

New Delhi, the 8th July, 2009.

OFFICE MEMORANDUM

Subject:- Special provisions in the Rules and Regulations for the benefit of women employees – need to increase the representation of women in the Central Government jobs.

The undersigned is directed to say that Government of India is conscious of its responsibilities to provide greater opportunities to women. It has thus outlined in its 100 days programme, to make concerted efforts to increase the representation of women in the Central Govt. jobs. The National Policy for empowerment of women also envisages bringing about the advancement, development and empowerment of women. The Constitution of India not only grants equality to women, but also empowers the State to adopt measures of positive discrimination in favour of women. This includes creating an environment through positive economic and social policies for full development of women to enable them to realise their full potential. To achieve this goal government has been taking several measures for empowerment of women in general and has made several special provisions in the rules and regulations for the benefit of women employees.

The Government as an ideal employer has made several provisions to enable women employees to work in a very congenial atmosphere. These provisions enable them to develop to the fullest extent in their working efficiency and to contribute their best in the efficient transaction of government business. The Government is also conscious of the fact that women employees play a positive role in their families as well as in work place to preserve the rich heritage of our composite culture. Thus policies have been framed and established to ensure mainstreaming of women's perspective in all development processes, as catalysts, participants and recipients. The various women friendly policy decisions taken by the Government and incorporated in the relevant rules for the benefit of women employees are detailed in the **Annexure**.

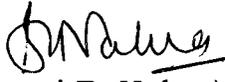
Suitable instructions have been issued to ensure that there is no discrimination against women candidates on the grounds of sex, in the matter of selection made by various bodies/ boards in the

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Government . It has been made mandatory to have one woman member in the selection boards/committees for making recruitment to 10 or more vacancies and where lady candidates are expected to be available for the service/post under the Central Govt. Even where the vacancies are less than 10, no effort should be spared in including a lady officer in such committees/boards.

All Ministries/Departments are accordingly requested to give wide publicity to these facilities and programmes available to women employed in the Central Government so as to attract and encourage women candidates to join the work force in large numbers. It is once again reiterated that whenever any advertisement for recruitment in the Government is to be made by the Ministries/Departments/Attached/Subordinate offices/Recruiting agencies, it may be highlighted that women candidates fulfilling the requirements for the post are encouraged to apply against the recruitment advertisement. The advertisement may also state that the specific benefits available to women employees may be perused in the website of the Ministry/Department as well as in the website of this Department, namely persmin.nic.in.

Hindi version will follow.


(Simmi R. Nakra)
Director

To

1. All Ministries/Departments of Govt. of India
2. Union Public Service Commission
3. Staff Selection Commission

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Maternity benefits

A female Govt. employee with less than two surviving children is granted Maternity Leave for 180 days. In continuation of the maternity leave a female Govt. servant can also take any leave due and admissible for a period of two years. In case of miscarriage including abortion, the female employee is entitled to leave not exceeding 45 days* during entire service. (O.M. No.13018/2/08-Estt.(L) dated 11.9.2008 & *Notification No.13018/7/94-Estt.(L) dated 31.3.1995).

Child Care Leave

The women employees having minor children and who have exhausted earned leave are granted child care leave (admissible in different spells) for a maximum period of two yrs. (i.e. 730 days) during their entire service for taking care of up to two children whether for rearing or to look after any of their needs like examination, sickness etc. In continuation of the Child Care leave, a female Govt. servant can also take any leave due and admissible for a period of one year. (O.M.No.13018/2/2008-Estt.(L) dated 11.9.2008, 29.09.2008 & 18.11.2008)

Child Adoption Leave

A female Govt. employee with less than two surviving children is granted on valid adoption of a child below the age of one year Child Adoption Leave for a period of 135 days. In continuation of the Child Adoption leave a female Govt. servant can also take any leave due & admissible for a period of one year. (O. M. No.13018/4/2004-Estt. (L) dated 31.3.2006)

Special allowance to women with disability

Women employees with disabilities are paid Rs.1000/- p.m. as Special Allowance for child care. The allowance is payable from the time of the child birth till the child is two yrs. old for a maximum of two children. (O.M. No.12011/04-Estt.AL) dated 11.9.2008)

Guidelines for provision of crèche facility

The Govt. of India has set up day care centres/ crèches in Offices or major residential areas of the employees as a welfare measure.

Posting of husband & wife at the same station

The Govt of India has issued detailed instructions to its offices to ensure the posting of the husband and wife at the same station so as to enable them to lead a normal family life and to ensure the education and welfare of their children (O.M. No.28034/2/27-Estt-A dated 3.4.1986 & 12.6.1997) .

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To facilitate posting of couples in the same station, it has been approved that in case of a woman officer, whose husband is posted under the Govt. of India, the 'cooling off' period may be waived up to six months so that she may get a posting at the station where her husband is posted.

Special priority for working women in allotment of residential accommodation

The Directorate of Estates maintains a separate pool for the married/single women in Govt. house allotment.

Provision for protection of women as kept in CCS conduct rules, 1964

Rule 3.3(C) of the Central Civil Services (Conduct) Rules 1964 explicitly prohibits acts of sexual harassment of any women at her work place. For this purpose, "Sexual Harassment" includes such unwelcome sexually determined behaviour, whether directly or otherwise, as (a) physical contact and advances, (b) demand or request for sexual favours, (c) sexually coloured remarks , (d) showing any pornography or (e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

The guidelines issued under the said Conduct Rules vide DOPT's O.M. No.11013/10/97-Estt.(A) dated 13.2.1998 provide for creation of an appropriate complaint mechanism in every organisation for redressal of the complaints made by the victims. In terms of DOPT's O.M. No.11013/10/97-Estt.(A) dated 13.7.1999 and O.M No.11013/11/2001-Estt.(A) dated 22.7.2003, a complaint committee should be headed by an officer sufficiently higher in rank than that of the complainant. As per sub-rule(2) of rule 14 of the Central Civil Services (Clarification, Control and Appeal) Rules, 1965 and the instructions issued vide DOPT's O.M. No.11013/11/2001-Estt.(A) dated 4.8.2005, the report of the complaints committee shall be deemed to be an inquiry report.

Rule 13-A of the said rules says, no Government servant shall-

- (a) Give or take or abet the giving or taking of dowry;
- (b) Demand directly or indirectly, from the parent or guardian of a bride or bridegroom, as the case may be, any dowry.

Age Relaxation for appointment

Widows, divorced woman and woman judicially separated from their husbands and who are not remarried are allowed age concession up to the age of 35 years (40 years for member of SCs/STs) for posts of Group C&D filed through SSC/Employment Exchange (O.M. No.15012/6/98-Estt.(D) dated 21.12.1998)

Special dispensation for women officers of North East Cadre

All India Service lady officers borne on the North East Cadres may be allowed to go on inter cadre deputation after completion of six years of actual service in the North East. Such lady officers would also be eligible for deputation for a maximum of 9 years instead of five years. The lady officers would have the flexibility to utilize the maximum allowable period of inter cadre deputation in two spells instead of one. (O.M.No.13017/16/2003-AIS (1) dated 11.7.2006)

In case of marriage between an All India Services lady officer borne on the North East Cadre and an officer of another Cadre, the lady officer would be mandatorily accommodated in the cadre of her spouse, if she so opts. (O.M.No.13017/16/2003-AIS (1) dated 10.7.2006)

Change of Cadre in case of marriage of All India Service Officer

Inter cadre transfer is permitted for members of All India Service officers on marriage to another member of All India Service where the officer or officers concerned have sought a change. (O.M.No.13017/16/2003-AIS(1) dated 8.11.2004).
