

No. E (P&A)I-2009/CPC/LE-10

New Delhi, dated 30-09-2010.

The General Managers,
All Indian Railways/Productions Units.

Sub: Introduction of Child Care Leave in respect of Railway Servants-Clarification regarding.

Certain points raised by one of the Zonal railway in regard to grant of Child Care Leave (CCL) to female railway employees have been considered in consultation with DOP&T. Point wise clarification is given as below :-

S. No.	Point	Clarification
1.	Limit of Maximum/Minimum leave upto which, Child Care Leave can be sanctioned in one spell.	<u>1 & 2</u> Maximum limit of CCL is 730 days and minimum limit is 15 days. CCL cannot be availed more than three times in a year.
2.	Whether there should be any minimum gap in between one spell to another spell.	
3.	whether any vacancy arising out of child care leave for a period of one year and more can be filled through promotion.	Same procedure may be followed as is followed in case of vacancy arising out of LAP.
4.	Is child care leave admissible in aspect of adopted minor children,	Since the instructions regarding grant of CCL do not differentiate between adoptee mother and biological mother, CCL may be sanctioned to adoptee mother also subject to fulfillment of the conditions stipulated for grant of this leave.

contd.....2/-

5.	How/When does LAP/LHAP gets credited to the leave account of the employees proceeding on CCL? Is it to be credited on 1 st Jan and 1 st July respectively as per extant practice?	LAP and LHAP may be credited as per the extant practice.
6.	As per extant rules leave of any kind can be availed to a maximum of 5 years at a stretch, Whether CCL also is to be included in the ambit of 5 years.	CCL is to be included in the ambit of 5 years.
7.	Is the female Rly. Servant proceeding on CCL eligible for HRA if so for what period?	In terms of the provisions contained in Rule 1707(i), (ii) & (iii) of IREC Vol. II, HRA would be admissible to female Railway servants proceeding on CCL.
8.	Whether Lady Officers proceeding on CCL retrain their bungalow peons upto what period?	Since CCL is to be treated like LAP, rules applicable for retraining the facility of Bungalow Peon during LAP may also be followed in the case of an employee proceeding on CCL.
9.	Whether the female employees proceeding on CCL will receive the annual increment in normal course even in case the leave period exceeds more than a year as single spell.	The provisions contained in Rule 1320(b)(i) and (ii) IREC Volume II, may be applied in case of CCL also. If the Railway servant is on CCL on the day of increment, the increment will come into effect only on the date she reports for duty.

This disposes of Central Railway's letter No. AC/Admn Gaz/VI PC/Corres dated 26.5.2009

Dharam Pal
(Dharam Pal)

Deputy Director Estt.(P&A)II,
Railway Board.
Board.

Copy to ERB-I, IV and V

No.13018/2/2010-Estt.(Leave)
Government of India
Ministry of Personnel and Training
Department of Personnel and Training

S. No. 30

New Delhi, the Dated 23th August, 2010

Office Memorandum

Subject: Introduction of Child Care Leave in respect of Railway Servants – Clarification regarding

45: No. 3
The undersigned is directed to refer to your letter No.E(P&A)/CPC/LE-10 dated 28/7/2010 on the subject mentioned above and to clarify the points raised by Railway Board as under:-

(i) Is CCL admissible to adoptee mother having minor children.

Ans. DOPT OM No.13018/2/2008-Estt.(Leave) dated 11/09/ O.M. does not differentiate between adoptee mother or biological mother. CCL may be sanctioned subject to the conditions mentioned in the instructions issued in this regard.

(ii) How /when does LAP/LHAP gets credited to the leave account of the employees proceeding on CCL? Is it to be credited on 1st Jan and 1st July respectively as per the extant practice?

Ans. EL and HPL may be credited as per extant practice.

(iii) As per the extant rules leave of any kind can be availed for a maximum period of 5 years at a stretch. Whether CCL also is to be included in the ambit of 5 years.

Ans. CCL is to be included in the ambit of 5 years.

(iv) Whether the female employees proceeding on CCL will receive the annual increment in normal course even in case the leave period exceeds more than a year in a single spell.

Ans. As per FR 26(b) (i):- Leave except extraordinary leave taken otherwise than on medical certificate shall count for increments in the time scale applicable to the post on which the Government servant holds a lien, as well as in the time-scale applicable to the post or posts, if any, on which he would hold a lien had his lien not been suspended. FR 26(b) (ii) says that all leave except extraordinary leave taken otherwise than on medical certificate and the period of deputation out of India shall count for increment in the time-scale applicable to the post in which a Government servant was officiating at the time he proceeded on leave for deputation out of India and would have continued to officiate but for his proceeding on leave or deputation out of India. However, if the Govt. servant is on leave on the day of increment, the increment will come into effect only on the date he reports for duty. The same provision may be applied in case of CCL also.

Yours faithfully,



(Zoya C.B.)

Under Secretary to the Govt. of India.

To

Shri Chander Parkash,
Joint Director Estt.(P&A),
Ministry of Railways,
Railway Board,
New Delhi

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Pragati Maundar