



भारतीय वानिकी अनुसंधान एवं शिक्षा परिषद्  
INDIAN COUNCIL OF FORESTRY RESEARCH & EDUCATION

(पर्यावरण वन एवं जलवायु परिवर्तन मंत्रालय, भारत सरकार का एक स्वायत्त निकाय)  
(An Autonomous Body under the Ministry of Environment, Forests & Climate Change, Government of India)

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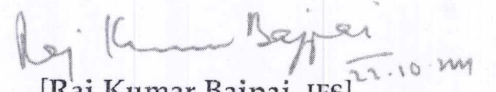
NOTIFICATION

The Director General, Indian Council of Forestry Research and Education (ICFRE), with the approval of the Board of Governors of ICFRE accorded *vide* its 58th meeting held on 22.01.2021 under the Chairmanship of Secretary to Government of India, Ministry of Environment, Forests and Climate Change, is pleased to notify the 'ICFRE House Allotment Rules 2020'.

The 'ICFRE House Allotment Rules 2020' shall replace all earlier rules on the subject and shall come into force from the date of this notification.

Yours sincerely,

Dated: 'ICFRE House Allotment Rules 2020'.

  
[Raj Kumar Bajpai, IFS] 22.10.21

Distribution:

1. All DDG's, Director (IC) for information.
2. Directors of all the ICFRE Institutes for information.
3. Secretary, ICFRE for information.
4. ICFRE website (Circular Section).
5. Guard file.



# ICFRE (HOUSE ALLOTMENT) RULES-2020



**Indian Council of Forestry Research & Education**  
(An Autonomous Council of Ministry of Environment, Forest and Climate Change, Government of India)  
**Dehradun – 248006**



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## ICFRE (House Allotment) Rules – 2020

### 1.0 SHORT TITLE, COMMENCEMENT AND APPLICATION

- 1.1 These rules shall be called "**Indian Council of Forestry Research & Education (House Allotment) Rules 2020**". They shall come into force from the date of notification and supersede the allotment rules hitherto in force. The circulars/orders issued on the subject earlier shall stand superseded or modified to the extent they are inconsistent with these house allotment rules.
- 1.2 These rules shall apply to all employees of Indian Council of Forestry Research and Education (ICFRE). These rules shall also be applicable to CASFoS, DFE and Regional Office of MoEF&CC, Dehradun for allotment of ICFRE-owned housing accommodations.

### 2.0 DEFINITIONS

In these rules, unless the context otherwise requires:

- (a) "**Allotment**" means grant of licence to occupy a house under the provisions of these rules.
- (b) "**Allotment Year**" means the year beginning on 1<sup>st</sup> January or such other period as may be notified by the Director General, ICFRE.
- (c) "**Council**" means the **Indian Council of Forestry Research & Education** and its Institutes/Centres.
- (d) "**Council Service**" means service rendered on regular basis on substantive post (s) in an ICFRE Institute/ Headquarters.
- (e) "**Eligible Office**" means an Institute or Centre located at a station which have been declared by the Council as eligible for allotment of houses under these rules falling within the control of such Institute.
- (f) "**Emoluments**" mean the emoluments as defined in Fundamental Rule 9(21)(a)(i) and shall include stagnation increment and non-practicing allowance wherever applicable.

**Explanation:** In the case of an employee who is under suspension, the emoluments drawn by him on the first day of allotment year in which he is placed under suspension or if he was placed under suspension on the 1<sup>st</sup>

day of the allotment year, the emoluments drawn by him immediately before suspension shall be taken as emoluments.

- (g) **"Family"** means employee's wife or husband, as the case may be, and children, step-children, legally adopted children, parents, brothers and sisters as ordinarily reside with and are dependent on the employee.
- (h) **"Head of the Institute"** means the Director of the Institute or in his absence an officer authorized by the Director to exercise the powers under these rules. Whenever the post of Director is vacant, the officer authorized by ICFRE shall be deemed to be the Head of the Institute. In case of Centres of ICFRE, Head of the Centre can exercise the powers under these rules.
- (i) **"Estate Officer"** An officer designated by the Director of the Institute for this purpose. The Estate Officer shall discharge the functions and responsibilities to ensure observance of these rules and terms and conditions of allotment by the allottees and take necessary action consequential to any breach of these rules.
- (j) **"License Fee"** means a fee payable monthly in respect of the houses allotted under these rules.
- (k) **"Priority Date"** shall be as defined in these Rules.
- (l) **"House"** means any house under the administrative control of Institute/Centre.
- (m) **"Subletting"** includes sharing of accommodation by an allottee with another person with or without payment of licence fee by such other person.  
**Explanation:** Any sharing of accommodation by an allottee with close relations shall not be deemed to be subletting. Intimation, however, to this effect shall be given in writing to the Estate Officer.
- (n) **"Close Relations":**  
The following are to be treated as close relations:
  - i) Father, Mother, Brother, Sister, Grand father and Grand mother and Grand son and Grand daughter.
  - ii) Uncle, Aunt, First cousin, Nephew, Niece, directly related by blood to allottee.
  - iii) Father-in-law, Mother-in-law, Sister-in-law, Brother-in-law, Son-in-law, Daughter-in-law.
  - iv) Relationship established by legal adoption.

The concession of sharing accommodation available to the close relations as indicated above will not be admissible when relationship ceases by any order of Court or under law.

- (o) **"Temporary Transfer"** means a transfer which involves an absence for a period not exceeding six months.
- (p) **"Type of house"** in relation to an employee means the type of house to which he is eligible under these rules.
- (q) **"Transfer"** means transfer from one Institute/Centre to another Institute of ICFRE/Centre, Headquarters to Institute/Centre vice-versa.

### 3.0 ALLOTMENT OF HOUSE AND OFFERS

- 3.1 Save as otherwise provided in these rules, a house, falling vacant, will be allotted by the Estate Officer preferably to an applicant desiring a change of accommodation in that type, and if not required for that purpose, to an applicant without accommodation in that type having the earliest priority date for that type of house subject to the following conditions:-
  - (i) The Estate Officer shall not allot a house of type higher than that to what the applicant is eligible.
  - (ii) The Estate Officer shall not compel any applicant to accept a house of a lower type than to what he is eligible.
- 3.2 The Estate Officer, on request from an applicant for allotment of a lower category house, might allot to him a house next below the type for which the applicant is eligible on the basis of his priority date for the same.
  - (i) The Estate Officer may cancel the existing allotment of an officer and allot to him an alternative house of the same type or in emergent circumstances an alternative house of the type next below the type of house in occupation of the officer, if the house in occupation of the officer is required to be vacated.
  - (ii) A vacant house may, in addition to allotment to an officer, be offered to other eligible officers in order of their priority dates.

#### 4.0 MAINTENANCE OF SEPARATE POOLS FOR CERTAIN CATEGORIES OF OFFICERS

4.1 Notwithstanding anything contained in these rules, the following pools shall be maintained, namely:-

- (i) ***Non Tenure Officers Pool:*** The regular employees of Council working under its Institute/Centre and sister organizations.
- (ii) ***Tenure Officers Pool:*** The officers on deputation to Council and its sister organizations.

4.2 The *inter se* seniority of the officers eligible for the allotment of houses under this rule shall be determined in the following manner, namely:-

- (a) In the Non Tenure Officers' Pool, on the basis of their entitlement for the particular type of accommodation.
- (b) Tenure Officers' Pool, on the basis of the date from which each such officer began to draw emoluments pertaining to the type to which he is to be considered for allotment.

#### 5.0 ALLOTMENT TO HOUSE OWNING OFFICERS

5.1 Under this rule an officer owning a house either in his own name or in the name of any member of his family at the place of his duty or in an adjoining Municipality shall be eligible for allotment of Government house on payment of license fee for the Government accommodation allotted to him at such rate as may be determined from time to time by the Government.

- (a) ***"adjoining municipality"*** means any Municipality contiguous to a local Municipality:-
- (b) ***"house"*** in relation to an officer or member of his family means a building or part thereof used for residential purposes and situated within the jurisdiction of a local Municipality or of any adjoining Municipality.

**Explanation-** A building, part of which is used for residential purposes, shall be deemed to be a house for the purposes of this clause notwithstanding that any part of it is used for non-residential purposes.

- (c) "*Local municipality*" in relation to an officer means the municipality within whose jurisdiction his office is located;
- (d) "*member of family*" in relation to an officer means the wife or husband, as the case may be, or a dependent child of the officer;
- (e) "*Municipality*" includes a Municipal Corporation, a Municipal Committee and Cantonment Board.

## 6.0 PROCEDURE FOR FIXING PRIORITY DATE

- 6.1 **Priority date** of an employee in relation to a type of house to which he is eligible shall mean, the earliest date from which he has been continuously drawing emoluments relevant to a particular type or a higher type in a post under the Council or on foreign service in respect of Type V to Type VII accommodation, and the date from which he has been continuously in service under the Council including the period of foreign service in respect of Type I to Type IV accommodation.

Provided further that the *inter se* seniority for the Type V and above accommodation shall be considered on the basis of following principles, namely:-

- (i) firstly, the Pay Level of the employee.
- (ii) secondly, the priority date within the same Pay Level. In this case, the priority-date shall be the date from which the applicant has been continuously drawing his existing Pay Level.
- (iii) where the priority date of two or more employees is the same, the *inter se* seniority of the employees shall be determined on the basis of the basic pay, i.e., the employees who have a higher pay shall be senior in the waiting list.
- (iv) where the priority date and basic pay of two or more employee are the same, the earlier date of joining in the service of the Council shall be the next determining principle of *inter se* seniority.
- (v) where the priority date, basic pay and date of joining in the service of the Council of two or more employees are the same, the employee retiring earlier may be accorded higher priority over the employee retiring later.



- (vi) For those who join ICFRE on foreign service terms/deputation/immediate absorption basis the service rendered by them under the State Govt., Public Sector Undertakings or other Central Govt. Departments/ Organizations shall count for reckoning their priority date on their joining in ICFRE and its sister organizations.

- 6.2 When an employee entitled to type I to IV house starts drawing less emoluments for a short period subsequent to the crucial date fixed for the relevant allotment year but resumes drawing the prescribed emoluments at the time of allotment, the period during which the employee had drawn lesser emoluments may be ignored and allotment made on the basis of his date of joining service. If, however, subsequent to applying for allotment, the entitlement of an employee is reduced due to reduction in pay and the employee is not entitled to the type of house he had applied for, he may be considered for allotment of a lower type of house, provided his date of priority for the lower type is covered.

## 7.0 ENTITLEMENT

- 7.1 Officers/Employees are entitled on the basis of their monthly emoluments as on first day of the year in which the allotment is made. Save as otherwise provided under these rules, the entitlement of an employee to a type of house will be determined with reference to the emoluments drawn by him as indicated below:

Type Quarters	Entitlement as per revised "Pay Matrix Level" in 7 <sup>th</sup> Central Pay Commission
I	1
II	2, 3, 4
III	5, 6
IV	7, 8, 9, 10
V	11, 12, 13
VI	13-A, 14
VII	15, 16
VIII	17

- \* Quarters reserved/earmarked [Type VIII/09 (situated at FRI) for Director General, ICFRE (Level 17); Type VII/14 for Director, FRI, Dehradun; Type VI/01 for Director, TFRI, Jabalpur; Type VI/01 for Director, AFRI, Jodhpur; Type V/01 for Director, HFRI, Shimla; Type VI (the only one Type VI residence) for Director, IFP, Ranchi; Type VI/A1 for Director IFGTB, Coimbatore; Type VI/01 for Director, RFRI, Jorhat and Type VI (the only one Type VI residence) for Director, IWST, Bengaluru in the respective estates].

- 7.2 There will be a ratio of houses from Type IV and above in the manner for regular employees (Non Tenure) and the employees on deputation to Council (Tenure) on the basis of the sanctioned strength of tenure officers.

## **8.0 ALLOTMENT PROCEDURE**

### **8.1 Constitution of House Allotment Committee (HAC)**

The Head of the Institute shall constitute a House Allotment Committee, comprising members, which the Head of the Institute may deem appropriate.

HAC shall be constituted with the Director of the Institute as the Chairman of the Committee and Estate Officer as the Member-Secretary of the Committee. The Director may appoint other members of the Committee as deemed fit. In case HAC of FRI, an officer from ICFRE (HQ) as nominated by DG, ICFRE; and Director, Forestry Education and Regional Director, Dehradun shall be included as members.

#### **8.1.1 Functions of the House Allotment Committee**

The House Allotment Committee shall:

- i) Scrutinize and certify the priority lists before notification;
- ii) Examine all cases as per priority and change lists for allotment of houses and recommend accordingly.

### **8.2 Application for Allotment.**

8.2.1 An employee seeking allotment of house shall apply for the same in the prescribed form and in such manner and within such date as may be prescribed by the Head of the Institute.

8.2.2 The applications received by the prescribed date shall be scrutinized to determine eligibility of the applicants for inclusion of their names in the priority list. For each type of house separate priority list shall be drawn on the basis of the priority date of the applicants as on the first day of the Allotment Year. The priority lists so drawn and certified by the Allotment Committee shall be displayed at appropriate places in the Institute/Centre and ICFRE Headquarters.

- 8.3 Save as otherwise provided in these rules, the houses shall be allotted by the Head of the Institute in accordance with the priority lists.
- 8.4 No employee shall be compelled to accept a house of a type lower than that to which he is entitled under these rules. However, the Head of the Institute may, on request from an employee, allot a house next below the type to which he is otherwise entitled.
- 8.5 The Head of the Institute may on the recommendation of the Allotment Committee cancel the existing allotment of an employee and allot an alternative house of the same type or in emergent circumstances an alternative house of the lower type, if the house in occupation of the employee is required to be vacated for some bonafide public purpose.
- 8.6 Save as otherwise provided in these rules an allottee desiring a change of house within the entitled type will be given preference in allotment of a house over and above the applicants in the waiting list of that type.
- 8.7 When both husband and wife are in Council's service at the same station, only one of them shall be entitled to allotment of house. However, both of them shall be eligible to apply for allotment separately on the basis of their entitlement. The eligibility of each shall be determined separately for allotment purposes. This rule shall not apply in cases where husband and wife are residing separately in pursuance of a court order for judicial separation.
- 8.8 When two Council employees in occupation of houses allotted to them individually, marry each other, they shall be entitled to retain only one of the houses after such marriage and will be required to surrender the other within one month from the date of marriage. On failure to surrender a house as above, the allotment of house of the lower type shall be deemed to have been cancelled on expiry of the prescribed period of one month. If both the houses are of the same type, allotment of any one of them shall be deemed to have been cancelled as the Head of the Institute may decide on the expiry of such period.

## **9.0 OUT OF TURN ALLOTMENT**

- 9.1 Notwithstanding anything contained in these Rules, the Head of the Institute may allot house on out of turn basis in the following cases:-
- (i) To an employee on medical grounds specified below on the recommendation of the Allotment Committee.

- a) If he suffers from Cancer, Pulmonary T.B. in active phase with risk to others.
- b) If he suffers from heart ailments having symptoms of Grade III and IV which include serious disability like Angina Grade III and IV or congested Cardiac Failure Grade III and IV or Malignant Hypertension Grade III and IV;
- c) If he suffers from either total absence of sight or Visual Acuity not exceeding 6/90 or 20/200 in the better eye with correcting lenses or impression of the field of the vision subtending an angle of 20 degrees or worse;
- d) If he, as a result of orthopedic deformity, finds it very difficult to move freely. If the percentage of disability according to medical certificate issued by an authorized medical practitioner is less than 40%, the request may normally be rejected;
- e) If the employee's wife or husband, as the case may be, son, daughter, step son and step daughter is suffering from T.B. or Cancer mentioned at sl. a) above.

9.1.1 The priority for out of turn allotment on medical grounds as mentioned shall be the date on which the application of the employee for such allotment is received by the Estate Officer.

9.2 In the event of death of an allottee, a member of the allottee's family may be given out of turn allotment by the Head of the Institute subject to the following conditions:

- a) The family member, if he is a Council employee in an eligible office makes an application within one month of the death of the allottee;
- b) If the family member is not in Council's employment but gets Council employment in an eligible office within 12 months after the death of the allottee, he makes an application within one month of getting such employment;
- c) The applicant mentioned in sub para (a) and (b) above or any member of his family does not own a residence within the municipal limits or within a radius of 8 km from the Institute whichever is more;



- d) All the dues outstanding in respect of the house of the deceased allottee have been cleared.

**Explanation 1:** If the applicant referred to in sub rule (a) and (b) above is eligible for the type of house in occupation of the deceased allottee, the same house may be allotted on out of turn basis to the applicant family member.

**Explanation 2:** The facility of out of turn allotment to the family member of the deceased allottee shall be available to only one of the family members of the deceased allottee.

9.3 In case of retirement on superannuation or voluntary retirement of an allottee, a member of his family, who is in Council's employment and working in an eligible office may be given out of turn allotment by the Head of the Institute subject to the following conditions:

- a) the application for allotment is accompanied by an affidavit from the retiring employee in the prescribed form;
- b) the applicant family member has been residing continuously with the retiring employee for at least three years immediately preceding the date of retirement of the retiring allottee and has not drawn HRA, or where the applicant family member has been appointed in the Council service and posted or transferred in the eligible office of the retiring employee within three years of the retirement of the allottee, he has been residing with the allottee from the date of such appointment and posting or transfer and has not drawn HRA;
- c) the applicant or any of his family members does not own a house within the municipal limits or within a radius of 8 Km from the Institute, whichever is more;
- d) no other family member of the retiring employee or of the applicant has been allotted or is in occupation of Council house;
- e) All the dues outstanding in respect of residence of the retiring employee have been cleared.

9.4 The applicant family member referred to in *Rules 9.1, 9.2 and 9.3* shall not be entitled to out of turn allotment for a house of a type higher than that in occupation of the retired or deceased allottee except when the retired or deceased employee was in occupation of type I house and the applicant is entitled to type II and above house in which case he may be allotted type II house.

- 9.5 Allotment of a house may be regularized even on out of turn basis in the name of the spouse of the employee on his/her transfer if the spouse is otherwise eligible for such an allotment. In case the spouse is entitled to lower type of house, he/she may be allotted alternative house of the lower type as per his/her entitlement immediately on out of turn basis.

## 10.0 ALLOTMENT OF NEXT BELOW TYPE OR LOWER TYPE

- 10.1 Employees can apply for allotment of the type next below his entitlement on application.

**Explanation** - When an employee, who is eligible for type V House, applies for type IV house, his priority date for type IV house shall be determined with reference to the date he has been entitled for allotment of Type IV house.

## 11.0 CHANGE OF HOUSE

- 11.1 An employee who has been allotted house under these rules may apply for a change of house of the same/similar type **after taking physical possession of house allotted under initial allotment.**
- 11.2 Change of house shall not be permitted under the following circumstances:
- a) During the period of six months immediately preceding the date of superannuation;
  - b) If an inquiry is in progress against an allottee about sub-letting of his house.
- 11.3 An employee who has been allotted house on ad-hoc basis shall not be allowed change of house for three years from the date of ad-hoc allotment or till the date of his priority is covered for regular allotment, whichever is earlier.
- 11.4 Notwithstanding anything contained in these rules, an employee may be allowed change of house on the death of a member of his family, if he applies for change within three months of such occurrence provided that the change will be permitted within the same/similar type of house.
- 11.5 Not more than one change shall be allowed within the same/similar type of houses.  
Provided that more than one change of house within the same/similar type may be allowed on medical grounds subject to the condition that the allottee or a member of his family living with him, has after the allotment

of the house, developed a serious illness such as Asthma, Heart Trouble or T.B. or developed physical defect or deformity. The application in these cases shall have to be supported by a medical certificate from Government Hospital or a recognized hospital.

- 11.6 All applications for change, made in the form prescribed by the Head of Institute and received upto the last day of a calendar month in the office of the Head of the Institute or an officer authorized by him, shall be included in the waiting list for change of house in the succeeding month.
- 11.7 If an employee submits fresh application for change of house cancelling his previous registered application, his request may be accepted but his priority shall be counted from the date of his fresh application.
- 11.8 If an employee fails to accept the change of house offered to him within five days of the issue of such offer of allotment he shall not be considered again for a change of house of that type.
- 11.9 If an employee after accepting the change of house fails to take possession of the same within thirty days he shall be charged licence fee for such house in addition to the normal licence fee for the house already in his possession for the period upto which the allotment of the new house continues to subsist.

#### 11.10 **Mutual Exchange of Houses**

If two Council employees who have houses of the same/similar type allotted under these rules apply for mutual exchange of their houses, they may be granted permission if both are reasonably expected to be on duty in the Institute and likely to reside in their mutually exchanged houses for at least six months from the date of approval for such exchange.

### 12.0 **SUB-LETTING AND SHARING OF ACCOMMODATION**

- 12.1 The allottee shall not sublet part or whole of the house allotted to him.
- 12.2 An allottee who sublets part or whole of the house allotted to him shall render himself liable to cancellation of the allotment and eviction from the allotted house. He shall also, render himself liable to disciplinary proceedings under the CCS (CCA) Rules as made applicable to the Council employees.
- 12.3 An allottee while proceeding on leave may allow any other Council employee to stay in a portion of his house as a caretaker for security

purposes for a period not exceeding six months, with the prior written permission of the Head of the Institute.

12.4 An allottee may share part of his allotted house including out-house or garage appurtenant thereto with another employee of the Council with prior written permission of the Head of the Institute on the following conditions:

- a) A portion of house, out-house and garage permitted to be shared shall be used only for the bona-fide residential purposes;
- b) Where the allotment of an allottee who has been granted permission to share the accommodation under his occupation, is cancelled or the allottee himself surrenders the accommodation allotted to him, the co-sharer shall be liable to vacate the house alongwith the allottee on such cancellation or surrender. If the co-sharer fails to vacate the house both the allottee and the co-sharer shall be liable to pay penal licence fee/damages and render themselves liable to disciplinary action for violation of this rule read with the relevant general clause(s) of CCS (Conduct) Rules in force and for any other action under the law.

### **13.0 NON-ACCEPTANCE OF ALLOTMENT OFFER OR FAILURE TO OCCUPY ALLOTTED HOUSE AFTER ACCEPTANCE**

13.1 If an employee on receipt of an allotment order fails to accept the allotment of house within 05 days or take possession within 08 days of the date of acceptance of the allotment order, the allotment order shall stand cancelled and the concerned employee shall be debarred for allotment for a period of one year from the date of such cancellation.

13.2 If an employee, in occupation of a house of a lower type than his entitlement applies for a house of his eligible type and on allotment of such eligible type of house fails to accept the allotment, he may be permitted to stay in the house already in his occupation provided that he shall not be eligible for another allotment for a period of six month from the date of non acceptance of allotment.

### **14.0 PERIOD FOR WHICH ALLOTMENT SUBSISTS AND THE CONCESSIONAL PERIOD FOR FURTHER RETENTION**

14.1 An allotment shall be effective from the date it is accepted by the employee and shall continue to be in force until:

- a) expiry of the concessional period permissible under Rule 14.2;



- b) cancelled by the Head of the Institute or deemed cancellation under any provision of these rules;
- c) surrendered by the allottee; or
- d) the allottee ceases to occupy the house.

14.2 A house allotted to an employee may be allowed to be retained on the occurrence of any of the events mentioned below for the period specified against each from the date of such occurrence subject to the condition that the house is required for the bonafide use of the employee or the members of his family:

S. No.	Events	Permissible period for retention of house
i.	Resignation, dismissal or removal from service or termination of service or unauthorized absence without permission, compulsory retirement [under CCS (CCA) Rules, 1965].	1 month on normal licence fee
ii.	Retirement, voluntary retirement, retirement on medical grounds, terminal leave or compulsory retirement [under FR 56(j)], retirement on deputation, technical resignation.	6 months on normal licence fee
iii.	Transfer to a place outside the existing place or Repatriation.	02 months on normal licence fee plus 06 months on double licence fee.
iv.	To eligible spouse or ward of death of the allottee or in case of missing persons (from the date on which Police authority have certified the employee is missing)	12 months on normal licence fee and for a further period of 12 months on normal licence fee provided the deceased or missing allottee or any member of the family does not own a house at the place of occupation of accommodation.
v.	Study leave	For the full period of leave on normal licence fee.
vi.	All authorized and sanctioned leave except extraordinary with medical grounds, on proceeding on training.	For the full period of leave on normal licence fee.

vii.	Leave preparatory to retirement of refused leave granted under rules or earned leave granted to employee retired under F.R. 56(j)	Full period of leave on full average pay subject to a maximum period of 180 days in the case of leave preparatory to retirement and 04 months in other cases, inclusive of the period of the period permissible in the case of retirement on normal licence fee.
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14.2.1 An employee, who seeks retention of house, should furnish the dully filled surety form along with prescribed format of application for retention of house to the Estate Officer.

14.3 Where an employee on transfer or on foreign service in India is sanctioned leave and avails it before joining duty at the new station, he may be permitted to retain the house for the period mentioned against [14.2 serial No. (iii)] or the period of leave whichever is more.

14.4 Where an order of transfer or on foreign service in India is issued to an employee while he is already on leave, the permissible period mentioned in Rule 14.2 shall commence from the date of issue of such order.

14.5 On expiry of the permissible concessional period the allotment shall be deemed to have been cancelled unless immediately before expiry of such concessional period the employee resumes duty.

14.6 Notwithstanding anything contained in Rules when an employee is dismissed or removed from service or his services have been terminated and the Head of the Institute where such employee was in service immediately before such dismissal, removal or termination is satisfied that it is necessary or expedient in public interest to do so, he may cancel the allotment of Council house of such employee either forthwith or with effect from such date prior to expiry of the concessional period.

## 15.0 OVER STAY IN HOUSE AFTER CANCELLATION OF ALLOTMENT

15.1 Where, after the allotment has been cancelled or is deemed to have been cancelled under any provisions of these rules, the house remains or has

remained in occupation of the employee to whom it was allotted or of any person claiming through him, the allottee or such other person shall render himself liable to the following:-

- a) Payment of penal charges for use and occupation of the house as fixed by the Council.
- b) The vacation notice shall be issued to all the allottees of accommodation or their families at least fifteen days before the date of expiry of the permissible period of retention.
- c) In case where the allottees have not vacated the quarter after expiry of permissible retention period, the concerned authority will issue show cause notice to such unauthorized occupants under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 followed by appropriate statutory action.

#### **16.0 PERSONAL LIABILITY OF THE EMPLOYEE TILL THE HOUSE IS VACATED**

- 16.1 The allottee shall be personally liable for payment of the licence fee and other charges for the accommodation and for any damage, beyond reasonable wear and tear, caused thereto or to the furniture or fittings or services provided therein by the Council during the period of occupation and until full vacant possession thereof has been restored to the Head of the Institute.
- 16.2 Non payment of license fee and other charges for the accommodation shall constitute breach of these allotment rules.
- 16.3 If the allottee fails to make payment of prescribed licence fee and other charges the allotment may be cancelled.

#### **17.0 SURRENDER OF ALLOTMENT AND PERIOD OF NOTICE**

- 17.1 An allottee may at any time surrender the allotment by giving notice to the Head of the Institute at least seven days prior to the date of vacation of the house. The allotment of the house shall be deemed to be cancelled with effect from the 8<sup>th</sup> day after the date on which the notice is received by the Head of the Institute or the date specified in the notice, whichever is later.

Provided that the Head of the Institute may accept a notice for shorter period.

17.2 An employee who surrenders the house shall not be considered again for allotment of Council house at the same station for a period of one year from the date of such surrender.

17.3 Notice of surrender will not be necessary in the following cases:

- (a) When an employee in occupation of a lower type of house than his entitlement is allotted a house of the type to which he is entitled;
- (b) When an employee on his re-employment is found to be entitled to a lower type of house and is allotted a house in that type;
- (c) When an employee is permitted a change of house;
- (d) When the house in occupation of an employee is required to be vacated in public interest or for repairs or demolition and the employee is allotted alternative accommodation;
- (e) When allotment of the house in occupation of an employee is cancelled or is deemed to be cancelled under the provisions of these rules;
- (f) When eligible family members of the retired/deceased allottee/employee get alternative house on ad-hoc basis.

17.4 Where the family of a deceased allottee vacates the house within the permissible period, cases of waiving off the period of notice or surrender may be considered with compassion and each case decided on merit and orders obtained from the competent authority.

## **18.0 FURNISHING OF INFORMATION REGARDING TRANSFER/ DEATH OF AN ALLOTTEE TO THE ESTATE OFFICER**

18.1 It shall be the duty of the controlling authority of the allottee to intimate the Estate Officer, about the transfer of an allottee from the office to another or to an outstation and retirement or death of the allottee immediately on the occurrence of such event to enable the Estate Officer, to take necessary follow up action in respect of the Council accommodation.

## **19.0 PROVISION RELATING TO LICENCE FEE**

19.1 The rates of licence fee payable by the allottees for different types of houses shall be as per the instructions issued by the **Government from time to time.**

19.2 Where the allotment of house or alternative house has been accepted, the liability for licence fee shall commence from the date of occupation or the 8<sup>th</sup> day of the date of the allotment letter, whichever is earlier.



- 19.3 Where an employee after accepting the allotment fails to take possession of the accommodation within 8 days from the date of the allotment letter, he shall be charged licence fee from such date.

Provided that nothing contained in this rule shall apply where it is certified that the allotted house is unfit for occupation and as a result thereof the employee is unable to occupy the house within the aforesaid period.

- 19.4 If on allotment of an alternative or entitled house the former house is not vacated by the date already mentioned in the preceding rules the allottee shall be liable to pay penal licence fee and damages for continued occupation of the former house with effect from the date he takes possession of the newly allotted house. In the cancellation letter the exact amount of damages which the unauthorised occupant will be required to pay for overstayal will be mentioned.

## **20.0 UNDERTAKING FROM THE LICENSEE**

- 20.1 Each employee shall give an undertaking at the time of allotment of house that he shall vacate the house on cancellation or deemed cancellation of allotment failing which he shall be liable to pay penal licence fee and that the Council shall have authority to withhold his 10% of gratuity.
- 20.2 All employees who are in occupation of Council houses and have not furnished an undertaking specified shall furnish the same forthwith or within such time as may be prescribed by the Head of the Institute.

## **21.0 PROVISION OF ACCOMMODATION FOR PERFORMING MARRIAGE ETC. IN THE FAMILY OF AN ALLOTEE.**

- 21.1 On receipt of an application, the Head of the Institute may make temporary allotment, not exceeding five days including the day of marriage, to a Council employee if a vacant house is available or likely to be available during the period for which allotment has been applied for, on 20 times of normal licence fee and half of the amount of licence fee for electricity charges, if applicable.

## **22.0 CONSEQUENCES OF BREACH OF RULES AND CONDITIONS**

- 22.1 If an allottee sublets the house or charges licence fee from the sharer at a rate which the Head of the Institute considers excessive or erects any

unauthorised structure in any part of the house or uses the house or any portion thereof for purposes other than that for which it has been allotted or tampers with the electric or water connections or commits any other breach of rules or of the terms and conditions of the allotment or uses the house or premises or allows it to be used for any purposes which the Head of the Institute considers to be improper or conducts himself in a manner which in the opinion of the Head of the Institute is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Head of the Institute may, without prejudice to any other action including disciplinary proceedings that may be taken against such allottee, cancel the allotment after giving show cause notice.

**Explanation:** In this rule the expression allottee includes, unless the context otherwise requires, a member of the family of the allottee and any other person claiming through the allottee.

- 22.2 If the allottee sublets his house or any portion thereof or any of the out-house, garages appurtenant thereto in contravention of these rules he may without prejudice to any other action that may be taken against him, be charged penal licence fee/damages as laid down in these rules. The employee may also be debarred from sharing the house in future for a period not exceeding 5 years as may be decided by the Head of the Institute.
- 22.3 Where action to cancel the allotment is taken on account of subletting of the whole or part of the allotted house a period of 60 days shall be allowed to the allottee and any other person residing with him to vacate the house. The allotment shall be cancelled with effect from the date of vacation of the premises or on expiry of 60 days from the date of order for cancellation of allotment, whichever is earlier.
- 22.4 Where the allotment of house is cancelled for conduct prejudicial to the maintenance of harmonious relations with the neighbours, the allottee, at the discretion of the Head of Institute may be allotted another house of the same type at any other place.
- 22.5 The Head of the Institute shall have power to take all or any of the actions under these rules and to declare the allottee ineligible for allotment for a period not exceeding 5 years.

### **23.0 PROVIDING OF HOUSES TO INELIGIBLE OFFICE/ ORGANIZATION /PERSON**

- 23.1 In case some quarters remain vacant after accommodating all the employees of the Institute/Center, the same may be provided to ineligible office/organization/person engaged on the duties of essential nature.
- 23.2 The ineligible office/organization/person will be liable to pay double of licence fee, water, electricity charges etc. to Directors of Institutes/Centres.
- 23.3 The ineligible office/organization/person has to make the arrangement for vacating the house immediately as and when required by the Institute/Centre.
- 23.4 On completion of the contract, the ineligible office/organization/person will have to hand over the vacant possession of the house to Director of Institute/Centre immediately after clearing all the dues of the house.
- 23.5 The Director of Institute/Centre will allot house to ineligible office/organization/person for a period not exceeding 11 months and written agreement would be executed for the same with liberty to get vacate the premises with the prior notice for one month.

### **24.0 MAINTENANCE OF HOUSE**

- 24.1 The allottee shall maintain the house and premises in a clean condition to the satisfaction of the Head of the Institute. He shall neither grow any tree, shrubs or plants contrary to the instructions of the Head of the Institute nor cut or lop off any existing trees or shrubs in any ground, courtyard or compound attached to the house save with the prior permission in writing of the Head of the Institute. Any plantation or vegetation grown in contravention of the instructions may be got removed by the Head of the Institute at the risk and cost of the allottee.

### **25.0 RESERVATION IN ALLOTMENT TO SC/ST EMPLOYEES**

- 25.1 The reservation in allotment of house to SC/ST employees will be as per the instructions issued by the Government of India from time to time.

**26.0 CONTINUANCE OF ALLOTMENTS MADE PRIOR TO THE ISSUE OF THESE RULES.**

- 26.1 Any valid allotment of house under the provisions of the allotment rules in force immediately prior to commencement of these rules shall be deemed to be an allotment made under these rules notwithstanding the fact that the employee ceases to be entitled to the type of house already allotted to him.

**27.0 INTERPRETATION OF RULES**

- 27.1 If a question as to the interpretation of these rules arises, the Director of the Institute shall be competent to decide the same in consultation with the Allotment Committee, if required.

**28.0 SAVING**

- 28.1 These rules are not exhaustive and the GOI Rules may be followed in respect of items which are not covered under these rules, as and when needed.