THE GAUHATI HIGH COURT AT GUWAHATI

(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Mahatma Gandhi Road, Guwahati – 781001, Assam, India

N O T I F I C A T I O N

Dated Guwahati, the 16-11-2026

No.I/2578/2026 ##### It is hereby notified that Hon'ble the Chief Justice of the Gauhati High Court has been pleased to accord approval for extension of the benefit of **Paternity Leave** to the eligible male Officers and staff of the Principal Seat of the Gauhati High Court, Guwahati, subject to the following terms and conditions:

1. A male employee (including a contractual employee) having less than two surviving children can be granted Paternity Leave for a period of **two (02) weeks**, during the confinement of his wife for childbirth, i.e., up to fourteen days before or up to six months from the date of delivery of the child.
2. Paternity Leave shall not be admissible to an employee who already has two surviving children (biological/adopted, as the case may be) at the time of applying for such leave.
3. During the period of Paternity Leave, the employee shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
4. Paternity Leave shall not be debited against the leave account and it can be combined with leave of any other kind as admissible.
5. Paternity Leave cannot be availed of for more than one spell. If the leave is not availed of within the prescribed period, the same shall be treated as lapsed.
6. In case twins or multiple babies are born at a time after bearing one living child, the employee shall remain eligible for Paternity Leave as applicable in the case of delivery of a single baby.
7. In case of a child begotten through surrogacy, the Commissioning Father, being a male employee with less than two surviving children, can be granted Paternity Leave for a period of two weeks within six months from the date of delivery of the child.
8. Paternity Leave shall be treated at par with Earned Leave, and all Gazetted Government holidays falling during the period of such leave shall also be counted as Paternity Leave.
9. The period of wilful absence or unauthorized absence shall not be converted into Paternity Leave. Further, any period of Earned Leave or any other kind of leave already sanctioned or availed of shall not be converted into Paternity Leave with retrospective effect.
10. Paternity Leave shall not normally be refused by the competent authority.

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PATERNITY LEAVE IN CASE OF CHILD ADOPTION :

A male employee (including a contractual employee) having less than two surviving children, on accepting a child in pre-adoption foster care or on valid adoption of a child below the age of one year, can be granted Paternity Leave for a period of two weeks within six months from the date of accepting the child in pre-adoption foster care or valid adoption, as the case may be.

Such leave shall be admissible only upon production of documents evidencing valid adoption of the child and completion of all legal formalities, with such adoption being recognized by the Central Adoption Resource Authority (CARA), State Adoption Resource Agency (SARA), or any other recognized agency.

In the event that pre-adoption foster care is not followed by valid adoption of the child, the Paternity Leave already availed of shall be debited from any other kind of leave available to the credit of the employee. The other conditions governing Paternity Leave shall remain the same as specified above.

NB:

i. 'Male Government Employee' shall mean a married or an unmarried or a widower or a divorcee male employee.
ii. 'Surviving Children' shall mean the natural or legally adopted sons and daughters of a decedent who are alive.
iii. 'Adoption' shall mean the process through which the adopted child is permanently separated from his biological parents and becomes the lawful child of his adoptive parents with all the rights, privileges and responsibilities that are attached to a biological child or as per the guidelines governing adoption of children under the Juvenile Justice (Care and Protection of Children) Act, 2015 and the Hindu Adoption and Maintenance Act, 1956.
iv. 'Child' shall also include a child taken as ward by the employee under the Guardians and Wards Act, 1890, or the personal law applicable to the employee, provided that such ward lives with the employee and is treated as a member of the family and that the employee has, through a special will, conferred upon that ward the same status as that of a natural-born child.
v. 'Commissioning Father' shall mean the intending father of the child born through surrogacy.

This Notification shall come into force with immediate effect.

By Order

Digitally signed by
Prodip Sinha
Date: 16-11-2026
15:32:58

REGISTRAR (ESTABLISHMENT)

Memo No.I/2578/2026-A **Dated: 16-11-2026**

Copy for information and necessary action to:

1. The Registrar (Vigilance/Administration/Judicial & IT), Gauhati High Court, Guwahati.
2. The Registrar-cum-Principal Secretary to Hon’ble the Chief Justice, Gauhati High

Court, Guwahati.

3. The Secretary, Gauhati High Court Legal Services Committee, Guwahati.
4. The Joint Registrar (_____), Gauhati High Court, Guwahati.
5. The Deputy Registrar (_____), Gauhati High Court, Guwahati.
6. The Assistant Registrar (_____), Gauhati High Court, Guwahati.
7. The Librarian-cum-Research Officer, Gauhati High Court, Guwahati.
8. The Special Officer, Translation Wing, Gauhati High Court, Guwahati.
9. The Project Manager, Gauhati High Court, Guwahati, with a direction to upload this notification in the High Court website.
10. The Private Secretary to Hon'ble Mr./Mrs. Justice ....., Gauhati High Court, Guwahati.
11. The Administrative Officer (Judicial), ..., Gauhati High Court, Guwahati.
12. The Court Officer-I, Gauhati High Court, Guwahati.
13. The Court Master, Court No. ....., Gauhati High Court, Guwahati.
14. The C.A. to the Registrar General, Gauhati High Court, Guwahati.
15. The High Court Notice Board (Old Block and New Block), Gauhati High Court, Guwahati.

(e-Signed)

Prodip Sinha

REGISTRAR (ESTABLISHMENT)

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