

**Central Administrative Tribunal
Principal Bench, New Delhi.**

OA-467/2015

New Delhi this the 02nd day of September, 2016.

Hon'ble Mr. Shekhar Agarwal, Member (A)

V.S. Tomar, SREO,
Age 49 years,
S/o Shri J.S. Tomar,
R/o DA-54E, Hari Nagar,
New Delhi-110064. Applicant
(By Advocate : Ms. Soumyasree Mishra)

Versus

Union of India through

1. Chief Secretary,
Govt. of NCT Delhi
5th Level, Delhi Secretariat, I.P. Estate
New Delhi.
2. Director of Employment,
Govt. of NCT of Delhi,
Directorate of Employment,
IARI Complex,
Pusa New Delhi.
3. Secretary,
Ministry of Home Affairs (Delhi-1),
Govt. of India, North Block,
Central Secretariat,
New Delhi-01.
4. Secretary,
Govt. of India,
Dept. Personnel & Training,
Ministry of Personnel, PG & Pension,
North Block,
Central Secretariat,
New Delhi. Respondents
(By Advocate : Ms. Pratima Gupta)

ORDER (ORAL)

This OA has been filed seeking the following reliefs:

“(i) set aside the decision/order dated 23.06.2014 of DoPT communicated by MHA Govt. of India vide letter dated 25.6.2014 with consequential benefits.

(ii) direct the respondent to amend the O.M. No. 13018/2/2008-ERstt.(L), Government of India, Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training); New Delhi dated 11.09.2008.

(iii) to accept the interpretation that man includes a woman in special circumstances for the purpose of CCL.

(iv) or any other order or directions as deemed fit in the facts and circumstances of the case may be passed."

2. Learned counsel for the applicant stated that the applicant is a single parent and has no lady in the house to look after his minor children. He has therefore applied for Child Care Leave.

3. In their reply, the respondents have submitted that the provision for Child Care Leave was introduced by the Government on the recommendations of 6 CPC vide their OM dated 11.09.2008. As per this OM, only women employees having minor children are permitted to avail of Child Care Leave. Male employees are not permitted to avail this leave.

4. I have heard both sides and have perused the material on record. Learned counsel for the applicant argued that the 7 CPC has recommended that even father of minor children could be allowed to avail Child Care Leave. However, these recommendations are yet to be accepted by the Government and right now the position is that Child Care Leave is admissible only to women employee. In view of the same, this OA is dismissed. No costs.

**(Shekhar Agarwal)
Member (A)**

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