

Bill Summary

The Maternity Benefit (Amendment) Bill, 2007

- The Maternity Benefit (Amendment) Bill, 2007 was introduced in the Rajya Sabha on May 14, 2007. It was referred to the Standing Committee on Labour (Chairperson: Suravaram Sudhakar Reddy) on May 17, 2007, which submitted its report on August 16, 2007.
- The Bill seeks to amend the Maternity Benefit Act, 1961. The Principal Act regulates the maternity benefit available to women in factories, mines, the circus industry, plantations and shops or establishments employing 10 or more persons. It does not cover employees who are covered under the Employees' State Insurance (ESI) for certain periods before and after child-birth. Women entitled to a maternity benefit are also entitled to receive a medical bonus of Rs 250 from their employer, if no pre-natal confinement and post-natal care is provided by the employer free of charge.
- The Bill seeks to raise the amount of maternity bonus from Rs. 250 to Rs. 1,000 from the employer, unless pre-natal confinement and post-natal care is provided for by the employer free of charge. The Bill also allows the central government increase the amount of medical bonus to a maximum of Rs. 20,000 by notification.
- The Standing Committee in its report recommended that the maternity bonus should be raised to Rs. 5,000 and that there was no need to specify a maximum limit on how much the bonus could be raised up to by the central government. It also felt that the government should revise the bonus every three years.
- The Standing Committee made a series of general recommendations.
 - The Principal Act should be amended to cover establishments employing five people or more.
 - The Principal Act should be made applicable to all women working in the unorganised sector until legislation covering the unorganised sector is brought forward by the government.
 - The Standing Committee noted with concern that 80 percent of Indian women are undernourished or anaemic and that the Maternal Mortality Rate in India is among the highest in the world. It therefore recommended the creation of a National Corpus Fund with contributions from the central and state government as well as employees, to deal with the issue.
 - The Principal Act should be amended to extend maternity leave from 12 weeks to 135 days, as allowed to central government employees. The government should also give serious consideration to granting 15 days paternity leave, as available to central government employees.

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