

**GOVERNMENT OF WEST BENGAL
FINANCE DEPARTMENT
AUDIT BRANCH**

No. 2658-F

Kolkata, the 1st March, 2002.

MEMORANDUM

Representations have been received from different quarters grant of the facility of maternity leave to the adoptive mother are State Government employees to enable them to spend a few days after adoption at home getting used to the adopted child and helping the child to adjust to its new environment. Since the grant of maternity leave is solely meant for the benefit of natural mother in order to get over the effect of child-birth and to regain normal health, it cannot be considered justified in the case of adoptive mother to extend that facility. However, as in the case of natural mother, need for postnatal care of the adopted child is equally present and the necessity of the adoptive mother being with the child initially also needs consideration. Hence, to grant any kind of leave without production of medical certificate, except maternity leave to an adoptive mother has been under consideration of the Government for some time past.

2) At present under Clause (b) of sub-Rule (3) of Rule 199 of the W.B.S.R.-I without production of medical certificate, any kind of leave including commuted leave may be granted to a female Government employee in continuation of maternity leave. To provide requisite rest consequent on the birth of a child to the natural mother and also for post-natal care of the new born child it has been under consideration of the Government to enhance the existing facility of taking any kind of leave in continuation of maternity leave without production of medical certificate.

3) After careful consideration of the two issues stated above, the Governor has been pleased to decide as follows :

a) The existing provisions of allowing a natural mother, in continuation of maternity leave, leave of the kind due and admissible including commuted leave without production of medical certificate for sixty days shall be raised to one year.

b) In the case of adoptive mother, who are State Government employees, the facility of leave of the kind due and admissible under normal rules not exceeding one year may also be allowed without production of medical certificate subject to the following conditions :

i) The facility will not be available to an adoptive mother already having two living children at the time of adoption.

ii) The maximum admissible period of one year's leave of the kind due and admissible under normal rules including commuted leave without production of medical certificate will be reduced by the age of the child, as in the following illustrations :

If the age of the adopted child is less than one month, leave upto one year may be allowed.

If the age of the child is six months, leave upto six months may be allowed. —If the age of the child is nine months or more, leave upto three months may be allowed so that the child would have the mother's individual attention for at least a period of three months.

4) This order would take effect on and from 1st March, 2002.

5) Necessary amendment of the relevant rules will be made in due course.

Sd/- B. K. Saha

Joint Secretary to the
Govt. of West Bengal
Finance Department.