

DELHI ADMINISTRATION
DIRECTORATE OF TRAINING & TECHNICAL EDUCATION
MUNI MAYA RAM MARG, PITAM PURA, DELHI-88

ALLOTMENT OF RESIDENCES RULES, 1978

- I. Short title, applications and commencement:
- (i) These rules may be called Dte. of Trg. & Tech. Education – allotment of residences rules 1978.
 - (ii) These rules apply to the allotment of accommodating listed in Annexure I, to the eligible staff in the Trg. & Tech. Education and its sub-ordinate offices, Polytechnics, ICP, BTC, ITI's, CSI College of Pharmacy and any other new institutes brought under the Administrative control of this Dte.
- II. **DEFINATIONS:-**
- (a) “Allotment year” means the calendar year beginning on the first day of January.
 - (b) “Allotment Committee” means the Committee duly constituted by the Director for the purpose of allotment of residential accommodation of Dte. of Trg. & Tech. Education.
 - (c) The word “Committee” wherever it occurs in the these rules means Allotment Committee.
 - (d) The Estate Officer means an officer to be appointed in this behalf by this Directorate.
 - (e) “Pay” for the purpose of these rules include pay, special pay, deputation allowance, N.P.A. Pension and pension equivalent of gratuity and personal pay etc. as defined under FR.9(21).
 - (f) “Family” means wife or husband as the case may be and children, step-children, legally adopted children, parents, brothers or sisters ordinarily reside with and are wholly dependent on the employee.
 - (g) “Director” means Directorate of Trg. & Tech. Education, Delhi Admn. Delhi
 - (h) Priority date for allotment of a residence to an employee in relation to a class of residence to which he is entitled, means the date of appointment/ posting in a govt. office/ Estt. In Delhi or New Delhi in r/o Type I, II, III and IV accommodation and for type V accommodation the earliest date from which he/she has been continuously drawing entitling pay for any of these types of accommodation as defined under rule 4 of these rules.

Provided that if two or more employees have the same priority date, priority amongst them shall be determined by the amount of pay, as defined under FR.9(21) i.e. an employee in receipt of higher pay

taking precedence over an employee in receipt of lower pay and where the pays are equal by the length of service.

Provided further that the priority date for the purpose of change of residence shall be the date of which an employee makes a formal application for the change of residence irrespective of the date of occupation of the type of residence.

- (i) "Subletting" means unauthorized sharing of accommodation, Garage or servant quarter by an allottee with any other person with or without payment or any consideration
- (j) To occupy a residence in accordance with the provisions of these rules.
- (k) "Campus" for purposes of these rules shall mean the residential accommodation situated in the premises of ITI Pusa, Shahdara, G. B. Pant Poly., Sunlight Colony and any other colony which is later on brought under the control of Dte. of Trg. & Tech. Education.
- (l) "Pool accommodation" means the list of accommodation as given in Annexure "A" which may be amended from time to time subject to addition and alterations.
- (m) 'Eligible employee' means regular employee which is employed in the Dte. of Trg. & Tech. Edn. or any of its subordinate offices.

III. POWER TO MAKE ALLOTMENT

- (a) The allotment of residence shall be made by the Director on the recommendation of allotment committee.
- (b) The meeting of the committee will be called by the Estate Officer who will be the Convener of the Committee. A meeting of the committee can also be called by the Convener at the direction of the Chairman. However, in the absence of the chairman, the senior most member will act as chairman.
- (c) Allotments will be made by the Committee in a regular or emergent meeting or even by the circulation. No stay of vacation of quarters will be given by any member except by the committee as per rules.

IV. CLASSIFICATION OF RESIDENCES

Residence of the various types specified below shall be allotted to employees, whose pay as defined under FR.9 (21) but excluding dearness pay on the first January of the allotment year in which the allotment is made as shown below:-

| S.No. | Type of Residence | Monthly rate of emoluments |
|-------|-------------------|----------------------------|
| 1 | E | Less than Rs.3050/- |
| 2 | D | Rs. 3050-5499/- |
| 3 | C | Rs.5500-8499/- |
| 4 | B | Rs.8500-11999/- |
| 5 | A | Rs.12000/- & above |

NOTE : The classification of residence is subject to revision from time to time as per decision of Delhi Admn./Govt. of India provided further that, if a residence of the entitled type as above is not available a member of the staff may be allotted a quarter of the next lower type if and when available and he/she shall have precedence over all other members of the waiting list for that particular type of accommodation.

V. APPLICATION FOR ALLOTMENT OF RESIDENCE ETC.

- (i) Every eligible employee, who desires to have an allotment made, or changed, under these rules, shall submit an application in the prescribed form which shall be duly acknowledge and recorded in a Register in chronological order.
- (ii) The residences shall be allotted as and when they became available for allotment in accordance with the priority lists maintained in the following manner:-
 - (a) In each category of residences, priority list will be prepared and allotment will be made in accordance with priority list maintained in the Directorate.
- (iii) An employee whose wife or husband as the case may be has already been allotted residence by the Instt., the Govt., the local Admn. Autonomous body etc. will not be eligible for allotment of accommodation in the campus.
- (iv) An employee who owns a residential house/flat in his/her own name or in the name of his/her wife/husband or dependent in UT of Delhi will have to obtain a clearance from the PWD Delhi Admn. before his request for allotment is considered.
- (v) No employer shall be allowed a change of residence within the same category more than once. An employee who fails to accept the change of residence offered to him within 5 days of such an offer, shall render himself ineligible to such a concession within the type of residence, except in case of death in that residence of the employer's wife/husband any family member residing with him/her, provided a request is made within a period of 3 months of its occurrence, when an employer offered a change and he/she accepts it, he/she may be permitted to retain the former residence without payment of licence fee for that day and the subsequent day for shifting.

VI. MAINTENANCE OF PRIORITY LISTS FOR PURPOSE OF ALLOTMENT

- (i) The following priority lists shall be maintained in chronological order by the Estate Officer.
 - (a) Allotment of residences
 - (b) Change of residences
- (ii) The priority dates for these lists shall be defined in rule 2(h).
- (iii) Separate priority lists shall be maintained for each type of residences.
- (iv) Priority for allotment will be followed under these rules unless the committee consider it necessary to allot the accommodation otherwise on compassionate grounds.
- (v) The reservation of Govt. accommodation for SC/ST employees will be as per instructions by the Govt. from time to time.

VII ALLOTMENT OF RESIDENCES

- (i) No employee shall be allotted a residence under these rules if the wife or the husband, as the case may be, of an employee has already been allotted a residence, unless such residence is surrendered.

Provided that this sub-rule shall not apply where the husband and wife are residing separately in pursuance of an order of judicial separation made by any Court.

- (ii) Where the employee in occupation of separate residences allotted under these rules marry each other, they shall, within one month of marriage, surrender one of the residences.
- (iii) If a residence is not surrendered as required by sub-rule above the allotment of the residence of the lower may shall be deemed to have been cancelled on the expiry of such period and if the residences are of the same type, the allotment of one of them as may be decided shall be deemed to have been cancelled on the expiry of such period.
- (iv) Where both husband and wife are employed in the Instt. The entitlement of each of them to allotment of residence under these rules shall be considered independently.
- (v) An employee to whom a residence has been allotted shall be required, both when he/she enters into occupation of the residence and also when he/she vacated it, to sign an inventory of the fittings and fixtures.

VIII TEMPORARY ALLOTMENT FOR THE PERFORMANCE OF MARRIAGE OR OTHER CEREMONIES

An employee may be allowed a residence temporarily for the performance of marriage of other ceremonies and he/she will be charged licence fee equal to market rate in advance, as may be determined for the period of temporary allotment together with water and electricity charges for the full month.

IX NON-ACCEPTANCE OF ALLOTMENT OF RESIDENCE

If an employee fails to accept the allotment of a residence. Under these rules within five days after the date of allotment or fails to take possession of that residence within eight days after the date of allotment he/she shall not be eligible for another allotment under these rules for a period of 10 months from the said date.

X ACCEPTANCE, SURRENDER, CANCELLATION AND RETENTION OF RESIDENCE

- A. Allotment shall be effective from the date on which it is accepted by an employee concerned and shall continue in force until:-
- (i) It is cancelled by the Committee or is deemed to be cancelled under these rules, or
 - (ii) It is surrendered by the employee/concerned, or
 - (iii) The employee concerned ceases to occupy the residence or
 - (iv) The expiry of the concessional period permissible under sub-rule© of this rule.
- B. An employee may at any time, surrender a residence allotted to him/her by making an application to the Estate Officer at least 10 days in advance of the prescribed date for surrender of the residence. If he/she fails to give due notice, he shall be responsible for payment of licence fee for ten days or the number of days by which the notice given by him/her fails short of ten days. He/she will however be eligible for fresh allotment on his/her making a fresh application not earlier than 6 months from the date of vacation of the residence.
- C. A residence allotted to an employee may be retained on the happening of any of the events specified in column-I of the table below for the period specified in the corresponding entry in column-2 thereof, provided that the residence is required for the bonafied use of the employee or outgoing employee member of his family.

Permissible period of retention of the residence.

| | |
|--|--|
| i) Resignation, Dismissal or removal from service, termination of service or unauthorised absence without permission | 1 Month |
| ii) Retirement or terminal Leave | 2 Months |
| iii) Transfer to an office/Instt. Outside Dte. Of Trg & Tech. Education. | 3 Months |
| iv) On reversion to parent Deptt. | 2 Months |
| v) On proceeding foreign service in India | 2 Months |
| vi) Temporary transfer to a place in or outside India | 4 Months |
| vii) Death of the allottee | 4 Months |
| viii) Leave (Other than leave preparatory to retirement, refused leave, terminal leave, medical leave or a study leave.) | For the period of leave but not exceeding 4 months. |
| ix) Leave Preparatory to retirement of/refused leave granted under F.R. 86. | For the full period of leave on full average say subject to a maximum of 4 months inclusive of the period permissible in the case of retirement. |
| x) Leave on medical grounds in r/o illness certified as incurable by Sr. Medical Board. | For the full period of leave. |
| xi) On proceeding on training / other assignment permitted by the Dte. | For the full period of training assignment |

EXPLANATION

1. The period permissible on transfer as mentioned against items (iii) (iv) & (vi) shall count from the date of relinquishing charge plus the period of leave, if any, sanctioned to and availed of by the employee before joining duty at the new office.
2. Where a residence is retained under this rule, the allotment shall be deemed to be cancelled on the expiry, of the admissible concessional period..
3. An employee who has retained the residence by virtue of the concession under item (i) or item (ii) of the above table shall be re-employed in the Instt. Within the period specified in the said table, to be entitled to retain that residence and he/she shall also be eligible for any further allotment or residence under these rules.
4. Provided that if the emoluments of an employee of such re-employment do not entitle him/her to the type of residence occupied by him/her he/she may be allotted a lower type of residence.

OVERSTAY IN RESIDENCE AFTER CANCELLATION OF ALLOTMENT S.,R 317-P-22

Where after an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains or has remained in occupation of the officer to whom it was allotted or of any person claiming through him such officer shall be liable to pay damages for use and occupation of the residence service, furniture and garden charges, equal to the market license fee for as may be determined by Govt. from time to time.

Provided that an officer, in special cases, may be allowed by the Committee to retain a residence on payment of twice of the standard license fee under FR. 45.. or twice the pooled standard license fee under FR-45 Permitted under rule 24/e 317-D(II)(2).

XI SHARING OF RESIDENCES.

- i) No employee shall sublet a residence/garage allotted to him/her or any portion thereof or, except with the prior permission of the Estate officer. The residence, servant quarters, out-houses, without etc. should be used only for the bonafide purpose of the allottee.
- ii) if an employee after the notification of these rules sublets a residence allotted to him/her or share any portion thereof or any of its out-houses. Without the permission of the Estate officer, the Estate officer may prejudice to any other action that may be taken against him/her charge him/her market rent for unauthorised sharing of subletting.

XII. LICENCE FEE.

- i) The standard licence fee of each type of residence under FR-45-A, FR-45-B and the market rent shall be as per rates determined by the PWD from time to time.
- ii) Licence fee receivable from an employee allotted residence shall be monthly licence fee under FR-45-A as indicated above or 10% of his employments as defined under FR.45-C whichever is less.
- iii) When an employee, who is in occupation of a lower type of residence, is allotted a higher type of residence to which he/she is or becomes entitled to and he/she refused the same, he/she would have to pay licence fee under FR.45-in r/o the residence so refused or the licence fee payable in r/o residence so already his/her occupation, whichever is higher. This higher licence fee will be charged upto a period of one year during which he / she will be allowed to retain the existing residence. Provided further that if an employee again refused the subsequent allotment after a year, the penalty period of one year shall commence fresh from that date.

- iv) When an employee to whom a residence has been allotted is a temporary employee, he/she shall execute a security bond in the form prescribed in this behalf with a surety who shall be a permanent employee for due payment of all licence fee and other charges due from her/him in r/o such residence and services and any other residence provided in lieu thereof.
- v) If the surety to the security bond/dies, retires or resigns from service, becomes insolvent or ceased to be available for any reason, the allottee shall furnish another surety to those security bond within ten days from the date of the death, retirement. Resignation, insolvency or non availability of the former surety and if he/she fails to do so, the allotment of the residence to his/her shall, unless otherwise decided, be deemed to have been cancelled.
- vi) Where after the allotment has been cancelled or is deemed to be cancelled under any of those rules, the residence or the garage (where separately allotted) remains or has remained in occupation of the employee to whom it was allotted or of any person claiming through him/her such employee shall be liable to pay for use and occupation of the residence, service, furniture and garden equal to the standard licence fee under FR-45-B as indicated in such-rule (1) above for the first 60 days of the unauthorised occupation and thereafter the market rent, the liability of licence fee shall commence from the date of the cancellation of the residence or from the 8th day after the date of the allotment residence. An employee to whom a residence has been allotted shall be personally responsible for the licence fee there to and any damage beyond far wear and tear caused there to are to the furniture, fixtures, or fitting or services provided there in during the period for which the residence has been and remains allotted to him/her or where the allotment has been cancelled under any of the provisions of these rules, until the residence alongwith the out-houses etc, appurtenant thereto be have been vacated and full vacant possession thereof has been restored to the Instt.

An employee, who after allotment, fails to take possession of that residence within eight days from the date of receipt of the allotment letter, shall be charged licence fee for a period of fifteen days.

XIII CONSEQUENCES OF BREACH OF RULES AND CONDITIONS

- (a) If any employee to whom a residence has been allotted commits any breach of the rules or of the terms and conditions of the allotment under these rules or uses the residence or premises or premises to be used for any purpose which is considered to be improper, or which does not conform to the byelaws of the Local Civil Authority, or conducts himself in a manner which is prejudicial to the maintenance of the harmonious relations with his/her neighbours, or if it is found that an employee has knowingly furnished incorrect information in any application or written statement with a view to securing an allotment, the committee may, with prejudice for any other disciplinary action that may be taken against him/her of (i) cancel the allotment of that residence to him/her or (ii) declare him/her to be For a specified period. Provided that where the allotment of a residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with the neighbours, an employer may be allotted another residence in same type at any other place.

For the purpose of this rule “In proper use” shall include :

- (i) Unauthorised subletting the residence.
- (ii) Erecting unauthorized structure in any part of the residence.
- (iii) Charging licence fee from the sharer in excess of that permitted by the competent authority.
- (iv) Using the residence or garage or a portion thereof for purposes other than these for which they are meant.
- (v) Unauthorized extension from or tempering with electric and water connections.
- (vi) Keeping of animals in contravention of the bye-laws of the Local Civil Authorities, and
- (vii) Growing of any trees, Or plants contrary to the instructions of any Officer of the Instt. duly authorized.

NOTE : Trees, plantation or vegetation grown in and keeping of unlicensed animals etc. kept in contravention of these rules may be caused to be removed by Officers duly authorized in this behalf, at the risk and cost of the allottee.

XIV INTERPRETATION OF RULES:

If any question arises to the interpretation of these rules the committee may make a reference to Secretary, PWD Delhi Admn. and the decision of the Secretary, PWD Delhi Admn. shall be final and binding.

XV RELAXATION OF RULES

The committee, may for reasons to be recorded in writing recommend relaxation of all or any of the provisions of these rules in the case of any employee, or residence or class of employees or residences.

XVI The Estate Officer will be competent to initiate eviction proceedings and other disciplinary actions.

XVII The staff quarters to be constructed in/for a particular institution would be allotted to the staff working in that Instt. in future. The surplus quarters, if any, will be allotted from the general seniority of staff working under this Directorate.