

GOVERNMENT OF ORISSA
LAW DEPARTMENT

ORISSA ACT 12 OF 1957

THE ORISSA MATERNITY BENEFIT (AMENDMENT) ACT, 1957

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THE ORISSA MATERNITY BENEFIT (AMENDMENT) ACT, 1957

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AN ACT TO AMEND THE ORISSA MATERNITY BENEFIT ACT, 1953

WHEREAS it is expedient to amend the Orissa Maternity Benefit Act, 1953, in the manner hereinafter appearing ;

Orissa Act
XIX of
1953.

It is hereby enacted by the Legislature of the State of Orissa in the Eighth Year of the Republic of India as follows :—

Short title and commencement.

1. (1) This Act may be called the Orissa Maternity Benefit (Amendment) Act, 1957.

(2) It shall come into force at once.

Amendment of section 2, Orissa Act XIX of 1953.

2. After clause (c) of section 2 of the Orissa Maternity Benefit Act, 1953 (hereinafter referred to as the said Act), the following new clause shall be added, namely :—

Orissa Act
XIX of
1953.

“(d) ‘miscarriage’ means expulsion of the contents of a pregnant uterus at any period prior to or during the twenty-sixth week of pregnancy.”

Insertion of new section 3-A, Orissa Act XIX of 1953.

3. After section 3 of the said Act, the following new section shall be inserted, namely :—

“3-A. Except as otherwise expressly provided in any other law for the time being in force the State Government may, after giving notice of their intention so to do, by notification, from time to time, direct that the provisions of this Act shall apply to such other establishment or establishments as may be specified in the said notification.”

Amendment of section 4, Orissa Act XIX of 1953.

4. In section 4 of the said Act, for the words “four weeks”, the words “six weeks” shall be substituted.

Amendment
of section 5,
Orissa
Act XIX of
1953.

5. In section 5 of the said Act—

- (i) in sub-section (1), for the words "four weeks", the words "six weeks" shall be substituted;
- (ii) in sub-section (2), for the words "seven weeks", "three weeks" and "four weeks", the words "twelve weeks", "six weeks" and "six weeks" shall respectively be substituted.

Amendment
of section 6,
Orissa
Act XIX of
1953.

6. In section 6 of the said Act—

- (i) in sub-section (1), for the words "one month", the words "six weeks" shall be substituted; and
- (ii) in sub-section (2), for the words "four weeks", the words "six weeks" shall be substituted.

Insertion
of new sec-
tion 6-A
after sec-
tion 6,
Orissa Act
XIX of
1953

7. After section 6 of the said Act, the following new section shall be inserted, namely :—

"6-A. Except as otherwise expressly provided in any other law for the time being in force, a woman worker shall be employed on light work during the period of one month prior to her proceeding on maternity leave under the preceding section and shall be entitled to—

(1) leave with wages for six weeks from the date of her miscarriage and shall be paid in accordance with the rates specified in sub-section (1) of section 5;

(2) further leave with wages for a maximum period of one month in case of illness arising out of pregnancy or confinement in addition to the maternity leave for a period of twelve weeks:

Provided that the wages for such further leave shall be regulated by the law governing the factory or the establishment in which she works;

(3) in the event of her having a child whom she is nursing to two periods of rests of half-an-hour each during her working hours for purposes of such nursing in addition to regular intervals for rest;

(4) a medical bonus of rupees ten only during the period she is on maternity leave if no pre-natal confinement and post-natal care is provided to her by the employer free of charge."

Amendment
of section 8,
Orissa Act
XIX of
1953.

8. In section 8 of the said Act—

In sub-section (1), after the words "it shall not be lawful for her employer", the words "to do anything that might prejudice her service conditions, or" shall be inserted.