

The Orissa Gazette

EXTRAORDINARY
PUBLISHED BY AUTHORITY

No. 1506 CUTTACK, FRIDAY, AUGUST 8, 2008/SRAVANA 17, 1930

LAW DEPARTMENT

NOTIFICATION

The 31st July 2008

No. 8952—I-Legis-26/2008-L.—The following Ordinance promulgated by the President and published by the Government of India, Ministry of Law and Justice (Legislative Department) in the *Gazette of India*, Extraordinary, Part II, Section I, dated the 3rd July 2008 is hereby republished for general information.

By order of the Governor

B. K. NAYAK

Principal Secretary to Government

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 3rd July 2008/Asadha 12, 1930 (Saka)

THE EMPLOYEES' STATE INSURANCE (AMENDMENT)

ORDINANCE, 2008

(ACT No. 7 OF 2008)

Promulgated by the President in the Fifty-ninth Year of the Republic of India.

An Ordinance further to amend the Employees' State Insurance Act, 1948.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for her to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

Short title
and
Commence-
ment.

1. (1) This Ordinance may be called the Employees' State Insurance (Amendment) Ordinance, 2008.

(2) It shall come into force at once.

Substitution
of new
Chapter for
Chapter VA.

2. In the Employees' State Insurance Act, 1948, for Chapter VA, the 34 of 1948. following Chapter shall be substituted, namely :—

“CHAPTER VA

SCHEME FOR OTHER BENEFICIARIES

Definitions.

73A. In this Chapter,—

(a) “other beneficiaries” means persons other than the person insured under this Act;

(b) “Scheme” means any Scheme framed by the Central Government from time to time under Section 73B for the medical facility for other beneficiaries;

(c) “underutilised hospital” means any hospital not fully utilised by the persons insured under this Act;

(d) “user charges” means the amount which is to be charged from the other beneficiaries for medical facilities as may be notified by the Corporation in consultation with the Central Government from time to time.

Power to
frame
Scheme.

73B. Notwithstanding anything contained in this Act, the Central Government may, by notification in the Official Gazette, frame Scheme for other beneficiaries and the members of their families providing medical facility in any hospital established by the Corporation in any area which is underutilised hospital on payment of user charges.

Collection of
user
charges.

73C. The user charges collected from the other beneficiaries shall be deemed to be contribution and shall form part of the Employees' State Insurance Fund.

Scheme for
other
beneficia-
ries.

73D. The Scheme may provide for all or any of the following matters, namely :—

(i) the other beneficiaries who may be covered under this Scheme.

(ii) the time and manner in which the medical facilities may be availed by the ophther beneficiaries;

(iii) the form in which the other beneficiary shall furnish particular about himself and his family whenever required as may be specified by the Corporation;

(iv) any other matter which is to be provided for in the Scheme or which may be necessary or proper for the purpose of implementing the Scheme.

Power to
amend
Scheme.

73E. The Central Government may, by notification in the Official Gazette, add to, amend, vary or rescind the Scheme.

Laying of
Scheme
framed
under this
Chapter.

73F. Every Scheme framed under this Chapter shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Scheme or both Houses agree that the Scheme should not be made, the Scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be prejudice to the validity of anything previously done under that Scheme.'

PRATIVA DEVISINGH PATIL
PRESIDENT.

—————

K. D. SINGH

Secretary to the Government of India