To
All the Administrative Secretaries/
Head of Departments/Offices/
Institutions/Boards/Corporations
Chandigarh Administration

Subject: Grant of Maternity Leave to Commissioning Mother and Surrogate Mother

Sir/Madam

I am directed to address you on the subject noted above and to enclose herewith a copy of letter No. 2/2/2019-3FP2/70 dated 17.01.2020 received from the Deputy Secretary Finance, Government of Punjab, Department of Finance (Finance Personnel-2 Branch), Chandigarh, which is self-explanatory for information and necessary action.

2. The contents of this communication may kindly be brought to the notice of all officers/officials working under your control for information.

Yours faithfully,

Superintendent Personnel
for Adviser to the Administrator
Union Territory, Chandigarh

Endst. No. 28/1/94-IH(7)-2020/2279
Dated: 13/2/2020

A copy is forwarded to the following for information and necessary action:-

1. The Accountant General (A&E), Punjab and sub-office, Union Territory, Chandigarh.
2. The Accountant General (Audit), Punjab and sub-office, Union Territory, Chandigarh.
3. The District Treasury Officer, Central Treasury, Union Territory, Chandigarh

Endst No. 28/1/94-IH(7)-2020/2271
Dated: 13/2/2020

A copy is forwarded to all the Administrative Branches in Union Territory Secretariat for information and necessary action.

Endst. No. 28/1/94-IH(7)-2020/2272
Dated: 13/2/2020

A copy is forwarded to the Director Information Technology, Union Territory, Chandigarh with the request to upload the above instructions on the official website of Chandigarh Administration.

Superintendent Personnel
for Adviser to the Administrator
Union Territory, Chandigarh
To
All Heads of Departments,
Registrar, Punjab & Haryana High Court Chandigarh,
District and Sessions Judges, Commissioners of Divisions,
And Deputy Commissioners in the State.

Subject: Grant of Maternity Leave to Commissioning mother and Surrogate Mother.

Sir/Madam,

I am directed to invite your attention on the subject noted above and to say that with advances in technology some female employees take recourse to the surrogacy route for procreating a child. The Government has decided that the maternity leave will also be admissible to the commissioning mother, i.e. the female employee who engages the services of another female to conceive a child with or without the genetic material being supplied by her and/or her male partner, and also to the surrogate mother i.e. the female employee who bears a child on behalf of another woman either from her own egg fertilized by the other woman’s partner or from the implantation in her uterus of a fertilized egg from the other woman, on the same terms and conditions as prescribed for Maternity Leave admissible to a female employee under Rule 8.127(a) and 8.127(b) of Punjab Civil Services Rules Volume-I, Part-I.

2. The competent authority based on material placed before it would decide on the timing and period for which maternity leave ought to be granted to a commissioning mother who adopts the surrogacy route.

3. The scrutiny would be keener and detailed when leave is sought by a female employee who is the commissioning mother, of the pre-natal stage. In case maternity leave is declined at the pre-natal stage, the competent authority would pass a reasoned order having regard to the material, if any, placed before it by the female employee who seeks to avail maternity leave.

4. In a situation where both the commissioning mother and the surrogate mother are employees, who are otherwise eligible for maternity leave (one on the ground that she is a commissioning mother and the another on the ground that she is the pregnant woman), a suitable adjustment regarding grant of maternity leave at the same time or otherwise would be made by the competent authority.
5. For the grant of leave qua pre-natal stage and post-natal period, the competent authority would ordinarily grant such leave except where there are substantial reasons for declining a request made in that behalf. In this case as well, the competent authority will pass a reasoned order.

6. The competent authority for the grant of this leave would be the Head of the Department.

7. These instructions will be effective from the date of issue.

Yours faithfully,

(Sangita)
Deputy Secretary Finance

A copy is forwarded to the Chief Secretary, all Additional Chief Secretaries, all the Financial Commissioners, the Principal Secretaries and the Administrative Secretaries to Government of Punjab, for information and necessary action.

(Sangita)
Deputy Secretary Finance

To

(i) The Chief Secretary to the Government of Punjab, Chandigarh.

(ii) All the Additional Chief Secretaries, Financial Commissioners and the Principal Secretaries to the Government of Punjab.


(iv)

I.D.No 2/2/2019-3FP2/ 71 - 73
Dated 17-01-2020

Endst. No 2/2/2019-3FP2/ 74 - 75
Dated 17-01-2020

A copy each along with a spare copy is forwarded to:

i) The Accountant General (Audit), Punjab, Chandigarh.

ii) The Accountant General (Accounts & Entitlement), Punjab, Chandigarh

(Sangita)

A copy is forwarded to:

(i) The Resident Commissioner, Punjab, Punjab Bhawan, Copernicus Marg, New Delhi.

(ii) All the District Treasury Officers/Treasury officers in the State for information and necessary action

(Sangita)

Dated: 17-01-2020