

No. Fin (C) A (3)- 1 / 2008
Government of Himachal Pradesh,
Finance (Regulation) Department.

....

Dated Shimla-2, the 22 th January, 2018.

From

The Addl. Chief Secretary (Finance) to the
Government of Himachal Pradesh.

To

- i) All Administrative Secretaries to the
Government of Himachal Pradesh.
- ii) All Heads of the Departments in H.P.

Subject :- **Clarification regarding maternity leave to regular female employees.**

Sir/ Madam,

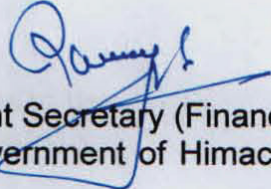
I am directed to invite a reference to this Department Notification No. Fin (C) A(3) – 1/2008-loose dated 21st December, 2017 vide which the Rule 43(1) of the Central Civil Services(Leave) Rules, 1972 has been amended by this Department and the maternity leave has been increased from 135 days to 180 days to the regular female employees of the State of Himachal Pradesh from the date of publication in the Rajpatra (e-Gazette) H.P. This amendment has been published in the Rajpatra (e-Gazette) on 22.12.2017.

2. This department is receiving references from various offices of the State Government seeking clarification with regard to grant the benefit of maternity leave to the regular female employees, who are still availing maternity leave and not joined, are eligible for 180 days maternity leave or they are eligible for only 135 days. It is clarified that those regular female employees, who are still availing maternity leave and not joined their duties till 21.12.2017, are also eligible for 180 days maternity leave. It is further clarified that those regular female employees who have availed maternity leave upto 21.12.2017 and are still availing any other kind of leave in continuation to maternity leave, such female employees are not entitled for 180 days maternity leave.

Contd.....P/2-

3. These instructions may be brought to the notice of all concerned for compliance.


Yours faithfully,


Joint Secretary (Finance) to the
Government of Himachal Pradesh.

Endst. No. As above. Dated Shimla-2, the 22 th January, 2018.

Copy for information and further necessary action to:-

1. The Secretary to Governor, H.P. Shimla.
2. The Secretary, H.P. Vidhan Sabha, Shimla-171004.
3. The Secretary, Lokayukta, Pine Grove Building, Shimla-171002.
4. The Principal Accountant General, H.P. Shimla-171003.
5. The Accountant General (A&E), Himachal Pradesh, Shimla-171003.
6. All the Divisional Commissioners in H.P.
7. The Registrar General, H.P. High Court, Shimla, H.P.
8. All District & Session Judges in H.P.
9. The Secretary, H.P.P.S.C., Nigam Vihar, Shimla-171002.
10. The Secretary, H.P. Electricity Regulatory Commission, Shimla.
11. The Secretary, H.P. Subordinate Service Selection Board, Hamirpur.
12. All Deputy Commissioners in H.P.
13. The Resident Commissioner, H.P. Himachal Bhawan, Sikandra Road, New Delhi.
14. The Resident Commissioner, Pangi, Distt. Chamba, H.P.
15. The Deputy Commissioner, Relief and Rehabilitation, Bias Project, Raja Ka Talab, Kangra, H.P.
16. Guard File.


Joint Secretary (Finance) to the
Government of Himachal Pradesh.

MATERNITY BENEFIT RULES 1973

1. Short title.— These rules may be called the Himachal Pradesh Materiality Benefit Rules, 1973.

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

(a) "Act" means the Maternity Benefit Act, .1961 (Central Act 53 of 1961);

(b) "Competent authority" in relation to an establishment shall be the Chief Inspector of Factories, Himachal Pradesh, or any other person authorized by the Government by a notification in this behalf;

(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 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 employee of every establishment , including an establishment belonging to Government, in which women are, employed and shall prepare and Maintain a muster roll in Form 'A' and shall enter therein particulars such as the daily attendance Of all women workers in the establishment. **Section 20 and 28 (2)**

(2) All entries in the muster roll shall be made in ink and maintained up-to-date and it shall 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.

4. Form of notice under section (6).—The written notice referred to in section 6 shall be in Form 'B'. **Section 6(1) and 28 (2)**

5. Proof. -- (1) The fact that a woman is pregnant or has been delivered of a childor has under gone miscarriage or is suffering from illness arising outof pregnancy, Delivery, premature birth of child or miscarriage shall be proved by the production of a certificate to that effect in Form `C' from— **Section 5 and 28 (2)**

(a) a Medical Officer of a Government Hospital or of a Government dispensary; or

(b) a Registered Medical Practitioner. **(e)**

The Himachal Pradesh Maternity benefit Rules, 1973 published in Rajpatra (Extraordinary) dated the 30th May, 1973 wide Labour Department Notification No. 2-397/69-S I, dated the 9th April, 1973.

(2) The fact that a woman has been confined may also be proved by the production of certified extract from a birth register maintained under the provisions of any law for the time being in force or a certificate signed by a registered mid-wife in Form 'D' ;

(3) The fact that a woman has undergone miscarriage may also be proved by the production of a certificate, signed by a registered mid-wife ;

(4) The fact of death of a woman or a child may be proved by the production of a certificate to that effect in Form 'E' from any of the authorities referred to in sub-rule' (1) or by the production of a certified extract from a death register maintained under the provisions of any law for the time being in force.

Section 6 6. Payment of maternity and other benefit.-- (1) The employer shall make payment of the maternity

and 28 (2) benefit and any other amount due under the Act to the woman concerned, or, in case of her death

(c) 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 'B' and in case there is no such nominee to her legal representative.

(2) In case of any doubt, the maternity benefit or other amount due to a woman under the Act, shall be paid by the employer to the recipient. After necessary enquiries are made by the Competent Authority to ensure that the person to whom the payment is to be made, in his opinion, is entitled to receive it.

(3) Whenever the payment referred to in sub-rule (1) is made, a receipt shall be obtained by the employer in Form 'F' from the person to whom the payment is made. In cases falling under sub-rule (2), a receipt shall be given by the recipient of the benefit in Form 'F' to the employer after receiving the payment in the presence of Competent Authority or his nominee who shall countersign it.

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

(5) The payment under section 7 shall be made within two months of the date of death of the woman entitled to receive the payment.

(6) The wages due under section 9 shall be paid immediately after production of the certificate.

(7) The wages due under section 10 shall be paid within a week of the beginning of the period of leave referred to in that section on the production of a certificate in Form 'C' from the Medical Officer of a Government Hospital or of a Government dispensary or from a Registered medical Practitioner.

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Section 11 7. Break for nursing child:--Each of the two breaks mentioned in section 11 shall be of 20 minutes duration.

Provided that in case the crèche or place where children are left by women while on duty is not in the vicinity of the place of work a period up-to 15 minutes more may be allowed for each break for the purpose of journey to and from the crèche or the place.

8. Restriction and conditions governing the working of the Competent Authority and

Inspectors under the Act.—(1) The Competent Authority shall be responsible for the

section 15

due administration of these rules.

(2) Every Inspector shall discharge his duties within the areas assigned to him by the Government, and shall act under the supervision and control of the Competent Authority.

(3) No Inspector shall physically examine or question any woman worker in respect of her pregnancy. In case of any doubt in this respect, he may immediately refer the case to a female registered medical practitioner for examination and report and any fee payable for such an examination shall be paid by the employer of the woman worker.

(4) The Inspector shall issue written instructions for ensuring the compliance of all or any of the provisions contained in the Act and for the production of the records in his office within 24 hours of the conduct of the inspection in case where the records are not made available at the time of inspection for the reasons beyond the control of the management.

9. Acts which constitute gross misconduct.—the following acts shall constitute gross misconduct for purposes of section 12, namely: --- section 12 and 28 (2) (g)

- (a) Willful destruction of employer's goods or property;
- (b) Assaulting any superior or co-employee at the place of work.
- (c) Criminal offence involving 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) Willful non-observance of safety measures or rules on the subject or willful interference with safety devices or with firefighting equipment.

10. Appeal under section 12.-- (1) An appeal under clause (b) of sub-section (2) of section 12 shall be preferred to the Competent Authority in Form 'G'.

(2) The appeal may be made in writing and handed over either personally or sent under a registered cover to the Competent Authority. ,

(3) When an appeal is received, the Competent Authority shall furnish a copy of the memorandum of Appeal to the employer call for his reply there to and ask him to produce documents connected with the issue of appeal by a fixed date. On considering the facts presented to him and ascertained by him

the Competent Authority shall give his decision. In case the employer fails to submit his reply or produce the required documents within the specified period, the Competent Authority may give his decision ex-parte.

Rule 9 substituted vide notification No. 2-397/69-SI, 3rd Dated September, 1974.

Section 17 (1) and 28 (2)(j). **11. Complaint under section 17-----** (1) A complaint under sub-section (1) of section 17 shall be made in writing in Form "H" or Form 'I' as the case may be.

(2) when a complaint referred to in section(17) is received by an Inspector he shall examine the relevant records maintained by the Employer in this behalf, examine any person employed in the establishment and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or the amount has been improperly 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.

Section 17 and 28 (2)(i) **12. Appeal under section 17----** (1) An appeal against the decision of the Inspector under sub-section (2) of section 17 shall lie to the Competent Authority.

(2) The aggrieved person shall prefer an appeal in writing to the Competent Authority in Form (J) and file other supporting documents.

(3) When an appeal is received, the Competent Authority shall call upon the Inspector to produce before a fixed date, his decision and other documents. The Competent Authority shall, if necessary,also record the statements of the aggrieved person and of the Inspector and seek clarification, if any is required.

(4) Taking into account the documents, the evidence produced and facts presented or ascertained the Competent Authority shall give his decision.

Section 28 13 Supply of forms:-- The employer shall supply to every woman employed by him at her request free

(2) (k). of cost Copies of Forms 'B', 'C', 'D', 'E.', 'F'; 'G', 'H' and 'I'.

Section 20 And (28)(2) **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 their preparation.

(a).

Section 19 15. Abstract The abstract of the provisions of the Act and these rules required to be exhibited

(28)(1) under section 19 shall be in Form 'K' and shall be exhibited in such manner as the Competent Authority may require.

Section 28 16. Annual Return----- (I) The employer of every establishment shall on or before the 21st day of January, in

(2) (k) each year submit to the Competent Authority a return in Forms 'L', 'M', 'N' and 'O' giving information as to the particulars specified in respect of the preceding year.

(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 Competent Authority further return in the said Forms, in respect of the period between end of the preceding year and the date of sale, abandonment or discontinuance.

FORM 'A'
(See rule 3)
MUSTER ROLL CONTAINING PARTICULARS OF WOMEN
EMPLOYEES

Name of Establishment

1. Serial Number

2. Name of woman and her father's
 or if married husband's name

3. Date of appointment

4. Nature of work

5. Dates with month and year in which

She is employed, laid off and not employed:--

Month	Number of days Employed	Number of days laid off	Number of days not employed	Remarks
1	2	3	4	5

- 6. Date on which the woman gives Notice under section 6.
- 7. Date of discharge or dismissal, If any.
- 8. Date of production of proof of pregnancy under section 6.
- 9. Date of birth of child .
- 10. Date of production of proof of illness referred to in section 10,
- 11. Date of production of proof of Delivery or miscarriage or death.
- 12. Date with the amount of maternity benefit paid in advance of expected delivery.
- 13 Date with the amount subsequent payment of maternity.

- 14. Date with the amount of medical Bonus, if paid, under section 8.
- 15. Date with amount of wages paid On account of leave under section 9.
- 16. Date with amount of wages paid on account of leave under section 10 and period of leave granted.
- 17. Name of person nominated by the woman under section 6.
- 18. If the woman dies, the date of her death, the names of the person to whom maternity benefit and/or other amount was paid, the amount thereof and date of payment.
- 19. If the woman dies and the child survives, the name of the person to whom the amount of maternity benefit was paid on behalf of the child and the period for 'which it was paid.
- 20. Signature of the employer of the establishment authenticating the entries- in the muster roll.
- 21. Remarks column' for the use of the Inspector.

FORM 'B'
(See rule 4)

Notice under section 6 of the Maternity Benefit. Act: 1961

Name of the establishment.....

I (Name of the woman wife/daughter of..... employed as At(name of the establishment t) here by give notice that I expect to be confined within six weeks date of this notice/have given. Birth to child..... (date) And shall be absent from work from..... (date)

- 1. I shall not work in establishment during the period for which 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.
3. That the maternity benefit due to me may be paid to me/my..... Shri/ShrimatiWhom I authorize to collect the same on my behalf

Signature of thumb-impression of woman.

Signature of an attester in case the signoman Is not able to sign and affixes thumb-impression.

Dated.....

FORM 'C' [See rule 5(1)]

This is to certify that I examined..... wife/daughter of..... a woman employed in..... (Name or establishment) on(date)and found/cannot discover that she is pregnant and is expected to be delivered of a child within.....(months/days) from the above-mentioned date/has under gone miscarriage/has been delivered of a child on.....(date) or is suffering from(date) from illness arising out of pregnancy/delivery/premature birth of child or a miscarriage.

Signature, qualification and designation Of medical officer /medical practitioner

Dated.....

FORM 'D' [See rule 5(2)]

This is to certify that I examined..... wife/daughter of..... a woman employed in.....

.....(Name or establishment) and found that she has been delivered of a child, has undergone miscarriage on(date)

Signature, qualification and mid-wife

Dated.....

FORM 'E'

[See rule 5(4)]

This is to certify that shrimati.....wife/daughter of..... employed in..... (Name or establishment expired on)(date)before/during/after confinement. The child died on.....(date) survives her.

Signature, qualification of medical Office/medical practitioner

Dated.....

FORM 'F'

[See rule 5(4)]

To

..... (name of establishment)].

I.....the undersigned, a woman employee/the nominee

Of..... woman employee/legal representative of.....

..... woman employee deceased in.....(Name of establishment) at..... in..... district received maternity benefit and/or other amount due under the Maternity Benefit Act, 1961, from the employer of the establishment referred to above, as detailed below:-----

Rs..... being the first installment of maternity benefit paid on.....

Rs..... being the second installment of maternity benefit after delivery paid
.....on.....

Rs being the medical bonus under section 8 of the Act paid
on..... Rs, being the wages for the leave period
from..... toMentioned 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 amounts prescribed in sections 5, 8, 9, and 10 of the Maternity Benefit Act, 1961.

Signature or thumb impression of

***Woman employee or her nominee or legal representative.**

**Signature of an Attest or in case the woman is not
able to sign and affixes thumb impression**

Date.....

Signature of the competent authority

***Strike out unnecessary portion.**

**FORM 'G'
[See rule 10]**

To
The Competent Authority,
Appointed under the Maternity Benefit Act, 1961.
.....(Address)

Sir,

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

Dated.....

**Signature or thumb-impression of
Woman.**

Signature of an attester in case the

**Woman is not able to affix
Thumb-impression.**

FORM 'H'
[See rule 11]

To
The Inspector,
(Under the Maternity Benefit Act , 1961)
Sir,

I.....(Name of the woman) employed in.....
..... (name and full address of the establishment) having full filled the
conditions laid down in the Maternity Benefit Act, 1961 and the Rules thereunder am entitled to
Rs..... being maternity benefit and/or Rs... being
the medical bonus and/or Rs... being wages for leave due under sections 9
and 10 but the same has been improperly withheld by the employer. He may, therefore, be directed to pay the
aforesaid amount to me.

Dated

**Signature or Thumb-impression of the
Woman**

Full address.....
.....

Strike out unnecessary portion.

FORM 'I'
[See rule 11]

To
The inspector,
.....
(Under the Maternity Benefit Act, 1961).

*I(Name), a person nominated under section 6 by or
legal representative of..... (name of woman) employed in
..... (name and full address of establishment) have to complain that the said woman
having fulfilled the condition 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 sections 9 and 10 but the same has been improperly
withheld by the employer. He ma, therefore be directed to pay the aforesaid amount to me.*

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

FORM 'J'
[See rule 12)

To

.....
.....

Sir,

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

Dated.....

Signature of the aggrieved person.
Full Address
.....

FORM 'K'

(See rule 15)

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

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 the employer to do during the period of one month 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 standing 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 is likely to cause her miscarriage or otherwise to adversely affect 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 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 the qualifying period of one hundred and sixty days aforesaid shall not apply to a woman who has immigrated into the State of Himachal Pradesh and was pregnant at the time of immigration:

Provided further 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 or during 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 up to and including- the day of the death of the child.

3. (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 forty-eight hours of production of the certificate in Form 'C' or Form 'E' • stating that she has been delivered of a child or production of a certificate 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 'B' 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 from 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 prenatal confinement and post-natal care is provided for

by the employer free of charge. The medical bonus shall be paid along with the second installment of the maternity benefit.

(2) In case of miscarriage, a woman shall on production of a certificate in Form 'C' or Form 'B' be entitled to leave with wages at the 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 'C' or 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 'C' be 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 the period.

6. Every woman delivered of a child who returns to duty after such delivery shall in addition to the interval for rest allowed 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 the 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 devices 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 "G" to the Competent Authority and the decision of the Competent Authority on such appeal whether the woman should or should not be deprived of maternity benefit 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 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 'H' or 'I' as the case may be.

(2) The Inspector may, of his own motion or on receipt of a complaint in Form 'H' or 'I' make an enquiry 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 order.

(3) Any person aggrieved by the decision of the Inspector may thirty days from the date of which decision is communicated to appeal to the Competent Authority such person, appeal to the Competent Authority.

(4) The decision of the Competent Authority where an 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', 'D', 'E', 'F', 'G', 'H and 'I'.

(b) They 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 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 complain 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 woman are employed shall prepare and maintain a muster roll in Form 'A' and shall enter therein particulars of all woman workers in the establishment .

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

(b) The employer of every establishment shall on or before the 21st January in each year submit to the Competent Authority a return in each of the Forms 'M', 'N', and 'O' giving in as to be particulars specified in respect of the preceding year.

FORM 'L'
(See, rule 16)

Annual returns for the year ending on the 31st December, 19

1. Name of the establishment
2. Situation of the establishment----

Mauza

District

State

Nearest Railway Station

3. Date of opening establishment.

4. Date of closing, if closed

5. Postal address of establishment

6. Name of employer

7. Name of the managing agent, if any

Postal address of Managing Agent

8. Name of Agent or Representative of employer.

Postal address of representative of
employer.

9. Name of Manager

Postal address of Manager

10. (a) Name of Medical Officer attached to the establishment

(b) Qualification of Medical Officer attached to the establishment

(c) Is he resident of the establishment?

(d) If a part-time employee, how often does he pays visits to the establishment ?

11. (a) Is there any hospital at the establishment?

(b) If so, how many beds are provided for woman employees?

(e) Is there a lady doctor?

(d) If so, what are her qualifications?

(e) Is there a qualified midwife?

(f) Has any crèche been provided?

Signature of employer.

Dated.....

FORM 'M'

(See rule 16)

Employment, dismissal, payment of bonus, etc., of woman for the year ending

31st December, 19 .

1. Establishment.
2. Aggregate number of woman permanently or temporarily employed during the year.
3. Number of woman who worked for a period of not less than one hundred and sixty days in the twelve months.
4. Number of woman who gave notice under section 6.
5. Number of woman who was granted permission to absent on receipt of notice confinement.
6. Number of claims for maternity benefit paid.
7. Number of claims for maternity benefit rejected.
8. Number of cases where prenatal, confinement and post-natal care was provided by the management free of charge (section 8).
9. Number of claims for medical bonus paid (section 8).
10. Number of claims for medical bonus rejected.
11. Number of cases in which Leave for miscarriage was granted.
12. Number of cases in which leave for miscarriage was applied for but was rejected.
13. Number of cases in which additional leave for illness under section 10 was granted.
14. Number of cases in which additional leave for illness under section 10 was applied for but was rejected.
- 15 Number of woman who died :
 - (a) before delivery
 - (b) after delivery.
16. Number of cases in which payment was made to person other than the women concerned.
17. Number of woman discharged or dismissed while working .
18. Number of woman deprived of maternity benefit and or medical bonus under proviso to sub-section(2) of section 12.
19. Number of cases in which Payment was made on the order f the Competent Authority or Inspector.
20. Remarks

N.B.-Full particulars of each case and reason for the action taken under serial Nos. 7, 10, 14, 17 and 18 should be given in the appendix below :—

Signature of employer.
Dated.....

FORM 'N'

(See rule 16)

Details of payment made during the year ending 31st Decdmber, 19

- Name of persons to whom paid Amount paid
1. Date of payment
 2. Woman employee
 3. Nominee of woman
 4. Legal representative of woman
 5. Amount for the period preceding date of expected delivery.
 6. Amount for the subsequent period
 7. Under section 8 of the Act
 8. Under section 9 of the Act
 9. under section 10 of the Act.
 10. Number of women workers who absconded after receiving the first installment of maternity benefit.
 11. Cases where claims were con tested in a court of law,
 12. Results of such cases.
 13. Remarks

Signature of the employer.

Dated.....

FORM 'O'
(See rule 16)

Prosecution during the year ending 31st December, 19

Place of employ- Ment of the women Employee	Number of cases instituted	Number of cases which resulted in conviction	Remarks

Signature of the employer

Dated.....

By order,

P.K MATTOO,

Secretary.