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LAW DEPARTMENT
NOTIFICATION

The 7th January, 2011

No. 329-I.Legis.1/11/L.— The following Acts of Parliament which are assented by the President on the 31st December, 2009 and published by the Government of India, Ministry of Law & Justice, Legislative Department in the Gazette of India, Extraordinary, Part-II, Section-I, dated the 31st December, 2009 are hereby republished for general information.

By Order of the Governor

D. DASH

Principal Secretary to Government

[ASSENTED TO ON 31ST DECEMBER, 2009]
(ACT NO. 48 OF 2009)

THE STATE BANK OF SAURASHTRA (REPEAL) AND THE STATE BANK OF INDIA
(SUBSIDIARY BANKS) AMENDMENT ACT, 2009

AN

ACT

*To repeal the State Bank of Saurashtra Act, 1950 and further to amend
the State Bank of India (Subsidiary Banks) Act, 1959.*

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as Follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the State Bank of Saurashtra (Repeal) and the State Bank of India (Subsidiary Banks) Amendment Act, 2009. Short title and Commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

REPEAL OF THE STATE BANK OF SAURASHTRA ACT, 1950

2. (1) The State Bank of Saurashtra Act, 1950 is hereby repealed.

Repeal and savings.

(2) Notwithstanding such repeal, anything done or any action taken, including any agreement entered into under the provisions of the State Bank of Saurashtra Act, 1950, by the State Bank of Saurashtra shall continue to be in force and have effect as if this Act has not been enacted.

(3) The mention of particulars in sub-section (2) shall not be held to prejudice or affect the general application of Section 6 of the General Clauses Act, 1897, with regard to the effect of repeal.

10 of 1897.

CHAPTER III

AMENDMENTS TO THE STATE BANK OF INDIA (SUBSIDIARY BANKS) ACT, 1959

3. In section 2 of the State Bank of India (Subsidiary Banks) Act, 1959 (hereafter in this Chapter referred to as the Subsidiary Banks Act),—

38 of 1959.

(i) in clause (a), sub-clause (iv) shall be omitted;

(ii) clause (i) shall be omitted; and

(iii) in clause (k), the words “and the Saurashtra Bank” shall be omitted.

4. In the Subsidiary Banks Act, in Section 14,—

(i) in the marginal heading, the words, “ the Saurashtra Bank” shall be omitted;

(ii) in sub-section (1), the words “, the State Government of Gujarat in respect of the Saurashtra Bank” shall be omitted;

(iii) in sub-section (2) and in the proviso, the words, “ the State Government of Gujarat,” and “or the State Government of Gujarat” shall, respectively, be omitted;

(iv) in sub-section (3), the words, “ the State Government of Gujarat” shall be omitted; and

(v) in sub-section (4), the words, “ the State Government of Gujarat” shall be omitted.

Amendment of Section 14.

5. In the Subsidiary Banks Act, in Section 23,—

(i) for the words, “the Hyderabad Bank and the Saurashtra Bank”, the words “ and the Hyderabad Bank” shall be substituted; and

Amendment of Section 23.

(ii) for the words, “the Hyderabad Bank or the Saurashtra Bank”, the words “or the Hyderabad Bank” shall be substituted.

Amendment
of Section 42.

6. In the Subsidiary Banks Act, in Section 42, for the words, “the Hyderabad Bank or the Saurashtra Bank”, the words “or the Hyderabad Bank” shall be substituted.

Amendment
of Section 46.

7. In the Subsidiary Banks Act, in Section 46,—

(i) in the marginal heading, the words “and the Saurashtra Bank” shall be omitted;

(ii) in sub-section (1), the words “or the Saurashtra Bank,” shall be omitted; and

(iii) the *Explanation* shall be omitted.

Amendment
of Section 47

8. In the Subsidiary Banks Act, in Section 47, in sub-section (1), for the words, “the Hyderabad Bank or the Saurashtra Bank”, the words “or the Hyderabad Bank” shall be substituted.

Amendment
of Section 49

9. In the Subsidiary Banks Act, in Section 49,—

(i) in sub-section (1), the words “or the Saurashtra Bank” shall be omitted;

(ii) in sub-section (2), the words “or of the Saurashtra Bank” shall be omitted; and

(iii) in sub-section (3), the words “or the Saurashtra Bank” shall be omitted.

Amendment
of Section 56

10. In the Subsidiary Banks Act, in Section 56,—

(i) in the marginal heading, the words “and the State Bank of Saurashtra” shall be omitted;

(ii) the words “and the Saurashtra Bank” shall be omitted; and

(iii) the words “or the Saurashtra Bank, as the case may be,” , at both the places where they occur shall be omitted.

11. In the First Schedule to the Subsidiary Banks Act, in paragraph 1, in sub-paragraph A, for the words, “ the Bank of Patiala or the Saurashtra Bank,” the words “or the Bank of Patiala” shall be substituted.

Amendment of
First
Schedule.

The above Bill has been passed by the Houses of Parliament.

Dated the

Chairman.

I assent to this Bill.

Dated the

President.

[ASSENTED TO ON 31ST DECEMBER, 2009]
(ACT NO. 47 OF 2009)
THE PAYMENT OF GRATUITY (AMENDMENT) ACT, 2009
 AN
 ACT

Further to amend the Payment of Gratuity Act, 1972.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

- 1.** (1) This Act may be called the Payment of Gratuity (Amendment) Act, 2009. Short title and Commence-ment.
- (2) It shall be deemed to have come into force on the 3rd day of April, 1997.

- 39 of 1972. **2.** In the Payment of Gratuity Act, 1972 (hereinafter referred to as the principal Act), in Section 2, for clause (e), the following clause shall be substituted, namely:— Amendment of Section 2.

‘(e) “employee” means any person (other than an apprentice) who is employed for wages, whether the terms of such employment are express or implied, in any kind of work, manual or otherwise, in or in connection with the work of a factory, mine, oil field, plantation, port, railway company, shop or other establishment, to which this Act applies, but does not include any such person who holds a post under the Central Government or a State Government and is governed by any other Act or by any rules providing for payment of gratuity;’.

Insertion of new Section 13A.

Validation of payment of gratuity.

- 3.** After Section 13 of the principal Act, the following section shall be inserted, namely :—

“13A. Notwithstanding anything contained in any judgment, decree or order of any court, for the period commencing on and from the 3rd day of April, 1997 and ending on the day on which the Payment of Gratuity (Amendment) Act, 2009, receives the assent of the President, the gratuity shall be payable to an employee in pursuance of the notification of the Government of India in the Ministry of Labour & Employment vide number S.O.1080, dated the 3rd day of April, 1997 and the said notification shall be valid and shall be deemed always to have been valid as if the Payment of Gratuity (Amendment) Act, 2009 had been in force at all material times and the gratuity shall be payable accordingly:

Provided that nothing contained in this section shall extend, or be construed to extend, to affect any person with any punishment or penalty whatsoever by reason of the non-payment by him of the gratuity during the period specified in this section which shall become due in pursuance of the said notification.”.

The above Bill has been passed by the Houses of Parliament.

Dated the

Chairman.

I assent to this Bill.

Dated the

President.

[ASSENTED TO ON 31ST DECEMBER, 2009]

(ACT NO. 46 OF 2009)

THE NATIONAL RURAL EMPLOYMENT GUARANTEE (AMENDMENT) ACT, 2009

AN

ACT

To amend the National Rural Employment Guarantee Act, 2005.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. (1) This Act may be called the National Rural Employment Guarantee (Amendment) Act, 2009. Short title
and

(2) It shall be deemed to have come into force on the 2nd day of October, 2009. Commence-
ment.

Amendment
of Section 1.

2. In the National Rural Employment Guarantee Act, 2005, in subsection (1) of Section 1, for the words “the National Rural Employment Guarantee Act”, the words “the Mahatma Gandhi National Rural Employment Guarantee Act” shall be substituted. 42 of 2005.

The above Bill has been passed by the Houses of Parliament.

Dated the

Chairman.

I assent to this Bill.

Dated the

President.