



ABSTRACT

Fundamental Rules – Maternity Leave under Fundamental Rule 101 (a) – Extending Maternity Leave benefits to non-permanent married Women Government Servants appointed in a regular capacity – Amendment to Fundamental Rules – Orders - Issued.

Personnel and Administrative Reforms (FR.II) Department

G.O.(Ms) No. 91

Dated : 28.07.2020

சார்வரி, ஆடி 13,
திருவள்ளூர் ஆண்டு 2051.

Read :

1. G.O.(Ms).No.105, Personnel and Administrative Reforms (FR-III) department, dated 07.11.2016.
2. G.O.(Ms).No.154, Personnel and Administrative Reforms (FR-II) department, dated 05.12.2017.
3. G.O.(Ms).No.149, Personnel and Administrative Reforms (FR-II) department, dated 31.10.2018.
4. G.O.(Ms).No.164, Personnel and Administrative Reforms (FR-III) department, dated 25.10.2019.

ORDER:

In pursuance to the orders issued in the Government Order fourth read above, the following notification will be published in the **Tamil Nadu Government Gazette:-**

NOTIFICATION

In exercise of the powers conferred by the proviso to Article 309 read with Article 313 of the Constitution of India and of all other powers hereunto enabling, the Governor of Tamil Nadu hereby makes the following amendment to the Fundamental Rules and the Instructions thereunder.

2. The Amendments hereby made shall be deemed to have come into force on the 25th October 2019.

AMENDMENT

In the said Fundamental Rules, in rule 101, under the heading "Instructions under Rule 101 (a) – Maternity Leave.", for Instruction 1, the following Instruction shall be substituted, namely:-

"1. (i) A competent authority may grant maternity leave on full pay to permanent married women Government servants and to non-permanent married women Government servants, who are appointed on regular capacity, for a period not exceeding 270 days, which may spread over from the

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pre-confinement rest to post confinement recuperation at the option of the Government servant. Non-permanent married women Government servants, who are appointed on regular capacity and join duty after delivery shall also be granted maternity leave for the remaining period of 270 days after deducting the number of days from the date of delivery to the date of joining in Government service (both days inclusive) for the post confinement recuperation.

(ii) Non-permanent married women Government servants, who are appointed under the emergency provisions of the relevant service rules should take for maternity purposes, the earned leave for which they may be eligible. If however, such a Government servant is not eligible for earned leave or if the leave to her credit is less than 270 days, maternity leave may be granted for a period not exceeding 270 days or for the period that falls short of 270 days, as the case may be. Non-permanent married women Government servants employed under the emergency provisions should have completed one year of continuous service including leave periods, if any, to become eligible for the grant of maternity leave:

Provided that the maternity leave referred in (i) or (ii) above shall be granted to a married woman Government servant with less than two surviving children:

Provided further that in the case of a woman Government servant with two surviving children born as twins in the first delivery, maternity leave shall be granted for one more delivery.

Explanation 1.—In the case of married women Government servants who are confined during the period of their leave, including extraordinary leave, the 270 days period referred to above shall be reckoned only from the date of confinement.

Explanation 2.—For the purpose of this instruction, the expression "two surviving children" shall not include adopted children.

Explanation 3.—The Women Government Servants who proceeded on maternity leave prior to the 7th November 2016 and continued to be on that leave on or after that date shall also be eligible for maternity leave for a period not exceeding 270 days."

(BY ORDER OF THE GOVERNOR)

S. SWARNA
SECRETARY TO GOVERNMENT

To

All Secretaries to Government, Chennai-600 009.

All Departments of Secretariat, Chennai-600 009.

All Heads of Departments including District Collectors/District Judges/
District Magistrates.

The Secretary, Tamil Nadu Public Service Commission, Chennai- 600 003.

The Registrar General, High Court of Madras, Chennai- 600 104.

The Registrar, High Court of Madras (Madurai Bench), Madurai.

The Accountant General (A&E), Chennai –600 018.

The Commissioner of Treasuries and Accounts, Chennai –600 035.

The Works Manager, Government Central Press, Chennai–600 079.

(Two copies for publication in the Tamil Nadu Government Gazette)

(P.T.O)

Copy to:

The Principal Secretary 1 to Hon'ble Chief Minister, Chennai – 600 009.

The Special Personal Assistant to Hon'ble Deputy Chief Minister, Chennai – 9.

The Special Personal Assistant to Hon'ble Minister

(Fisheries & Personnel and Administrative Reforms Department), Chennai – 9.

The Principal Private Secretary to Chief Secretary to Government,
Chennai – 600 009.

The Principal Private Secretary to the Secretary to Government, Personnel and
Administrative Reforms Department, Secretariat, Chennai – 600 009.

All Sections / All Officers in Personnel and Administrative Reforms Department,
Secretariat, Chennai – 600 009.

The Personnel and Administrative Reforms (AR-II) Department, Secretariat
Chennai-600 009. (to upload in the Tamil Nadu Government website)

The Finance (PC/Allowance) Department, Chennai-600 009.

The Law (scrutiny) Department, Chennai -600 009.

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// FORWARDED BY ORDER//

Ravi Sridhar 30/7/2020,
SECTION OFFICER

J. nsm
30/7/2020