

ADMINISTRATION OF DAMAN & DIU,
DEPARTMENT OF LABOUR & EMPLOYMENT,
DAMAN.

Date: 14/06/2017

No. LE/LI/DMN/DMN/CLL/2010156 | 779362
192/CI/FB/2017

CIRCULAR

The Maternity Benefit Act, 1961 has been amended and called as the Maternity Benefit (Amendment) Act, 2017, vide Gazette Notification No.DL-(N)04/0007/2003-17 dated 27th March, 2017. The said Act has come into force w.e.f. 1st April 2017 with the following amendments:

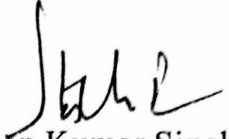
- Increase in the maternity leave from existing 12 to 26 weeks for working women with less than two surviving children.
- Provision for work from home for nursing mothers.
- Mandatory provisions for establishments having fifty or more employees to have the facility of creche.
- Extension of twelve weeks of maternity benefit to the 'commissioning mother' and the 'adopting mother' from the date the child is handed over.

CLARIFICATIONS :

- 1) The Act is applicable to all women who are employed in any capacity directly or through any agency i.e. either on contractual or as consultant.
- 2) The Enhanced Maternity Benefit, as modified by the Maternity Benefit (Amendment) bill, 2016 can be extended to women who are already under maternity leave at the time of enforcement of this Amendment Act.
- 3) Those women employees who had already availed 12 weeks of maternity leave before enforcement of the Maternity Benefit (Amendment) Act, 2017 i.e. 1st April, 2017 shall not be entitled to avail the extended benefit of the 26 weeks leave.
- 4) Any dismissal or discharge of a women during the pregnancy is unlawful and such employer can be punished under Section 21 of the Act.

- 5) The Maternity Benefit Act is applicable to all mines, plantations, shops and establishments and factories, Mines, plantations, shop and establishments which could be either in Organized sector or Unorganized Sector.

The above instructions shall be followed scrupulously. Non compliance of the provisions of the Act would invite penal action.


(Sandeep Kumar Singh)
Collector,
Daman.

To,

- 1) All the Industrial Establishments,
Daman & Diu.
- 2) All the Hotels/ Restaurants etc.
Daman & Diu.
- 3) All the Head of Officers,
Daman & Diu.

Copy to the industries association with a request to take up the matter with their members to ensure strict compliance:

- 1) The President, Daman Industries Association, Daman.
- 2) The President, Hoteliers Association, Daman.
- 3) The SIO, NIC with request to place the above said Circular on the Official Website of
Daman & Diu.
- 4) The Assistant Director (O.L), Daman & Diu, Daman for Hindi translation
- 6) The Field Publicity Officer, Daman & Diu, Daman for Wide Publicity.