

THE TAMIL NADU MATERNITY BENEFIT RULES, 1967

[GO.Ms.No.2610, Industries, Labour and Housing (Labour),

16th August, 1967.]

¹S.R.O.No.A-691 of 1967. – In exercise of the powers conferred by section 28 of the Maternity Benefit Act, 1961 (Central Act 53 of 1961), the Governor of Madras hereby makes the following rules, the same having been previously published as required by sub-section (1) of the said section :--

RULES

1. Short title and commencement – (1) These rules may be called the ²[Tamil Nadu] Maternity Benefit Rules, 1967.

(2) They extend to the whole of the State of Tamil Nadu.

(3) They shall come into force on the 1st September 1967.

2. Definitions. – In these rules, unless the context otherwise requires,

(a) “Act” means the Maternity Benefit Act, 1961 (Central Act 53 of 1961) ;

³[(b) “ Appellate Authority “ means: ---

⁶(i) in respect of factories, the Director of Industrial Safety and Health;

(ii) in respect of plantation, the Chief Inspector of Plantations; ⁴[***]

(iii) in respect of establishments as defined in clause (6) of section 2 of Tamil Nadu shops and Establishment Act, 1947 (Tamil Nadu Act XXXVI of 1947) and catering establishments as defined in clause (1) of section 2 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958), The Assistant Commissioner of Labour in the office of the Deputy commissioner of Labour in their respective jurisdiction;] ⁵[and]

⁵[(iv) in respect of beedi establishments the Chief Inspector appointed under sub-section (2) of section 6 of the Beedi and Cigar Workers (Conditions of Employment) Act, 1966 (Central Act 32 of 1966) ;

¹ Vide part V of the *Fort St.George Gazette*, dated the 23rd August 1967, at p.650.

² Subs.by S.R.O. No.A -517 of 1971, dated the 20th May, 1971.

³ Subs. by G.O. Ms. No.2603, Labour and Employment, dated the 19th November, 1981.

⁴ Omitted by G.O. Ms. No, 210, Labour and Employment, dated the 7th October, 1992.

⁵ Added *ibid*.

⁶G.O.(2D) No.76, Labour and Employment, dated the 1st August, 2018.

(c) “Form” means a form appended to these rules;

(d) “Muster Roll” means a muster roll maintained under rule 3;

(e) “Registered Medical Practitioner” means a medical practitioner whose name has been enrolled in a register maintained under any law for the time being in force regulating the registration of practitioners of medicine;

(f) “Section” means a section of the Act.

3. Muster Roll.---(1) The employer of every establishment in which women are employed shall prepare and maintain a muster roll in Form ‘A’ and shall enter therein particulars of all women workers from whom notices of confinement have been received.

(2) All entries in the muster roll shall be made in ink and maintained up-to-date and it shall always be available for inspection by the Inspector during working hours.

(3) The employer may enter in the muster roll such other particulars as may be required for any other purpose of the Act.

¹[(4) The employer of every Information Technology Software Establishment and Information Technology Software enabled services shall furnish at the end of each half year, a certificate of maintenance of registers, records and notices which are required to be maintained or executed under the provisions of these rules to the Inspector of Labour in Form ‘L’ (in duplicate). The certificate for the half-year ending 30th June should be furnished before 31st July of the year and the certificate for the half year ending 31st December should be furnished before 31st January of the succeeding year.]

4. Proof.---(1) The fact that a woman is pregnant or has been delivered of a child or has undergone miscarriage or is suffering from illness arising out of pregnancy, delivery, premature birth of a child or miscarriage shall be proved by the production of a certificate in form ‘B’.

(i) in the case of a plantation, from a Certifying Surgeon notified under section 7 of the Plantations Labour Act, 1951, or a Resident Medical Officer approved by the employer or other doctor serving the estates under the medical scheme approved under the Plantations Labour Act or any other Registered Medical Practitioner; and

(ii) in the case of an establishment, other than a plantation, from a Registered Medical Practitioner:

¹ Subs. by G.O. Ms. 38, Labour and Employment (C) dated the 24th March, 2006 (deemed to have come into force with effect from 19th April, 2006).

Provided that the fact that a woman has been delivered of a child may also be proved by the production of a certified extract from a birth register under the provisions of any law for the time being in force.

(2) The fact of death of a woman or a child may be proved by the production of a certified extract maintained under the provisions of any law for the time being in force or the production of a certificate to that effect in Form 'C'.

5. *Payment of maternity and other benefits.*----(1) A woman employed in an establishment and entitled to maternity benefit shall give notice to her employer in Form 'D' and the employer shall make payment of the maternity benefit and any other amount due under the Act to the woman concerned, or in case of her death before receiving such maternity benefit or amount, or where the employer is liable for maternity benefit under the second proviso to sub-section (3) of section 5, to the person nominated by the woman in her notice in Form 'D'.

(2) If the woman dies before receiving the maternity or other amount due without making a nominee, the employer shall within one month of the date of the death of the woman concerned, report to appellate authority to ascertain the legal representative to whom the maternity benefit or amount due shall have to be paid. On receipt of this intimation from the employer, the appellate authority shall, after making necessary enquiries, determine the legal representative to whom the maternity benefit or amount due shall have to be paid and inform the employer. On being informed by the appellate authority as to the person who as legal representative is entitled to receive the maternity benefit or amount due, the employer shall pay to such a person maternity benefit or amount due within four weeks from the date of receipt of the communication from the appellate authority.

(3) Whenever the payment referred to in sub-rule (1) is made, a receipt shall be obtained by the employer in Form 'E' from the person to whom the payment is made.

(4) The medical bonus shall be paid along with the second instalment of the maternity benefit.

(5) The Maternity benefit or any other amount payable under section 7 shall be paid within two months of the date of death of the woman entitled to receive such benefit or amount.

(6) The wages payable under section 9 shall be paid to the woman entitled to receive such wages within forty-eight hours of production by her of proof under rule 4.

(7) The wages payable under section 10 shall be paid to the woman entitled to receive such wages within forty-eight hours of the production by her of proof under rule 4.

6. Break for nursing child.---- Each of the two breaks allowed in section 11 shall be of 15 minutes' duration. An extra sufficient period, depending upon the distance to be covered, shall be allowed for the purpose of journey to and from the crèche or the place where the children are left by women while on duty, provided that such extra period shall not be of less than 5 minutes' and more than 15 minutes' duration. If any dispute arises regarding such extra period, the matter shall be referred to the appellate authority for decision.

7. Duties and powers of the Inspectors.----- (1) Every Inspector shall at each inspection of an establishment verify,----

- (a) whether due action has been on every notice given under section 6;
- (b) whether the Muster Roll prescribed under rule 3 is properly maintained;
- (c) whether there have been any cases of discharge or dismissal or notice of discharge or dismissal in contravention of the provisions of section 12 since the date of last inspection;
- (d) whether the provisions of sub-section (1) of section 4, sub-sections (5) and (6) of section, sections 8,9,10,11,13 and 19 have been complied with and whether the amounts due have been paid within the prescribed time;
- (e) whether there have been any cases of deprivation of maternity benefit or medical bonus in contravention of sub-section (2) of section 12; and
- (f) how far the irregularities pointed out at previous inspections have been remedied and how far orders previously issued have been complied with.

(2) Where in Inspector observes irregularities in contravention of the provisions of the Act of these Rules, he shall by an order in writing require the employer to rectify the irregularities within a period not exceeding 30 days and to report compliance to the Inspector.

8. Acts which constitute gross misconduct.-----The following acts shall constitute gross misconduct for purpose of the proviso to clause (a) of sub-section (2) of section 12, namely :---

- (a) wilful destruction of employer's goods or property;
- (b) assaulting any superior or co-employee at the place of work;
- (c) criminal offence involving moral turpitude resulting in conviction in a court of law;
- (d) theft, fraud, or dishonesty in connection with the employer's business or property; and
- (e) wilful non-observance of safety measures or rules on the subject or willful interference with safety devices or with fire-fighting equipment.

9. Appeal under section 12.-----(1) Every appeal under clause (b) of sub-section (2) of section 12 shall be made to the appellate authority in Form 'F'.

(2) On an appeal being filed, the appellate authority shall furnish a copy of the appeal petition to the employer, requiring the employer to furnish a reply. After giving the appellant and the employer an opportunity of being heard and also of filing any documents connected with the appeal, the appellate authority shall give his decision in writing. Where the employer fails to reply or to produce the required documents within the specified period, the appellate authority may declare the employer 'ex-parte' and give his decision.

10. Complaint under section 17. ---- (1) A complaint under sub-section (1) of section 17 shall be made in form 'G' or Form 'H' as the case may be.

(2) When a complaint under section 17 is received by the Inspector, he shall in the inquiry under sub-section (2) of the section aforesaid examine the relevant records maintained by the employer in this behalf, examine any person employed in the establishment and take down necessary statement and if he is satisfied that the maternity benefit or other amount has been wrongfully withheld, he shall direct the employer to make the payment to the woman or to the person claiming the payment under section 7, as the case may be, immediately or within a specified period.

11. Appeal Under Section 17.---- (1) An appeal against the decision of the Inspector under sub-section (2) of section 17, shall be made to the appellate authority in Form 'I' together with a copy of the order appealed against.

(2) On receipt of the appeal petition, the appellate authority shall call for from the Inspector, the records relating to the case and after giving the appellant an opportunity of being heard and also seeking such other clarifications as may be required from the Inspector, shall give his decision.

12. Supply of forms.----- The employer shall at request supply, free of cost, to every woman employed by him or to the person nominated by her under section 6 or to her legal representative copies of Forms 'B', 'C', 'D', 'E', 'F', 'G', 'H' and 'I'.

13. Non-submission of notices, appeals or complaints in the prescribed forms.----- Nothing in rules 5,9 and 10 shall affect the right of a woman entitled to receive maternity benefit or any other amount due under the Act if she fails to submit a notice, appeal or complaint under the said rules, as the case may be, in a prescribed form:

Provided that where a notice, appeal or complaint under the said rules has been submitted by a woman entitled to receive maternity benefit or any other amount due under the Act in a form other than the prescribed form, the authority concerned may, within 15 days of the receipt of such notice, appeal or complaint require the woman to submit the notice, appeal or complaint, as the case may be, in the prescribed form.

14. Records.---- Records kept under the provisions of the Act and these Rules shall be preserved for a period of two years from the date of last entry made therein.

15. Abstract. ---- The abstract of the provisions of the Act and these rules required to be exhibited under section 19 shall be in Form 'J' in the language understood by the majority or workers and shall be exhibited in a conspicuous place by the employer in every part of the establishment in which women are employed.

16. Annual returns.---- (1) The employer of every establishment shall on or before 31st day of January in every year submit to the Inspector returns in form 'K' giving information as to the particulars specified in respect of the preceding year.

¹[Provided that no annual return in form 'K' need be sent by an employer, if a combined annual Return in Form No.22 as required in clause (2) of rule 100 of the Tamil Nadu Factories Rules, 1950 is furnished.]

(2) If the employer of an establishment to which the Act applies sells, abandons or discontinues the working of the establishment he shall, within one month of the date of sale or abandonment or four months of the date of discontinuance, as the case may be, submit to the Inspector a further return in each of the said forms in respect of the period between the end of the preceding year and the date of sale, abandonment or discontinuance.

¹ Added by G.O. (2D) No. 70, Labour and Employment (C) dated the 8th November, 2004 (deemed to have come into force with effect from 15th December, 2004.

FORM A

(See Sub-rule (1) of rule 3)

Muster Roll

Name of establishment

Address

- (1) Name of woman and age
- (2) Name of husband or father
- (3) Nature of work.
- (4) Date on which employed.
- (5) Dates with month and year in which she is employed, laid off or not employed

<i>Month</i>	<i>No. of days employed</i>	<i>No. of days laid off</i>	<i>No. of days not employed</i>
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- (6) Date of giving notice of pregnancy.
- (7) Date of giving notice of delivery.
- (8) Date of production of proof of birth.
- (9) Date of production or proof of death, if any

- | (10) Dates on which payment was made-- | Amount | Date |
|--|--------|------|
| (a) Maternity benefit paid in advance, of expected delivery. | | |
| (b) Subsequent payment of maternity benefit. | | |
| (c) Bonus. | | |
| (d) Leave wages as per section 9. | | |
| (e) Leave wages as per section 10. | | |

FORM B

[See sub-rule (1) of rule 4]

Certificate to prove that a woman worker is pregnant, or has been delivered of a child or has undergone miscarriage or is suffering from illness arising out of pregnancy, delivery, premature birth of child or miscarriage.

This is to certify that I examined _____ wife/daughter of
a women employee in _____ (name of the establishment) on
(date) and found/cannot discover that she is pregnant and is expected to delivered of a child
within _____ (month and/days) from the abovementioned date/has undergone miscarriage/has
been delivered of a child on _____ (date) or is suffering from _____ (date) from illness
arising out of pregnancy/delivery premature birth of a child or miscarriage.

Date

Signature, qualifications and
designation of Registered
Medical Practitioner.

Definitions of “child” and “miscarriage” as in the Maternity Benefit Act, 1961
(Central Act 53 of 1961).

1. “Child” includes a still-born child.
2. “Miscarriage” means expulsion of the contents of a pregnant uterus at any period prior to or during the twenty-sixth week of pregnancy but does not include any miscarriage, the causing of which is punishable under the Indian Penal Code.

FORM C

[See sub-rule (2) of rule 4]

Certificate to prove the death of a woman or child

This is to certify that _____ wife/daughter of
a women employed in _____ (name of the establishment) expired on
before/during/after confinement. The child died on _____ /survives her.

Date :

Signature, qualifications and designation
Registered Medical Practitioner.

FORM D

[See sub-rule (1) of rule 5]

Notice claiming maternity benefit and other dues

(Name of the establishment)

I, _____ (name of woman), wife/daughter of _____ employed as _____ at _____ (name of establishment), hereby give notice that I expect to be confined within six weeks next following from the date of this notice/have given birth to a child on _____ (date) and shall be absent from work from _____ (date). I shall not work in any establishment during the period for which I receive maternity benefit.

2. For the purpose of section 7, I hereby nominate _____ (here enter name and address of the nominee) to receive maternity benefit and/or any other amount due to me under the Act in case of my death.

Signature of an Attestor in case the woman is not able to sign and affixes thumb-impression.

Date

Signature or thumb-impression of woman

FORM E

[See sub-rule (3) of rule 5]

Form of receipt of Maternity Benefit

To

(Name of the establishment)

I, _____ the undersigned, a *woman employee/the nominee of woman employee/legal representative of _____ woman employee deceased in (name of the establishment) at _____ in _____ district received maternity benefit and/or other amount due under the Maternity Benefit Act, 1961, from the employer of establishment referred to above, as detailed below:-

Rs. _____ being the first instalment of maternity benefit paid on

Rs. _____ being the second instalment of maternity benefit after delivery pain on

Rs. being the medical bonus under section 8 of the Act paid on
Rs. being the wages for the leave period from to
mentioned under section 9 or 10.

*My/Her confinement/miscarriage took place on or I/she fell ill because of
pregnancy, delivery, premature birth of a child or miscarriage on .In
consequence I, ,her nominee/legal representative have received the
aforesaid amount prescribed in section 5, 8, 9 and 10 of the Maternity Benefit Act, 1961.

Signature or thumb-impression of:

*Woman employee or nominee or legal representative.

Signature of an Attestor in case the woman is not able to sign and affixes thumb-
impression.

Date:

Strike out unnecessary portion.

FORM F

[See sub-rule (1) of rule 9]

Appeal petition claiming maternity benefit or medical bonus or both

To

Sir,

I....., the undersigned, woman
employee of.....(name of establishment
and full address), having been wrongly deprived by the employer of maternity benefit or
medical bonus or both (strike out unnecessary portion) for the reasons stated hereunder,
prefer this appeal under sub-section (2) of section 12 of the Maternity Benefit Act, 1961
and request that the said employer be directed to pay the above mentioned amount to me.
A copy of the order of the employer in this behalf is enclosed.

Date

Signature or thumb-impression of woman

Signature of an Attestor in case the woman is
not able to sign and affixes thumb-impression.

FORM G

[See sub-rule (1) of rule 10]

*Complaint by a women employed in an establishment
alleging non-payment of maternity benefit and/or medical bonus
and/or wages for maternity leave.*

To
The Inspector,

Sir,

I, (name of woman) employed in (name and full address of establishment) am entitled to Rs being maternity benefit and/or Rs being the medical bonus and/or Rs being wages for leave due under section 9 or 10 but the same has been improperly withheld by the employer. He may, therefore, be directed to pay the amount to me.

Date

Signature or thumb-impression of woman

Signature of an Attestor in case the woman is unable to sign and affixes thumb-impression.

Full address of the woman.

(Strike out unnecessary portion)

FORM H

[See sub-rule (1) of Rule 10]

*Complaint by a nominee/legal representative alleging non-payment of
maternity benefit and/or medical bonus and/or wages due to a woman*

To
The Inspector,

I, (name), a person nominated under section 6 by or a legal representative of

(name of woman) employed in (name and full address of establishment) have to complain that the said woman having fulfilled the conditions laid down in the Maternity Benefit Act, 1961 and the Rules there under is entitled to Rs. being maternity benefit and/or Rs. being the medical bonus and/or Rs. being wages for leave due under section 9 or 10 but the same has been improperly withheld by the employer. He may, therefore, be directed to pay the amount to me.

Date

Signature or thumb-impression of the nominee/legal representative.

FORM I

[See sub-rule (1) of rule 11]

*Appeal petition of the person aggrieved by the decision of the Inspector
ordering payment of maternity benefit and/or other dues*

To

Sir,

Shri, Inspector, having directed under sub-section (2) of section 17 to pay the Maternity Benefit or other amount being (nature of amount) to which (name of woman) is said to be entitled, I prefer this appeal under sub-section (3) of 17. In view of the facts mentioned in the memorandum attached hereto and other documents filed herewith it is submitted that the woman is not entitled to the maternity benefit or the said amount and hence the decision of the Inspector in this behalf, copy of which is enclosed, may be set aside.

Date

Signature of aggrieved person,

Full address

FORM J

(See Rule 15)

(Abstract of the Maternity Benefit Act, 1961, and the rules made Thereunder.)

1. No employer shall knowingly employ a woman during the six weeks immediately following the day of her delivery or miscarriage and no woman shall work in any establishment during the said period.

2. No pregnant woman shall, on a request being made by her in this behalf, be required by her employer to do during the period of one months immediately preceding the period of six weeks before the date of her expected delivery and also for any period during this period of six weeks for which she does not avail of leave of absence, any work which is of an arduous nature or which involves long hours of standing, or which in any way is likely to interfere with her pregnancy or the normal development of the foetus, or likely to cause her miscarriage or otherwise to adversely affect her health.

3. (1) Subject to the provisions of the Act, every woman who has actually worked in an establishment of the employer from whom she claims maternity benefit for a period of not less than one hundred and sixty days, including the days during which she was laid off,

shall be entitled to, and her employer shall be liable for, the payment of maternity benefit at the rate of her average daily wages or one rupee a day, whichever is higher, for the period of her actual absence not exceeding six weeks immediately preceding and including the day of her delivery and for the six weeks immediately following that day:

Provided that where a woman dies during the period for which maternity benefit is payable to her, the benefit shall be payable only for the days upto and including the day of her death. However, where the woman having been delivered of a child, dies during her delivery, or during the period of six weeks immediately following the date of her delivery, leaving behind in either case the child, the employer shall be liable for the payment of maternity benefit for the entire period of six weeks immediately following the day of her delivery but if the child also dies during the said period, then, for the days upto and including the day of the death of the child.

(2) The amount of maternity benefit for the period preceding the date of her expected delivery shall be paid in advance by the employer to the woman on production of a certificate in Form 'B' stating that she is pregnant and is expected to be delivered of a child within six weeks of the date of production of the certificate, and the amount due for the subsequent period shall be paid by the employer to the woman within forty-eight hours of production of the certificate in Form 'B' or stating that she has been delivered of a child or production of a certified extract from a birth register maintained under the provisions of any law for the time being in force.

4. (1) Any woman employed in an establishment and entitled to maternity benefit under the provisions of this Act may give notice in writing in form 'D' to her employer, stating that her maternity benefit and any other amount to which she may be entitled under this Act may be paid to her or to such person as she may nominate in the notice and that she will not work in any establishment during the period for which she receives maternity benefit.

(2) In the case of a woman who is pregnant, such notice shall state the date from which she will be absent from work, not being a date earlier than six weeks from the date of her expected delivery.

(3) Any woman who has not given the notice when she was pregnant may give such notice as soon as possible after the delivery.

(4) On receipt of the notice, the employer shall permit such woman to absent herself for the establishment until the expiry of six weeks after the day of her delivery.

5. (1) Every woman entitled to maternity benefit under the Act shall also be entitled to receive from her employer a medical bonus of twenty-five rupees, if no pre-natal confinement and post-natal care is provided for by the employer free of charge. The medical bonus shall be paid along with the second instalment of the maternity benefit.

(2) In case of miscarriage, a woman shall, on production of a certificate in Form 'B' 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. The wages shall be paid within 48 hours of production of the certificate in Form 'B'.

(3) A woman suffering from illness arising out of pregnancy, delivery, premature birth of child or miscarriage shall on production of a certificate in Form 'B' entitled, in addition to the period of absence allowed to her on account of maternity or miscarriage, as the case may be, to leave with wages at the rate of maternity benefit for a maximum period of one month. The wages for the leave period shall be paid within 48 hours of the expiry of that period.

6. Every woman delivered of a child who returns to duty after such delivery shall in addition to the interval for rest allowed to her, be allowed in the course of her daily work, two breaks of 15 minutes duration for nursing the child until the child attains the age of fifteen months. An extra sufficient period depending upon the distance to be covered, shall be allowed for the purpose of the journey to and from the crèche or the place where the children are left by woman while on duty, provided that such extra period shall not be less than 5 minutes and more than 15 minutes duration.

7. (1) When a woman absents herself from work in accordance with the provisions of the Act, it shall be unlawful for her employer to discharge or dismiss her during or on account of such absence or to give notice of discharge or dismissal on such a day that the notice will expire during such absence or to vary to her disadvantage any of the conditions of her service.

(2)(a) The discharge or dismissal of a woman at any time during her pregnancy, if the woman but for such discharge or dismissal would have been entitled to maternity benefit or medical bonus shall not have the effect of depriving her of the maternity benefit or medical bonus:

Provided that where the dismissal is for one or more of the following acts, the employer may, by order in writing communicated to the woman, deprive her of the maternity benefit or medical bonus or both ----

- (i) willful destruction of employer's goods or property;
- (ii) assaulting any superior or co-employee at the place of work;
- (iii) criminal offence involving moral turpitude resulting in conviction in a court of law;
- (iv) theft, fraud, or dishonesty in connection with the employer's business or property; and
- (v) willful non-observance of safety measures or rules on the subject or willful interference with safety device or with fire-fighting equipment.

(b) Any woman deprived of maternity benefit or medical bonus or both, may within sixty days from the date on which the order of such deprivation is communicated to her, appeal in Form 'F' to the Chief Inspector of Factories in the case of a factory and Chief Inspector of Plantation in case of a Plantation and the decision of the Chief Inspector of Factories/Chief Inspector of Plantations, as the case may be, on such appeal whether the woman should or should not be deprived of maternity or medical bonus or both, shall be final.

8. If a woman works in any establishment after she has been permitted by her employer to absent herself under the provisions of the Act, she shall forfeit her claim to the maternity benefit for such period.

9. (1) Any woman claiming that maternity benefit or any other amount to which she is entitled under the Act and any person claiming that payment due has been improperly withheld may make a complaint to the Inspector in writing in Form 'G' or 'H' as the case may be.

(2) The Inspector may, of his own motion or on receipt of a complaint in Form 'G' or 'H' make an inquiry or cause an enquiry to be made and if satisfied that payment has been wrongfully withheld, may direct the payment to be made in accordance with his orders.

(3) Any person aggrieved by the decision of the Inspector may, within thirty days from the date on which such decision is communicated to such person, appeal to the Chief Inspector of Factories in the case of a factory and Chief Inspector or Plantations in case of plantations.

(4) The decision of Chief Inspector of Factories/Chief Inspector of Plantations where an appeal has been preferred to him or of the Inspector where no such appeal has been preferred, shall be final.

10. (a) The employer shall supply to every woman employed by him at her request free of cost copies of Forms 'B', 'C', 'E', 'F', 'G' and 'H'.

(b) The failure to submit a notice, appeal or complaint in the prescribed form will not affect the right of a woman entitled to receive maternity benefit or any other amount due under the Act. Where a notice, appeal or complaint has been received in a form other than the prescribed form, the authority concerned shall within fifteen days of the receipt of such notice, appeal or complaint, require the woman to submit the notice, appeal or complaint, as the case may be, in the prescribed form.

11. (a) (1) The employer of every establishment in which women are employed shall prepare and maintain a muster roll in Form 'A' and shall enter therein particulars of all women workers from whom notices of confinement have been received.

(2) All entries in the muster-roll shall be made in ink and maintained up-to-date and it shall always be available for inspection by the Inspector during working hours.

(b) The employer of every establishment shall on or before the 31st day of January in each year submit to the Inspector a return in Form 'K' giving information as to the particulars specified in respect of the preceding year.

FORM K

(See sub-rule (1) of rule 16)

1. Name of the establishment with the postal address:
2. Name of the employer with his postal address:
3. Name of the Manager with his postal address:
4. Aggregate number of women permanently or temporarily employed during the year:
5. Number of women who worked for a period of not less than one hundred and sixty days in the twelve months immediately preceding the date of delivery:
6. Number of women who gave notice under section 6:
7. Number of women who were granted permission to absent on receipt of notice of confinement:

8.	Claims for maternity benefit paid:	Number	Amount paid
9.	Claims or maternity benefit rejected:	Number	Amount paid
10.	Claims for medical bonus paid(Section 8):	Number	Amount paid
11.	Claims for medical bonus rejected:	Number	Amount paid
12.	Cases in which leave for miscarriage was granted:	Number	Amount paid
13.	Cases in which leave for miscarriage was applied for but was rejected:	Number	Amount paid
14.	Cases in which additional leave for illness under section 10 was granted:	Number	Amount paid
15.	Cases in which additional leave for illness under section 10 was applied for but was rejected:	Number	Amount paid
16.	Cases in which payment was made to persons other than the woman concerned:	Number	Amount paid
17.	Women deprived of maternity benefit and/or medical bonus under proviso to sub-section (2) of section 12:	Number	Amount paid
18.	Cases in which payment was made on the order of the Appellate Authority or Inspector:	Number	Amount paid
19.	Number of cases where pre-natal confinement and post-natal care was provided by the management free of charge (Section 8):		
20.	Number of women who died:		
	(a) before delivery:		
	(b) after delivery:		
21.	Number of woman discharged or dismissed while working:		

¹[FORM L

(See rule 3 (4)]

**SELF-CERTIFICATION FOR INFORMATION TECHNOLOGY
SOFTWARE ESTABLISHMENTS
FOR THE HALF YEAR ENDING**

1.	Name and address of the Information Technology Establishment :	
	Phone No:	
	Fax:	
	E-mail:	
2.	Name and address of the Employer	
3.	Maximum Number of Persons employed on any day :	
	(i) Male :	
	(ii) Female:	
	Total:	
4.	Maternity Benefit:	
	a) Whether maternity benefit paid in advance to the eligible women employees?	
	b) Whether subsequent maternity benefit paid?	
	c) Whether subsequent maternity benefit paid?	
	d) Whether leave wages paid as per Section 9?	
	(d) Whether leave wages paid as per Section 10?	

Signature of Employer

¹ Added by G.O. Ms.No.38, Labour and Employment (C), dated 24th March, 2006.

CERTIFICATE

Certified that during the half-year ending....., we have complied with all the provisions of the Maternity Benefit Act, 1961 and the Rules made thereunder, in addition of those specifically mentioned above and we are the authorized persons to issue the above certificate and the above certificate is issued with full knowledge of the Statute. We are jointly and severally responsible for any information found incorrect subsequently and liable for prosecution under the provisions of the said Act and Rules made thereunder, for furnishing incorrect information.

Signature of the Manager

Signature of Employer

Name:

Name :

Designation :

Designation :

Office Seal :

Office Seal :

Accepted :

Date :

Assistant Inspector of Labour]

The Maternity Benefit Act, 1961**---- notification under Sec. 2 (1)**[G.O. Ms. No.849, Labour and Employment, 7th December, 1977]

¹ **No.II (2)/LE/6313/77.**-----In exercise of the powers conferred by the proviso to sub-section (1) of section 2 of the Maternity Benefit Act, 1961 (Central Act 53 of 1961), the Governor of Tamil Nadu, having already given two months' notice as required there under, with the approval of the Central Government, hereby declares that all the provisions of the said Act, shall apply to the establishments as defined in clause (6) of section 2 of the Tamil Nadu Shops and Establishments Act, 1947 (Tamil Nadu Act XXXVI of 1947), and to the catering establishments as defined in clause (1) of section 2 of the Tamil Nadu Catering Establishments Act, 1958 (Tamil Nadu Act XIII of 1958).

¹ *Vide the Tamil Nadu Government Gazette, Pt. II, Sec. 2, dated the 28th December, 1977 at p. 747.*

APPENDIX

**Appointment of certain Officers as Inspectors and specifying
their local limits**

[G.O.(D) 844, Labour and Employment (C), 27th June, 2005]

¹**NO.II (2)/LE/718/2005.**--- In exercise of the powers conferred by section 14 of the **Maternity Benefit Act,1961** (Central Act 53 of 1961) and in supersession of the Labour and Employment Notification No.II (2)/LE/507/2000*, published at page 243 of Part 11 - Section 2 of the Tamil Nadu Government Gazette, dated the 10th May, 2000, the Governor of Tamil Nadu hereby appoints the officers specified in column (1) of the Table below, to be Inspectors for the purposes of the said Act and defines the local limits of the jurisdiction specified in the corresponding entries in Column(2) thereof, within which they shall exercise their functions under the said Act.

THE TABLE

Sl.No	Officers (1)	Local Limits (2)
1.	Deputy Commissioner of Labour (Inspections) Chennai.	Whole of the State of Tamil Nadu
2.	Regional Deputy Commissioners of Labour.	{ Local limits assigned to them under sub-section (1) of section 27 of the Payment of Bonus Act, 1965 (Central Act XXI of 1965).
3.	Inspectress of Labour, Tirunelveli.	{ Tirunelveli, Thoothukudi, Kanniyakumari and Virudhunagar Districts.
4.	Inspectress of Labour, Coimbatore.	{ Coimbatore and the Nilgiris Districts
5.	Inspectress of Labour, Chennai.	{ Chennai, Vellore, Kancheepuram, Tiruvannamalai and Tiruvallur Districts.
6.	Inspectors of Plantation	{ Local limits assigned to them under the Plantation Labour Act, 1951 (Central Act LXIX of 1951).
7.	Inspectors of Plantation	{ Local limits assigned to them under the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985).
8.	Deputy Inspectors of Labour	

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|-----|--|---|---|
| 9. | Assistant Inspectors of Labour. | } | Local limits assigned to them under the Standards of Weights and Measures (Enforcement) Act, 1985 (Central Act 54 of 1985). |
| 10. | Development Commissioners, Special Economic Zones in Tamil Nadu. | | |
| 11. | Chief Inspector of Factories | } | The Whole State of Tamil Nadu. |
| 12. | Additional Chief Inspector of Factories. | | |
| 13. | Joint Chief Inspector of Factories (Productivity Cell) | | |
| 14. | Joint Chief Inspector of Factories. | | |
| 15. | Deputy Chief Inspector of Factories | | |
| 16. | Deputy Chief Inspector of Factories (Health and Safety) | | |
| 17. | Deputy Chief Inspector of Factories in the Office of the Joint Chief Inspector of Factories. | | |
| 18. | Inspector of Factories (Productivity Cell) | | |
| 19. | Assistant Inspector of Factories (Productivity Cell). | | |
| 20. | Assistant Inspector of Factories (Health and Safety). | | |
| 21. | Inspectors of Factories. | | |
| 22. | Assistant Inspectors of Factories. | | Local limits assigned to them under sub-section (1) of Section 8 of the Factories Act, 1948 (Central Act LXIII of 1948). |

¹ *Added Vide G.O. Ms. No. 167*, dated the 30th November, 2006. For Gazette extract of Notification, see *Digest of Labour Cases, 2007* at p. 73.