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Economic Empowerment of Vulnerable Woman: Concepts of Maintenance and Maternity Benefit Laws in India

DR. J. VIJAYALAKSHMI¹ AND S. AROCKIAM²

ABSTRACT

The social and economic condition of the society is very essential to measure the human development. The social inequalities and varied economic condition or poor economic conditions would lead people to inhuman living. Therefore, the family as a unit must be supported by each member of the family to uphold the social and economic dignity of each individual. Therefore maintenance of the family members is an essential duty of each member of the family. This article traces the concepts of maintenance by analysing the maintenance laws in India. The concept of maintenance is to keep and protect the dignity of an individual in the family by providing basic financial support. Therefore we have also included how the concept of maternity benefit given to women employees under any establishment serves as a tool to protect the dignity of motherhood and its objects to provide for the full and healthy maintenance of women and their children when she is not working. The maintenance and the maternity benefit accorded to women who are vulnerable to economic depravity in case of separation or loss of a job would empower them with economic stability. This Article will analyse these concepts with relevant legal provisions.

Keywords: *Family unit, Maintenance law, economic empowerment, maternity benefit, women working in establishments, economic depravity.*

I. INTRODUCTION

Human life is considered to be a social existence. Aristotle the ever remembered Greek philosopher said, “Man is by nature a social animal”. In sociology an individual can not live in isolation. Human being by nature is always associated and dependent on someone for his/her existence. Inter dependents and association with other makes human lives valuable. Dependency and association start from the womb of the mother and continue from birth to the end of one’s life. The social phase of a human being cannot be the same, and it is varied with the nature of the social conditions. Hence it is very important in social life to take care of others. Otherwise, it is the duty of every individual to care for each other. The caring and sharing the

¹ Author is a Director of Legal Studies at The Directorate of Legal Studies, Tamil Nadu, India.

² Author is an Assistant Professor at Dr. Ambedkar Govt. Law College, Pudupakkam, Tamil Nadu, India.

resources with others for their well being assumes importance in the study of maintenance and its concepts.

The civilized society consists of a family unit and people are associated with the family. The family being a unit it is mandatory to live in unison and shall maintain each other for the better living in the society. The maintenance or preserving of the family unit is very important for the social living. The social living condition depends upon the various factors such as economy, social pattern, culture and religion etc.

The concept of maintenance was introduced to preserve the dignity of the life of the person who could not maintain herself/himself financially. The financial condition of the person can be ascertained by the previous life condition and his/her incapacity to maintain the previous life style. Therefore, in the family unit there are various factors that warrants for the duty to maintain the other members of the family. Some members in the family unit become vulnerable due to various factors such as divorce, death of the spouse, neglecting the child care, widowed and unmarried women, neglecting the aged parents etc.

The main features of the maintenance laws are introduced to financially support the vulnerable members of the family unit. The maintenance laws being to support the family members of the family unit, some of the law relating to maintenance is governed by various personal laws of the land.

II. FEATURE AND FUNCTIONS OF THE MAINTENANCE LAW

Maintenance means and includes providing food, clothing and shelter, which are very essentials for human life. This maintenance is necessarily needed to those who are vulnerable members of the family such as widow, divorced wife, separated wife, unmarried daughters, neglected children and aged parents. The concept of maintaining the others stems from social justice and the natural duty of a man to maintain others. It is the duty of a man to maintain, when they are unable to maintain themselves.

The object of maintenance law functions as a tool to prevent immorality and to prevent poverty and to improve the economic condition of women and children especially those who are vulnerable and needed protection and maintenance.

The concepts of maintenance law are diverse in nature. There are two ways in which maintenances can be claimed. People following various faiths can claim according to their personal laws which are usually civil in nature. The other way in which every person, irrespective of their faith, can claim maintenance is through the proceeding initiated under

section 125 Criminal Procedure Code, 1973, which is criminal in nature. Unlike the personal laws, the proceeding under S. 125 of CrPC is of a summary in nature and applies to everyone regardless of caste, creed or religion³. Though the maintenance proceeding under S. 125 of the Act is criminal in nature, the object of such proceedings however, is not to punish a person for his past neglect. The said provision has been enacted to prevent begging by compelling those who can provide support to those who are unable to support themselves and have a moral claim to support.⁴ The maintenance can be claimed at any two stages of proceedings either at the interim stage, ie, during the pendency of proceedings, or the final stage.

III. CONDITIONS FOR CLAIMING MAINTENANCE

Maintenance is concepts that the financial help is extended to the person who is unable to maintain himself/herself. It is the legal duty of the person to maintain the claimant who has the right to be maintained. Therefore, the duty and right must be proved before the court of law while claiming maintenance.

Under the provisions of Section 125 CrPC , the burden lies upon the claimant, i.e., wife, neglected child by parents and neglected parents by the children, to prove that the other party, has 'sufficient means' and has 'neglected or refused to maintain' them and that they are 'unable to maintain' themselves.

Therefore, the condition precedent for any person in the family to claim maintenance is that he/she is being neglected or refused to maintain by other person who has the sufficient means and has duty to maintain. And one should prove that she has no means and unable to maintain herself. To ascertain whether an individual has means or not it is sufficient to know ones capacity to earn. If one is capable of earning, irrespective of whether he actually has the means or not, it can be concluded that he has sufficient means. The burden then shifts onto the other person, to prove that he does not have sufficient means to provide the maintenance.

The phrase 'unable to maintain her' should be taken with reference to the means that a person was enjoying or available to the deserted wife, neglected children and parents, while they were living with the person, i.e, her husband, parent, children. It does not mean that the abandoned wife or divorced woman should prove that she is reduced to a penniless state before filing for maintenance for herself and her children. The test is whether the woman or any other person who has right to be maintained is in a position to maintain herself/themselves in a similar manner as in her husband's home/parental home.

³ *Mohd Ahmed Khan v Shah Bano Begum and Others* (1985)

⁴ *Chaturbhuj v Sita Bai* (2008)

IV. PERSONS ENTITLED TO RECEIVE MAINTENANCE

The persons entitled to receive maintenance are the dependent children, parents and legally wedded wives, including husband in certain circumstances. It is extended to a divorced spouse, mistress, illegitimate children, etc., in certain circumstances.

In certain cases under personal law, the Indian courts have adopted a lenient view and granted the husband the right to receive maintenance. Such right is given to husband in a condition where he is incapacitated due to some accident or disease and rendered incapable of earning a livelihood. Such an entitlement is not available to an able person, doing nothing for a living.

The remedy under Section 125 is speedy and inexpensive, as compared to personal laws. The provision relating to maintenance under any personal law is however, distinct and separate from Section 125 CrPC. There is no conflict between the provision of CrPC and legal provisions of personal laws of different religion. A person is entitled to maintenance under Section 125 CrPC even if he has obtained an order under the applicable personal law.

V. QUANTUM OF MAINTENANCE

Maintenance is a basic coverage of not only merely food, clothing and shelter, but also includes other basic necessities that needed to protect the dignity of the person. The quantum and type of necessities covered within the scope of maintenance may vary, depending on the status, financial position and number of dependents, etc. The quantum of maintenance is decided at the discretion of the court by keeping in all the parameters. The Court while deciding the quantum of maintenance under Section 125 CrPC, take cognizance of the amount of maintenance already ordered under the personal law and any other law in time being in force. The reason for determining the quantum of maintenance is based on the idea that the wife is entitled to live as per the standard and status of her husband.

VI. JUDICIAL ACTIVISM AND PRECEDENTS

There is lot of judicial precedents on the issue of maintenance. The judiciary at its discretion has taken liberal view keeping in mind the social changes and perception of relationships. Until recently, the term 'wife' was interpreted in a narrow manner, since the intention of the judiciary was to protect destitute and harassed women. The Indian courts held that only a legally married woman was entitled to claim maintenance.

The change in social relationships and the growing trend of live-in relationships has to a large extent influenced the Indian mindset and the approach of the Court in interpreting the provisions has widened its ambit to protect the interest of the people who are in live-in-

relationships and so on. . This is apparent from a recent case decided by the Delhi High Court, in a personal law matter,⁵ wherein the couple had lived like a married couple for 14 years and the man had concealed the fact that he was already married. Furthermore, the woman had taken the responsibility of running the household as a housewife, treated the man as her husband and had borne and bred two of his children. The view taken by the court was that on account of the nature of the relationship and the aforementioned facts, the woman should not be deprived of her right to maintenance, under the personal law applicable to Hindus (which constitutes almost 80 per cent of Indians). The court further expressed that denial of maintenance under such circumstances would amount to putting a premium on or rewarding the man for defrauding the woman by concealing his first marriage. It was further recorded that for the purpose of granting maintenance under the personal law, women placed in the position of second wife, can be treated as legally wedded wives and are entitled to maintenance.

The right to resident also recognized as the means to protect the women who are deprived of their rights to stay at the spouse resident. In a case decided on 14 November 2008, the Apex Court has recently ruled that maintenance necessarily encompasses a provision for residence and has therefore ordered that the woman be provided with a residential facility similar to that which she had been accustomed in the past.⁶

It is seen that the recent judicial decisions of the Indian courts have been progressively liberal in deciding cases pertaining to maintenance. The bone of contention however is whether a mistress can become entitled to receive maintenance merely from the fact that she is living with a married man. The contention also coupled with the dispute as to whether the bigamy is legally permissible in such case. It appears from various decisions passed under the personal laws that the same may be possible in claiming maintenance. But the judicial decisions pertaining to Section 125 CrPC continue to uphold the view that maintenance can be claimed only by a lawfully wedded wife and other person mentioned under that section.

VII. DISQUALIFICATION FOR ENTITLEMENT OF MAINTENANCE

As per section 125 (4) of the Criminal Procedure Code, 1973, a women living in adultery, a women who refuses to live with her husband without sufficient reason if and if they live separately with mutual consent are disqualified for entitlement of maintenance.

And as per Section 125(5) the Act further says that ‘on proof that any wife in whose favour an order has been made under this section is living in adultery, or that without sufficient reason

⁵ *Narinder Pal Kaur Chawla vs M S Chawla* (2008)

⁶ *Komalam Amma v Kumara Pillai Raghavan Pillai and Others* (2008)

she refuses to live with her husband, or that they are living separately by mutual consent, the Magistrate shall cancel the order’.

VIII. PERSONAL LAWS ON MAINTENANCE

India being a heterogeneous community with varied culture and religious faith follows different personal laws on maintenance. The provisions and legislation that deals with maintenance of various religions can give the glimpse of the procedure and condition on which one gets maintenance order. The following are the provisions relating to maintenance of Hindus, Muslims, Christians and Parsi.

(A) Maintenance Rights under the Hindu Law

The Hindu Adoption and Maintenance Act, 1956, S.3 (b) defines maintenance as to what are included under the concept of “maintenance”. According to that Act, it means to include that (i) *in all cases, provision for food, clothing, residence, education and medical attendance and treatment;*

(ii) *In the case of an unmarried daughter also the reasonable expenses of and incident to her marriage;*

1. A married Hindu woman, unmarried daughter, widowed daughter-in-law, can claim maintenance under the said Act, 1956. The provision of the Act details under what conditions the above said person can claim maintenance. A married woman under *The Hindu Adoption and Maintenance Act, 1956*, can claim maintenance if she is living separately from her husband even if she is not seeking divorce under Hindu law. This provision probably only available under this law alone. According to S. 18 of the Act, a married woman is entitled to reside separately from her husband without forfeiture of her right to maintenance. In the present social circumstances sometimes it becomes impossible for a woman to reside with her husband but however she maybe not willing to break the marriage bond or relation due to various reasons.
2. So in that case, the Hindu law of maintenance provides certain following grounds on one can claim allowance or maintenance.

Grounds for awarding Maintenance to a married woman are listed below

- Husband treated her with cruelty.
- Husband neglected her willfully or deserted her.
- Husband is suffering from any virulent leprosy or venereal disease.

- Husband has any other wife living.
 - Husband keeps a concubine in the house or resides with that concubine somewhere else.
 - Husband converted to another religion/ceased to be a Hindu.
 - Any other justification for separation valid in the eyes of law.
3. The following disqualification to claim maintenance also stated under the same provision of the Act
 4. If the wife has adulterous relationship with any other man during the lifetime of her marriage then she cannot claim anything.
 5. If the wife has converted into any other religion and ceased to be a Hindu, then she cannot claim maintenance.
 6. If there is no legal marriage or non-existent matrimonial relationship, then no claim is valid.

Section.19 of the Act speaks about the maintenance of widowed daughter-in-law. Accordingly if a – (1) A Hindu wife, whether married before or after the commencement of this Act, shall be entitled to be maintained after the death of her husband by her father-in-law.

This Act further clarifies that the right to get maintenance arises only if she is unable to maintain herself out of her own earnings or other property or, where she has no property of her own, is unable to obtain maintenance-

- (a) From the estate of her husband or her father or mother, or
- (b) From her son or daughter, if any, or his or her estate.

Also any obligation under sub-section (1) shall not be enforceable if the father in-law has not the means to do so from any coparcenary property in his possession out of which the daughter-in-law has not obtained any share, and any such obligation shall cease on the remarriage of the daughter-in-law.

Further, this Act provides also for the maintenance of the children and aged parents and Section.20 of the Act reads that -

- (1) Subject to the provisions of this section a Hindu is bound, during his or her lifetime, to maintain his or her legitimate or illegitimate children and his or her aged or infirm parents.
- (2) A legitimate or illegitimate child may claim maintenance from his or her father or mother so long as the child is a minor.

- (3) The obligation of a person to maintain his or her aged or infirm parent or daughter who is unmarried extends in so far as the parent or the unmarried daughter, as the case may be, is unable to maintain himself or herself out of his or her own earnings or other property.

a. Explanation of Maintenance under Hindu Marriage Act, 1955

The right to claim for the maintenance under the Hindu Marriage Act, 1955 is an independent or absolute right and it is not being governed or maintained by the Hindu Adoption and Maintenance Act. This will not remain as a bar or oust the jurisdiction of the court on the plea that the applicant whose rights are mentioned under the Hindu Marriage Act is already getting maintenance under the Hindu Adoption and Maintenance Act. But, however while fixing the quantum of maintenance that there is a claim under the other Act may be taken into consideration. Under the Hindu Marriage Act it is evident that either of the spouses can seek maintenance, but there is a special provision under the Code of Criminal Procedure and Hindu Adoption and Maintenance Act, where only the wife can claim maintenance under this Act⁷.

b. Maintenance of Wife under S.18 of the Hindu Marriage Act, 1955

This provision is especially created to provide a support to the married women. It doesn't matter that the Hindu wife, whether married before or after the commencement of this Act because every wife will get maintenance by their husband during their life tenure. Section 18(1) is applicable to the wife who is living with her husband. The wife who has ceased to be Hindu cannot claim for the maintenance but an unchaste wife who has been living with her husband under the same roof has the authority to claim for the maintenance by the court.

A Hindu spouse or wife shall be entitled to live their life independently from her better half without relinquishing her to forfeit the maintenance.

1. If he is liable of abandonment or of stubbornly dismissing her.
2. If he has regarded her with so much cold-bloodedness as to cause a sensible apprehension in her mind that it will be destructive or harmful to live with her husband.
3. If he is experiencing a harmful type of infection or leprosy.
4. If he has some other spouse living and can be known as extra marital affairs.
5. If he keeps a mistress in a similar house wherein his better half is living or routinely lives with a concubine somewhere else.

⁷ <https://blog.ipleaders.in/maintenance-under-hindu-marriage-act-1955/> visited on /1/12/2019

6. If he has stopped to be a Hindu by transformation to another religion.
7. If there is some other reason legitimizing living independently.
7. (3) (Forfeiture of the claim for the maintenance or support). A Hindu spouse will not be qualified for discrete living arrangements and support in the form of maintenance from her husband on the off chance that she is unchaste or stops to be a Hindu by transformation to another religion.

(B) Maintenance Rights under Muslim Law

a. Concept of Mahar or Dower

Before we trace the law relating to maintenance under Muslim law it is pertinent to see what is the concept of the Mahar is under the Muslim law and how? this could be compared with the maintenance.

The Islamic concept of dower is that it is that money or property which a husband must pay to the wife to acknowledge her dignity as his wife. It is either specified or unspecified but in either case, the law confers a mandatory right of Mahar or Dower on wife.

The Mahar (Dower) belongs to wife and she can deal with it in the manner she likes it and neither her husband nor husband's relations nor even her relations can dictate her in matter of using the Mahar money or property.

A divorce under Islamic law does not require redistribution of property. Rather, each spouse walks away from the marriage with his or her individual property. Muslim women is divorced she has no claim on the collective wealth of the couple. She is left with the mahar and the deferred mahar is considered a debt owed by the man to the woman, and is owed even if he has no assets⁸.

Therefore the mahar or dower amount is property of a married Muslim woman that which she can enjoy as she likes and if she is divorced this would help her to maintain.

b. The rights of women under Muslim Law

The Act was enacted in 1986 in the wake of the Supreme Court's judgment in the Shah Bano case, whereby the apex court ruled that even a Muslim woman was entitled to receive alimony under the general provisions of the Criminal Procedure Code like anybody else. While the judgment was not the first granting a divorced Muslim woman maintenance under the CrPC, it was the first in which the Supreme Court referred to Muslim personal laws in detail. Many

⁸ Jamal Nasir, *The Status of Women Under Islamic Law and Modern Islamic Legislation*, 3d edition, 2009.

Muslim clerics saw the judgment as an encroachment on the right of Muslims to be governed by their personal laws. Following severe protests from various Muslim community leaders, the Rajiv Gandhi government got the Muslim Women (Protection of Rights on Divorce) Act passed in Parliament, with absolute majority.

c. Protection of Right of Maintenance of Women under the Act

According to the Statement of Objects and Reasons of this Act, when a Muslim divorced woman is unable to support herself after the iddah period that she must observe after the death of her spouse or after a divorce, during which she may not marry another man, the magistrate is empowered to make an order for the payment of maintenance by her relatives who would be entitled to inherit her property on her death according to Muslim Law. But when a divorced woman has no such relatives, and does not have enough means to pay the maintenance, the magistrate would order the State Waqif Board to pay the maintenance. The 'liability' of husband to pay the maintenance was thus restricted to the period of the iddah only⁹.

As per *Section 3(1) (a)* of this Act, Muslim woman is entitled to receive alimony from her former husband under a fair and reasonable provision during the iddat period and the obligation of the husband is not only confined to that iddat period, but also after that time.

*In Shabana Bano v Imran Khan*¹⁰, Supreme Court held that a Muslim Woman, who has no means of sustaining herself, can claim the maintenance even after the iddah periods gets over, according to S.125 of Cr.P.C.

If a woman is not able to sustain her livelihood after 'iddah' period, which she observes after death of husband or divorce, during which she cannot marry any other man, then the magistrate can order the relatives of the woman to pay the maintenance to her but they will be entitled to inherit her property after her death, as per Muslim Law.

But if relatives are not able to provide maintenance, then the magistrate can order the State Waqf to pay the amount.

Muslim Women (Protection of Rights on Divorce) 1986 Act is retrospective in nature and husband will be liable to pay the maintenance (fair and reasonable provision) to the wife even if the divorce had taken place before passing the Act.

⁹ Lawrence, edited by Bruce B.; Karim, Aisha (2007). *On violence: a reader*. Durham [NC]: Duke University Press. ISBN 978-0822390169.

¹⁰ 1985 (1) SCALE 767, 1985 (3) SCR 844, 1985 (2) SCC 556, AIR 1985 SC 945.

(C) Maintenance under Christian Law

A Christian woman can claim maintenance from her spouse through criminal proceeding or/and civil proceeding. Interested parties may pursue both criminal and civil proceedings, simultaneously, as there is no legal bar to it. In criminal proceedings, the religion of the parties does not matter at all, unlike in civil proceedings.

If a divorced Christian wife cannot support her in the post divorce period she need not worry as a remedy is in store for her in law. Under S.37 of the Indian Divorce Act, 1869, she can apply for alimony/ maintenance in a civil court or High Court and, husband will be liable to pay her alimony such sum, as the court may order, till her lifetime. The Indian Divorce Act, 1869 which is only applicable to those persons who practice the Christianity religion inter alia governs maintenance rights of a Christian wife.

a. The importance of Alimony/ maintenance

Alimony is an allowance made to one spouse by the other for support pending or after legal separation or divorce¹¹. The purpose of alimony is to avoid any unfair economic consequences after the divorce of a Christian woman.

The petition for the alimony under S.36 of the Indian Divorce Act, 1869, can be filled by the wife. Such petition shall be served on the husband; and the Court, on being satisfied of the truth of the statements therein contained, may make such order on the husband for payment to the wife of alimony pending the suit as it may deem just:

As per Section .37 of the Act the High Court may, if it thinks fit, on any decree absolute declaring a marriage to be dissolved, or on any decree of judicial separation obtained by the wife, and the District judge may, if he thinks fit, on the confirmation of any decree of his declaring a marriage to be dissolved, or on any decree of judicial separation obtained by the wife, order that the husband shall, to the satisfaction of the Court, secure to the wife such gross sum of money, or such annual sum of money for any term not exceeding her own life, as, having regard to her fortune (if any), to the ability of the husband, and to the conduct of the parties, it thinks reasonable; and for that purpose may cause a proper instrument to be executed by all necessary parties.

(D) Maintenance under Parsi Law

Parsi also can claim maintenance from the spouse through criminal proceedings or/ and civil proceedings. Interested parties may pursue both criminal and civil proceedings, simultaneously

¹¹ <https://www.dictionary.com/browse/alimony>.

as there is no legal bar to it.

According to The Parsi Marriage and Divorce Act, 1936, it recognizes the right of wife to maintenance-both alimony pendente lite and permanent alimony. The maximum amount that can be decreed by court as alimony during the time a matrimonial suit is pending in court is one-fifth of the husband's net income. In fixing the quantum as permanent maintenance, the court will determine what is just, bearing in mind the ability of husband to pay, wife's own assets and conduct of the parties. The order will remain in force as long as wife remains chaste and unmarried.

If the Husband refuses to pay maintenance, wife can inform the court that the Husband is refusing to pay maintenance even after the order of the court. The court can then sentence the Husband to imprisonment unless he agrees to pay. The Husband can be detained in the jail so long as he does not pay¹².

IX. MATERNITY BENEFIT AND ITS MEANING

A maternity benefit is one that every working woman in any establishment shall be entitled to get leave and pay wages for the absence of her leave. And the employer shall be liable to pay the wage for the period of her actual absence. This is the maternity benefit working women get from their employers. The very object of this maternity benefit extended to women is to protect the dignity of motherhood and to provide for the full and healthy maintenance of women and their children when she is not working. The maternity benefit also includes her right to work at her home and education and other rights at her workplace.

(A) The Need for Maternity Benefits for Women Employee

The need for maternity benefits for women is a social and economic concern that helps society and the economy of society. Women's labour force participation is very important for the development of an economy. If the women's labour force is not adequately utilised or capitalised, social and economic growth will eventually decline. Therefore in the modern era where women have realised their workforce and begun to participate in the mainstream of the economy, we need to utilise and capitalise on their talent and workforce. While utilising the work force of women, we need to give them quality time so that they are able to give that quality time to their children without having to worry about whether they will lose their job and their source of income. It is a right of maintenance to all women employees during their period of maternity. In a civilised society, the family being the important organ, must be given quality

¹² NINISHAAGARWAL, LEGAL RIGHTS OF A WOMAN AFTER DIVORCE, [HTTPS://BLOG.IPLEADERS.IN/RIGHTS-OF-A-WOMAN-IN-DIVORCE-IN-INDIA](https://blog.ipleaders.in/rights-of-a-woman-in-divorce-in-india), VISITED ON 1/12/2019.

time and nourishment to the child and the mother. Motherhood is the basis for the social organism or living being. Hence the dignity of motherhood must be protected and must provide for the full and healthy maintenance of women and their children.

In order to create a gender-friendly labour market environment, we must provide a secure working environment. The secured working conditions or environment means maintaining the women employee during the maternity period. Looking at the large number of women employed, it is natural to protect and safeguard their health in relation to Maternityxz and children.

The economic dependence of women has driven them to be subordinate in society. Therefore in order to remove such subordination and lay the foundation of equality, and make women economically independent, we need to allow them to take an active role in all sectors of business today. Therefore to support this measure of economic emancipation of women in India, the maternity benefit act gives certain benefits. If we closely analyse this maternity benefit, i.e., full payment for the absence of work to take care of her and the child, given to women employees during the maternity period, it would reveal that it is a beneficial measure in the form of maintenance.

Historically, maternity has been treated as a state of disability in women workers from undertaking any work during the few weeks immediately preceding and following childbirth. With the emergence of the system of wage labour in industrial undertakings, many employers tended to terminate the services of the women workers when they found that maternity interfered with the performance of normal duties by women workers. Many women workers, therefore, had to go on leave without pay during this period in order to retain their employment¹³.

The concept of maternity benefit is needed in order to enable women workers to carry on the social function of the child; bearing and rearing without undue strain on their health and loss of wages.¹⁴ Thus the maternity benefit given to women employees during their absence of employment is maintenance. This maintenance is a right of a woman employee, and the employer is duty-bound to provide the same. Hence, the maintenance and maternity benefit legislations empower women who are vulnerable and who are financially unstable.

¹³ Jhanwar, R. (2014) *The need for maternity benefits for women employee*, *Academike*. Available at: <https://www.lawctopus.com/academike/the-need-for-maternity-benefits-for-women-employee/> (Accessed: January 13, 2023).

¹⁴ Shashi Bala, *Implementation of Maternity Benefit Act*, http://www.vvgnli.org/sites/default/files/publication_files/099-2012_Shashi_Bala.pdf, visited on 3/12/2019