

No. 2(9)12012-E.II(B)

Government of India

Ministry of Finance

Department of Expenditure

New Delhi, 27th August 2012

OFFICE MEMORANDUM

Subject- Clarification on the admissibility of House Rent Allowance (HRA) during the Child Care Leave (CCL) – Reg.

The undersigned is directed to refer to Para 6(a)(i) of this Ministry's O.M.No.2(37)-E.II(B)/64 dated 27.11.1965, as amended from time to time, on regulation of House Rent Allowance during Leave which stipulates that a Government servant is entitled to draw HRA.....during total leave of all kinds not exceeding 180 days and the first 180 days of the leave if the actual duration of leave exceeds that period, but does not include terminal leave, It has also been stipulated, thereunder, that drawal of the allowance (HRA) during the period of leave in excess of first 180 day availed of on grounds other than medical grounds mentioned in sub-para (ii), shall be subject to furnishing of the certificate prescribed in Para 8(d) of the O.M. *ibid*.

2. This Ministry has been receiving representations from the female employees that certain Central Government Ministries / Department / Establishments are not allowing HRA during the Child Care Leave (CCL), especially when taken in continuation of Maternity Leave of 180 days. The reason for their reluctance may be the fact that CCL has been first introduced on the recommendations of the 6th Central Pay Commission, though the Department of Personnel & Training (DoPT), vide their O.M.No 13018/1/2010-Estt.(Leave) dated 07.09.2010 *inter-alia*, reiterated that the leave (CCL) is to be treated like Earned Leave and sanctioned as such.

3. It is, therefore, clarified that the 'total leave of all kinds' as referred to in Para 6(a) of this Ministry's OM dated 27.1.65 *ibid*, will include Child Care Leave for regulating grant of HRA during leave, subject to fulfillment of all other conditions stipulated thereunder, from time to time. It is also clarified that drawal of HRA during leave (including CCL) in excess of first 180 days, if otherwise admissible, shall be subject to furnishing of the certificate prescribed in Para 8(d).

4. These orders take effect from 01.09.2008. HRA during CCL, if not paid to women employees who are entitled to it as per this clarification, may be reconsidered, if so requested by the concerned employee.

5. Hindi version is also attached.

sd/-

(Anil Sharma)

Under Secretary to the Government of India