benefit (Amendment) Act, 2017 is not applicable in respect the employees of AIIMS (New Delhi) who are covered under CCS (Leave) Rules, 1972.

Hindi version will follow


10/10/2023

(ANITA TETE)

SR. ADMINISTRATIVE OFFICER

Encl. As stated above

Distribution:

- 1) All Chief of Centres/Head of Departments/Units/Sections
- 2) The Medical Superintendent (Hospital)/Dr.R.P.Centre
- 3) All Sr. Admn. Officer/ Administrative Officers of Establishment Sections
- 4) **The Computer Facility** - with a request to upload this on official website of the Institute
- 5) **The Sr. Hindi Officer** - with a request to provide the Hindi version of the same for uploading on AIIMS website.

ALL INDIA INSTITUTE OF MEDICAL SCIENCES
(ESTABLISHMENT SECTION (DO))

No.f.36-6/86-Estt.I Part file

Ansari Nagar, New Delhi-29.

Dated the : 13.04.2018

MEMORANDUM

13.04.2018

Subject:- The Maternity Benefit (Amendment) Act, 2017 - reg.

A copy of Gazette Notification regarding the Maternity Benefit (Amendment) Act, 2017 dated 28th March, 2017 is forwarded herewith to all concerned for information and necessary action.

This issues with the approval of the competent authority.


(B.S. GILL)

ADMINISTRATIVE OFFICER (DO)

Encl.: As stated above

DISTRIBUTION:-

1. All Chief of Centres
2. The Medical Superintendent, AIIMS Hospital
3. The Sr. Admn. Officer, Dr. R.P. Centre/NDDTC Ghaziabad
4. The Admn. Officer, Establishment Section (DO), Hospital, C.N. Centre, Research Section, Academic Section, Dr. BRA-IRCH, CDER & Recruitment Cell

Copy to:-

1. The Computer Facility - with a request to upload this Memorandum on Institute website.

Sh. Sanjeev Kumar for n. a. please.





भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्रसिद्धि से प्रकाशित

PUBLISHED BY AUTHORITY

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

इस भाग में निम्न 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.

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.

33 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 (2)—

(i) for the words ‘‘twelve weeks of which not more than six weeks’’, the



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 1

PART II—Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 6] नई दिल्ली, मंगलवार, मार्च 28, 2017/चैत्र 7, 1939 (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.

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

Short title and
commencement.

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 crèche 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.

UPLOADED BY THE GENERAL MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

GMGIPMRND--5579GI--28-3-2017.

MANOJ
KUMAR
Digitally signed
by MANOJ
KUMAR
Date: 2017.03.29
04:15:54 +05'30'