

New Maternity Benefit Act Implementation on Garment Industry Female Workers: An Analysis

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ABSTRACT

Mainstream Economics considered Labour as one of the factors of production, this factor of production is the transforming agent of undeveloped economy to well-developed economy. Indian female workers are working in low profile jobs, their earnings compared to developed economy are meager and they are far from the welfare facilities of the employer or government. Labour welfare measures are essential and required to strengthen workforce and induce to maintain good health, labour standard, upgrade their skills, trainings and overall benefit to workers to develop their personalities. In this regard Government of India has been amended the Maternity Benefit Act 1961, for the benefit of the women labour class. This amendment is very necessary for the welfare of the female workers' in India. Garment Industry is the one of emerging industry in India, India stands second in the Garment Production and export, next to China. Karnataka is the one among the major garment producing and exporting state in the India; Female Workers are playing main role in production and dominate in the Garment Industry, these female workers working in the Garment Industry are in the reproduction age group, and amended Acts of the Maternity Benefit Act is benefit to female workers of this Industry. Public sector including Public servants has been benefiting but Private sector enterprises defying providing maternity benefits to their women workers, Corporate factories are providing ESI Maternity facilities but small enterprise are not recognized ESI, tussle is to implement maternity acts properly at enterprises level; the Government should take strenuous action on erring employer. The Study is based on the secondary data.

Key Words : Maternity leave, Garment Industry, Labour, Female workers

INTRODUCTION

Civilization of the any country is structured around the concept of work or labour. World Civilization structured by the labour, so for Human Resource is distinguished from the animal, Labour forces of the country determines the economy progress. Mainstream economics considered labour as one of the factors of production, this factor of production is the transferring agent of undeveloped economy to well-developed economy, labour skill, Potentiality, training, Productivity, workers' health are determinants of labour quality. India is the demographic dividend country in the world, 1.2 billion plus populations were recorded as per the 2011 census, in this, majority of the

population are labour class. Indian population are segregated in different sectors of the economy. 58 percent of the population working in the agriculture sector, remain population are in the service sector and unorganized Industrial sector of the economy. Indian workers are working in low profile jobs than other developed countries, their earnings compared to developed economy are meagre, they are far from the welfare facilities of the employer or government, Labour welfare measures are essential and required to strengthen workforce, welfare measures induce the performance of the workers and they work with their greater extent, it will help to maintain good health, labour standard, upgrade the skills, trainings and overall benefit to workers to develop their personalities. Welfare measures means provisional services or facilities provided by the employer, as per the international labour organization "As Meaning such services, facilities and amenities, which may be established in or persons employed therein to perform their work in healthy, congenial surroundings and to provide them with amenities conducive to good health and good morale. As per the ILO convention No 81, article 6 made provision to third party verification of compliance status in working place shall be conducted without compromising statutory standards in respective of service conditions, labour rights, safety of the workers, health, maternity benefits, social security and welfare of the workers.

Largest working force in India are in the informal sector or unorganized sector, informal sector can be characterized by long working hours, returns such as low wages for their toil, abysmal conditions of labour and insecurity of employments, these workers are deprived from the nominal wages, health care benefits, educational benefits, housing provision and also they are in the unorganized sector or they are facing voice deficit even though. Government of India recently amended and made provision to the welfare of the working class in the country. These are quite essential to acceleration The Indian Economic growth, Government of India recently amended the Maternity Benefit Act 1961, for the welfare of the labour class. The amendment is very necessary for the female workers' in India. The details of the labour welfare amendment;

Maternity Benefit Act-1961 :

1961 act was the first act to enact to maintain the dignity of the female workers, the said act was come into exists in the 12 December 1961. The above said act covers all establishments including Mines, Plantations, and factories, all types of establishments, where female workers working more than the 10 persons applied. The details of the act as follows;

1. The act made proviso to 84 days of pay in absence to work before/after delivery.
2. A medical bonus of Rs.1000/-
3. Take the pay for six weeks before/after child birth within 48 hrs.
4. In case of miscarriage during the pregnancy, six weeks leave with average pay.

The Maternity Benefit (Amendment) Act 2017 :

Female workers form an integral part of the labour force in the Indian economy, they are contributing immense to the Indian Gross Development Product (GDP), the eleventh five years plan revealed women in India not only as an equal citizens but also sustained agents of economic growth and change. Hence protecting, strengthen, make economic viable of this female workers is need of the hour, Maternity amendment act is one of the step. The maternity benefit (amendment) act is the one of the major amendment to the 1961 Maternity Benefit Act of Government of India, Maternity Benefits are most essential for the welfare of the working women, Women required adequate rest during the pregnancy and after child birth to feed, care and rear, otherwise women

will face lot of health consequences in the life, she cannot able to do productive activities adequately this period. India is one of the highest maternal mortality rate and child mortality rate, so to sluggish mortality rates, female workers are required maternity benefit facility to full extent as possible as, these workers are in India, working in low profile, labour intensive jobs and their earnings are very low compared to international standard, hence during the pregnancy and after the child birth women workers entitled to maternity benefits. As per the ILO “Ensuring adequate maternity protection and time and space for breast feeding at working place is not only the right thing to do, it makes economic sense”. The maternity benefit (amendment) act 2017 is the revolutionary step taken by the Government of India to benefit the female working class. Through this amendment, act made provision to added to the 1961, maternity benefit act. Provision of the amendment act have come into force with effect from April 2017, The details of the amendment as follows;

1. Increase in the maternity leave from existing 12 to 26 weeks for working women with less than two surviving children.
2. Provision for work from home for nursing mothers.
3. Mandatory provision for establishments having fifty or more employees to have the facility of crèche.
4. Extension of twelve weeks of maternity benefit to the commission mother and the adopting mother from the date the child is handed over. This provision for one child.

New act of maternity extended the maternity leave period from 12 weeks to 26 weeks for only two surviving child, this is laudable step of Government of India, also extended provision to adopting mother to twelve-week maternity leave and asserted that crèche should compulsory to have in the Industry, where more than fifty women employees working. These amended act apply to all kind of women workers, whether they are employed on the basis of direct recruitment or through agency to do work. Amended maternity benefit act is applicable to all mines, plantations, shops, establishments and factories. These mines, plantations, shops. Establishments and factories could be in organized sector and unorganized sector. If any employer force to work during the pregnancy is offence, according to amended act such kind of employer can be punished under section of 21 of the 1961 Maternity Benefit Act.

Literature review:

Literature has been very helpful to construct the research work fruitfully, the existing literature is collected from the different magazines, periodicals, journals and government documents, the Department of Factories and Boilers, Government of Karnataka provided very useful data to construct this research paper.

Reshma (1998), women that would not otherwise participate in labour market may choose to be active prior to childbirth in order to subsequently qualify for maternity leave benefits. This induced extra participation may be by women who are less productivity and with lower wages, worsening the gender gap.

Waldfogel *et al.* (1999) find that maternity leaves increase the likelihood that women will return to her employer after childbirth in the US, Britain, etc.

Reshma (1998), find that in nine European countries, maternity leave legislation raises the female employment rate.

Hamish *et al.* (2015), they find themselves that maternity leave, substantial effect on the labor supply of mothers, young mother of young children, in particular of mothers, the job protection polices is responsible for the increase in participation of mothers of children aged 3-5.

Arijit Nandi *et al.* (2015), they find that Increased Duration of paid Maternity Leave reduces neonatal and infant mortality rates in high income countries, it also impact on the low and middle income countries of the world. Increased maternity leave affect the neonatal and infant mortality in low and middle income countries, maternity leave have time to care child properly, policies of the maternity leave that provide income and ensure employment security during the maternal period, economically benefit to working women and reduce stress.

Objectives of the Study:

- The study the Maternity Benefit Act in India
- Provisions of the Maternity Benefit Act 2017.
- To examine the implementation of maternity benefit in Garment Industry of Karnataka.

METHODOLOGY

The present study on the implement of Maternity Benefits in the Karnataka Garment Industry is on the based on the secondary data. Secondary data are collected from the journals, Magazines, books, various reports of Indian Governments and International agencies, Karnataka Government reports and Karnataka Government Factories and Boilers Department documents. The method used in the study is secondary sources.

RESULTS AND DISCUSSION

Female Labour in India:

In India female workers are largely concentrating in the field of Tobacco Industries, Garment Industry, apparel design, embroidery, packing, incense sticks rolling, carpet industry, brick industry, mat weaving, woolen blanket, Hotels, Restaurants, working in the various factories and establishments. Garment Industry is one of the Female workers dominate industry in world. India is stands second in the production and export of the garment products, in India Garment Industries locations are Calcutta, Delhi, Chennai, Tirupur, Jaipur, Ludhiana and Bengaluru. Female workers in the Garment Industry are average age group of 16 to 45 years' age groups of female workers, this age group is the reproduction age of the women workers, so amendment to the maternity benefit act immense benefit to the Garment Industry Women Workers.

As per the above table female labour force are in emerging trend, in the year 2011 census

Table 1 : Employment status in India

All India	1983	1993-94	1999-2000	2004-05	2011
Total population	718101	893676	1005046	1092830	1210193
Labour force	263824	334197	364878	419647	-
Female population	346546	430188	484837	527355	587447
Female labour force	68011	86728	92859	110886	43741
Female work force	61218	81151	85952	100491	
Male population	371556	463488	520209	565475	623121
Male labour force	195813	247468	272019	308761	156643
Male work force	178270	232780	252242	284417	

The following table shows the employment status in the India; ('000 person years)

Source: Eleventh five-year plan & 2011 Census

female labour force was enumerated as 4,37,41,000 but after the census female labour force being increasing drastically, compared to the total male population and female population in the country female labour force is negligible.

Garment Industry boon for Karnataka:

Karnataka is industrially fast growing State in the country. Karnataka is home for traditional skill oriented Small Scale Industries to Big Industries. Its capital Bengaluru is a hub for information technology companies so called as Silicon Valley. The Iron and Steel Industries, Software and Hardware Industries, Sugar industries, automobile, Rail Axle Industry, Rice Industries, Coffee processing industries and in recent time Garment Industries are spreading few parts of the Karnataka, these Industries are offering many of the works for the female workers, due to cheap labour access, government policies towards Industrial Development, Investment attraction atmosphere of Karnataka, especially foreign investment. Labour policies and infrastructure are the main catalyzing agents for the development of Garment Industries in Karnataka. Many big Multinational Companies are having production units at different places in Karnataka and these Industries are exporting the Ready Made Garments to foreign countries. The below table show the details of number of Garment Industries and its employment status. Many of the industries are offering jobs to the women workers.

Sr. No.	Name of the District	Number of Industries	Number of Workers		Total
			Male	Female	
1.	Bengaluru	714	115787	235435	351222
2.	Bellary	07	348	245	593
2.	Davanagere	05	345	205	550
4.	Hasan	01	53	97	150
5.	Hubli	03	24	36	60
6.	Kolar	12	1605	4055	5660
7.	Raichur	01	20	0	20
8.	Ramanagar	16	1873	5467	7340
9.	Tumkur	08	2030	2535	4565
	Total	767	1,22,075	2,48,085	3,70,160

Source: Dept.of Factories and Boilers, Govt. of Karnataka, 2014-15.

The Department of Factories and Boilers, Government of Karnataka registered 767 garment industries in the year of 2014-15. In district wise concern the Bengaluru district have large number of garment industries, total 714 industries are functioning in the Bengaluru rural and urban district. Many reasons are associated for establishing and function in the Bengaluru are exportable facilities, International airport, cheap labour availability and invest-friendly atmosphere of Karnataka. Many of the Garment Industries are establishing and under production in and around the Bengaluru District. The adjacent Districts are Tumkur, Ramanagara, Kolar are having more numbers of the Industries. Ramanagar stands in the second place due to Ramanagar districts is adjacent to the Bengaluru and all garment industries in Ramanagar are functioning in the Bidadi Hobli of Ramanagar District, which is closely associated with the Bengaluru District. Ramanagar District is having 16 Garment Industries. Kolar District in the third place in Garment Industries establishments, in Kolar district 12 Industries. Tumkur District stand in the fourth place, Kolar and Tumkur districts are adjacent to

Bengaluru District. Raichur has only one garment registered industry in Karnataka.

In female labour working in the Karnataka Garment Industries, total 370160 workers are working as per the records of the Department of Factories and Boilers, Government of Karnataka. In the year of 2014–15, in that 122075 workers are male workers and 248085 workers are belonging to female labours in the Karnataka Garment Industries. More than 60 per cent of the Garment Industries workers are female workers. Female workers working in the Garment Industries are very younger age females, these workers age group between 18 to 50 years, this age is the reproductive age, and motherhood is the god gift because of reproduction.

Importance of Maternity Benefits for Garment Industry Women Workers:

Maternity Benefits act (amended) is very significant for the female Workers of Karnataka Garment Industries, these workers are facing numerous problems like less pay, unhygienic working conditions, job insecurity, absence of labor laws implementation, inadequate social security, over time working and most of the working female workers are migrated from the primary sector of the economy. Due to the agrarian crisis in India, bad monsoon in the recent years and lack of employment opportunities availabilities in the rural areas are the push factors to feminization of labour in the Karnataka Garment Industries. The Poverty, economic conditions and family responsibilities are the pull factors to remain as worker in the Garment Industries. To review all the above labor phenomena health is the prime concern for the women who working outside of the home, female workers during the time of pregnancy and after child birth to care and rear the child, female workers are required adequate rest to strengthen her health, stamina, productive capacity so the maternity benefit immensely benefit to female workers, more over Garment Readymade Garment production work is a sedentary work, it required enough rest otherwise female workers will face many problems these are as follows;

1. Female workers without proper maternity benefits may prone to the vitamin D deficiencies disorders
2. Female workers chances to suffer diseases like Anemia, pneumonia, whooping cough, further women may have the chance to maternal mortality
3. Female workers will have lactation failure, child health problems, communicable disease, tetanus, diphtheria, child dysentery,
4. Female workers can face infant mortality, depression due to heavy work pressure,

So maternity benefits define services to promote safe motherhood and child survival, maternity benefits is a part of the primary Health care and state responsibility, it is a women centric policy obligations, so maternity benefits should implement properly.

Conclusion:

Amendment of the 1961 Maternity Act by the government of India are laudable, government is working towards the interest of women workers. The Maternity Benefit Act amendment is needed to emerging women working class in India and Karnataka, Karnataka Garment Industry is having more than Two Lakh fifty thousands of women workers, these workers will benefits from its proper implementation, but it should implement properly, otherwise it will be futile, private sector employer defying provide maternity benefits to their employees, they are elusive from responsibility, if workers ask their right, they will retrench The act is very essential for welfare of women workers in India and Karnataka, big corporate factories are providing ESI Maternity facilities but small enterprise are not recognized their women workers are not benefited, if it will implement properly

for enhance worker's productivity, their health, efficiency, skill and economic conditions will also improved. Karnataka Government should make proper enforcement and The Government should take strenuous action on erred employer.

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