

Rules of Maternity and Paternity Leave

Dr. S. Ramachandran and Mandeep Kaur

**Dean, Faculty of management ,
MMIM
Maharishi Markandeshwar
(Deemed to be University)
Mullana
diectormmim@mmumullana.org*

***PhD Research Scholar, MMIM
Maharishi Markandeshwar
(Deemed to be University)
Mullana
deepasharma36099@gmail.com*

Corresponding author:

ABSTRACT

Today, in the era of globalization and liberalization women are consider as equal to men they contribute in economy with their full participation. Now women are not beside the veil they are empowered, educated and enjoying smooth journey in their career in both private and public sector jobs and it is possible with the help of Act of maternity and paternity introduced and revised by our Government of India. This act gives nurturing to women in their career and wellness. This article is going to consider the rules of maternity and paternity leave for the growth and success of women in their carrier with good health and positive mind.

Key Words: - Maternity, Paternity, Empowered

Introduction

Today every human being wants to establish his/her own name and fame which is achieved only when they step into profession like men women are also part of our population they are enjoying equal rights like men but when it comes to the childbirth women has to face many psychological and physical challenges. Government of our country establishes many laws and acts to save the women priorities and career. Our government works on women empowerment and some aspects of their health such as their fertility and contraception has been studied relatively far and wide and seem to be mostly positive the relationship between women's empowerment and pregnancy or childbirth, including abortion, has not received sufficient attention. Still women are facing challenges toward their career and maternal role. Federal law protect women of Private and public both organization by providing maternity leave to their employee up to 12 to 26 weeks without losing their job and position in the company under the Family Medical Leave Act (FMLA) this law does not require to companies to paying salary to their pregnant or maternal employee of company but some companies offers paid maternity leave to their employee. Some of employer provide crech facilities if they have at least 50 employee working with them. Employer must inform their employee about their benefits time to time in written or electronically.

Objectives

The specific objectives of study are:-

- To reduce the struggle of new parents

- To motivate the new parents
- To focus on wellness and good health of mother and new born baby
- To promote the participation of women workforce.



Methodology

The study is mainly exploratory in nature and based on the secondary data source the necessary information and data has been collected from various books, journals, internet based resources the reports and publications of government of India.

Maternity and Paternity Leave

Childbirth as well as childrearing is a responsibility of both parents On March 2017 India saw a milestone passing of the maternity bill that comprehensive to the maternity



leave for women from 12 week to 26 weeks. Despite the Indian law not including paternity leave as a mandate in private work place where as father has an important role in childrearing. Some multinational corporations such as Microsoft and IKEA have leading the way in India in providing men with paternity leave.

Rules of Maternity Leave Act

- According to the Pradhan Mantri Rojgar Protsahan Yojana. Announced On Jan 2019 by Finance Minister of Indian now, Government will pay the salary of seven weeks of extended leave under maternity benefits of fiscal incentive to employers to retain female worker availing 26 weeks of maternity leave
- The amount of salary will be reimbursed to employers who have engaged women workers with a wage ceiling up to 15000INR and provide 26 week paid maternity leave
- Under this plan now, employers has bear only half of the salary payable for the additional fourteen weeks of leave provided under Amendment Act 2017 effective since 1 April 2017
- To get the eligibility of maternity leave a women must have worked in an established for at least 80 days in the past 12 months
- Payments during the maternity leave period is based on the average daily wage for the period of actual absence
- The maternity benefit Act 1961 applies to establishments employing 10 or more than 10 employees in factories, plantation, mines, shops and establishment and other entities
- The Act was amended through the maternity benefit (Amendment) Act which inter has increased the paid maternity leave to women employee from 12 to 26 weeks.
- The Act provides an incentive scheme of 6000INR in partial compensation for wage loss to women during the pregnancy.

After the Maternity Benefit Scheme

The Government of India conducts a survey on the relevance and efficiency of Pradhan Mantri MatruVandanaYojana (PMMVV) a cash based maternity scheme. The scheme is based on to provide partial

Table1: - The Top Performer

STATE	TARGET ACHEIVED
Himachal Pardesh	131%
Andhra Pardesh	129%
Madhya Pardesh	126%
Rajasthan	96%

compensation for wage loss to women during their pregnancy and cash offer 6000INR to the new mother has far reached 4.8 million beneficiaries.

This according to the Government of India is about 50% or the target population. The estimated enrolled under the scheme till August 2018 was nearly 8.6 million with the government lavishing disbursed about Rs 1700 crore to the beneficiaries.

Table2: - The Poor Performers

STATE	TARGET ACHEIVED
Odisha	0%
Tamil Nadu	0%
Telanagana	0.06%
Assam	23.9%
West Bengal	25%
Bihar	26%

Whereas, Odisha, Telanagana, and Tamil Nadu giving a scheme a miss a far the state government of these states has now agreed to follow the scheme this year. The state of Bihar, West Bengal, Assam, Arunachal Pardesh and Manipur however continue to lag behind.

Before the Maternity Benefit scheme

Before the maternity paid benefit scheme women were suffering lots in between her maternal role and her professional role. In case of single mother it becomes more difficult for woman to handle the problems. Women were helpless and forced to quit the job without her readiness. They only used to stay at home and do unpaid jobs by working for their household or in the farms in agricultural work. Before maternity leave benefits very less number of women were worked as a manager, leader and C.E.O because at that time they were not confident and independent they were working in marginal employment and earn very less which were not sufficient to fulfill their basic needs women workforce were not contributing in economy. The health of women and baby at the time of pregnancy is not consider as important as it is some women were work very hard at the time of pregnancy for earning and fulfilling her need during pregnancy as result her health is suffering from lots of problem.

Review of Literature

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to socio-economic constraint. It outlines the evolution of the Panchayati Raj Institutions (PRIs) against this backdrop

Saniya Banerjee Pal, Maternity Leave in India : Every women should know this paper highlighted the Act is applicable to all establishments which are factories, mine, plantation, government establishment, shops under the relevantly applicable legislation or any other establishment as may notified by the Central Government case Law Lokesh vs Union of India Lokesh and Resha.

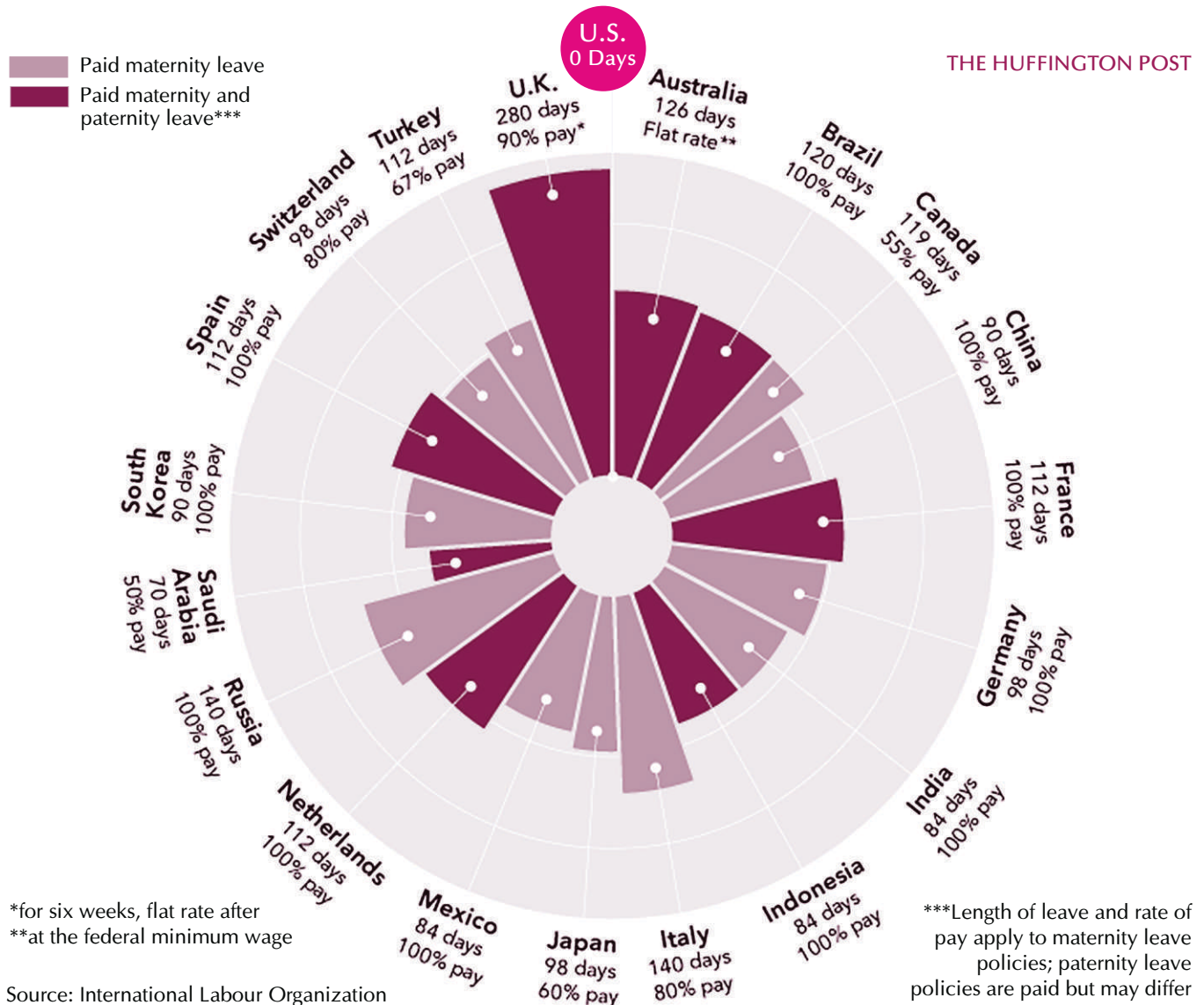
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Paternity Leave in India

Paternity leave is provided to the expected father as an opportunity to create a strong bond between him and a newborn child. Paternity leave in India is 15 day before and within 6 months from the date of birth of the child. Like mother father has some responsibility to do at the time of child birth as a moral support to the new mother and to take care of his new born baby. If father does not avail his paternity leave within the period of 15 day before and 6 months from the date of birth then it will consider as lapsed and he will paid the leave salary as equal to what he draw before taking the leave. This law gives this provision in the case of adoption as well. This paternity leave is only authorized to for government employee in India and there is no law that instructs the private sector to make it compulsory.

Paid Parental Leave: U.S. vs. The World

The U.S. joins Lesotho, Swaziland and Papua New Guinea as the only countries that do not mandate paid maternity leave. Most countries ensure the least three months of paid leave for new mothers, and many give fathers benefits too.



Conclusion

Child birth and child care are most important part of the life of mother and father both and it takes the time to manage both roles at same time is not possible some time so, it is the duty of our government to establish rule for maternity and paternity leave in India to attain high involvement and contribution of women workforce in economy of India and also consider health as important part of women and new born child.

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