Maternity Benefit Bill

Why in news?

\n\n

Lok Sabha recently passed The Maternity Benefit (Amendment) Bill, 2016.

\n\n

What are the salient features of the bill?

\n\n

\n
- The bill to amend the Maternity Benefit Act, 1961.
\n
- It increases the paid maternity leave for pregnant women working in the organised sector from 12 weeks to 26 weeks.
\n
- The 26 weeks of leave will be for the first two pregnancies.
\n
- For the third child, it will be of 12 weeks and 6 weeks for the fourth.
\n
- It allows 12 weeks of paid maternity leave to mothers who are adopting a child below the age of three months and also to commissioning mothers who opt for surrogacy.
\n
- It mandates employers to provide crèche facilities and to allow a woman to work from home.
\n

\n\n

What are the positives?

\n\n

\n
- The enhancement of paid maternity leave for women is a progressive step.
\n
- India is in third place, only Canada and Norway, in the level of maternity benefits such as paid time off work extended to women.
\n

- The amendment is in line with several expert recommendations including that of the World Health Organisation, which recommends exclusive breastfeeding of children for the first 24 weeks.
\n
- Giving benefits to adoptive mothers as well as women who get children using embryo transfers signals India is in step with social changes.
\n

\n\n

What are the shortcomings?

\n\n

\n
- The amended law covers only women in the organised work sector i.e only 1.8 million women, a small subset of women in the workforce.
\n
- It ignores roughly 90% of the Indian women who are employed in the unorganised sector i.e shops, small service providers and cottage industries, in households as domestic helps etc.
\n
- The only support available to them is a small conditional cash benefit of Rs.6,000 during pregnancy and lactation offered under the Maternity Benefit Programme.
\n
- The Bill excludes paternity leave. Therefore the benefit burden may discourage employers to hire women.
\n
- Demands for inclusion of a non-discrimination clause in the bill were also made to ensure that no person is discriminated against for having availed any parental benefits.
\n

\n\n

What is the present condition of women in India?

\n\n

\n
- India lags far behind when it comes to maternal and infant mortality indicators.
\n
- Every third woman in the country is undernourished and every second woman is anaemic.
\n

- An undernourished woman is most likely to give birth to a low-weight baby.
\n
- The UN Millennium Development Goals Report 2014 states that India recorded the highest number of maternal deaths, and accounted for 17% of global deaths due to pregnancy and childbirth-related complications.
\n
- The Infant Mortality Rate is 40 per 1,000 live births.
\n

\n\n

What should be done?

\n\n

\n
- The income guarantees during the 26-week period should be ensured through a universal social insurance system.
\n
- Such a policy would harmonise the varying maternity benefit provisions found in different laws that govern labour at present.
\n
- Paternity leave should be included to stop discrimination against women in recruitment by employers who currently have to factor in benefit payments.
\n
- Attitudinal change is also critical. Apart from not paying full benefits, many employers in corporate sector avoid appointing women in critical functions out of unwillingness to cope with women's life cycle changes, even seeking undertakings on avoiding pregnancy.
\n
- Also the effectiveness of the revised Maternity Benefit Act depends on its proper implementation.
\n

\n

SHANKAR IAS PARLIAMENT
Information is Empowering