

251

6/1/21



GOVERNMENT OF KERALA

Abstract

The Kerala Service Rules, Part I – Extending the benefit of Maternity Leave to the female officers appointed on contract basis, irrespective of the tenure - Orders Issued.

FINANCE (RULES-B) DEPARTMENT

G.O.(P) No. 2/2021/Fin

Dated, Thiruvananthapuram, 04/01/2021

ORDER

As per Note below Rule 2, Appendix VIII, Part I, the Kerala Service Rules, Maternity leave under Rule 100 and 101 is admissible to female officers appointed on contract basis continuing in service beyond one year provided they would continue in service but for proceeding on such leave. On the other hand the female officers appointed on contract for a period of one year or less are not eligible for Maternity Leave.

2. The Hon'ble High Court in the judgment dated 27/02/2018 in WP (C) 30561/2017; Rakhi P.V. and others Vs. State of Kerala and another, has ordered that the petitioners who are appointed on contract basis will be entitled to maternity leave as is due to women employees under the Service Rules applicable to State and Central Government servants and to women employees under the Maternity Benefit Act, 1961.

3. Government have examined the matter in detail and are pleased to extend the benefit of Maternity leave on full pay as per Rule 100, Part I, the Kerala Service Rules up to a period of 180 days or till the expiry of the existing contract whichever is earlier, to female officers appointed on contract basis, irrespective of the tenure of contract, subject to the condition that the leave will not be admissible from a date before three weeks from the expected date of confinement certified by the medical officer. Leave on full pay as per Rule 101, Part I, the Kerala Service Rules is also extended to female officers appointed on contract basis, irrespective of the tenure of contract, up to a period of 6 weeks or till the expiry of the existing contract whichever is earlier, subject to the condition that application for the leave is supported by a certificate from the medical officer.

4. No officer shall be entitled to the above benefits unless she has actually worked under the employer for a period of not less than eighty days immediately preceding her expected date of delivery or date of miscarriage.

5. These orders will take effect from 27/02/2018. Necessary amendments to the Kerala Service Rules will be issued separately.

By order of the Governor,

RAJESH KUMAR SINGH
Additional Chief Secretary (Finance)

To

The Principal Accountant General (A&E), Kerala, Thiruvananthapuram.

The Accountant General (Audit)-II, Kerala, Thiruvananthapuram.

All Additional Chief Secretaries/Principal Secretaries/Secretaries/Special Secretaries/Additional Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries to Government.

The Secretary to Governor, Raj Bhavan.

The Private Secretary to Speaker/Deputy Speaker of the Legislative Assembly.

The Additional Secretary to the Chief Secretary.

The Private Secretaries to the Chief Minister and other Ministers.

The Private Secretary to the Leader of Opposition.

All Heads of Departments / Offices.

All Departments and Sections of the Secretariat.

The Director of Treasuries, Thiruvananthapuram.

The Secretary, K.P.S.C., Thiruvananthapuram (with C.L.)

The Registrar, High Court of Kerala, Ernakulam (with C.L.)

The Registrar, University of Kerala/Kochi/Calicut/Mahatma Gandhi/Kannur (with C.L.)

The Registrar, Fisheries University (with C.L.)

The Registrar, Kerala Veterinary and Animal Sciences University (with C.L.)

The Registrar, Kerala University of Health & Allied Sciences (with C.L.)

The Registrar, National University of Advanced Legal Studies (with C.L.)

The Registrar, Central University of Kerala (with C.L.)

The Registrar, Thunchath Ezhuthachan Malayalam University (with C.L.)

The Registrar, Kerala Lok Ayukta, Thiruvananthapuram.

The Registrar, Kerala Agricultural University, Mannuthi.
The Registrar, Sree Sankara Sanskrit University, Kalady (with C.L.)
The Secretary, Ombudsman for Local Self Government,
Thiruvananthapuram.
The Advocate General, Kerala, Ernakulam (with C.L.)
The Secretary, K.S.E.B., Thiruvananthapuram (with C.L.)
The General Manager, K.S.R.T.C., Thiruvananthapuram.
The Secretary, Human Rights Commission, Thiruvananthapuram.
The State Election Commissioner, Kerala, Thiruvananthapuram.
The State Chief Information Commissioner (with C.L.)
The Nodal Officer, www.finance.kerala.gov.in.
✓ The Web and New Media, Information & Public Relations Department.
The Stock File/Office Copy (E 1308741, RULES-B1/131/2019-FIN).

Forwarded By Order


Section Officer