

भारत संचार निगम लिमिटेड
BHARAT SANCHAR NIGAM LTD.
(A Government of India Enterprise)



CORPORATE OFFICE
PAT SECTION
Bharat Sanchar Bhawan,
H. C. Mathur Lane, New Delhi-01

OFFICE ORDER

NO.1-33/2012-PAT(BSNL)/CCL

Dated, the 08-03-2013

Subject:-Grant of Child Care Leave to women employees of BSNL (absorbed/
directly recruited/deputationists/deemed deputationists).

Approval of the Management Committee of the Board is, hereby, conveyed for grant Child Care Leave to women employees of BSNL (absorbed/directly recruited/deputationists/ deemed deputationists) as per the provisions of DOP&T OM No.13018/2/2008-Estt.(L) dated 11.09.2008 and subsequent clarifications issued by DOP&T.

2. These orders shall take effect from the date of issue.

Hindi version will follow.

(Sheo Shankar Prasad)
Assistant General Manager (Pers.V)
Tel.No.23037475

To
All Heads of Telecom. Circles/
All Heads of other Administrative Units
Bharat Sanchar Nigam Ltd.

Copy to:

1. PPS to CMD, BSNL, New Delhi.
2. PPS to Dir(HR)/Dir(Enterprise)/Dir(CFA)/Dir(Consumer Mobility)/Dir(Fin), BSNL Board.
3. All Sr.GMs/GMs in BSNL C.O.
4. DGM(A)/(CA)/(EF)/(Pers.)/(SEA)/(Civil)/(Arch)/(Elect)/(TF) BSNL C.O.
5. Director (PSU-I), DOT, Sanchar Bhawan, New Delhi w.r.t. letter No.9-117/2012-SU.I dated 23.1.2013.
6. AGM(R&P)/(EF)/(CSS)/(SEA)/(Pers.I)/(Pers.II)/(Pers.III)/(Pers.IV)/(Civil)/(A&E)/(TF)BSNL C.O.
7. AD(OL) for Hindi version.
8. Guard File.

No.13018/2/2008-Estt.(L)
Government of India
Ministry of Personnel, Public Grievances & Pensions
[Department of Personnel & Training]

.....
New Delhi, the 29th September, 2008.

OFFICE MEMORANDUM

Subject:- Grant of Child Care Leave to women Government employees – Clarification
- Regarding.

.....

The undersigned is directed to refer to para 1(c) of this Department's O.M. of even number dated 11th September, 2008 according to which Child Care Leave can be granted to women employees having minor children below the age of 18 years, for a maximum period of 2 years (i.e. 730 days) during their entire service, for taking care of upto two children whether for rearing or to look after any of their needs like examination, sickness etc. The question as to whether child care leave would be admissible for the third child below the age of 18 years and the procedure for grant of child care leave have been under consideration in this Department, and it has now been decided as follows:-

- (i) Child Care Leave shall be admissible for two eldest surviving children only.
- (ii) The leave account for child care leave shall be maintained in the proforma enclosed, and it shall be kept alongwith the Service Book of the Government servant concerned.

2. Hindi version will follow.


(Simmi R. Natta)
Director(P&A)

To

All Ministries/Departments of the Govt. of India, etc.(As per standard mailing list).

F.No.13018/2/2008-Estt.(L)

New Delhi, the 29th September, 2008.

Copy also forwarded to:

- (1) Office of the Comptroller & Auditor General of India.
- (2) Office of the Controller General of Accounts, Ministry of Finance.
- (3) Secretaries to Union Public Service Commission/Supreme Court of India/ Election Commission/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/President's Sectt./ Vice-President's Sectt./ Prime Minister's Office/ Planning Commission.
- (4) All State Governments and Union Territories.
- (5) Governors of all States/Lt. Governors of all Union Territories.
- (6) Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
- (7) All Members of Staff Side of the National Council of JCM/Departmental Council.
- (8) All Officers/Sections of DOPT/Deptt. of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/PESB.
- (9) Ministry of Finance, Department of Expenditure
- (10) Official Language Wing (Legislative Deptt.), Bhagwan Dass Road, New Delhi.
- (11) Railway Board, New Delhi.
- (12) NIC, DOPT – With the request to upload the O.M. on the Website.
- (13) 100 spare copies.


(Simran R. Nakra)
Director(P&A)

No.13018/2/2008-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 –

.....
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 O.M. 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.


(Raj Bala Singh)
Under Secretary to the Govt. of India

To

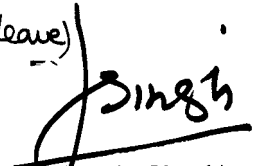
All Ministries/Departments of the Govt. of India, etc. (as per standard mailing list.)

F.No.13018/2/2008-Estt.(L)

New Delhi, the ^{18th} November, 2008.

Copy also forwarded to:

- (1) Office of the Comptroller & Auditor General of India.
- (2) Office of the Controller General of Accounts, Ministry of Finance.
- (3) Secretaries to Union Public Service Commission/Supreme Court of India/ Election Commission/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/President's Sectt./ Vice-President's Sectt./ Prime Minister's Office/ Planning Commission.
- (4) All State Governments and Union Territories.
- (5) Governors of all States/Lt. Governors of all Union Territories.
- (6) Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
- (7) All Members of Staff Side of the National Council of JCM/Departmental Council.
- (8) All Officers/Sections of DOPT/Deptt. of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/PESB.
- (9) Ministry of Finance, Department of Expenditure
- (10) Official Language Wing (Legislative Deptt.), Bhagwan Dass Road, New Delhi.
- (11) Railway Board, New Delhi.
- (12) NIC, DOPT - With the request to upload the O.M. on the Website. (leave)
- (13) 100 spare copies.


(Raj Bala Singh)

Under Secretary to the Govt. of India

No.13018/2/2008-Estt.(L)
Government of India
Ministry of Personnel, Public Grievances & Pensions
[Department of Personnel & Training]

.....
New Delhi, the 2nd December, 2008.

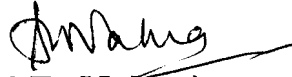
OFFICE MEMORANDUM

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

.....

The undersigned is directed to refer to this Department's O.M. of even number dated 11th September, 2008 regarding introduction of child care leave in respect of Central Government employees and subsequent clarifications vide O.M. dated 29th September, 2008 and 18th November, 2008. It is further clarified that child care leave sanctioned prior to issuance of O.M. No. 13018/2/2008-Estt.(L) dated 18th November, 2008 shall be treated as child care leave and shall be deducted from the Child Care Leave account of the Government servant concerned. No adjustment against any other kind of leave shall be made in this regard. The Child Care Leave sanctioned for the period beyond 18/11/2008 shall however be regulated in terms of clarification issued vide O.M. of even number dated 18/11/2008.

2. Hindi version will follow.


(Simmi R. Nakra)
Director

To

All Ministries/Departments of the Govt. of India, etc.
(As per standard mailing list).

F.No.13018/2/2008-Estt.(L)

New Delhi, the 2nd December, 2008.

Copy also forwarded to:

- (1) Office of the Comptroller & Auditor General of India.
- (2) Office of the Controller General of Accounts, Ministry of Finance.
- (3) Secretaries to Union Public Service Commission/Supreme Court of India/ Election Commission/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt. /Central Vigilance Commission/President's Sectt./ Vice-President's Sectt./ Prime Minister's Office/ Planning Commission.
- (4) All State Governments and Union Territories.
- (5) Governors of all States/Lt. Governors of all Union Territories.
- (6) Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road, New Delhi.
- (7) All Members of Staff Side of the National Council of JCM/Departmental Council.
- (8) All Officers/Sections of DOPT/Deptt. of Administrative Reforms & Public Grievances/Department of Pensions & Pensioners Welfare/PESB.
- (9) Ministry of Finance, Department of Expenditure
- (10) Official Language Wing (Legislative Deptt.), Bhagwan Dass Road, New Delhi.
- (11) Railway Board, New Delhi.
- (12) Facilitation Counter, DOPT – (with 20 spare copies).
- ✓ (13) NIC, DOPT – With the request to upload the O.M. on DOPT Website.
- (14) 100 spare copies.


(Simmi R. Nakra)
Director

No.13018/6/2009-Estt.(L)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)

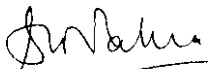
.....
New Delhi, dated the ^{3rd} March, 2010.

OFFICE MEMORANDUM

Subject: Implementation of Government's decision on the recommendations of the Sixth Central Pay Commission - Child Care Leave Waiving of age restriction of 18 years for Government servant having mentally challenged/disabled children --

The undersigned is directed to refer to DOP&T OM No.13018/2/2008-Estt.(L), dated 11.9.2008 on the subject mentioned above and to say that this Department has been receiving various references regarding waiving of the age restriction of 18 years in respect of disabled/mentally challenged children for grant of Child Care Leave to women employees. The matter has been considered in consultation with Ministry of Finance and it has been decided to permit Child Care Leave to women employees with disabled children upto the age of 22 years for a maximum period of 2 years (i.e 730 days) subject to the other conditions stipulated by the Government in this regard from time to time. However, it is stressed that CCL cannot be demanded as a matter of right and under no circumstances can any employee proceed on CCL without prior approval of the Leave sanctioning authority. Disabled Child having a minimum disability of 40% is elaborated in the Ministry of Social Justice and Empowerment Notification No.16-18/97-N.I.I, dated 1.6.2001 (copy enclosed). Documents relating to the handicap as specified in the Notification, as well as a certificate from the Government Servant regarding dependency of the child on the Govt. servant would have to be submitted by the employee. The Child Care Leave would be permitted only if the child is dependent on the Government servant.

2. Hindi version will follow.

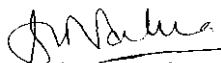

(Simmi R. Nakra)
Director (P&A)

To

All Ministries/Departments of Govt. of India etc.
(As per standard mailing list.)

13018/6/2009-Estt.(Leave) dated March, 2010

1. Office of the Comptroller & Auditor General of India/Controller General of Accounts, Ministry of Finance.
2. Secretaries to Union Public Service Commission/Supreme Court of India/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet Sectt./Central Vigilance Commission/President's Sectt./Vice-President's Sectt./Prime Minister's Office/Planning Commission/Central Information Commission.
3. All State Governments and Union Territories.
4. Governors of all States/ Lt. Governors of Union Territories.
5. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi.
6. All Members of the Staff Side of the National Council of JCM/Departmental Council.
7. All Officers/Sections of the Department of Personnel & Training/Department of Pension & Pensioners Welfare.
8. Ministry of Finance, Deptt. of Expenditure, (E.IV) Branch)
9. Official Language Wing (Legislative Deptt.), Bhagwan Das Road, New Delhi.
10. Railway Board, New Delhi.
11. NIC, DOP&T to upload on the website www.persmin.nic.in<Leave.
12. 100 Spare copies.


(Simmi R. Nakra)
Director

Annexure-

EXTRACTS OF THE NOTIFICATION**MINISTRY OF SOCIAL JUSTICE AND EMPOWERMENT****NOTIFICATION**New Delhi, the 1st June 2001

Subject:- Guidelines for evaluation of various disabilities and procedure for certification.

No. 16-18/97-NI.I In order to review the guidelines for evaluation of various disabilities and procedure for certification as given in the Ministry of Welfare's O.M.No.4-2/83-HW.III, dated the 6th August, 1986 and to recommend appropriate modifications/alterations keeping in view the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, Government of India in Ministry of Social Justice and Empowerment, vide Order No. 16-18/97-NI.I, dated 28.8.98, set up four committees under the Chairmanship of Director General of Health Services-one each in the area of mental retardation, Locomotor/Orthopaedic disability, Visual disability and Speech & Hearing disability. Subsequently, another Committee was also constituted on 21.7.1999 for evaluation, assessment of multiple disabilities and categorization and extent of disability and procedure for certification.

2. After having considered the reports of these committees the undersigned is directed to convey the approval of the President to notify the guidelines for evaluation of following disabilities and procedure for certification:-

Visual impairment
Locomotor / Orthopaedic disability
Speech & hearing disability
Mental retardation

Copy of the Report is enclosed herewith as Annexure *.

3. The minimum degree of disability should be 40% in order to be eligible for any concessions/benefits.
4. According to the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Rules, 1996 notified by the Central Government in exercise of the powers conferred by sub-section (1) and (2) of section 73 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996), authorities to give disability Certificate will be a Medical Board duly constituted by the Central and the State Government. The State government may constitute a Medical Board consisting of at least three members out of which at least one shall be a specialist in the particular field for assessing locomotor/Visual including low vision/hearing and speech disability, mental retardation and leprosy cured, as the case may be.
5. Specified test as indicated in Annexure * should be conducted by the medical board and recorded before a certificate is given.
6. The certificate would be valid for a period of five years for those whose disability is temporary and are below the age 18 years. For those who acquire permanent disability, the validity can be shown as 'Permanent'.
7. The State Govts./UT Admn. may constitute the medical boards indicated in para 4 above immediately, if not done so far.
8. The Director General of Health Services, Ministry of Health and Family Welfare will be the final authority, should there arise any controversy/doubt regarding the interpretation of the definitions/classifications/evaluations tests etc.

(GAURI CHATTERJI)
Joint Secretary to the Government of India

NOTE

*The Annexure mentioned above may please be seen from the Ministry of Social Justice and Empowerment notification.

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

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.

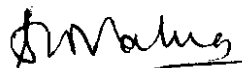
2. This Department's O.M. No.13018/2/2008-Estt.(L) dated 11/09/2008 regarding introduction of Child Care Leave in respect of Central Government employees and subsequent clarifications vide O.Ms. dated 29/9/2008, 18/11/2008 and 2/12/2008 were reviewed. It has now been decided in consultation with Department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

To

All Ministries/Departments of the Govt. of India, etc.
(As per standard mailing list).

Copy also forwarded to:

1. All Ministries/Department of the Govt. of India.
2. Office of the Comptroller & Auditor General of India.
3. Office of the Controller General of Accounts, Ministry of Finance.
4. Secretaries to Union Public Service Commission/Supreme Court of India/
Election Commission/Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet
Sectt./Central Vigilance Commission/President's Sectt./ Vice-President's/
Prime Minister's Office/Planning Commission.
5. All State Governments and Union Territories.
6. Governors of all States/Lt. Governors of all Union Territories.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road,
New Delhi.
8. All Members of Staff Side of the National Council of JCM/Departmental
Council.
9. All Officers/Sections of DOPT/Deptt. of Administrative Reforms & Public
Grievances/Department of Pensions & Pensioners Welfare/PESB.
10. Ministry of Finance, Department of Expenditure
11. Official Language Wing (Legislative Deptt.), Bhagwan Dass Road, New
Delhi.
12. Railway Board, New Delhi.
13. NIC, DOPT.
14. 50 spare copies.


(Simmi R. Nakra)
Director(P & A)

No. 13018 /I/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

Sub: 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.

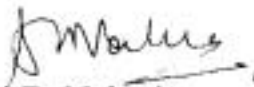
3. Whether those who have availed Child Care Leave for more than 3 spells with less than 15 days can avail further Child Care Leave for the remaining period of the current year?

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.


(Simmi R. Nakra)
Director

To
All Ministries/Departments of the Govt. of India, etc.
(As per standard mailing list).

Copy also forwarded to:

1. All Ministries Departments of the Govt. of India.
2. Office of the Comptroller & Auditor General of India,
3. Office of the Controller General of Accounts, Ministry of Finance.
4. Secretaries to Union Public Service Commission Supreme Court of India/
Election Commission Lok Sabha Sectt./Rajya Sabha Sectt./Cabinet
Sectt./Central Vigilance Commission/President's Sectt./Vice-President's
Sectt./Prime Minister's Office/Planning Commission.
5. All State Governments and Union Territories.
6. Governors of all States/Lt Governors of all Union Territories.
7. Secretary, National Council of JCM (Staff Side), 13-C, Feroz Shah Road,
New Delhi
8. All Members of Staff Side of the National Council of JCM/Departmental
Council.
9. All Officers/Sections of DOPT/Deptt. of Administrative Reforms & Public
Grievances/Department of Pensions & Pensioners Welfare/PESB
10. Ministry of Finance, Department of Expenditure
11. Official Language Wing (Legislative Deptt.), Bhagwan Dass Road, New
Delhi.
12. Railway Board, New Delhi.
13. NIC, DOPT./Director E-I
14. 50 spare copies.


(Zoya C.B.)

Under Secretary to the Government of India