

Ref.No.50218/E4/3/2021

Office of the Director of Medical and Rural

Health Services, Chennai-6.

Dated 10.3.2022

CIRCULAR

Sub: Establishment-Sanction of Maternity Leave to married women Government Servants- guidelines and copies of G.Os communicated – regarding.

- Ref:
1. Govt.Letter (Ms).No.13965/FR-3/2015, dated:20.04.2015.
 2. G.O.(Ms).No.51 P&AR(FR.III) Department dated:16.05.2011.
 3. G.O.(Ms).No.105 P&AR(FR.III) Department dated:07.11.2016.
 4. G.O.(Ms).No.164 P&AR(FR.III) Department dated:25.10.2019.
 5. G.O.(Ms).No.91 P&AR(FR.III) Department dated:28.07.2020.
 6. G.O.(Ms).No.84 P&AR(FR.III) Department dated:23.08.2021.
 7. Government letter (MS) No.16049/FRIII/2021 Dated 17.9.2021

The copies of all Government Orders cited in the reference 1 to 7, relating to sanction of Maternity Leave to married women government servants are communicated herewith.

The Joint Directors of Health Services are directed to follow the above Government orders and while sanctioning maternity leave & salary to keep it in mind the following guidelines also.

1. Permanent married women government servants (i.e) approved probationers in a service with less than two surviving children may be granted 365 days maternity leave by the competent authority which may be availed between pre-confinement rest to post confinement recuperation at the option of the government servants.
2. Non-permanent married women government servants appointed in a regular capacity who joined in the Government service after delivery, shall also be granted maternity leave for the remaining period 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.
3. The maternity at present be enhanced to 12 months with effect from 01.07.2021 with full pay which may be spread over from the pre-confinement rest to post confinement recuperation at the option of the government servants. The women government servants who proceeded on maternity leave prior to 1st July 2021 and continue to be on that leave on or after that date shall also be eligible for maternity leave for a period not exceeding 365 days in total.
4. In the cases of married women government servants who were on maternity leave on 1.7.2021 or after that date, but joined duty on completion of 270 days before the issue of G.O.Ms.No.84, Human Resources Management (FR-III)

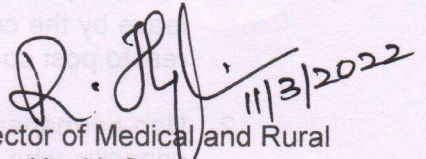
Department, dated 23.8.2021 may be considered for sanction of maternity leave, for the balance period out of 365 days in total, as per the above said Government order from the date on which maternity leave was sanctioned to them initially as and when representation is received from them within this period. The inbetween period from the date on which they joined duty and attended office may be treated as duty. Similarly, those who were on Maternity leave on or after 1.7.2021 and subsequently continued their leave as Earned Leave / Unearned Leave on Medical Certificate / Extra ordinary Leave without pay and allowances etc., on completion of 270 days of maternity leave before the issue of above Government order may also be considered for sanction of maternity leave as per G.O(Ms) NO.84, Human Resources Management (FR-III) Department, dated 23.8.2021 and in such cases the leave applied / sanctioned in continuation of maternity leave shall be modified as maternity leave. In all the above cases, the authority shall ensure that the maternity leave should not exceed 365 days in total, from the date on which maternity leave was sanctioned initially.

5. Married women government servants appointed under temporary basis, who have completed one year of government service are eligible for maternity leave with salary. Married women government servants who have not completed one year of government service are eligible for leave without salary. After regularisation of services of the individual a revised maternity leave order will be issued by the competent authority with pay and allowances. Hence salary for the above period may be claimed after regularisation of leave period.

S.Gurunathan
Director of Medical and Rural Health Services

To
All the Joint Director of Health Services, in the State
Spare-1

/True copy/forwarded/


For Director of Medical and Rural
Health Services

2.10.11
11.3.22



**Personnel and Administrative
Reforms (FR-III) Department,
Secretariat,
Chennai-600 009.**

Government Letter (Ms) No.13965 /FR-3/2015, dated 20.04.2015

From
Tmt. Anita Praveen, I.A.S.,
Principal Secretary to Government (Training).

To
All Secretaries to Government, Chennai-9.
All Departments of Secretariat, Chennai-9.
All Heads of Departments including District Collectors / District Judges / District Magistrates.
The Secretary, Tamil Nadu Public Service Commission, Chennai-104.
The Registrar General, High Court of Madras, Chennai-104.
The Registrar, Madurai Bench, High Court of Madras, Madurai.
The Works Manager, Government Central Press, Chennai-79.
The Director of Stationery and Printing, Chennai-99.
The Personnel and Administrative Reforms (AR-II) Department, Chennai-9,
(to publish in the internet / intranet).

Sir,

Sub: Rules – Sanction of Maternity Leave to Married Women Government Servants under Rule 101(a) of Fundamental Rules – Consolidated Guidelines – Issued.

- Ref: 1. G.O. (Ms) No.237, Personnel and Administrative Reforms (FR-III) Department, dated 29.06.1993.
2. G.O. (Ms) No.51, Personnel and Administrative Reforms (FR-III) Department, dated 16.05.2011.
3. G.O. (Ms) No.138, Personnel and Administrative Reforms (FR-III) Department, dated 19.11.2013.
4. Government Letter No.35660/FR-III/89-7, Personnel and Administrative Reforms (FR-III) Department, dated 01.12.1989.

Based on the recommendations of the Tamil Nadu Third Pay Commission and on par with Central Government Employees, orders were issued in the Government Order first cited above, to the effect that a Married Women Government Servant with less than two surviving children be allowed Maternity Leave for a period of 90 (Ninety) days, from the date of commencement and leave not exceeding six weeks, for miscarriage.

2. In the Government Order second cited, the above Maternity Leave has been enhanced to 180 days, and the relevant Rule provisions i.e. Rule 101(a) of the Fundamental Rule has been amended to the above effect in the Government order third cited.

3. As repeated clarifications from various Government Departments are being received in this Department, the following consolidated guidelines are issued with regard to 'Maternity Leave' on full pay to Married Women Government Servants in accordance with Rule 101(a) of the Fundamental Rule:-

I - MATERNITY:-

- (i) Permanent Married Women Government Servants i.e. approved probationers, in a service, with less than two surviving children, excluding adopted children, may be granted 180 days (6 months) Maternity Leave by the competent authority, which may be availed between pre-confinement rest to post-confinement recuperation, at the option of the Government Servant.
- (ii) Non-permanent Married Women Government Servants i.e. probationers, in a service with less than two surviving children, excluding adopted children, whether appointed under regular capacity through Tamil Nadu Public Service Commission / Uniform Services Recruitment Board/ Teachers Recruitment Board/ Medical Services Recruitment Board, Employment Exchange, etc., or under emergency provisions of the relevant service rules should take, for maternity purpose, the Earned Leave at her credit. Maternity Leave may be granted for a period of not exceeding 180 days or for the period that falls short of 180 days, after availing the Earned Leave, as the case may be.
- (iii). Non-permanent Married Women Government Servants, employed under the emergency provisions i.e. temporarily, should have completed one year of continuous service, including leave periods, if any, to become eligible for grant of Maternity Leave of 180 days as above.

II- ABORTION:-

- (iv) Competent Authority may grant maternity leave on average pay to Permanent Married Women Government Servants i.e. approved probationers in cases of abortion also for a period, which may extend to six weeks.
- (v) A Non-permanent Married Woman Government Servant i.e. probationers whether appointed in a regular capacity through Tamil Nadu Public Service Commission / Uniform Services Recruitment Board / Teachers Recruitment Board / Medical Services Recruitment Board, Employment Exchange, etc., or under the emergency provisions of the relevant service rules, should take, in such cases, ordinary leave on average pay for which she may be eligible. If, however, such a Government servant is not eligible for any leave on average pay, or if the leave to her credit is less than six weeks, maternity leave may be granted for a period not exceeding six weeks or for the period that falls short of six weeks as the case may be.
- (vi) Non-permanent Married Women Government servants employed under the emergency provisions i.e. temporarily, should have completed one year of continuous service, including leave periods, if any, to become eligible for the grant of maternity leave of six weeks, as above.

4. The grant of leave is also subject to the following further conditions:—

- (i) Unless, an abortion takes place in a Government hospital or Local fund or Municipal hospital or in a recognised Nursing Home and the respective medical officer-in-charge of the institutions certifies that the abortion took place after 12 weeks of pregnancy, the leave should not be granted.
- (ii) Where there are no hospital facilities, women Government servants should appear before the authorised medical attendant when the sign of abortion still exists or go to him for antenatal examination after 12 weeks of pregnancy, so that the authorised medical attendant may be in a position to issue the necessary certificate.
- (iii) In the case of Married Woman Police Personnel, Leave may be granted for 'spontaneous abortion' from the seventh week of pregnancy. The term "Spontaneous abortion" refers to the loss of a non-viable foetus during pregnancy in naturally occurring events, not elective or due to therapeutic abortion procedures.
- (iv) In the case of maternity leave for miscarriage or abortion, the certificate from a Registered Medical Practitioner authorised under the Medical Termination of Pregnancy Act, 1971 (Central Act. 34 of 1971) may be accepted.

III – MEDICAL TERMINATION OF PREGRENCY:-

- (v) A Competent Authority may grant maternity leave of not exceeding six weeks to Permanent Married Women Government servants, i.e Approved Probationers who undergo medical termination of pregnancy of 12 weeks or more but not exceeding 20 weeks under the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971).
- (vi) A Non-Permanent Married Woman Government Servant i.e Probationers in a service whether appointed in a regular capacity or under the emergency provisions of the relevant service rules through Tamil Nadu Public Service Commission / Uniform Services Recruitment Board/ Teachers Recruitment Board/ Medical Services Recruitment Board, Employment Exchange etc., who undergoes medical termination of pregnancy of 12 weeks or more but not exceeding 20 weeks under the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971) should take earned leave for which she is eligible. If, however, such a Government servant is not eligible for any earned leave or if the leave to her credit is less than six weeks, then the competent authority may grant maternity leave for a period of not exceeding six weeks or for the period which falls short of six weeks, as the case may be.
- (vii) Non-Permanent Married Women Government Servants employed under the emergency provisions i.e temporarily, should have completed one year of continuous service, including leave periods, if any, to become eligible for the grant of Maternity Leave as above.

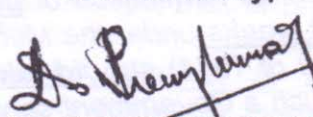
- (viii) The grant of maternity leave for six weeks is subject to the conditions that the termination of pregnancy shall be performed at Government Hospitals or other institutions approved under the Medical Termination of Pregnancy Act, 1971 (Central Act 34 of 1971).
- (ix) Maternity Leave not exceeding six weeks for miscarriage, including natural abortion or medical termination of Pregnancy under the medical Termination of Pregnancy Act, 1971 (Central Act 30 of 1971) shall be granted to a woman Government Servant, irrespective of number of surviving children, on production of medical certificate.
- (x) leave of any kind due and admissible under the rules may be granted upto a maximum period of one year, in continuation of maternity leave, if leave applied for is supported by a medical certificate.
- (xi) Leave of any other kind in continuation of maternity leave may also be granted in case of illness of a newly born baby, subject to the female Government servant producing a medical certificate from the authorised medical attendant to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

IV – STILL BORN:-

- (xii) Married Women Government Servants who delivers a 'Still Born' child (Dead at Birth) is also eligible for Maternity Leave of 90 (Ninety) days.
- (xiii) All Heads of Departments and other Competent Authorities may grant Maternity Leave to Women Government Servants, under their control.

5. The competent authorities in the Government Departments are directed to follow the above consolidated guidelines scrupulously, at the time of sanction of Maternity Leave to Married Women Government Servants.

Yours faithfully,

 20/04/2015

for PRINCIPAL SECRETARY TO GOVERNMENT (Training)


20.4.15

Copy to :

The Private Secretary to Principal Secretary to Government, Personnel and Administrative Reforms (Training) Department, Chennai-9.

The Private Secretary to Principal Secretary to Government, Personnel and Administrative Reforms Department, Chennai-9.

All Sections / All Officers in Personnel and Administrative Reforms Department, Chennai-9.
SF/SC.



ABSTRACT

Tamil Nadu Leave Rules – Maternity Leave – Enhancement of Maternity Leave to 180 days – Orders – Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (FR.III) DEPARTMENT

G.O.(Ms) No.51

Dated: 16.05.2011

வைகாசி 2,
திருவள்ளூர் ஆண்டு 2042

Read:

- (1) G.O.(Ms) No.279, Personnel and Administrative Reforms (FR.II) Department, dated 11.03.1980.
- (2) G.O.(Ms) No.138, Personnel and Administrative Reforms (FR.III) Department, dated 26.02.1983.
- (3) G.O.(Ms) No.237, Personnel and Administrative Reforms (FR.III) Department, dated 29.06.1993.

ORDER:-

In the Government Order 1st read above, the Maternity Leave admissible to married women Government Servants was enhanced to 90 days which may be spread over from the pre-confinement rest to post-confinement recuperation at the option of the Government Employee. It was also ordered therein that the Maternity Leave will not be admissible to women Government Servants with more than three children. Further, in the Government Order 2nd read above, necessary amendments to Rule 101(a) of the Fundamental Rules were issued, based on the executive orders issued in the Government Order 1st read above. Based on the recommendation of the Tamil Nadu third pay commission and on par with Central Government Employees, orders were issued in the Government Order 3rd read above to the effect that a woman Government Servant with less than two surviving children be allowed Maternity Leave for a period of 90 days from the date of its commencement.

2. The Government after careful consideration direct that the Maternity Leave admissible to married women Government Servants which is 90 days at present

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be enhanced to 180 days which may be spread over from the pre-confinement rest to post-confinement recuperation at the option of the woman Government Servant. The Maternity Leave will be admissible to married women Government Servants with less than two surviving Children.

3. Necessary amendments to Fundamental Rules will be issued separately.

(BY ORDER OF THE GOVERNOR)

R. KANNAN
PRINCIPAL SECRETARY TO GOVERNMENT

To

All Secretaries to Government, Chennai-9.

All Departments of Secretariat, Chennai-9.

The Secretary, Legislative Assembly Secretariat, Chennai-9.

All Heads of Departments.

All District Collectors.

All District Judges.

All District Magistrates.

The Secretary, Tamil Nadu Public Service Commission, Chennai-6.

The Registrar, High Court, Chennai-104.

Copy to:

The Secretary to Chief Minister, Chennai-9.

The Private Secretary to Chief Secretary to Government, Chennai-9

The Private Secretary to Principal Secretary to Government,
Personnel and Administrative Reforms Department, Chennai-9.

The Private Secretary to Principal Secretary to Government,
Personnel and Administrative Reforms (Training) Department, Chennai-9.

All Sections in Personnel and Administrative Reforms Department, Chennai – 9.

S.F./S.C.

//FORWARDED BY ORDER//

olly R. Xavier
SECTION OFFICER^{1st}



ABSTRACT

Tamil Nadu Fundamental Rules – Rule 101(a) – Maternity Leave – Enhancement of maternity leave from 6 months (180 days) to 9 months (270 days) – Orders – Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (FR.III) DEPARTMENT

G.O. (Ms.) No.105

Dated: 07.11.2016

துன்முகி வருடம், ஐப்பசி – 22,
திருவள்ளூர் ஆண்டு 2047.

Read:

1. G.O. (Ms) No. 51, Personnel and Administrative Reforms (FR-III) Department, dated 16.05.2011.
2. G.O. (Ms) No.61, Personnel and Administrative Reforms (FR-III) Department, dated 16.06.2011.
3. G.O. (Ms) No.138, Personnel and Administrative Reforms (FR-IV) Department, dated 19.11.2013.

ORDER:

In the Government orders first and second read above, orders were issued enhancing the maternity leave from 90 days to 180 days to married women Government servants, with less than two surviving children, which may be spread over from the pre-confinement rest to post-confinement recuperation, with full pay, at the option of the women Government Servant. Accordingly, in the Government Order third read above, Rule 101(a) of the Fundamental Rules was also amended.

2. The Government, after careful consideration, based on the announcement made in the Tamil Nadu Legislative Assembly by the Hon'ble Chief Minister on 01.09.2016, under rule 110 of the Legislative Assembly Rules order that the maternity leave admissible to married women Government servants with less than two surviving children, which is 6 months (180 days) at present, be enhanced to 9 months (270 days), with full pay, which may be spread over from the pre-confinement rest to post-confinement recuperation, at the option of the women Government servant. The women Government servants who proceeded

(p.t.o.)

on maternity leave, prior to the date of issue of this order and continue to be on that leave as of now, are also eligible for availing maternity leave upto 9 months (270 days), in total.

3. Necessary amendments to the Fundamental Rules will be issued separately.

(BY ORDER OF THE GOVERNOR)

S. SWARNA
SECRETARY TO GOVERNMENT

To

All Secretaries to Government, Chennai-9.

All Departments of Secretariat, Chennai-9.

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

The Secretary, Tamil Nadu Public Service Commission, Chennai-3.

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

Copy to:-

The Secretary to Chief Minister, Chennai – 9.

The Special Personal Assistant to Minister (Finance & P&AR), Chennai-9.

The Private Secretary to Chief Secretary to
Government, Chennai-9.

The Senior Private Secretary to Secretary to Government,
Personnel and Administrative Reforms Department, Chennai-9.

All Sections / All Officers in Personnel and Administrative Reforms
Department, Chennai-9.

The Personnel and Administrative Reforms (AR-II) Department,
Chennai-9. (to publish in the Government web site www.tn.gov.in / intranet).

The Personnel and Administrative Reforms (FR-II) Department,
Chennai-9. (for issue of necessary amendment to Rule 101(a) of the
Fundamental Rules).

SF/SC.

/Forwarded / By Order/

D. P. Prabhakaran
SECTION OFFICER.
7.11.16

07/11/2016



ABSTRACT

Tamil Nadu Fundamental Rules – Maternity Leave under Fundamental Rule 101 (a) – Extending of Maternity Leave benefits to non-permanent married Women Government Servants appointed in a regular capacity - Sanctioning of Maternity Leave without deducting Earned Leave at their credit - orders - Issued.

PERSONNEL AND ADMINISTRATIVE REFORMS (FR-III) DEPARTMENT

G.O. (Ms.) No.164

Dated: 25.10.2019

விளம்பி வருடம், ஐப்பசி - 8,
திருவள்ளூர் ஆண்டு 2050.

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.

ORDER:

As per Instruction 1 under rule 101(a) of the Tamil Nadu Fundamental Rules, "a competent authority may grant maternity leave on full pay to permanent married Women Government servants for a period not exceeding 270 days which may spread over from the pre-confinement rest to post confinement recuperation at the option of the Government servant. The maternity leave shall be admissible to married Women Government servants with less than two surviving children. Non-permanent, married Women Government servants, whether appointed in a regular capacity or 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".

2. Representations have been received from some of the newly appointed Government Servants (i.e.,) non-permanent married Women Government Servants appointed in a regular capacity, who joined in the Government service after delivery, for sanction of maternity leave.

(p.t.o.)

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3. The Government after careful examination of the above representations have decided to grant maternity leave to Non-Permanent married Women Government servants appointed to Government service in a regular capacity as follows and order accordingly.

(i) To sanction 270 days maternity leave without deducting Earned Leave at their credit for those who are in service on the date of issue of this order.

(ii) To sanction the remaining period of 270 days of maternity leave after deducting the number of days from the date of delivery to the date of joining in Government service (both days inclusive) for those who are joining in the Government service after delivery.

4. However, for the non-permanent (temporary) Government Servants appointed on emergency provisions of the relevant service rules (not in regular capacity), the status quo shall continue.

5. Necessary amendments to the Fundamental Rules will be issued separately.

(BY ORDER OF THE GOVERNOR)

S. SWARNA
SECRETARY TO GOVERNMENT

To

All Secretaries to Government, Secretariat, Chennai – 600 009.

All Departments of Secretariat, Chennai – 600 009.

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

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

The Registrar, High Court of Madras, Chennai – 600 104.

The Registrar, High Court of Madras (Madurai Bench), Madurai – 625 023.

The Principal Accountant General, Chennai – 600 018.

Copy to:

The Chief Minister's Office, Secretariat, Chennai - 600 009.

The Deputy Chief Minister's Office, Secretariat, Chennai - 600 009.

The Special Personal Assistant to Minister(Fisheries & Personnel and Administrative Reforms) Chennai – 600 009.

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

The Principal Private Secretary to 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 publish in the Government web site www.tn.gov.in / intranet)

The Personnel and Administrative Reforms (FR-II) Department, Secretariat, Chennai – 600 009. (for making necessary amendment to Rule 101(a) of the Fundamental Rules)

Stock file / Spare copy.

/Forwarded / By Order/

Ravi Prasad 25/10/19.
SECTION OFFICER.
25.10.19



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

(P.T.O.)

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 S. S. 30/7/2020,
SECTION OFFICER

J. S. S.
30/7/2020



ABSTRACT

Tamil Nadu Fundamental Rules – Maternity Leave – Enhancement of Maternity Leave from 9 months (270 days) to 12 months (365 days) – Orders – Issued.

HUMAN RESOURCES MANAGEMENT (FR-III) DEPARTMENT

G.O. (Ms.) No.84

Dated: 23.08.2021

பிலவ வருடம் ஆவணி - 7,
திருவள்ளூர் ஆண்டு 2052.

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.

ORDER:

In the Government order first read above, orders were issued enhancing the Maternity Leave from 180 days to 270 days to married women Government servants, with less than two surviving children, which may be spread over from the pre-confinement rest to post-confinement recuperation, with full pay at the option of the women Government servants. Accordingly, in the Government Order second read above, Rule 101(a) of the Fundamental Rules was also amended.

2. In the revised Budget for the year 2021-2022 presented in the Legislative Assembly on 13th August 2021, an announcement has been made by the Hon'ble Minister for Finance and Human Resources Management, for enhancing the period of maternity leave from 9 months to 12 months for women Government employees with less than two surviving children with effect from 01.07.2021.

3. The Government, after careful consideration order that the Maternity Leave admissible to married women Government servants with less than two surviving children, which is 9 months (270 days) at present, be enhanced to 12 months (365 days), with effect from 01.07.2021, with full pay, which may be spread over from the pre-confinement rest to post-confinement recuperation, at the option of the married women Government servants. The women Government servants who proceeded on maternity leave prior to 1st July 2021 and continue to be on that leave on or after that date shall also be eligible for maternity leave for a period not exceeding 365 days in total.

4. Necessary amendments to the Fundamental Rules will be issued, separately.

(BY ORDER OF THE GOVERNOR)

V. IRAI ANBU
CHIEF SECRETARY TO GOVERNMENT

To
All Secretaries to Government, Chennai – 600 009.
All Departments of Secretariat, Chennai – 600 009.

(P.T.O)

All Heads of Departments including District Collector / 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, Madurai Bench, High Court of Madras, Madurai.

All Constitutional / Statutory bodies including
all State Corporations, Local Bodies, Boards, Universities,
Commissions, Companies, Institutions, Societies, etc.

The Resident Audit Officer, Chennai – 600 009.

The Accountant General, Chennai – 600 018.

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

All Pay & Accounts Officers / Treasury Officers.

Copy to :

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

The Special Personal Assistant to Hon'ble Minister (Finance & Human Resources Management Department), Chennai – 600 009.

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

The Principal Private Secretary to Secretary to Government,
Human Resources Management Department, Chennai – 600 009.

The Senior Private Secretary to Secretary to Government,
Law Department, Chennai – 600 009.

All Sections / All Officers in Human Resources Management Department,
Chennai – 600 009.

The Human Resources Management (AR-II) Department, Chennai – 600 009.
(to Publish in the Government web site www.tn.gov.in / intranet)

The Human Resources Management (FR-II) Department, Chennai – 600 009.
(for issue of necessary amendment to Rule 101(a) of the Fundamental Rules).

Stock File / Spare Copy.

/Forwarded/By Order/

B. Jayaraman
23/8/2021
SECTION OFFICER.

Yothi.M
23/8/2021



**Human Resources
Management (FR-III) Department,
Secretariat,
Chennai-600 009.**

பிலை, புரட்டாசி-01.

திருவள்ளூர் ஆண்டு - 2052.

Letter (Ms) No.16049/FR.III/2021, dated 17.09.2021

From
Dr. V. Irai Anbu, I.A.S.,
Chief 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, Madurai Bench, High Court of Madras, Madurai.
All Constitutional / Statutory bodies including all State Corporations,
Local Bodies, Boards, Universities, Commissions, Companies,
Institutions, Societies, etc.
The Resident Audit Officer, Chennai – 600 009.
The Accountant General, Chennai – 600 018.
The Commissioner of Treasuries and Accounts, Chennai – 600 035.
All Pay & Accounts Officers / Treasury Officers.

Sir / Madam,

Sub: Tamil Nadu Fundamental Rules – Maternity Leave –
Enhancement of Maternity Leave from 9 months
(270 days) to 12 months (365 days) – Clarification –
Issued.

Ref: G.O. (Ms) No. 84, Human Resources Management
(FR.III) Department, dated 23.08.2021.

In the Government Order cited above, orders have been issued as follows:-

“The maternity leave admissible to married women Government servants with less than two surviving children, which is 9 months (270 days) at present, be enhanced to 12 months (365 days), with effect from 01.07.2021, with full pay, which may be spread over from the pre-confinement rest to post-confinement recuperation, at the option of the married women Government servants. The women Government servants who proceeded on maternity leave prior to 1st July 2021 and continue to be on that leave on or after that date shall also be eligible for maternity leave for a period not exceeding 365 days in total.”

(P.T.O.)

2. It has been brought to the notice of Government that some of the women Government Servants who were on maternity leave on 01.07.2021 or after that date have joined duty on completion of 270 days before the issue of G.O.(Ms) No.84, Human Resources Management (FR-III) Department, dated 23.08.2021 enhancing the admissible maternity leave from 270 days to 365 days with effect from 01.07.2021. Similarly, some of them have continued their leave, on completion of 270 days of maternity leave as earned leave / Unearned Leave on Medical Certificate / Extra ordinary Leave Without pay and allowances etc.,.

3. As the enhancement of maternity leave takes effect from 01.07.2021 as per the Government Order cited above and the date of issue of Government order is 23.08.2021, it is clarified that the cases of married women Government Servants who were on maternity leave on 01.07.2021 or after that date, but joined duty on completion of 270 days before the issue of G.O.(Ms) No.84, Human Resources Management (FR-III) Department, dated 23.08.2021 may be considered for sanction of maternity leave, for the balance period out of 365 days in total, as per the above said Government Order from the date on which maternity leave was sanctioned to them initially, as and when representation is received from them within this period. The inbetween period from the date on which they joined duty and attended office may be treated as duty. Similarly, those who were on maternity leave on or after 01.07.2021 and subsequently continued their leave as Earned Leave / Unearned Leave on Medical Certificate / Extra ordinary Leave without pay and allowances etc., on completion of 270 days of maternity leave before the issue of above Government Order may also be considered for sanction of maternity leave as per G.O.(Ms) No.84, Human Resources Management (FR-III) Department, dated 23.08.2021 and in such cases the leave applied / sanctioned in continuation of maternity leave shall be modified as maternity leave. In all the above cases, the authority shall ensure that the maternity leave should not exceed 365 days in total, from the date on which maternity leave was sanctioned initially.

Yours faithfully,

B. Jayal
17/9/2021

for Chief Secretary to Government.

V. M. S.
17/9/21

Copy to :

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

The Principal Private Secretary to Secretary to Government,
Human Resources Management Department, Chennai – 600 009.

The Senior Private Secretary to Secretary to Government,
Law Department, Chennai – 600 009.

All Sections / All Officers in Human Resources Management Department,
Chennai – 600 009.

✓ The Human Resources Management (AR-II) Department, Chennai – 600 009.
(to Publish in the Government web site www.tn.gov.in / intranet)

The Human Resources Management (FR-II) Department, Chennai – 600 009.

(for issue of necessary amendment to Rule 101(a) of the Fundamental Rules).
Stock File / Spare Copy.