

**GOVERNMENT OF INDIA  
LABOUR AND EMPLOYMENT  
LOK SABHA**

UNSTARRED QUESTION NO:3358

ANSWERED ON:10.08.2015

Maternity Leave for Working Women

Ahlawat Smt. Santosh;Arunmozhithevan Shri A.;Saraswati Shri Sumedhanand

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

- (a) whether recently Government is looking to enhance maternity leave for working women from three to six months and also considering to virtually double bonus payment to employees and make gratuity portable between jobs;
- (b) if so, the details thereof;
- (c) whether all employees earning upto 10,000/- per month are eligible for a minimum bonus of 8.33 per cent of their annual salary and a maximum of 20 per cent; and
- (d) if so, the details thereof?

**Answer**

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
(SHRI BANDARU DATTATREYA)

(a) & (b): As per Section 5(3) of the Maternity Benefit Act, 1961, working women is entitled for twelve weeks of maternity leave out of which six weeks before the expected date of delivery. A proposal is under consideration of the Government to increase the existing maternity leave from twelve weeks to twenty four weeks under the Maternity Benefit Act, 1961.

At present, no proposal under consideration of the Government to double the bonus and to make gratuity portable between jobs.

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(c) & (d): The Payment of Bonus Act, 1965 provides for the payment of bonus to persons employed in certain establishment, employing 20 or more persons, on the basis of profits or on the basis of production or productivity and for matters connected therewith. The minimum bonus of 8.33% is payable by every industry and establishment under the Section 10 of the Act. The maximum bonus including productivity linked bonus that can be paid in any accounting year shall not exceed 20% of the salary/wage of an employee under Section 31A of the Act. At present, employees drawing salary or wage not exceeding Rs.10,000/- per month in any industry to do any skilled or unskilled, manual, supervisory managerial, administrative, technical or clerical work for hire or reward are eligible for payment of Bonus. The eligibility limit and calculation ceiling under Section 2(13) and Section 12 of the Act respectively were last revised from Rs.3,500/- to Rs.10,000/- per month and from Rs.2,500/- to Rs.3,500/- per month from April, 2006 through the Payment of Bonus (Amendment) Act, 2007, notified in the Gazette of India on 13.12.2007.

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