

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

Original Application No.180/00327/2017

Wednesday, this the 7th day of February, 2018

CORAM:

HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

Smt.Harsha P.K.,
W/o.Nidhin Babu,
Working as Staff Nurse-A,
Sree Chitra Tirunal Institute for Medical Science & Technology,
Thiruvananthapuram.
Residing at Saras, Kozha P.O.,
Kuravilangadu, Kottayam - 686 633. . . . Applicant

(By Advocate Mr.S.Sreekumar (Kollam))

V e r s u s

1. The Union of India represented by the Secretary,
Ministry of Science and Technology Bhavan,
New Mehrauli Road, New Delhi - 110 016.
2. The Director,
Sree Chitra Tirunal Institute for Medical Science & Technology,
Thiruvananthapuram - 695 011. . . . Respondents

(By Advocates Mr.T.C.Krishna,Sr.PCGC [R1] & Mr.T.R.Ravi [R2])

This application having been heard on 7th February 2018 the Tribunal on the same day delivered the following :

ORDER

HON'BLE Mr.E.K.BHARAT BHUSHAN, ADMINISTRATIVE MEMBER

The applicant is aggrieved by the action of the 2nd respondent in not granting her Child Care Leave. She had joined the services of the 2nd respondent on 21.11.2016 and by then was nursing a two month old child. Finding it difficult to conduct her official work when she had such a young

infant to take care of she had applied for Child Care Leave. However, the 2nd respondent allowed her only leave on loss of pay which has caused her great distress. She has also filed a detailed representation to the 2nd respondent dated 22.11.2016 (Annexure A-7) wherein narrating her difficulties, she had sought the benefit of Child Care Leave for six months and to convert the loss of pay leave already taken as medical leave for pregnancy. She has not been favoured with a reply. The learned counsel submitted that at this point the applicant will be satisfied if this Tribunal directs the respondents to consider her representation expeditiously.

2. Accordingly I direct the 2nd respondent to take an expeditious view on the representation (Annexure A-7) and communicate the same to the applicant within 30 days of receipt of a copy of this order. The consideration should be done with due regard to the orders of the Hon'ble Supreme Court on the subject matter of Child Care Leave as pointed out in **(2014) KHC 4252 in Kakali Ghosh Vs. Chief Secretary, Andaman & Nicobar Administration and Ors.**

3. The Original Application is disposed of. No costs.

(Dated this the 7th day of February 2018)

(E.K.BHARAT BHUSHAN)
ADMINISTRATIVE MEMBER

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List of Annexures in O.A.No.180/00327/2017

- 1. Annexure A-1** - True copy of the appointment order of the Applicant dated 22.4.2016 issued by the Sree Chitra Tirunal Institute for Medical Science & Technology, Thiruvananthapuram.
 - 2. Annexure A-2** - True copy of the relieve letter dated 21.7.2016 issued from the office of the Medical Director, Railway Hospital, Perambur, Chennai.
 - 3. Annexure A-3** - True copy of the letter dated 17.5.2016 issued by the Sr. Deputy Director (Admin.) Sree Chitra Tirunal Institute for Medical Science & Technology, Thiruvananthapuram.
 - 4. Annexure A-4** - True copy of the letter dated 19.10.2016 issued by the Sr. Deputy Director (Admin), Sree Chitra Tirunal Institute for Medical Science & Technology, Thiruvananthapuram.
 - 5. Annexure A-5** - True copy of the Order dated 29.11.2016 passed by the Director Personal & Administrative Division, Sree Chitra Tirunal Institute for Medical Science & Technology, Thiruvananthapuram.
 - 6. Annexure A-6** - True copy of the Office Memorandum No.14034/4/84-Estt. (D) of the Department of Personal & Administrative Reforms, Government of India, dated 13.2.1985.
 - 7. Annexure A-7** - True copy of the representation dated 22.11.2016 issued by the applicant before the 2nd respondent.
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