

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA**

**UNSTARRED QUESTION NO. 4154  
TO BE ANSWERED ON 22.03.2021**

**MATERNITY BENEFIT ACT**

**4154. SHRI VELUSAMY P.:  
SHRI BALASHOWRY VALLABHANENI:**

**Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:**

- (a) whether the Government is having any proposal to amend the provisions of the Maternity Benefit Act to revise the duration of maternity leave and if so, the steps taken by the Ministry to monitor the implementation of the provisions for those women who are working in private sector;**
- (b) whether any complaints are received from Private Sector employees and if so, the details thereof the steps taken by the Government and if not, the reasons therefor;**
- (c) whether it is true that women working in private sector are not getting maternity leave benefit like their counterparts in Government sector;**
- (d) whether it has come to the notice of the Ministry that due to amendment to Maternity Benefit Act, 1961 to make it mandatory to provide 26 weeks of leave to women with pay, the private firms have stopped recruiting women and if so, the details thereof; and**
- (e) whether any consultations have been held with the Ministry in this regard and if so, the details thereof?**

**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI SANTOSH KUMAR GANGWAR)**

**(a) to (e): At present, the Government is not having any proposal to amend the Maternity Benefit Act, 1961 to revise the duration of the maternity leave. The Government has already amended the Maternity**

**Contd..2/-**

**Benefit Act, 1961 in the year 2017 and enhanced the maternity leave from 12 weeks to 26 weeks. The implementation of the provisions of the Maternity Benefit Act, 1961 rests with the respective State Governments except Mines and establishment wherein person are employed for the exhibition of equestrian, acrobatic and other performances.**

**No complaint regarding non implementation of provisions under Maternity Benefit Act has been received from the women employees under in Central Sphere.**

**The Maternity Benefit (Amendment) Act, 2017 was enacted with a view to encourage more and more women to seek employment which would lead to increase in women labour participation rate.**

**There are stringent provisions under the Maternity Benefit Act, 1961 for contravention of the provisions of the Act.**

**Due consultations have been made amongst the stakeholders in this regard and consequently the relevant provisions of the Maternity Benefit Act, 1961 have been subsumed in the Code on Social Security, 2020.**

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