

INDIA JURIS

Indian Maternity Benefit (Amendment) Bill, 2016 Passed

On 27th March 2017, The Maternity Benefit (Amendment) Bill, 2016 parliament received the assent of the President. This makes India third on the list of countries with most maternity leave, after Canada and Norway where it is 50 weeks and 44 weeks respectively. The Bill is an amendment to the Maternity Benefit Act, 1961, which protects the employment of women and entitles her to full-paid absence from work to take care for her child. The government has notified that the provisions of the Amendment Act have come into force with effect from 1st April, 2017.

HIGHLIGHTS OF AMENDMENT ACT, 2017

1. Women working in the organized sector will now be entitled to be paid maternity leave of 26 weeks, up from 12 weeks
2. The act provides for maternity leave of 12 weeks to mothers adopting a child below the age of three months as well as to commissioning mothers (defined as a biological mother) who uses her egg to have a surrogate child. In such cases, 12-week period of maternity leave will be calculated from the date the child is handed over to the adoptive or commissioning mother.

[Read more](#)

Indian Employees Compensation (Amendment) Act, 2017

On 12th April 2017, The Employees' Compensation (Amendment) Act, 2017 received the President's approval. The amendment is to the Employees' Compensation Act, 1923 which would raise the cap on amount of compensation to be taken up by high courts. The Act provides under section 30A that the labour commissioner could exercise discretion to withhold payment of an employee whenever an appeal in a high court is filed.

The Employees' Compensation Act, 1923, provides for payment of compensation to workmen and their dependants in the case of injury by industrial accidents, including certain occupational diseases arising out of and in the course of employment resulting in death or disablement. But this amendment provides more rights to employees and safeguards their interests.

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WORLD PRACTICE

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