

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:5974
ANSWERED ON:11.05.2012
MATERNITY BENEFIT ACT
Bajirao Shri Patil Padamsinha

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) the benefits available to a pregnant woman under the Maternity Benefit Act, 1961;
- (b) whether there are certain loopholes in the law on maternity benefits which may lead to sacking of pregnant woman on the pretext of 'misconduct';
- (c) whether Planning Commission has set up any panel to review the Maternity Benefit Act, 1961; and
- (d) if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI SUDIP BANDYOPADHYAY)

(a) The Maternity Benefit Act, 1961 provides for maternity leave and payment of monetary benefits to women workers subject to fulfilment of certain conditions during the period when they are out of employment on account of pregnancy. The services of a woman worker cannot be terminated during the period of their absence on account of pregnancy except for prescribed gross misconduct. Maximum period for which a woman can get maternity benefit is twelve weeks. Of this, six weeks must be taken prior to the date of delivery of the child and six weeks immediately following the date.

Besides, the above benefits, every woman entitled to maternity benefit under this Act shall also be entitled to receive from her employer a medical bonus of Rs 3500/- .

(b) to (d) No.