

On maternity benefits

The [amendments to the Maternity Benefit Act](#), which were introduced this year, in particular the provision of 26 weeks of paid maternity leave and the mandatory crèche facility, are path-breaking, but there are concerns over their feasibility. Recently, the Labour Ministry placed the financial burden of implementing these measures squarely on the employers; this legitimises these concerns.

The amendments seek to improve infant mortality rate (34 per 1,000 live births) and maternal mortality rate (167 per 100,000 live births), but the challenge lies in their implementation. The measures introduced, particularly the crèche facility, are cost-intensive and may deter employers from hiring or retaining pregnant women. A 2014 International Labour Organisation report specifically cautions against making employers solely liable for the cost of maternity benefits for this reason. It advocates that maternity benefits should be provided either through compulsory social insurance or public funds. In fact, the Standing Committee on Labour in 2007 had suggested that the government should create a corpus fund to partially sponsor the costs to be incurred by the employer to provide maternity benefits. However, no government has shown the will to change this status quo even though the state and society have much to gain from ensuring effective implementation of maternity benefits.

A lost opportunity

To illustrate, one of the key goals of any maternity benefit policy is to facilitate breastfeeding by working mothers. Studies have shown that health benefits that accrue to both the mother and her child by breastfeeding are more than matched by economic returns at family, enterprise and national levels. A 2017 report released by the Global Breastfeeding Collective, led by UNICEF and the World Health Organisation, has termed breastfeeding the “best investment in global health” generating \$35 in global return for every dollar invested. A ‘Global Breastfeeding Scorecard, 2017’ released by the Collective shows that India spends an abysmal \$0.15 (less than 10) per child to ensure that it meets the breastfeeding guidelines. The report suggests that as things stand, India is poised to lose an estimated \$14 billion in its economy, or 0.70% of its Gross National Income, due to a high level of child mortality and growing number of deaths in women from cancers and Type II diabetes, directly attributable to inadequate breastfeeding.

It is time for the government to shoulder the financial responsibility of providing maternity benefits. This could be implemented by enabling employers to seek reimbursement of the expenses incurred by them in this respect. In addition, the government must find innovative and cost-effective ways to ensure that working women are not forced to discontinue breastfeeding. A simple method is to express breast milk and store it to be given to their children while they are away. The only provision that needs to be provided by employers to facilitate this would be a clean and private pumping room.

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The definition of harassment needs to be constantly updated, and the process for justice made more robust

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