

No.12011/04/2008-Estt. (Allowance)
GOVERNMENT OF INDIA
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel & Training)
New Delhi, the 11th Sep 2008

OFFICE MEMORANDUM

Sub: Recommendations of the Sixth Central Pay Commission- implementation of decisions relating to Special Allowance for child care for women with disabilities and Education Allowance for disabled children of Govt. employees.

Consequent upon the decision taken by the Government on the recommendations made by the Sixth Central Pay Commission for providing extra benefits to women employees with disabilities especially when they have young children and children with disability, the President is pleased to issue the following instructions:-

(i) Women with disabilities shall be paid Rs.1000/-per month as Special Allowance for Child care. The allowance shall be payable from the time of the child's birth till the child is two years old.

(ii) It shall be payable for a maximum of two children.

(iii) Disability means a person having a minimum Disability of 40% as elaborated in Ministry of Welfare's Notification No. 16-18/97-NI.I dated 1.6.2001. (Annexure)

(iv) The above limit would be automatically raised by 25% every time the Dearness Allowance on the revised pay structure goes up by 50%.

2. Reimbursement of Education Allowance for disabled children of Government employees shall be payable at double the normal rates prescribed. The annual ceiling fixed for reimbursement of Children Education Allowance for disabled children of Government Employees is Rs.24000. The rest of the conditions will be the same as stipulated vide OM No.12011/03/2008-Estt. (Allowance) dated 2nd September, 2008 on the subject. OM No.12011/03/2008-Estt.(Allowance)dated 2nd September 2008 on the subject.

3.Disability means a perso having a minimum Disability of 40% as elaborated in Ministry of Welfare's Notification No.16-18/97-NI.I dated 1.6.2001. (Annexure).

4. These orders shall be effective from 1st September, 2008.

5. Insofar as persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Audit General of India.

6. Hindi version will follow.

s/d

(Simmi R. Nakra)

Director

No. 13018/212008-Estt.(L)
Government of India
Ministry of Personnel, Public Grievances & Pensions
(Department of Personnel and Training)
New Delhi, dated the 18th November, 2008.

OFFICE MEMORANDUM

Subject : Child Care Leave in respect of Central Government employees as a result of Sixth Central Pay Commission clarification regarding

1. The order regarding introduction of Child Care leave (CCL) in respect of Central Government employees were issued vide this Department's O.M of even number dated 11th September, 2008 Subsequently, clarification in this regard were also issued vide OM dated 29th September, 2008.

2. Consequent upon the implementation of orders relating to Child Care Leave, references has been received from various sections regarding the procedure for grant of this leave etc. In this connection, it is mentioned that the intention of the Pay Commission in recommending Child Care Leave for women employees was to facilitate women employees to take care of their children at the time of need. However, this does not mean that CCL should disrupt the functioning of Central Government offices. The nature of this leave was envisaged to be the same as that of earned leave Accordingly, while maintaining the spirit of Pay Commission's recommendations intact and also harmonizing the smooth functioning of the offices, the following clarifications are issued in consultation with the Department of Expenditure (Implementation Cell) with regard to Child Care Leave for Central Government employees: -

i) CCL cannot be demanded as a matter of right. Under no circumstances can any employee proceed on CCL without prior proper approval of the leave by the leave sanctioning authority.

ii) The leave is to be treated like the Earned Leave and sanctioned as such.

iii) Consequently, Saturdays, Sundays, Gazetted holidays etc. falling during the period of leave would also count for CCL, as in the case of Earned Leave

iv) CCL can be availed only if the employee concerned has no Earned Leave at her credit.

3. Hindi version will follow.

sd/-

(Raj Bala Singh)

Under secretary to the Govt. of India

NO.AN/XIV/14162/VI CPC/cIRCULAR/VOL-III
Office Of The C.G.D.A, Ulan Batar Road,
Palam, Delhi Cantt - 110010
Dated:17th December,2009.

To,
ALL PCsDA/CsDA
PC of A(Fys) Kolkata
Jt.CDA(AF) Nagpur

Subject:- Issue of Notification to amend the Central Civil Services (Leave) Rules, 1972.

Government of India, Ministry of Personnel, Public Grievances Notification issued vide their No: FNo:11012/1/2009-Estt.(L) dated 01.12.2009 regarding amendment to Central Civil Services (Leave) Rules,1972 has been uploaded on the website of HQrs. Office (www.cgda.nic.in) for information and necessary action please.
(R.K.Bhatt) For C.G.D.A

In the said rules, in rule 43-B, in sub-rule (1), for the figures and word "135 days", the figures and word "180 days" shall be substituted:

In the said rules, after rule 43-B, the following rule shall be inserted, namely:-

43-C. Child Care Leave :- (1) A woman Government servant having minor children below the age of eighteen years and who has no earned leave at her credit, may be granted child care leave by an authority competent to grant leave, for a maximum period of two years, i.e.730 days during the entire service for taking care of up to two children whether for rearing or to look after any of their needs like examination, sickness, etc.

(2) During the period of child care leave, she shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.

(3) Child care leave may be combined with leave of any other kind.

(4) Notwithstanding the requirement of production of medical certificate contained in sub-rule (1) of rule 30 or sub-rule (1) of rule 31, leave of the kind due and admissible (including commuted leave not exceeding 60 days and leave not due) up to a maximum of one year, if applied for, be granted in continuation with child care leave granted under sub-rule (1).

(5) Child care leave may be availed of in more than one spell.

(6) Child care leave shall not be debited against the leave account."

No. 13018 /1/2010-Estt. (Leave)
Government of India
Ministry of Personnel, P.G. and Pensions
(Department of Personnel & Training)
New Delhi, the 7th September, 2010

Office Memorandum

Sub: Child Care Leave in respect of Central Government employees as a result of Sixth Central Pay Commission recommendations - Clarification regarding

1 The undersigned is directed to say that this Department has been receiving representations from Government Servants through various quarters like the Public Grievances Cell/Associations etc requesting to review the decision to allow Child Care Leave (CCL) only if the employee has no E.L. at her credit.

2. This Department's O.M. No.13018/2/2008-Estt.(L) dated 11/09/2008 regarding introduction of Child Care Leave in respect of Central Government employees and subsequent clarifications vide O.Ms. dated 29/9/2008, 18/11/2008 and 2/12/2008 were reviewed.

It has now been decided in consultation with Department of Expenditure, to delete the condition that CCL can be availed only if the employee concerned has no Earned Leave at her credit, subject to the following conditions:-

(i) CCL may not be granted in more than 3 spells in a calendar year.

(ii) CCL may not be granted for less than 15 days.

(iii) CCL should not ordinarily be granted during the probation period except in case of certain extreme situations where the leave sanctioning authority is fully satisfied about the need of Child Care Leave to the probationer. It may also be ensured that the period for which this leave is sanctioned during probation is minimal.

3. It is reiterated that the leave is to be treated like Earned Leave and sanctioned as such.

4. These orders take effect from 1.9.2008. Earned Leave, if any, availed by women employees before availing CCL subsequent to the issue of the OM 13018/2/2008-Estt.(L) dated 18/11/2008 may be adjusted against CCL, if so requested by the employee.

5. Hindi version will follow.

(Simmi R.Nakra)
Director

No.11019/27/2008-AIS-III
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training
New Delhi, the 24th September 2010

To The Chief Secretaries
All the States/ Union Territories

Subject:- Acceptance of Recommendation of the Sixth Central Pay Commission relating to introduction of Child Care Leave.

Sir/ Madam.

I am directed to enclose a copy of this Department's **O.M. No.14028/4/2009-Estt. (L) dated 7th September, 2010** on the subject mentioned above and to intimate that it has been decided in this Department to implement the decision of the Government, contained in the aforesaid O.M., to the members of the All India Services mutatis-mutandis, pending amendment in the All India Services (Leave) Rules, 1955.

Yours faithfully,

s/d
(R K Gupta)
Under Secretary to the Government of India

No. 13018 /1/2010-Estt. (Leave)
Government of India
Ministry of Personnel, P.G. and Pensions
(Department of Personnel & Training)
New Delhi, the 30th December, 2010

OFFICE MEMORANDUM

Subject: Child Care Leave to Central Government employees - regarding

The undersigned is directed to say that subsequent to issue of this Department OM of even number dated 07/09/2010, this Department has been receiving references from various Departments, seeking clarifications. The doubts raised are clarified as under:-

1. Whether Earned Leave availed for any purpose can be converted into Child Care Leave? How should applications where the purpose of availing leave has been indicated as 'Urgent Work' but the applicant claims to have utilized the leave for taking care of the needs of the child, be treated?

Child Care Leave is sanctioned to women employees having minor children, for rearing or for looking after their needs like examination, sickness etc. Hence Earned Leave availed specifically for this purpose only should be converted.

2. Whether all Earned Leave availed irrespective of number of days i.e. less than 15 days, and number of spells can be converted? In cases where the CCL spills over to the next year (for example 30 days CCL from 27th December), whether the Leave should be treated as one spell or two spells'?

No. As the instructions contained in the OM dated 7.9.2010 has been given retrospective effect, all the conditions specified in the OM would have to be fulfilled for conversion of the Earned Leave into Child Care Leave. In cases where the leave spills over to the next year, it may be treated as one spell against the year in which the leave commences.

3. Whether those who have availed Child Care Leave for more than 3 spells with less than 15 days can avail further Child Care Leave for the remaining period of the current year'?

No. As per the OM of even number dated 7.9.2010, Child Care Leave may not be granted in more than 3 spells. Hence CCL may not be allowed more than 3 times irrespective of the number of days or times Child Care Leave has been availed earlier. Past cases may not be reopened.

4. Whether LTC can be availed during Child Care Leave?

LTC cannot be availed during Child Care Leave as Child Care Leave is granted for the specific purpose of taking care of a minor child for rearing or for looking after any other needs of the child during examination, sickness etc.

Hindi version will follow.

s/d

(Simmi R. Nakra)

Director

No.11019/27/2008-AIS-III
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training
New Delhi, the 21st February, 2011

To
The Chief Secretaries
All the States/Union Territories

Subject: Acceptance of Recommendation of the Sixth Central Pay Commission relating to introduction of Child Care Leave

Sir/Madam,

In continuation of this Department's letter of even number dated 24th September, 2010 on the subject mentioned above, I am directed to send herewith copy of the latest clarifications regarding Child Care Leave in respect of Central Government employees and state that the clarifications contained in this Department's **O.M.No.13018/1/2010-Estt.(I) dated 30th December, 2010** are also applicable to members of the All India Services.

Yours faithfully,

s/d
(Navneet Misra)

Under Secretary to the Government of India

Controller General of Defence Accounts
Ulan Batar Road, Palam, Delhi Cantt-110010
No. AN/XIV/19404/Leave Matters/Vol. III
Dated 25- 8-2011

To
All PCsDA/CsDA

Sub: Sanction of Child Care Leave: Instructions regarding

1. Consequent upon the implementation of 6th CPC, Child Care Leave to Women Employees of the Central Govt. was introduced w.e.f. 1st September 2008 vide DoP&T OM No.13018/2/2008-Estt.(L) dated 18-11-2008.

2. DoP&T vide their OM No.13018/2/2008-Estt(L) dated 18-11-2008 have further clarified on the subject that Child Care Leave for women employees is meant to facilitate them in taking care of their children at the time of need. However, it should not disrupt the functioning of Central Govt. Offices. It was further clarified by DoP&T that CCL cannot be demanded as a matter of right and under no circumstances can any employee proceed on CCL without prior approval of leave by the leave sanctioning authority.

3. Instances have come to the notice of this HQrs office, where CCL has been used as a means to dodge unpalatable postings or to avoid functioning in a specific office/section and even to proceed abroad, rather than for the purpose for which CCL was introduced. This goes against the spirit of the Govt. orders on the subject. There have also been instances where even IDAS officers have left their offices 'in anticipation" of sanction of the CCL.

4. In view of the above, it is requested to all PCsDA/CsDA that the cases of CCL granted to the employees under their jurisdiction may please be reviewed and ensured that the CCL has been genuinely granted for the purpose for which it is meant. It may also be impressed upon all concerned that proceeding on CCL without sanction constitutes misconduct and will invite disciplinary proceedings against the official concerned.

This issues with the approval of CGDA.

Please acknowledge receipt.

sd/-

(Rakesh Sehgal)

Jt.CGDA(AN)