

No.13018/1/2021-Estt.(L)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel and Training
(Estt.-Leave Section)

Old JNU Campus, New Delhi
Dated the 2nd September, 2022

OFFICE MEMORANDUM

Subject: Grant of 60 days Special Maternity Leave in case of death of a child soon after birth / stillbirth - regarding.

This Department has been receiving several references/queries requesting for clarification pertaining to grant of leave / maternity leave in case of death of a child soon after birth/Stillbirth. The matter has been considered in consultation with Ministry of Health and Family Welfare. Keeping in view the potential emotional trauma caused due to stillbirth or death of a child soon after birth, which has a far-reaching impact on the mother's life, it has now been decided to grant a Special Maternity Leave of 60 days to a female Central Government servant in case of death of a child soon after birth / stillbirth on the following conditions;

- (i) In case a Maternity Leave has already been availed by a female Central Government servant and her leave continues till the date of expiry of child soon after birth / stillbirth, the maternity leave already availed till death of the child may be converted into any other kind of leave available in her leave account without insisting for a medical certificate and a Special Maternity Leave of 60 days may be granted from the date of expiry of child soon after birth / Stillbirth.
- (ii) In case the maternity leave has not been availed by a female Central Government servant, 60 days of Special Maternity Leave may be granted from the date of expiry of child soon after birth / stillbirth.
- (iii) The condition for death of a child soon after birth may be defined as up to 28 days after birth.
- (iv) A baby born with no signs of life at or after 28 weeks of gestation may be defined as Stillbirth.



- (v) The benefit of Special Maternity Leave shall be admissible only to a female Central Government servant with less than 2 surviving children and for child delivery only in an authorized hospital.
- (vi) "Authorized Hospital" is defined as Government Hospital or Private Hospital empanelled under Central Government Health Scheme (CGHS). In case of emergency delivery in non-empanelled private hospital, production of emergency certificate is mandatory.

3. These orders shall be applicable to Government employees appointed to the civil services and posts in connection with the affairs of the Union of India in terms of Rule 2 of the CCS (Leave) Rules 1972 with effect from the date of issue of this O.M. The past cases, wherever settled in respective Ministries / Departments need not be reopened.



(Sunil Kumar)

Under Secretary to the Government of India

To

1. All the Ministries/Departments of Government of India
2. PMO/Cabinet Secretariat
3. PS to MoS(PP)
4. PSO to Secretary (Personnel)
5. Sr. Technical Director, NIC, DoPT - with a request for uploading on the website of this Department.