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LABOUR AND EMPLOYMENT DEPARTMENT

Draft Amendments to Tamil Nadu Maternity Benefit Rules, 1967.

[G.O. Ms. No. 87, Labour and Employment (H2), 20th April 2020,
சித்திரை 7, சார்வரி, திருவள்ளூர் ஆண்டு-2051.]

No. SRO A-21/2020.—The following draft of an amendment to the Tamil Nadu Maternity Benefit Rules, 1967, which is proposed to be made in exercise of powers conferred by Section 28 of the Maternity Benefit Act, 1961 (Central Act 53 of 1961) is hereby published for general information of all persons likely to be affected thereby as required by the sub-section (1) of Section 28 of the said Act.

(2) Notice is hereby given that the following draft amendment will be taken into consideration on or after the expiry of the period of forty five days from the date of publication of this notification in the *Tamil Nadu Government Gazette*, and that any objection or suggestion which may be received from any person with respect thereto before the expiry of the aforesaid period, will be considered by the Government of Tamil Nadu. Objection or Suggestion, if any, should be addressed in duplicate to the Secretary to Government, Labour and Employment Department, Secretariat, Chennai-600 009, through the Commissioner of Labour, Chennai-600 006, the Director of Industrial Safety and Health, 47/1-Small Industries Development Corporations, Industrial Estate, Guindy, Chennai-600 032.

DRAFT AMENDMENTS

In the said Rules,—

(i) after rule 6, The following rule shall be inserted, namely:-

"6-A. Creche.-(1) Every establishment having fifty or more employees shall have the facility of creche which shall be provided and maintained by the employer for the use of children of woman employees.

One creche for every thirty children who are below the age of 6 years.

(2) Location.- Conveniently accessible by the mothers of the Children accommodated in the creche, within a distance five hundred metres from the main entrance of establishment and away from excessively noisy process or dust/fumes/odours etc.

(3) Buildings.- (a) The accommodation shall be not less than (1.5 square metres) of the floor area for each child to be accommodated in a creche and the height of roof shall not be less than 3.7 metres from the floor, with heat resistant material and water proof and provided with fire safety equipment.

(b) Adequately lighted and ventilated.

(c) Artificial lightning to be connected with emergency power backup.

(d) Maintained in a clean and sanitary condition.

(e) The building in which the creche is situated shall be of sound construction with a good plinth.

(4) Staff.- (a) The creche shall be posted with one woman teacher *cum* warden who is qualified and trained in childcare.

(b) One woman 'Creche Attender' who is qualified or trained in midwifery.

(c) One woman 'ayah' for every 10/15 children.

(5) Facilities.- (a) The creche shall be furnished with suitable furniture and cradles, toys, mats, beds, pillows, cotton sheet, utensils to feed, rubber sheet and mosquito nets.

(b) A suitable fenced and shady open air playground shall be provided for the older children with suitable playing materials such as sliders, see-saws, swings and toys.

(c) Kitchen with cooking and feeding utensils and stove shall be provided or in its absence, employer to make available hygienic food/beverage.

(d) To be kept open 24/7 for employees working in shifts with not more than eight hours a day per shift.

(e) There shall be provided safe and purified drinking water facility with adequate arrangements for storage of clean water.

(f) Clean pure fresh milk if possible, otherwise, powdered milk approved by the certifying surgeon. At least 0.3 litres of milk per child shall be made available and the children in the age of two years, shall be provided with wholesome refreshment.

(g) The creche staff shall be provided with suitable clean clothes/uniform for use while on duty.

(6) Wash room.-(a) There shall be in or adjoining the creche, a suitable separate wash room for children.

(b) Separate 'Latrine' for every 20 children and separate 'Latrine' for staff/mothers adjoining the bathroom and creche latrine shall always be kept clean with adequate supply of water and cleaning materials.

(c) The management shall be supply of clean towels, oil and soaps.

(7) Medical Arrangements.-(a) There shall be provided a first aid kit.

(b) Medical Check-up of children before admission and monthly medical examination of the children at the creche need to be done by a qualified medical practitioner.

(8) Maintenance of Records.- The management shall maintain a register providing details of children attempting the creche along with a register for complaints.

(9) Monitoring by Employer.- The creche should be regularly supervised at definite intervals by the employer or by the representatives of the employer."

Md. NASIMUDDIN,
Additional Chief Secretary to Government.