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Dated Kolkata, the 2nd June, 2006

From : Shri J.N. Bhattacharya,  
Deputy Secretary to the Govt. of West Bengal.

To : The Director of Public Instruction, West Bengal,  
'Bikash Bhaban', Salt Lake, Kolkata-700 091

Sub : Grant of the facility of any kind of leave to the adoptive Colleges and Day Students' Homes in the State.

Ref : His notes dated 30.9.2004 recorded at this Department File No. 2L-1/2001.

The undersigned is to say that representation has been received for grant of the facility of maternity leave to the adoptive mothers in respect of female employees of the non-Govt. Colleges and Day Students' Homes in the State to enable them to spend a few days 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 effects of child birth and to regain normal health, it can not be considered justified in the case of adoptive mother to extend that facility. However, as in the case of natural mother, need for post-natal 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. The Maternity leave to an adoptive mother in respect of female employees non-Govt. Colleges and Day Students' homes in the State, has been under consideration of the Government for some time in the past.

After careful consideration of the issue stated above, the Government has been pleased to decide as follows:

In the case of adoptive mother in respect of female employees of the non-Govt. Colleges and Day Students' Homes in the state the facility of leave of the kind due and admissible under normal rules not exceeding one year may be allowed without producing medical certificate subject to the following condition:

- (a) The facility will not be available to an adoptive mother already having two living children at the time of adoption.
- (b) The maximum admissible period of one year's leave of the kind due and admissible under normal rules including commute leave without produced of medical certificate will be reduced on the basis of the age of the child, as in the following illustrations:
  - (i) If the age of the adoptive child is less than one month leave upto one year may be allowed.
  - (ii) If the age of the child is six months, leave upto six months may be allowed.

(iii) If the age of 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.

(iv) This order would take effect from the date of issue of this order.

This issues with the concurrence of the Finance Department vide their U. O. No. 3613-Gr. P (Service) dated 17.05.2006.

All concerned are being informed accordingly.

Deputy Secretary,