



REPORT ON WORKING OF THE MATERNITY BENEFIT ACT, 1961

Year- 2023

Government of India
Ministry of Labour & Employment
Labour Bureau

1. Scope and Objective

1.1 The Maternity Benefit Act, 1961, extends to the entire Indian Union and applies to every factory, mine, plantation, and circus industry, including establishments owned by the government, but excludes all establishments covered under the provisions of the Employees' State Insurance Act, 1948. However, the State Governments are empowered to extend the provisions of the Act to other establishments, subject to prior approval from the Central Government.

The Act also applies to shops and commercial establishments employing 10 or more persons on any day of the preceding 12 months, as well as establishments where individuals are employed for the exhibition of equestrian, acrobatic, or other performances.

Every woman entitled to maternity benefits under the Act shall continue to receive such benefits, notwithstanding the application of the Employees' State Insurance Act, 1948, to the factory or other establishments in which she is employed, until she becomes eligible to claim maternity benefits under Section 50 of the Employees' State Insurance Act, 1948.

There is no wage limit for coverage under the Maternity Benefit Act, provided the woman is not covered under the Employees' State Insurance Act, 1948.

2. Main Provisions

2.1 The Act regulates the payment of maternity benefits to women employees in certain establishments for specified periods before and after childbirth. It mandates the payment of maternity benefits at the rate of the average daily wage for the duration of the employee's actual absence from duty. The Act was last amended by the Maternity Benefit (Amendment) Act, 2017, which came into effect on April 1, 2017.

Under the amended Act, the maternity leave entitlement for eligible women employees was increased from 12 weeks to 26 weeks. Additionally, the provision allowing pregnant women to avail of benefits for 6 weeks prior to the expected date of delivery has been extended to 8 weeks.

2.2 The amended Act also includes a provision for filing complaints by aggrieved women workers. Complaints can be lodged with the competent court by the affected women employees, office bearers of a registered trade union to which such workers belong, a voluntary organization, or an inspector notified under the Act. Filing such complaints requires the prior approval of the inspector.

3. Administration of the Act

3.1 The Central Government oversees the administration of the Act's provisions in mines and the circus industry, while the enforcement of the Act in factories, plantations, and other establishments falls under the purview of the respective State Governments. For the circus industry, the Central Government has delegated the responsibility of administering the Act to the Chief Labour Commissioner (Central).

4. Working of the Act during the year 2023

4.1 Factory Sector

Out of 1,06,476 factories covered under the Act, 28,946 (27.19%) submitted annual returns (Table-I, Part-I). These establishments collectively employed 8,63,511 women workers daily, of which 2,923 (0.34%) claimed maternity benefits in 2023. A total of 2,904 claims, amounting to ₹ 33,26,98,150, including a special bonus of ₹ 3,56,74,338, were accepted and settled.

4.2 Plantation Sector

In the plantation sector, 777 plantations (35.54%) out of 2,186 submitted returns (Table-I, Part-III), reporting daily employment of 46,637 women workers. Among these, 496 (1.06%) claimed maternity benefits during the year. A total of 496 claims were accepted and paid, either fully or partially, of which 456 claims pertained to the current year. The total amount of benefits paid was ₹ 2,72,75,121.06, which included a special bonus of ₹ 1,51,217.

4.3 Other Establishments

Of the 1,41,615 other establishments, only 18,767 (13.25%) submitted returns (Table-I, Part-IV), with a daily aggregate of 4,10,897 women workers. Among these, 8,185 (1.99%) claimed maternity benefits. A total of 8,100 claims, amounting to ₹ 27,30,79,564.7, including a special bonus of ₹ 2,53,77,258, were accepted and paid.

4.4 Analysis of Claims and Monetary Benefits

Table-II presents the number of claims made per 100 women workers employed in factories, plantations, and other establishments, alongside the average amount of maternity benefits paid per accepted claim. The percentage of women workers claiming benefits was highest in the factory sector in the UT of Andaman & Nicobar Islands (7.79%), followed by Jharkhand (7.49%), Goa (4.41%), and Bihar (3.23%).

In the plantation sector, the highest percentage was recorded in the UT of Andaman & Nicobar Islands (10.00%), followed by Tamil Nadu (1.26%) and Kerala (1.10%).

For other establishments, the highest percentage was in the UT of Jammu & Kashmir (13.98%), followed by the UT of Chandigarh (10.93%), the UT of Andaman & Nicobar Islands (9.21%) and Telangana (8.38).

The highest average maternity benefit per claim was ₹ 3,16,444 in Odisha (factory sector), ₹ 63,542 in Tamil Nadu (plantation sector), and ₹ 3,16,518 in Telangana (other establishments).

4.5 Complaints and Legal Action

Details of complaints, investigations, prosecutions, convictions, and fines levied are provided in Table-III.

In factories, one conviction was obtained, resulting in a fine of ₹14,000, out of 16 complaints received in Haryana. In Himachal Pradesh, 649 complaints were investigated, two

prosecutions were launched, and one conviction was obtained, with fines totalling ₹5,000. A total of 119 complaints were also received in Karnataka.

In the plantation sector, 12 complaints were investigated in Himachal Pradesh, and 526 complaints were received in Karnataka.

In other establishments, 311 complaints were received in Karnataka; one complaint was received and investigated, with four prosecutions launched in Odisha; while 19 complaints were filed and investigated in Delhi (NCT) and 5 prosecutions launched in Jammu and Kashmir.

4.6 Maternity Benefits Under the Employees' State Insurance (ESI) Act, 1948

Statistics for 2023 are detailed in Table-IV. Tamil Nadu recorded the highest number of claims (8,738, 18.23%), followed by Karnataka (7,979, 16.65%), Kerala (6,928, 14.46%), Maharashtra (4,528, 9.45%), and Andhra Pradesh (2,545, 5.31%). Tamil Nadu also accounted for the highest payout of maternity benefits at ₹ 77,94,32,013, followed by Karnataka (₹ 71,03,38,783), Kerala (₹ 60,23,65,614), Maharashtra (₹ 49,82,24,033), and Andhra Pradesh (₹ 19,38,92,529).

In total, 47,919 women workers claimed maternity benefits under the ESI Act, with ₹ 4,15,99,73,352 disbursed during the year.

4.7 Consolidated Maternity Benefits

Women workers can claim maternity benefits under either the Maternity Benefit Act, 1961, or the ESI Act, 1948. Together, 59,428 claims were paid under both Acts, amounting to a total of ₹ 4,79,55,57,575 in 2023, reflecting the overall progress in extending maternity benefits to eligible women workers.

5. Limitations of Statistics

The report is based on information received from 21 States and 6 Union Territories, although the Act extends to the entire country. The States of Manipur, and the UT of Ladakh submitted nil reports under the Act. However, statistics from Punjab, West Bengal, the Union Territory of Dadar Nagar Haveli and Daman & Div and the Chief Labour Commissioner (Central) could not be compiled due to partially/ non-submission of annual returns for the year 2023, despite repeated reminders.

Additionally, the returns received from the State/Department of Arunachal Pradesh, Assam, Maharashtra, Uttarakhand and the UT of Lakshadweep did not meet the statistical requirements. Consequently, the all-India figures presented in the report may not be fully comparable across years, as the responding States and Union Territories vary from year to year.

< - - - - - >

TABLE – I

**State-wise Maternity Benefits paid in Factories, Plantations and
Other Establishments during the year 2023**

	State/ Union Territory	Number of establishments covered by the Maternity Benefit Act	Number of establishments submitting returns	Response Rate (%)	Aggregate No. of women workers employed daily in establishments submitting returns	No. of women who claimed maternity benefit during the year
1	2	3	4	5	6	7
I	<u>FACTORIES</u>					
1	Andhra Pradesh	15136	2328	(15.38)	56259	119
2	Bihar	7351	10	(0.14)	93	3
3	Chhattisgarh	6380	734	(11.50)	3298	30
4	Goa	95	95	(100)	4856	214
5	Gujarat	8182	5608	(68.54)	83825	331
6	Haryana	5153	976	(18.94)	43173	1317
7	Himachal Pradesh	1961	1341	(68.38)	1341	20
8	Jharkhand	288	6	(2.08)	708	53
9	Karnataka	3791	443	(11.69)	11976	63
10	Kerala	5944	1446	(24.33)	72491	242
11	Madhya Pradesh	8148	300	(3.68)	13346	85
12	Meghalaya	36	-	-	-	-
13	Mizoram	8	2	(25.00)	2	-
14	Odisha	445	216	(48.54)	4467	13
15	Rajasthan	8257	558	(6.76)	47784	-
16	Tamilnadu	27638	14133	(51.14)	496563	37
17	Telangana	6146	212	(3.45)	9756	266
18	Uttar Pradesh	561	80	(14.26)	2382	27
19	Andman,Nicobar Islands	8	7	(87.50)	154	12
20	Chandigarh#	416	26	(6.25)	153	-
21	Jammu & Kashmir	257	201	(78.21)	1935	47
22	NCT Delhi	113	111	(98.23)	826	17
23	Puducherry	162	113	(69.75)	8123	27
	All India/ Total	106476	28946	(27.19)	863511	2923
II	<u>MINES</u>					
1	Andhra Pradesh	15	-	-	-	-
2	Goa	5	5	(100)	114	8
3	Odisha	3	3	(100)	134	1
4	Rajasthan	119	-	-	-	-
	All India/ Total	142	8	(5.63)	248	9
III	<u>PLANTATIONS</u>					
1	Himachal Pradesh	10	-	-	-	-
2	Karnataka	876	80	(9.13)	4371	2
3	Kerala	600	161	(26.83)	17931	197
4	Odisha	3	3	(100)	119	-
5	Tamilnadu	632	478	(75.63)	19964	252
6	Tripura	64	54	(84.38)	4242	44

7	Andman,Nicobar Islands	1	1	(100)	10	1
	All India/Total	2186	777	35.54	46637	496
IV	OTHER ESTABLISHMENTS					
1	Andhra Pradesh	29250	265	(0.91)	505	-
2	Bihar	1	1	(100)	170	-
3	Goa	56	56	(100)	1783	35
4	Jammu & Kashmir	1267	394	(31.10)	665	93
5	Karnataka	13117	2680	(20.43)	132743	7004
6	Meghalaya	70	13	(18.57)	10	-
7	Mizoram	7	7	(100)	10	-
8	Nagaland	2171	1616	(74.44)	858	-
9	Odisha	399	339	(84.96)	16394	218
10	Rajasthan	15137	346	(2.29)	38663	-
11	Tamilnadu	14600	11770	(80.62)	197311	19
12	Telangana	29901	506	(1.69)	5036	422
13	Andman,Nicobar Islands	17	17	(100)	152	14
14	NCT of Delhi	660	660	(100)	14932	198
15	Chandigarh #	34962	97	(0.28)	1665	182
	All India /Total	141615	18767	(13.25)	410897	8185
	All India/Grand Total	250419	48498	(19.37)	1321293	11613

Note: - = Nil, # = Covered under ESIC Act 1948,

TABLE - I - Concl'd.

State/Union Territory		No. of claims accepted and paid either fully or partially		Number of cases in which special bonus was paid	Total amount of maternity benefits paid (in Rs.)	Amount of Bonus (Included under Col. 11) (in Rs.)
		Total	From Current year Claims			
1	2	8	9	10	11	12
I	<u>FACTORIES</u>					
1	Andhra Pradesh	117	111	104	34840603	22938914
2	Bihar	3	3	-	521021	-
3	Chhattisgarh	30	30	30	4343166	4337840
4	Goa	211	211	-	40557766	-
5	Gujarat	331	331	277	27975259	4456818
6	Haryana	1317	1317	59	124606920	1034516
7	Himachal Pradesh	20	20	11	2730646	38500
8	Jharkhand	53	53	-	-	-
9	Karnataka	60	36	31	9558343	109008
10	Kerala	218	193	42	13311304	1163467
11	Madhya Pradesh	83	80	9	7819278	48340
12	Meghalaya	-	-	-	-	-
13	Mizoram	-	-	-	-	-
14	Odisha	13	13	-	4113766	-

15	Rajasthan	-	-	-	-	-
16	Tamilnadu	37	34	30	5907141	248291
17	Telangana	265	265	245	43898199	919224
18	Uttar Pradesh	57	23	49	3850164	103907
19	Andman,Nicobar Islands	12	12	12	515568	12000
20	Chandigarh #	-	-	-	-	-
21	Jammu & Kashmir	33	6	33	3176333	263513
22	NCT Delhi	17	17	-	2220965	-
23	Puducherry	27	27	-	2751708	-
	All India / Total	2904	2782	932	332698150	35674338
II	<u>MINES</u>					
1	Andhra Pradesh	-	-	-	-	-
2	Goa	8	8	-	2338824	-
3	Odisha	1	1	-	192563	-
4	Rajasthan	-	-	-	-	-
	All India / Total	9	9	-	2531387	-
III	<u>PLANTATIONS</u>					
1	Himachal Pradesh	-	-	-	-	-
2	Karnataka	2	2	2	17138	11146
3	Kerala	197	197	3	10874771.08	53703
4	Odisha	-	-	-	-	-
5	Tamilnadu	252	252	-	16012492.98	-
6	Tripura	44	4	16	327755	85368
7	Andman,Nicobar Islands	1	1	1	42964	1000
	All India/Total	496	456	22	27275121.06	151217
IV	<u>OTHER ESTABLISHMENTS</u>					
1	Andhra Pradesh	-	-	-	-	-
2	Bihar	-	-	-	-	-
3	Goa	32	32	-	5598773	-
4	Jammu & Kashmir	48	12	48	428400	35685
5	Karnataka	6999	1011	6999	19745044	15177438
6	Meghalaya	-	-	-	-	-
7	Mizoram	-	-	-	-	-
8	Nagaland	-	-	-	-	-
9	Odisha	218	218	-	45054966.7	-
10	Rajasthan	-	-	-	-	-
11	Tamilnadu	19	16	13	3943813	350725
12	Telangana	422	422	408	133570505	9143456
13	Andman,Nicobar Islands	14	14	14	601496	14000
14	NCT of Delhi	166	138	18	31402178	655954
15	Chandigarh #	182	182	-	32734389	-
	All India /Total	8100	2045	7500	273079564.7	25377258
	All India/Grand Total	11509	5292	8454	635584222.8	61202813

Note: - = Nil, # = Covered under ESIC Act 1948,

TABLE – II

Percentage of claims made and the average amount of maternity benefits paid in Factories, Plantations and Other Establishments (By States) during the year 2023

State/ Union Territory	Claims made and Benefits paid
------------------------	-------------------------------

		Claims made per 100 women workers employed	Average amount of maternity benefits paid per accepted claim (in Rs.)
1	2	3	4
I	<u>FACTORIES</u>		
1	Andhra Pradesh	(0.21)	297783
2	Bihar	(3.23)	173674
3	Chhatisgarh	(0.91)	144772
4	Goa	(4.41)	192217
5	Gujarat	(0.39)	84517
6	Haryana	(3.05)	94614
7	Himachal Pradesh	(1.49)	136532
8	Jharkhand^	(7.49)	-
9	Karntaka	(0.53)	159306
10	Kerala	(0.33)	61061
11	Madhya Pradesh	(0.64)	94208
12	Meghalaya	-	-
13	Mizoram	-	-
14	Odisha	(0.29)	316444
15	Rajasthan	-	-
16	Tamilnadu	(0.01)	159652
17	Telangana	(2.73)	165654
18	Uttar Pradesh	(1.13)	67547
19	Andman,Nicobar Islands	(7.79)	42964
20	Chandigarh#	-	-
21	Jammu & Kashmir	(2.43)	96253
22	NCT Delhi	(2.06)	130645
23	Puducherry	(0.33)	101915
	All India/Total	(0.34)	114565
II	<u>MINES</u>		
1	Andhra Pradesh	-	-
2	Goa	(7.02)	292353
3	Odisha	(0.75)	192563
4	Rajasthan	-	-
	All India/Total	(3.63)	281265
III	<u>PLANTATIONS</u>		
1	Himachal Pradesh	-	-
2	Karnataka	(0.05)	8569
3	Kerala	(1.10)	55202
4	Odisha	-	-
5	Tamil Nadu	(1.26)	63542
6	Tripura	(1.04)	7449
7	Andman,Nicobar Islands	(10.00)	42964
	All India/Total	(1.06)	54990
IV	<u>OTHER ESTABLISHMENTS</u>		
1	Andhra Pradesh	-	-
2	Bihar	-	-
3	Goa	(1.96)	174962
4	Jammu & Kashmir	(13.98)	8925
5	Karnatka	(5.28)	2821
6	Meghalaya	-	-
7	Mizoram	-	-
8	Nagaland	-	-

9	Odisha	(1.33)	206674
10	Rajasthan	-	-
11	Tamilnadu	(0.01)	207569
12	Telangana	(8.38)	316518
13	Tripura	-	-
14	Andman,Nicobar Islands	(9.21)	42964
15	NCT of Delhi	(1.33)	189170
16	Chandigarh#	(10.93)	179859
	All India /Total	(1.99)	33714

Note: - = Nil, ^= As reported by the state, all the cases were in their own hospital, # = Covered under ESIC Act 1948

TABLE – III
Number of complaints received and prosecutions launched (By States) during the year 2023

	State/Union Territory	No. of complaints received	No. of complaints investigated	No. of prosecutions launched	No. of convictions obtained	Amount of fine levied (in Rs.)
1	2	3	4	5	6	7
I	<u>FACTORIES</u>					
1	Andhra Pradesh	-	-	-	-	-
2	Bihar	-	-	-	-	-
3	Chhatisgarh	-	-	-	-	-
4	Goa	-	-	-	-	-
5	Gujarat	-	-	-	-	-
6	Haryana	16	16	1	1	14000
7	Himachal Pradesh	-	649	2	1	5000
8	Jharkhand	-	-	-	-	-
9	Karnataka	119	-	-	-	-
10	Kerala	-	-	-	-	-
11	Madhya Pradesh	-	-	-	-	-
12	Meghalaya	-	-	-	-	-
13	Mizoram	-	-	-	-	-
14	Odisha	-	-	-	-	-
15	Rajasthan	-	-	-	-	-
16	Tamilnadu	-	-	-	-	-
17	Telangana	-	-	-	-	-
18	Uttarpradesh	-	-	-	-	-
19	Andman,Nicobar Islands	-	-	-	-	-
20	Chandigarh #	-	-	-	-	-
21	Jammu & Kashmir	-	-	-	-	-
22	NCT Delhi	-	-	-	-	-
23	Puducherry	-	-	-	-	-
	All India/ Total	135	665	3	2	19000
II	<u>MINES</u>					
1	Andhra Pradesh	-	-	-	-	-
2	Goa	-	-	-	-	-
3	Odisha	-	-	-	-	-
4	Rajasthan	-	-	-	-	-
	All India/ Total	-	-	-	-	-
III	<u>PLANTATIONS</u>					

1	Himachal Pradesh	-	12	-	-	-
2	Karnataka	526	-	-	-	-
3	Kerala	-	-	-	-	-
4	Odisha	-	-	-	-	-
5	Tamilnadu	-	-	-	-	-
6	Tripura	-	-	-	-	-
7	Andman,Nicobar Islands	-	-	-	-	-
	All India/ Total	526	12	-	-	-
IV	<u>OTHER ESTABLISHMENTS</u>					
1	Andhra Pradesh	-	-	-	-	-
2	Bihar	-	-	-	-	-
3	Goa					
4	Jammu & Kashmir	-	-	5		
5	Karnataka	311	-	-	-	-
6	Meghalaya	-	-	-	-	-
7	Mizoram	-	-	-	-	-
8	Nagaland					
9	Odisha	1	1	4	-	-
10	Rajasthan	-	-	-	-	-
11	Tamilnadu	-	-	-	-	-
12	Telangana	-	-	-	-	-
13	Andman,Nicobar Islands	-	-	-	-	-
14	Delhi NCT	19	19	-	-	-
15	Chandigarh #	-	-	-	-	-
	All India/ Total	331	20	9	-	-

Note: - = Nil.

TABLE-IV
Maternity benefits paid under the Employees' State Insurance Act, 1948 during the financial year 2023

	State/Union Territory	Number of insured women as on 2023	Number of maternity benefit case (confinement) during the year 2023		Amount paid during the year 2023
1	2	3	4		5
1	Andhra Pradesh	349073	2545	(5.31)	193892529
2	North East	66745	524	(1.09)	28494577
3	Bihar	37677	121	(0.25)	9167635
4	Chandigarh	24747	61	(0.13)	19704472
5	Chhattisgarh	62119	474	(0.99)	32349478
6	Delhi NCT	154233	1126	(2.35)	136903210
7	Goa	40047	495	(1.03)	45595440
8	Gujarat	203620	1154	(2.41)	115987990
9	Haryana	317661	1030	(2.15)	91777145
10	Himachal Pradesh	59162	528	(1.10)	35829417
11	Jammu & Kashmir	19839	163	(0.34)	11286209
12	Jharkhand	62272	260	(0.54)	22155149
13	Karnataka	992586	7979	(16.65)	710338783
14	Kerala	444912	6928	(14.46)	602365614
15	Madhya Pradesh	167364	530	(1.11)	58865587
16	Maharashtra	673723	4528	(9.45)	498224033
17	Odisha	97994	996	(2.08)	43423148
18	Puducherry	39216	564	(1.18)	52036202
19	Punjab	233702	1813	(3.78)	145080946
20	Rajasthan	184998	1030	(2.15)	69883028
21	Tamil Nadu	1429811	8738	(18.23)	779432013
22	Telangana	447452	2366	(4.94)	197788101
23	Uttar Pradesh	325748	1857	(3.88)	109711553
24	Uttarakhand	104758	662	(1.38)	52677599
25	West Bengal	221355	1447	(3.02)	97003494
	All India/ Total	6760814	47919	(100)	4159973352

Source: The Employees' State Insurance Corporation New Delhi

Note. Figures in brackets under col. 4 are percentages to all-India.

List of Officers/officials associated with the Report	
Shri Anil Kumar Sharma	Deputy Director General
Shri Navdeep Singh	Joint Director
Smt. Arshee Khosla	Joint Director
Smt. Kanta Jamwal	Economic officer
Smt. Ruchi Singh	Economic officer
Shri Ajay Dwivedi	Investigator Gr. II

© Govt. of India

2025