

# Paternity Leave: Really It Exists



**Shilaja Nagendra**

Lecturer,  
Deptt. of Sociology,  
S.P.C. Government College,  
Ajmer, Rajasthan



**Swati Bijawat**

Associate Professor,  
Deptt. of Sociology,  
Amity Law School,  
Amity University,  
Noida

## Abstract

Usually the concept of Maternity leave in both the government and the private sector in India is very common and is being considered as the mandatory privilege by the expecting female employees but on the other half the concept of granting Paternity Leave in India is quite rare. While paternity Leave exists for government employee, there is no law or a customary policy that guide's the private sector to make it mandatory. If it does, the number of days granted and the eligibility for the pay fluctuate. The article focus on the importance and the need to develop a constructive frame work for granting paternity leave to the new age fathers for the smooth functioning of their responsibilities towards their new born and the wife.

**Keywords:** Society, Paternity, New Age Fathers, Private Sector.

## Introduction

"For Anita Modi, having her husband Prakash Modi, a software engineer, around just after the birth of their daughter Amita, had been a relief mentally and emotionally"  
But unfortunately....

"For Devesh Singh a Banker employed in a private bank, at the time when is son Arjun was born, it was quite tough to avail the leaves as the project on which he was working was at crucial stage and he was asked to cancel his applied leaves considering the criticality of the project.

The above mentioned two instances explain the importance of Paternity Leave and the diabolic interpretation by the private firms without any standard policy or norms.

The conception of Paternity leave (paid or unpaid leave given to a male employee when a child is born) is not latest in India.

The central government in 1999 by notification under central civil services (Leave) Rule 551(A) prepared provisions for paternity leave for a male central government employee with less then two surviving children for a period of 15 days to take care of his wife and new born child. For paternity leave he shall be paid leave salary equal to the pay last drawn immediately before proceeding on leave. Also, the same rule applies When he adopts a child.

## Paternity Leave in India

In India paternity leave have a structured framework for government employees but when we talk about the private sector employees then there is lack of a standard policy that direct the private firms to make it compulsory for the would be fathers and if it exists then no clear rules about the day's and the eligibility for the pay which may differs from one firm to the other.

Most corporate houses have provisions for the paternity leave, Consequently on one hand you have Cisco (India) which awards its male employees 12 weeks Paternity Leave and on the other hand you have RBS which awards only 5 days paid leave, which can be availed for a maximum of two children. IT gaint, NIIT and Accenture give one week leave while Google offers 10 day's. Hence, the interpretation of paternity leave differs from one private firm to another based either on the HR polices of the firm or one's relationship with the boss.

## Paternity Leave Around the world

While Germany and the USA have no policy on paternity leave, Denmark, Portugal, France and Philipines have a sound paternal leave policy for 5-15 days. Italy, Sweden, Norway and Canada have a liberal policy with 13 weeks (80% pay), 8 weeks, 45 weeks (80% pay) and 35 weeks (55%) respectively. Argentina, Brazil, Indonesia and Saudi Arabia offers as little as 1-5 days as paternity leave.

In the land mark judgment, on 5<sup>th</sup> April 2015 both mother and father in Britain will be able to share up to 50 weeks of parental leave. The rule will also apply to couples who adopt a child. The new law says, "Eligible couples whose child is due on or after April 5, 2015 can now share up to 50 weeks of leave and 37 weeks of pay in the first year of their child's

life. Parents can take the time off at the same time or separately.

#### **Need for Paternity Leave**

Now the question comes why? It is important for a company to grant paternity leave.... the answer is now days the contemporary fathers are aware, they are more sensitized and responsible towards their new role. Gone are the day's when their role was only restricted as a bread earner of the family and the mother was whole and sole responsible for the in house upbringing of the kids. Society is collectively moving towards the concept of healthy fathering. The most important part of being a good lovable dad is simply to love his kids and his wife.

In today's scenario more attention is being focused on the importance of father not just as an economic provider but as a nurturer, mentor and a moral coach. The most important part of being a good dad is simply to love his kids and his wife.

The new age father is no longer commanding; he is now turning more responsive, devoted, a best friend to his kids. The modern father by his caring and loving gesture is being transformed into a "cool daddy"

He is the new home maker of the house. For him changing diapers, warming feeding bottles are not at all scary and boring. Raising kids is an enjoyable yet a serious business to do. Today's new age fathers understand the importance of bonding with their new born baby. That is why paternity leaves are must; it gives the father a chance to be mentally and emotionally involved during the early rearing of the baby and present their as an anchor when his wife needed him the most

Why does it is mandatory only for the mother to take concerned of the kids? Raising a child is an equal partnership and equal responsibility which both the parents should practice in collaboration.

This is the need of the hour that private firms should consider Paternity Leave as seriously as Maternity Leave. In fact if paternity leaves are missing from the benefits, the firms will often be considered as traditional and not as progressive. However a change in the norms of HR policy, attitude of the bosses and a

sensitive approach by the company towards the employee along with awareness among the employee will definitely helps in the successful interpretation of Paternity Leave in the private firms.

To create a fairer society in which the would be working parents have the flexibility to choose the time in which they can equally distribute their responsibilities to take care of their new born in the first year after birth. We have to challenge the old and traditional supposition that interpret "only women are whole and sole responsible for the upbringing of children and father being the economic provider should confines himself for the outside jobs-many fathers today wants to share the responsibilities equally to raise their new born with equal love, care and affection. Which can be possible only when the government and the private sector amend there system in such a way that the male employees gets enough scope to dedicate the time for care sharing with their wife's on the birth of their small bundle of joy.

#### **References**

1. "Dawn-of-the-new-age-dads" (Cited on 2015, April 16), Available at: <http://timesofindia.india.com/life-style/relationships/parenting/Dawn-of-the-new-age-dads/articleshow/20604667.cms>
2. "fathering-new-age" (Cited on 2015, April 16), Available at: <http://mankindproject.org/fathering-new-age>
3. "Parental\_leave" (Cited on 2015, April 16), Available at: [http://en.wikipedia.org/wiki/Parental\\_leave](http://en.wikipedia.org/wiki/Parental_leave)
4. Sinha, Kounteya, "UK dads can now avail of 25 weeks paternity Leave" (Cited on 2015, April 16), Available at: <http://timesofindia.indiatimes.com/world/uk/UK-dads-can-now-avail-of-25-weeks-paternity-leave/articleshow/46818232.cms>
5. Chandra, Aparna, "Father, you are eligible" (Cited on 2015, April 16), Available at: <http://epaper.timesofindia.com/Repository/ml.asp?Ref=QkdNSVlvMjAxMS8wNS8wOCNBcjAwNjAw&Mode=HTML>
6. <http://www.scr.indianrailways.gov.in/cris/uploads/files/1334747552561-Leave%20Rules1.pdf>