

GOVERNMENT OF KERALA

IMPLEMENTATION OF MATERNITY BENEFIT ACT-1961
IN
FACTORIES AND PLANTATIONS

1991-2003

Department of Economics & Statistics
2004

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PREFACE

Welfare of labour force has a very important role in the economic development of a country. A number of Labour legislation have been passed for the welfare of labour force. Maternity Benefit Act 1961 aims at the maternity protection to women workers.

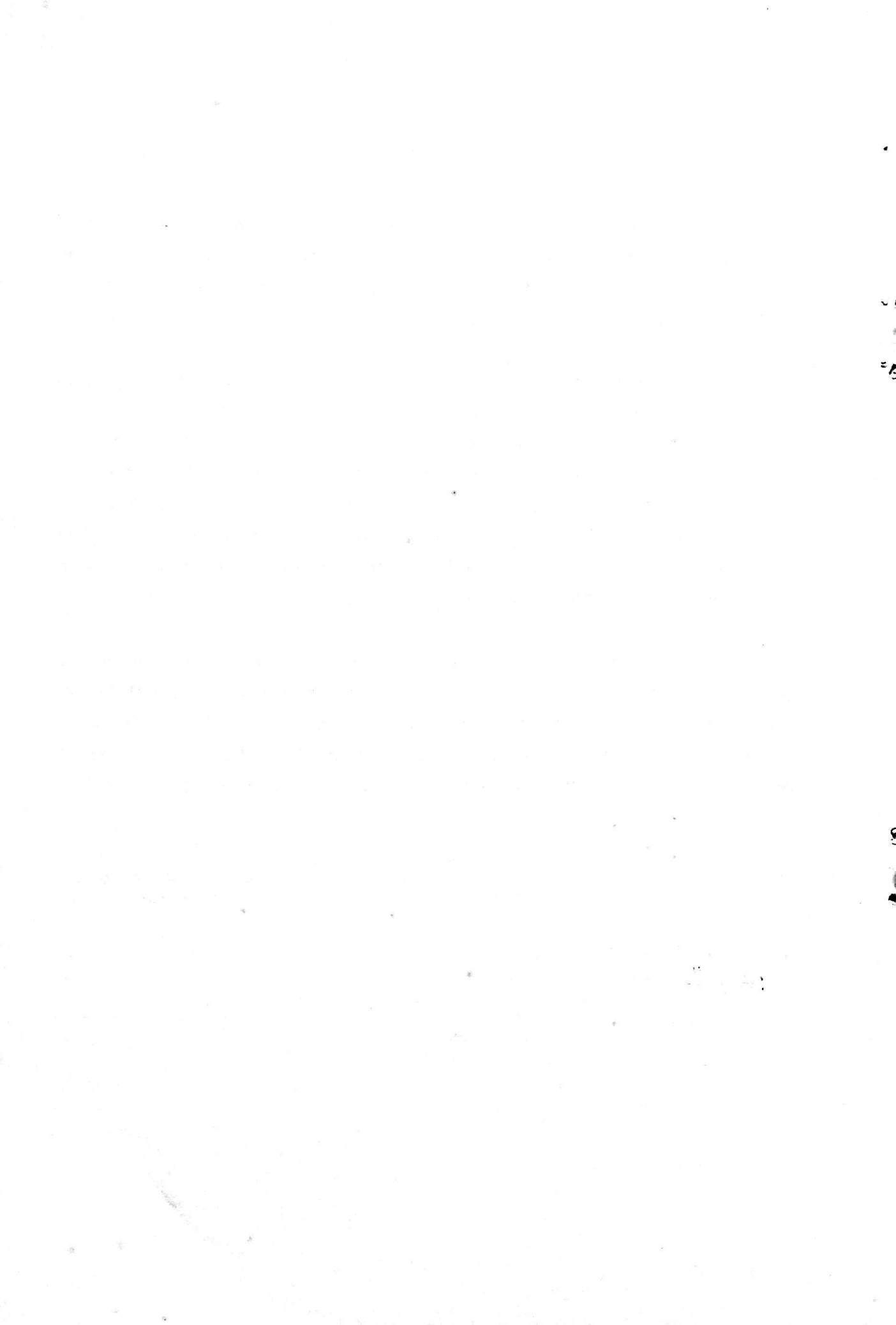
The primary objective of the statistics collected under the Act is to find out the extent to which women workers derive maternity benefit provided for under the Act. An annual review on the working of the Maternity Benefit Act is prepared on a regular basis in the case of plantations and factories registered under Factories Act. This publication incorporates all the information of annual reports for the period from 1991 to 2003 relating to Plantations and Factories. I hope that this publication would be of great use to the data users and researchers in this field

This report was prepared by Sri. N. Vinayan R.O with the assistance of the staff of labour section and Sri. S. Saseendran, U.D Typist, Computer Division in the leadership of Sri Raveendran Paleri, Assistant Director, Under the guidance and co-ordination of Sri. P. Surendran Pillai, Joint Director and Sri.P.Kochunarayana Pillai, Additional Director.

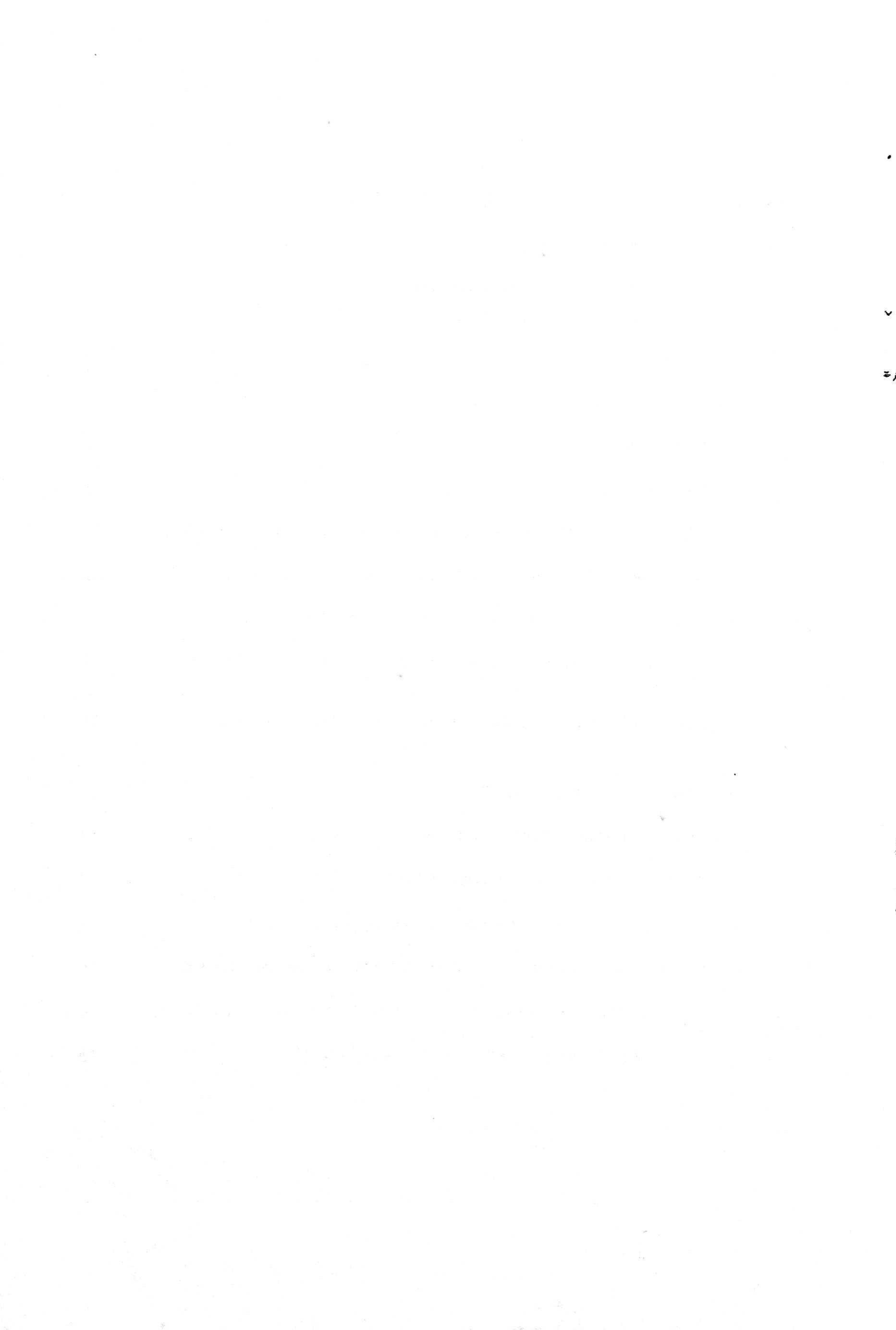
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16 /08/2004



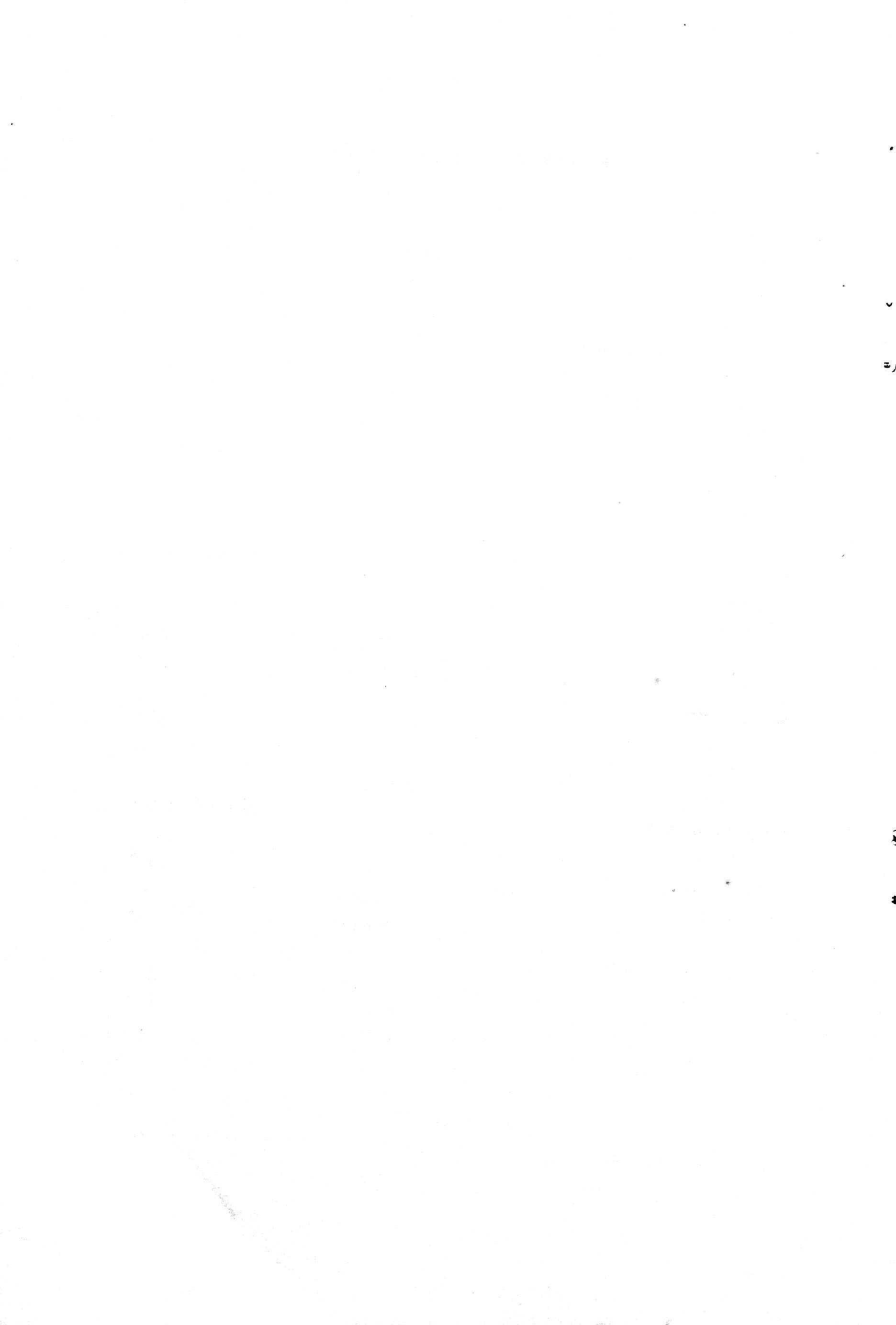
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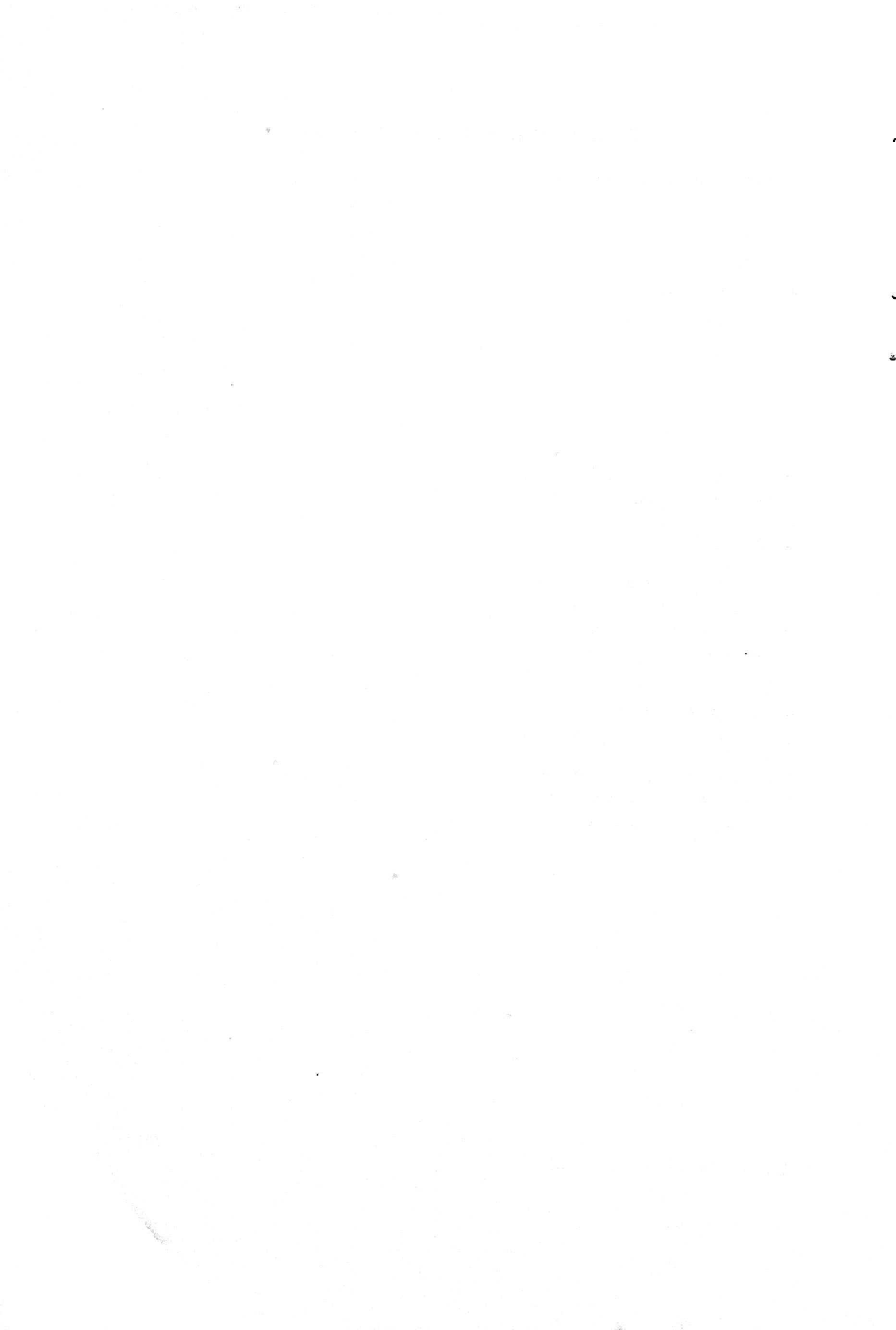
Results at a Glance - 2001

Area(in Sq.Km.)	:	38863	
Population			
Female	:	16369955	
Male	:	15468664	
Total	:	31838619	
% of female population to total population	:	51.42	
Sex ratio (Females /1000 males)	:	1058	
Density of population	:	819	
Literacy rate			
Female	:	87.9	
Male	:	94.2	
Total	:	90.9	
			% to total population
Workers			
Female	:	2500736	15.3
Male	:	7790522	50.4
Total	:	10291258	32.3
Non workers			
Female	:	13869219	84.7
Male	:	7678142	49.6
Total	:	21547361	67.7
Category of workers			% to total workers
1. Cultivators			
Female	:	117679	4.7
Male	:	622724	8.0
Total	:	740403	7.2
2. Agricultural labours			
Female	:	550284	22.0
Male	:	1103317	14.2
Total	:	1653601	16.1



Results at a Glance – 2001 Contd...

3. Workers in house hold Industry			
Female	:	182835	7.3
Male	:	181935	2.3
Total	:	364770	3.5
4. Other workers			
Female	:	1649938	66.0
Male	:	5882546	75.5
Total	:	7532484	73.2
			% to total female workers
Average daily no of women workers in factories submitting returns covered under maternity benefit act for the year 2001	:	49232	1.97
Average daily no of women workers in plantations submitting returns covered under maternity benefit act for the year 2001	:	43867	1.75
No of women workers claimed maternity benefit during the year 2001 from factories and plantations	:	1801	
% of women who claimed maternity Benefit to the total average daily women workers in Factories and plantation sector	:	1.93	



**Maternity Benefit paid in Factories and Plantations 2001
Kerala and India-- A comparison**

A. Maternity Benefit Act

Sl. No	Details	Factories		Plantation	
		Kerala	India	Kerala	India
1.	No. of establishments covered by the Act	730	60185	600	1318
2.	No. of establishments submitted returns	730	28794	502	1081
3.	Average No. of women workers daily employed in submitting returns	49232	436494	43867	87804
4.	No. of women who claimed maternity benefit	11	1227	1790	4119
5.	No. of claim paid fully or partially	11	1159	1790	4119
6.	Total amount of Maternity Benefit paid (Rs.)	119736	18432980	9703136	19291375

B. Employees State Insurance Act

1.	Number of insured women who claimed Maternity Benefit	3033	24833		
2.	Amount paid (Rs.)	26336954	202373797		



Introduction

Formulation of sound labour policy pre-supposes the availability of accurate and up-to-date labour statistics. Such Statistics are also required for the assessment of the progress in the implementation of various policies and programmes. Availability of such statistics depends on the timely compilation, consolidation, and submission of various statistical returns prescribed under different labour enactment by the concerned authorities.

Labour Bureau is the Agency responsible for the collection, compilation and publication of all India Labour Statistics. On the basis of annual/half yearly returns received from the Industrial Establishments and plantations through Director of Factories and Boilers and Chief Inspector of Plantations, Kottayam. Directorate of Economics and Statistics prepares annual/Half yearly reports and forwarded to Labour Bureau.

An analysis of the implementation of Maternity Benefit Act 1961 in Factories and Plantations for the period from 1991 to 2003 is incorporated in this publication.



I. Maternity Benefit Act

Legislation providing for the payment of cash benefit for certain period before and after confinement, grant of leave and some other facilities, etc to women employees in factories, mines and plantations exists in almost all the states of the country. In order to reduce disparities existed in the provisions relating to maternity protection in these acts, an act called the Maternity Benefit Act 1961 was enacted by the central Government. This Act applies to every establishment whether it is factory, mine or plantation, except those factories or establishments to which provisions of Employees State Insurance Act 1948 exists. Most of the state government had adopted this Act.

This Act provides for payment of Maternity Benefit, i.e. an average daily wage of Rs.10/- or the minimum wages fixed under the Minimum wages Act whichever is more for the period of actual absence up to 12 weeks of which not more than six weeks may be availed before the delivery and remaining period after delivery. This Act also provides medical bonus of Rs 250/- in case where the employees do not provide prenatal care and postnatal care free of charge. There is no wage limit for coverage under the Act. As per this Act the employees have to furnish annual returns showing number of maternity claims made, claims paid in fully and partially etc during the year to the administering authorities.

II Implementation and reporting

In Kerala, administration of the Maternity Benefit Act for registered factories is the responsibility of the Director, Factories and Boilers Thiruvananthapuram and that of plantations by Chief Inspector of Plantation, Kottayam under Plantation Labour Act 1951. The plantation inspectorate is a part of Labour Department in the State.

The Maternity Benefit (Amendment) Act 1988 (61 of 1988) came into force with effect from 10-1-1989 in the state. Consolidation of information regarding the implementation of the various provisions of the Act is done from the Annual returns submitted by the establishments. The Director Factories and Boilers and the Chief Inspector of Plantation, Kottayam forward this consolidated information to the Director of Economics & Statistics Thiruvananthapuram annually. On the basis of these, the annual report has been prepared and forwarded to Labour Bureau in the prescribed Performa.

III Scope and Coverage

The information furnished in the annual reports from 1991 to 2003 is further classified and included in this publication. Information such as number of factories and plantations covered under Maternity Benefit Act, number of establishments submitted annual returns, number of women workers in the establishment, number of claims made and paid, amount paid as maternity benefits and complaints regarding the implementation of the Act in each year as reported by the concerned administrative authorities is presented in this report.

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Table – 1

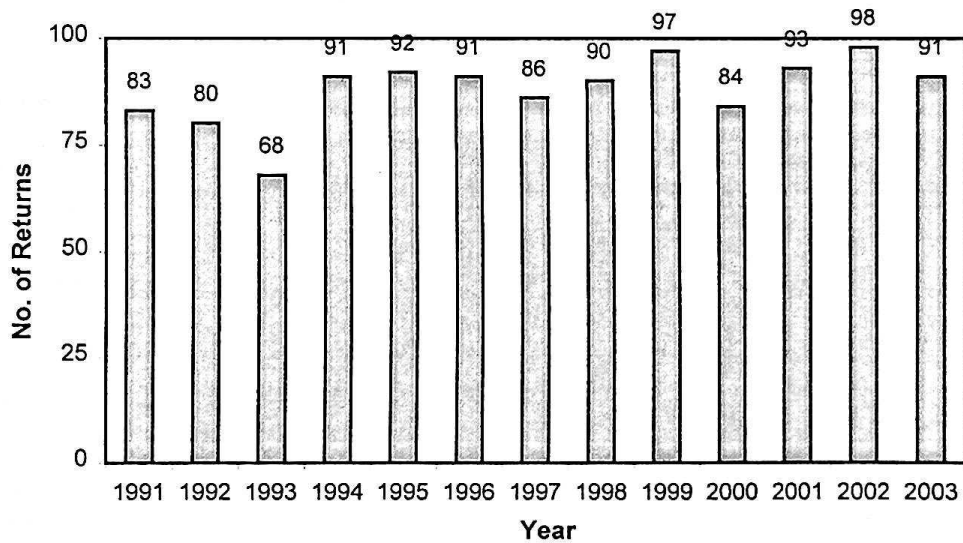
Implementation of Maternity Benefit Act, 1991-2003 A review

Period	Total No. of establishment covered	No. of establishment submitted returns	Percentage of returns	Average no. of women workers under col.3	No. of women workers received maternity benefits fully or partially	Amount disbursed as maternity Benefits(Rs in lakhs)	No. of complaints reported
1	2	3	4	5	6	7	8
1991	1552	1287	83	101378	3383	85.72	21
1992	1595	1275	80	87251	2989	82.67	34
1993	1523	1034	68	112266	2439	84.37	24
1994	1560	1412	91	101756	1859	62.11	11
1995	1422	1305	92	57458	2698	85.70	7
1996	1514	1375	91	111195	2860	101.01	3
1997	1307	1121	86	67305	3455	99.82	18
1998	2149	1940	90	93477	2427	104.87	22
1999	1337	1299	97	52418	2711	112.73	20
2000	1613	1356	84	93896	1877	77.93	25
2001	1330	1232	93	93099	1801	98.23	
2002	1528	1495	98	93891	2948	100.96	2
2003	1155	1049	91	64013	389	72.29	10

Table I Illustrate the year wise data relating to establishments covered under the Act, Number of establishment submitted annual returns, average number of women workers in the establishment, number of claims sanctioned, amount disbursed and complaints registered together with factories and plantations . The information is based on the report received from Director of Factories and Boilers and Chief Inspector of Plantation. Even though the entire establishment covered under the scheme, nearly 80% of them submitted the return in almost all the years except 1993.The percentage of returns received during the year 1993 was only 67.9.

An overall view of the percentages of returns received during the years 1991-2003 has been shown in the graph.

Graph -1
Yearwise percentages of Returns



The percentage of women workers by whom received maternity benefits during 1991 to 2003 are classified with sector wise and shown in the following Table 2

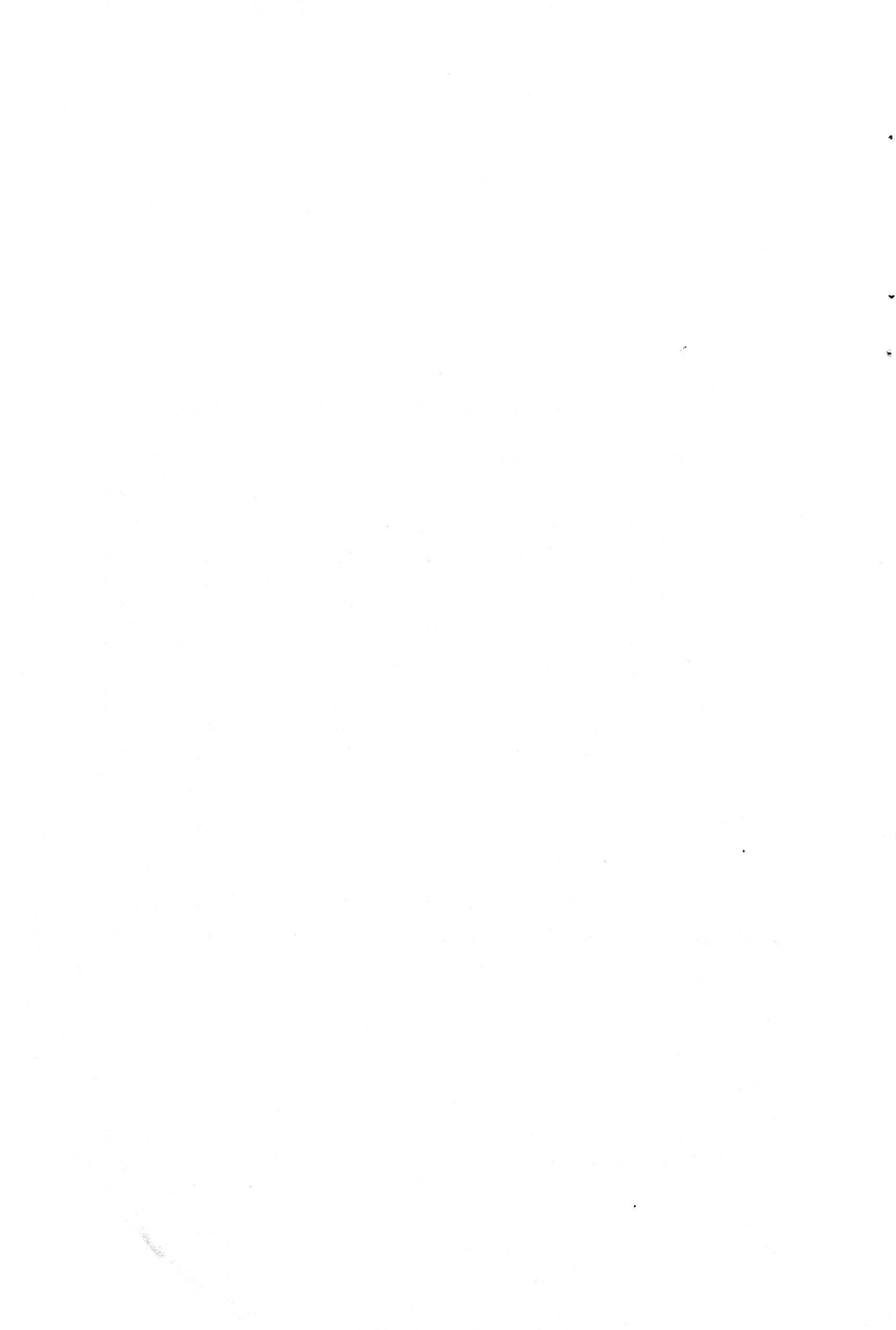


Table - 2

Period	% of women receiving maternity benefit to total number of women workers		% of women workers receiving maternity benefit in Pvt. sector and public sector factories to their total population respective units		% of claims paid to total claims made	
	Plantation	Factories	Private sector	Public sector	Plantation	factories
1991	7.23	0.14	0.12	0.15	98.43	41.8
1992	6.83	0.14	0.13	0.14	87.2	38.6
1993	5.64	0.05	0.01	0.07	89.8	16.2
1994	4.52	0.08	0.04	0.65	97.1	100.0
1995	7.15	0.20	0.13	0.93	100.0	100.0
1996	6.25	0.08	0.03	0.23	99.0	100.0
1997	7.64	0.16	0.02	0.49	99.1	100.0
1998	5.29	0.14	0.07	0.50	46.5	100.0
1999	8.58	0.12	0.10	0.25	77.0	100.0
2000	4.46	0.05	0.01	0.44	100.0	100.0
2001	4.08	0.02	0.01	0.18	100.0	100.0
2002	4.04	2.36	2.49	0.82	100.0	100.0
2003	0.66	0.55	0.53	0.94	13.1	100.0

On examining the data in Table 2, the percentage of women workers received maternity benefits in plantation sector is more than that in factories from 1991 to 2003. Similarly when the benefits are compared in private and public sectors it is seen that women enjoys more benefits in public sector than in private sector except for the year 2002.

Table -3
Establishments under coverage of Maternity Benefit Act in Plantations.

Year	No. of establishments covered by Act	No of establishments submitted returns	Average number of women workers in the establishments submitting returns	No. of women workers who claimed maternity benefit during the year	No. of Claims accepted and paid fully or partially.
1	2	3	4	5	6
1991	503	321	45696	3358	3304
1992	495	326	42945	3358	2928
1993	479	295	42644	2679	2407
1994	495	347	39947	1858	1805
1995	498	381	37142	2657	2657
1996	499	360	44899	2837	2809
1997	531	345	44741	3448	3419
1998	565	356	44560	5061	2357
1999	524	486	30936	3460	2655
2000	580	323	41480	1849	1849
2001	600	502	43867	1790	1790
2002	556	523	43495	1757	1757
2003	457	351	33123	1660	218

Table 4
Amount of maternity Benefit disbursed in Plantation

Period	Establishment submitted returns	No of cases in which special bonus were paid	Total amount of maternity benefit including bonus	Amount of bonus included in col4	No. of case in which women enjoyed full maternity leave prior to confinement.
1991	321	138	8048544	34500	1941
1992	326	76	7125897	348222	1501
1993	295	45	7666499	23587	1312
1994	347	57	5871079	35166	273
1995	381	-	8304282		162
1996	360	59	9834180	252	167
1997	345	58	9563562	501	188
1998	356	554	9552042	254	87
1999	486	284	11022539	-	42
2000	323	-	7244811	-	34
2001	502	-	9703136	-	-
2002	523	-	9309955	-	-
2003	351	13	6588120	3250	32

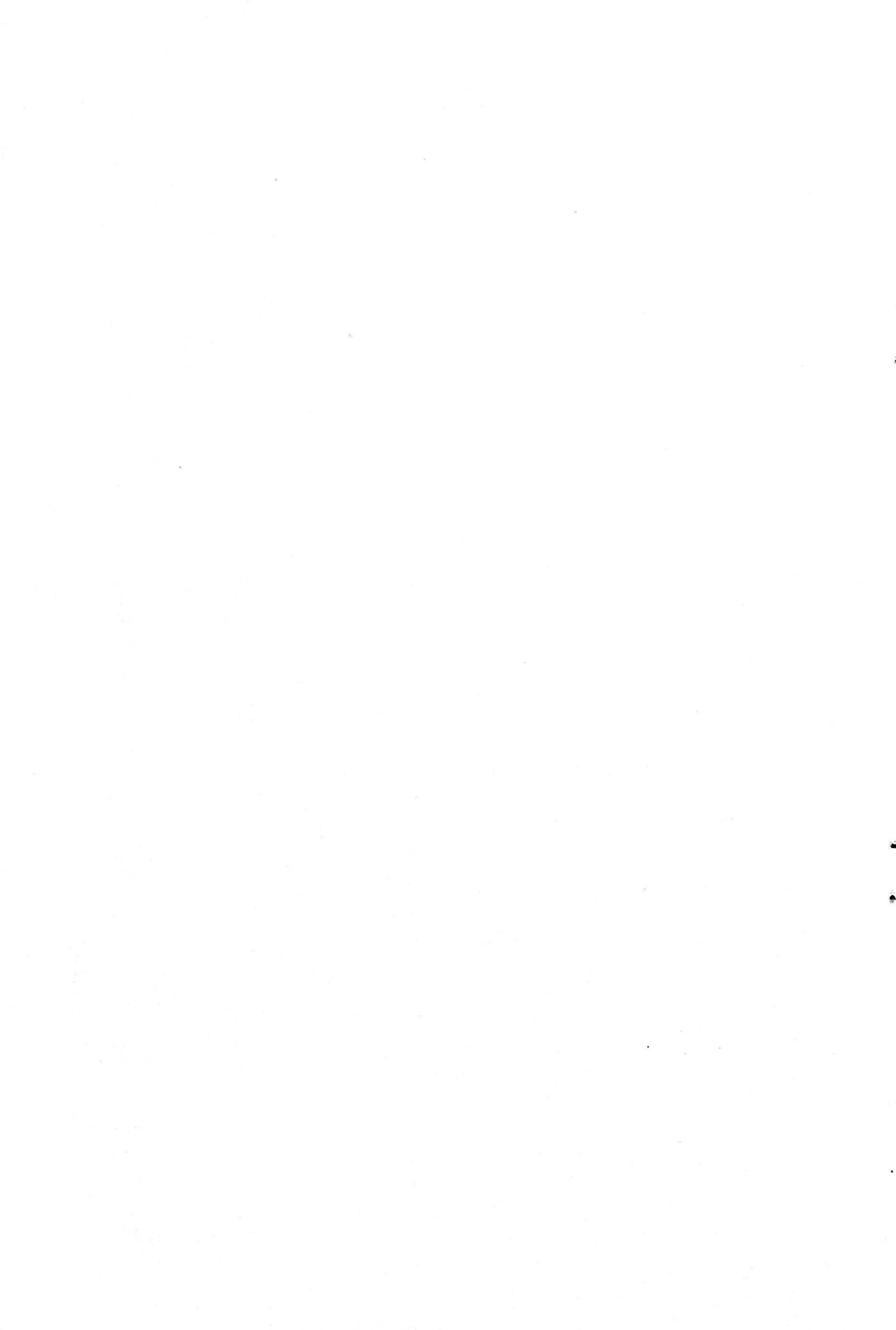


Table 5
Complaints regarding Implementation of maternity benefit Act in plantation

Year	No. of complaints received	complaints investigated and settled	No. of cases in which breeches of law observed	No. of prosecution launched	No. of convictions obtained	Amount of fine realised
1991	15	7	1	1	-	-
1992	27	18	-	-	-	-
1993	23	19	-	-	-	-
1994	11	11	-	-	-	-
1995	7	7	-	-	-	-
1996	3	3	-	-	-	-
1997	18	16	-	-	-	-
1998	22	9	-	-	-	-
1999	20	20	1	-	-	-
2000	25	25	-	-	-	-
2001	-	-	-	-	-	-
2002	2	2	-	-	-	-
2003	10	10	1	-	-	-

The total number of factories covered under Maternity Benefit Act and the number of factories submitted their returns on yearwise-sectorwise is given in Table 6.

Table - 6
Coverage of Factories under Maternity Benefit Act and submitting returns

Year	No. of Establishment covered under Maternity Benefit Act			No. of Establishment submitted return		
	Pvt. Sector	Pub. Sector	Total	Pvt. Sector	Pub. Sector	Total
1991	937	112	1049	862	104	966
1992	988	112	1100	837	112	949
1993	899	145	1044	623	116	739
1994	965	100	1065	965	100	1065
1995	887	37	924	887	37	924
1996	838	177	1015	838	177	1015
1997	569	207	776	569	207	776
1998	1426	158	1584	1426	158	1584
1999	720	93	813	720	93	813
2000	928	105	1033	928	105	1033
2001	685	45	730	685	45	730
2002	891	81	972	891	81	972
2003	647	51	698	647	51	698

The above table reveals that all the factories under coverage submitted their return during the period from 1994 to 2002.

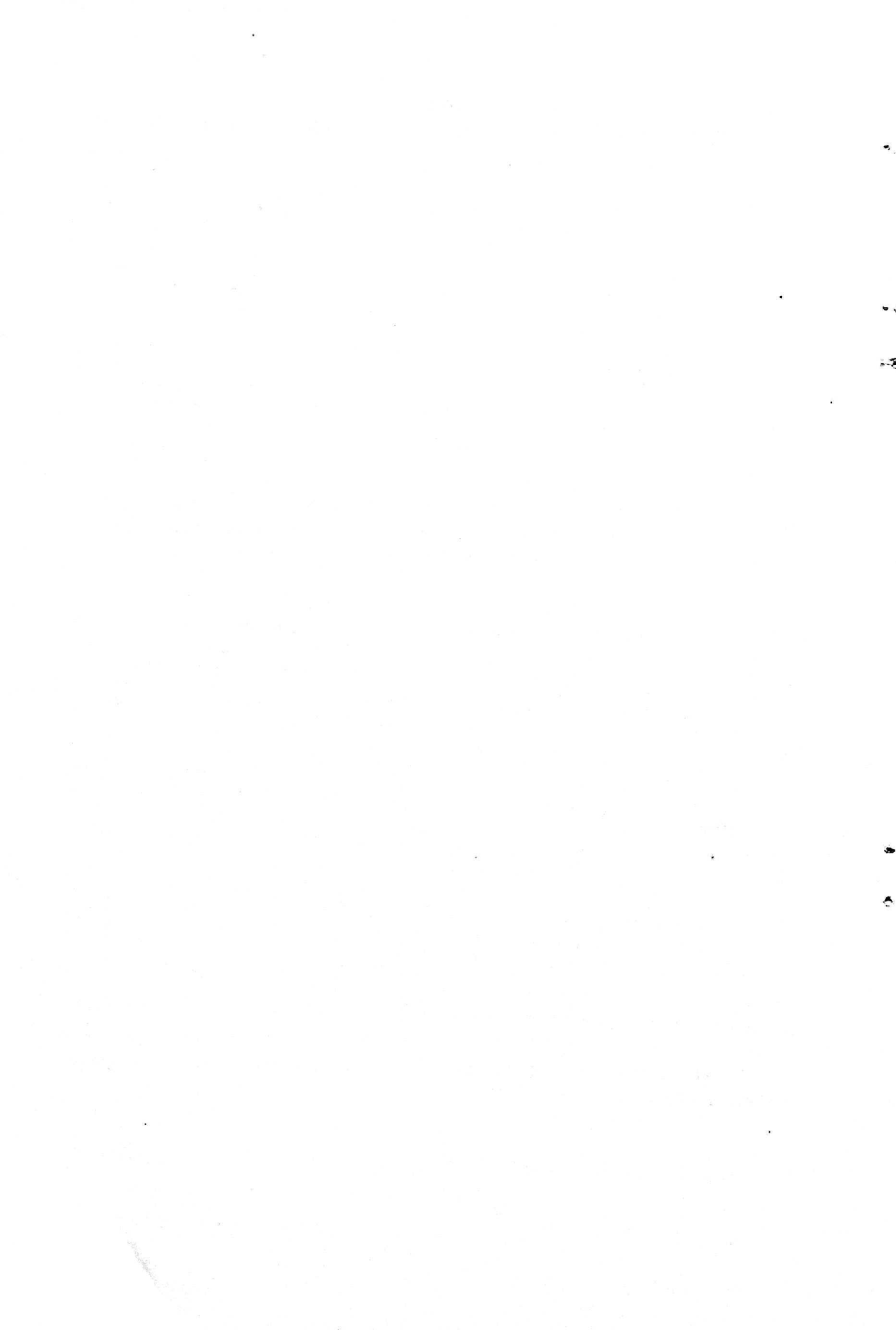


Table - 7
Number of Women workers in the establishments submitting returns and No. of women who claimed maternity benefit

Period	Average number of women workers in the establishment submitting returns			No. of women workers who claimed maternity benefit during the year		
	Pvt. Sector	Pub. Sector	Total	Pvt. Sector	Pub. Sector	Total
1991	22537	33145	55682	80	109	189
1992	21455	22851	44306	65	93	158
1993	31869	37753	69622	111	86	197
1994	57361	4448	61809	25	29	54
1995	18448	1818	20266	24	17	41
1996	49696	16600	66296	13	38	51
1997	15829	6735	22564	3	33	36
1998	40575	8342	48917	28	42	70
1999	18273	3209	21482	18	8	26
2000	47173	5243	52416	5	23	28
2001	46437	2795	49232	6	5	11
2002	46498	3898	50396	1159	32	1191
2003	29077	1813	30890	154	17	171

Table 8 - Amount paid as maternity benefit and medical bonus in Factories

Year	Total amount paid as maternity benefit			Amount of bonus included in maternity benefit		
	Pvt. Sector	Pub. Sector	Total	Pvt. Sector	Pub. Sector	Total
1991	173930	349875	523805	3985	10147	14132
1992	573620	567223	1140843	10377	1367	11744
1993	296659	473993	770652	47177	11670	58847
1994	110959	229465	340424	8800		8800
1995	69321	196880	266201			
1996	58313	209161	267474			
1997	27359	390247	417606			
1998	362887	572593	935480	500	5717	6217
1999	242639	8056	250695			
2000	39079	510214	549293			
2001	30349	89387	119736			
2002	187825	308560	496385			
2003	447750	193475	641225	-	-	-

