



File No.5-ITPO(3)/E-I/78 Vol-III
India Trade Promotion Organisation
(Administration Division, E-I Section)

Pragati Maidan, New Delhi
18th October, 2018


Office Order No. Admin/ 1887 /2018

Consequent to enactment of Maternity Benefits (Amendment) Act, 2017, Rule 11(Maternity Leave) of ITPO Leave Rules stands amended as follows:-

- (i) a. A female employee (including temporary employee) may be granted *maternity leave by the Competent Authority for a period not exceeding 26 weeks from its commencement, out of which not more than 8 weeks shall precede expected the date of her delivery.* The application for maternity leave must be supported by a certificate from a medical officer as defined under the medical rules of the organisation.
- b. A female employee who legally adopts a child below the age of three months or a commissioning mother ("commissioning mother" means a biological mother who uses her egg to create an embryo implanted in any other woman) shall be entitled to maternity benefit for a period of twelve weeks from the date the child is handed over to the adopting mother or the commissioning mother, as the case may be.
- (ii) Maternity leave may also be granted in the case of miscarriage including abortion subject to the condition that:-
 - (a) The leave does not exceed 45 days in the entire career of a female employee.
 - In calculating the number of days of Maternity Leave on account of miscarriage/ abortion, such maternity leave granted and availed of by a female employee before 16.06.94 shall not be taken into account.
 - In cases requiring longer duration of rest, leave of the kind due and admissible can be availed to cover the period of absence.
 - (b) The application for leave is supported by a medical certificate.
- (iii) Maternity leave not exceeding 6 weeks may also be granted in the case of abortion induced under the Medical Termination of Pregnancy Act, 1971.
- (iv) A woman having two or more than two surviving children shall be granted maternity leave of twelve weeks of which not more than six weeks shall precede the date of her expected delivery.

- (v) Maternity Leave may be combined with leave of any other kind (except casual and special casual leave) but any leave applied for in continuation of the former may be granted only if the request is supported by a medical certificate.
- (vi) Leave due may also be granted in continuation of maternity leave in case of illness of a newly-born baby subject to the production of medical certificate to the effect that the condition of the ailing baby warrants mother's personal attention and that her presence by the baby's side is absolutely necessary.
- (vii) Maternity leave shall not be debited against the leave account of an employee (including temporary employees), but an account of it will be kept in the service book.
- (viii) During maternity leave the employee (including temporary employee) shall draw full leave salary as defined under Rule 8(iii) of ITPO Leave Rules.
- (ix) After availing maternity leave, a certificate of fitness, as defined in Rules 5(v), must be produced before joining duty.
- (x) In case where the nature of work assigned to a woman is of such nature that she may work from home, the employer may allow her to do so after availing of the maternity benefit for such period and on such conditions as the employer and the woman may mutually agree.
- (xi) Creche facility - The facility of crèche shall be provided within such distance as may be prescribed, either separately or along with common facilities. Four visits a day shall be allowed to the crèche by the woman employee, which shall also include the interval for rest allowed to her.

This issues with approval of CMD, ITPO.


(Nazneen Begum)
Manager (Admin)

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