

Maternity Benefit Act, 1961

Section 2 - Application of Act

1[(1) It applies, in the first instance,--

(a) to every establishment being a factory, mine or plantation including any such establishment belonging to Government and to every establishment wherein persons are employed for the exhibition of equestrian, acrobatic and other performances;

(b) to every shop or establishment within the meaning of any law for the time being in force in relation to shops and establishments in a State, in which ten or more persons are employed, or were employed on any day of the preceding twelve months:]

Provided that the State Government may, with the approval of the Central Government, after giving not less than two months' notice of its intention of so doing, by notification in the Official Gazette, declare that all or any of the provisions of this Act shall apply also to any other establishment or class of establishments, industrial, commercial, agricultural or otherwise.

(2)2[Save as otherwise provided in3[sections 5A and 5B] nothing contained in this Act] shall apply to any factory or other establishment to which the provisions of the Employees' State Insurance Act, 1948, (34 of 1948), apply for the time being.

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1. Substituted by Act 61 of 1988 section 2 w.e.f. 10-1-1989.
 2. Substituted by Act 21 of 1972, section 2, for "Nothing contained in this Act".
 3. Substituted by Act 53 of 1976, section 2 w.e.f. 1-5-1976.
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