

No. 13018/1/2014-Estt(L)  
Government of India  
Ministry of Personnel, Public Grievances and Pensions  
Department of Personnel & Training

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Old JNU Campus, New Delhi 110 067

Dated: 01.04.2016

**OFFICE MEMORANDUM**

**Subject:-Proposals on Child Care Leave (CCL) and Maternity Leave – Reg.**

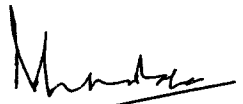
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This is regarding proposals on the subject of Maternity Leave and CCL that are under consideration in this Department. In this connection, a workshop was held in DoPT on 28.01.2016 with the stakeholder Departments on the following issues and the consensus emerged as follows:

- (a) **Maternity/CCL in case of surrogacy:** There is no provision at present for any kind of Leave for surrogate/commissioning mothers. It is proposed that 180 days maternity leave may be granted to the surrogate as well as commissioning mothers, in case either/both of them are Government servants. The commissioning mother also requires time for bonding with her child and to take care of him/her and hence would also become eligible for Child Care Leave. Paternity Leave may also be granted in case of surrogacy.
- (b) **Age Limit for CCL in case of disabled children:** It is proposed that the age limit for CCL in case of disabled children needs to be done away with since the requirement of parental care may be more/stronger when the disabled child grows older. It may therefore be allowed to provide for CCL in the case of disabled children – the ‘disability’ being clearly defined by the Ministry of Social Justice & Empowerment - without any age limit provided the maximum CCL that can be availed remains within the ceiling of 730 days.
- (c) **Leaving HQ/availing LTC while on CCL:** At present leaving headquarters or availing LTC are not permissible during CCL. The underlying intent of CCL is to allow care of up to two children whether for rearing or to look after any of their needs like examination, sickness etc. Thus, it is not restricted to exam and sickness alone. Taking care may also include ensuring their rest and recreation and towards that objective leaving headquarters or availing LTC can be allowed. It is thus proposed that the employees may be permitted to leave headquarters/avail LTC while they are on CCL, provided clearances from appropriate competent authorities are taken while proceeding on foreign travel.

(d) **CCL minimum for at least five days:** Vide this Department O.M. No.13018/6/2013-Estt.(L) dated 5<sup>th</sup> June, 2014 the stipulation of the requirement of minimum period of 15 days' CCL has been removed. It is now proposed to introduce a minimum period of five days of CCL i.e., CCL henceforth may not be granted for less than 5 days.

2. Comments on the above proposals are solicited please.

  
(Mukul Ratra)<sup>1.4.2016</sup>  
Director

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