

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) : DOSEL/R/2019/51080 Date of Receipt (प्राप्ति की तारीख) : 08/05/2019

Type of Receipt (रसीद का प्रकार) : Online Receipt Language of Request (अनुरोध की भाषा) : English

Name (नाम) : RACHNA YADAV Gender (लिंग) : Female

Address (पता) : H No 50, PUSHPANJALI ENCLAVE, SANIGAWAN KANPUR, Pin:208021

State (राज्य) : Uttar Pradesh Country (देश) : India

Phone Number (फोन नंबर) : Details not provided Mobile Number (मोबाईल नंबर) : +91-6306915984

Email-ID (ईमेल-आईडी) : rachnaknp87@gmail.com

Status (स्थिति)(Rural/Urban) : Urban Education Status : Graduate

Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) : No Citizenship Status (नागरिकता) : Indian

Amount Paid (राशि का भुगतान) : 10 (original recipient) Mode of Payment (भुगतान का प्रकार) : Payment Gateway

Request Pertains to (अनुरोध निम्नलिखित संबंधित है) : CPIO (IS-6)

Information Sought (जानकारी मांगी):

Sir, my name is Rachna Yadav and presently i am working on the post of accountant (Ad Hoc) at Kasturba Gandhi Balika Vdiyalaya, Sumerpur in Hamirpur district of Uttar Pradesh.

As per order of Honorable supreme court of India, maternity leave has been increased up to six month for all women.

Allahabad highcourt has also given decision to petitioner named Anshu Rani (Anudeshak in Bijnour district) on 19 Apr 19 writ no 3486 for 180 days maternity leave.

I want to get following information from your office

1. Can i get 180 days of maternity leave.
2. This maternity leave will be with salary or without salary.
3. If this maternity leave will with salary, then how many days of salary i shall receive

Thanking you, Sir.

Print Save Close

No. 6-1/2019-IS-6
Government of India
Ministry of Human Resource Development
Department of School Education & Literacy
IS-6 Section

Shastri Bhawan, New Delhi
Date: 10th May, 2019

To,

Ms. Rachna Yadav
H.No. 50, Pushpanjali Enclave, Sanigawan,
Kanpur-208021
E-mail:rachnaknp87@gmail.com

Subject: Online RTI application No. DOSEL/R/2019/51080 dated 08.05.2019 regarding information on Maternity leave and Child Care Leave benefits

Sir,

Please refer to your above mentioned online RTI application No. DOSEL/R/2019/51080 dated 08.05.2019 regarding information on Maternity leave and Child Care Leave benefits.

2. The information related to your RTI application is enclosed at Annexure-I.
3. In case you are not satisfied with the above reply you may if desire, make an appeal to Shri M.S. Ravi, Director, Room No.208-C Wing, Department of School Education & Literacy, Shastri Bhwan, New Delhi, who is the appellate authority, within one month from the date of receipt of this letter.

Yours faithfully,



(Manjeet Kumar)
CPIO (IS-6)

Encl: As above

Copy to: State Public Information Officer(SPIO), Secretary Government of Uttar Pradesh Basic Education Department, Room No.-11-12 Second Floor, Civil Secretariat, Adhikari Bhawan Lucknow – 226001 (E-mail: secup.edupri@nic.in)

No. S-36012/03/2015-SS-I
Government of India/भारत सरकार
Ministry of Labour & Employment/श्रम और रोजगार मंत्रालय

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated 12th April, 2017

To,

The Labour Department,
All States/Union Territories

Sub: The Maternity Benefit (Amendment) Act, 2017 – reg.

Sir/Madam,

In line with recommendations of the 44th, 45th & 46th Session of Indian Labour Conference (ILC) and demands from various quarters, the Government has recently enacted the Maternity Benefit (Amendment) Act, 2017. Through this Amendment Act, following provisions have been added to the Maternity Benefit Act, 1961:-

- Increase in the maternity leave from existing 12 to 26 weeks for working women with less than two surviving children.
- Provisions for work from home for nursing mothers.
- Mandatory provisions for establishments having fifty or more employees to have the facility of crèche.
- Extension of twelve weeks of maternity benefit to the 'commissioning mother' and the 'adopting mother' from the date the child is handed over.

Provisions of the Amendment Act have come into force w.e.f. 1st April, 2017, except those relating to crèche facility (Section 4(1)) which would come into force from 01.07.2017.

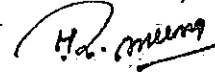
2. After the enactment of the said Act, the Ministry has been receiving numerous queries relating the revised provisions of the Act. The Ministry has examined such queries in consultation with Chief Labour Commissioner (Central) and the same are clarified as below :-

S No.	Query.	Clarification
1.	Applicability of the Act to contractual or consultant women employees.	Since there is no amendment in Sec. 2 of the Act, hence the original provision will prevail.

		The Act is applicable to all women who are employed in any capacity directly or through any agency i.e. either on contractual or as consultant.
2.	Whether enhanced maternity benefit, as modified by the Maternity Benefit (Amendment) bill, 2016 can be extended to women who are already under maternity leave at the time of enforcement of this Amendment Act?	Yes.
3.	Whether enhance maternity benefit can be extended to those women who have joined after availing 12 weeks of the maternity leave?	Those women employee who had already availed 12 weeks of maternity leave before enforcement of the Maternity Benefit (Amendment) Act, 2017 i.e. 1 st April, 2017, shall not be entitled to avail the extended benefit of the 26 weeks leave.
4.	Protection of women in case she is fired by the employer after learning her pregnancy?	Under Section 12 of the M.B. Act, 1961 it is emphasized that any dismissal or discharge of a women during the pregnancy is unlawful and such employer can be punished under Section 21 of the Act.
5.	Whether benefits of this Act can be extended to the employed women in the unorganized Sector	The Maternity Benefit Act is applicable to all mines, plantations, shops and establishments and factories. Mines, plantations, shop and establishments could be either in organized sector or unorganized sector. Also, clarification at SL. No. 1 may be seen.

3. It is requested that these clarifications may be noted for compliance and also circulated widely so as to make the pregnant working women aware of their rights.

Yours faithfully



(H.L. Meena)
Director (SS)
011-23710954

Copy to:

1. Chief Labour Commissioner (Central), M/o Labour & Employment, New Delhi
2. Website of the Ministry of Labour & Employment
3. Media Cell, Ministry of Labour & Employment