

Allotment of Govt. Residences (IA&AD) Rules, 2021



लोकहितार्थ सत्यनिष्ठा
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Allotment of Government Residences (IA&AD) Rules, 2021
(Authority: Letter No.167-Estates/66-2019 dt. 25 March 2021)

1. Short Title and Application

- i) The rules may be called the "Allotment of Government Residences (IA&AD) Rules, 2021"
- ii) They shall come into force on 1st April 2021.

2. Definitions

In these Rules, unless the context otherwise requires:

- a. "Allotment" means the grant of licence to occupy a residential accommodation in accordance with the provisions of these rules;
- aa. "Accommodation" means the IA&AD Pool Residential Accommodation under the control of IA&AD Estate Managers.
- b. Deleted.
- c. "Head of Department (HOD)" means DGA/PrAG/PDA/AG who exercises the control over the Estate Management Functions at the station where departmental pool residences are located and DAI/ADAI (HR) in respect of Headquarters' office.
- d. "Estate Officer" means Senior Deputy Accountant General (Admn)/Deputy Accountant General (Admn), Director/Dy. Director (Admn) of the concerned office of the Audit or Accounts who has been notified as such under these rules to perform the duties of Estate Officer and Director (P)/Dy. Director (P) in respect of Headquarters' office.
- e. "Eligible office" means all offices of IA&AD located in a station, Where the IA&AD residential colony exists and the staff of which has been declared by the CAG as eligible for accommodation under these rules;
- f. "Eligible person" means the staff working in an eligible office located in a station where the IA&AD residential colony exist as defined in 'e' above.
- fa. "Employee" means an employee of the Indian Audit and Accounts Department whose salary is drawn from the Consolidated fund of India.
- g. Deleted.
- h. "Family" means the wife or husband of allottee, as the case may be, and children,

- step children, legally adopted children, parents, brothers or sisters as ordinarily reside with and are dependent on the allottee;
- i. "Government" means the Central Government unless the context otherwise requires;
 - j. "Licence fee" means the sum of money payable monthly in accordance with the provisions of the Fundamental Rules in respect of an accommodation allotted under these rules;
 - Ja. "Special licence fee" means a licence fee charged from allottees for short period or temporary allotment of accommodation or charged from other ineligible offices or organisation for allotment of accommodation on special purposes;
 - Jb. "Damages" means a compensation to be levied in multiples of licence fee in the event of unauthorized occupation or subletting or misuse of whole or any part of accommodation by the occupant of the accommodation;
 - k. Deleted.
 - l. "Priority date" - The calculation of date of priority and preparation of waiting lists for different types of accommodations shall be as under:
 - a) The date of priority in respect of type I to type IV accommodation shall be determined on the basis of the date of joining of the employee in the Central Government service and the eligibility for the type of accommodation shall be decided as per the level of the applicant in the pay matrix:

Provided that an applicant under this category shall be allowed to bid for one type lower accommodation than the type eligible for such.
 - b) An applicant referred to in sub-clause (a) above who has served continuously at a particular station for a period of five years shall, on each such completion of five years as on 1st January of the year, be given one year edge over and above her/his date of joining in the Central Government service, for the purpose of calculation of her/his date of priority in the waiting list.
 - c) The date of priority in respect of type IV(S) and above accommodation shall be determined on the basis of the date from which the applicant has been continuously eligible for the type of accommodation as per the level of the applicant in the pay matrix.
 - d) The inter-se seniority for the type IV(S) and above accommodation shall be considered on the basis of the following factors, namely:-
 - i) where the priority date of two or more applicants is the same, the

applicant having a higher level pay in the level shall be senior in the waiting list;

- ii) where the date of priority and the pay in the level of two or more applicants are the same, the applicant who has joined the Central Government services earlier shall be senior in the waiting list; and
- iii) where the date of priority, pay in the level and the date of joining the Central Government services of two or more applicants are the same, the applicant retiring earlier may be accorded priority over the applicant retiring later.

Provided that in respect of Defence Audit Pool and DGA (Finance and Communications) Pool Accommodation, priority date of an officer in relation to a type of residence to which she/he is eligible under the provisions of Rule 5 means the earliest date from which she/he has been continuously eligible for the type of accommodation as per the level of the applicant in the pay matrix.

- e) Personal Pay shall not be considered for the purposes of determining the inter-se seniority in the waiting list.
- f) Non Practicing Allowance, Military Service Pay or any other such component of pay shall not be considered for the purposes of determining the inter-se seniority in the waiting list.
- m. "Residence" means any residence for the time being under the administrative control of the respective Head of Department.
- n. "Sub-letting" means letting out of an IA&AD pool residential accommodation partly or wholly by an allottee or any person outside allottee's family and immediate relations.
- na. "Immediate relations" mean relationship such as Grandfather, Grandmother, Grandsons, Granddaughters, Father-in-law, Mother-in-law, Son-in-law, Daughter-in-law and include relationship established by legal adoption.
- o. "Temporary Transfer" means a transfer, which involves an absence for a period not exceeding four months from the place where the accommodation is allotted.
- p. "Transfer" means a transfer from the present working place where the accommodation is allotted to any other working place or from an eligible office to ineligible office and includes a transfer or reversion to any service under a State Government or a Union territory administration and include deputation to a post in

- an ineligible office or organisation.
- q. "Eligible type of accommodation" in relation to an officer means the type of accommodation to which she/he is eligible under these rules.
 - r. "Delhi" means the area within the limits of the National Capital Territory of Delhi which the Government may declare conferring eligibility for the allotment of accommodation;
 - s. "Own house" means a building or part thereof meant for residential purposes and owned by the allottee or by any member of her/his family;
 - t. "Surrender of accommodation" means vacation of accommodation after physical occupation of the accommodation by the allottee on her/his own volition during the allotment period;
 - u. "Misuse" in relation to an allotment, means an accommodation or a servant quarters or a garage being used by allottee herself/himself or by her/his family members or immediate relations staying with her/him for the purpose other than the purposes provided under these rules;
 - v. "Guest" means a casual visitor staying temporarily with the allottee.
 - w. "Residential accommodation" means a covered structure or part thereof whether permanent or semi-permanent or temporary, which has at least a living room and a lavatory with or without kitchen.

3.(A) Eligibility criteria for allotment of accommodation

- I. The allotment of different types of quarters to various categories of officers and officials will be made as per the eligibility criteria as prescribed in rule 5 of these rules. In some stations where quarters have been reserved exclusively under IA&AS officers pool or quarters have been divided into two distinct pools i.e. one for the staff and another for IA&AS officers having transfer liability, the quarters of type IV and above under IA&AS pool quarters will be exclusively allotted to such officers even though in terms of pay such officers are not entitled to it. The quarters under the IA&AS officers pool are not to be allotted to any other officers not belonging to that service unless specifically relaxed by CAG.
- II. The eligibility condition in respect of quarters at IA&AD Training Institutes (NAAA Shimla, iCISA Noida, iCED Jaipur and Regional Training Institutes

located throughout the country) and Ravi Towers Complex at Vaishali, Ghaziabad shall be as under:

(1) IA&AD Training Institutes

- (a) Type I to IV (Non-IA&AS Pool): All officers and staff posted in the concerned training institute as per the classification of residences given in para 5 of these rules.
- (b) Type IV, IV(S) and V (IA&AS Pool): IA&AS officers below the level of AG or Pr. Director posted in the concerned training institute.

Provided, in case of iCISA Noida, all IA&AS officers below the level of AG or Pr. Director posted in any of the offices of IA&AD within the National Capital Region of Delhi shall be eligible for allotment of these quarters.

Provided further that the officers posted in iCISA will get priority over others in the matter of allotment of quarters at any point of time.

- (c) Type VI/VII and above: For Director General or Pr. Director posted in the concerned training institute. In case there are more than one Type-VI/ VII Quarters available in the campus, one Quarter would be earmarked for the Director General or Pr. Director posted in the concerned training institute.

(2) Ravi Tower Complex, Vaishali, Ghaziabad-Type IV – Special:-

- (a) IA&AS officer posted in any of the offices of IA&AD or on deputation outside IA&AD to an office within the National Capital Region of Delhi shall be eligible for allotment of these quarters.
- (b) In addition, subject to availability after meeting requirement of IA&AS officers, Sr. AOs and AAOs working in the office of the Comptroller and Auditor General of India would also be eligible for allotment of these quarters.

Provided that the date of priority for allotment of quarters in Ravi Tower to Sr.AOs and AAOs, shall be determined on the basis of the date of receipt of the prescribed application i.e. on "first come first served" basis.

- III. The officers/officials working in the O/o the DGA (Finance and Communications), Delhi or any branch offices where departmental pool colonies under the control of DGA (Finance and Communications) are located will only be eligible for allotment of quarters at the respective station as per the condition enumerated in Rule 7 and 2(1).
- IV. The officers/officials working in the respective branch offices under the control of DGA, Defence Services where departmental pool colonies exclusively under the control of DGA, Defence Services, New Delhi are located, would only be eligible for allotment of quarter at the respective station as per the conditions given in Rule 7 and Rule 2(1).

However, the IA&AS officers posted in the office of the DG/PD of Audit (Defence Services) Chandigarh would also be eligible for allotment of accommodation in the AG pool colony at Chandigarh as per her/his priority date to be decided as per Rule 2 (1) *ibid*.

3(B) Eligibility of Officers owning houses

1. In this Rule -

- a) "Adjoining Municipality/Panchayat" means any Municipality/Panchayat contiguous to Corporation or Urban agglomeration of particular station where the accommodation under the charge of respective Head of Department is located.
- b) "House" in relation to an officer or member of her/his family means a building or part thereof used for residential purposes and situated within the jurisdiction of Local Municipality/Urban agglomeration or of any adjoining Municipality of a station where such accommodation is located.
Explanation: A building, part of which is used for residential purposes shall be deemed to be 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 her/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 or

Board, a town area committees, a notified area committee and a Cantonment Board;

2. An officer owning a house either in her/his own name or in the name of any member of her/his family at the place of her/his duty or in an adjoining Municipality, shall inform the fact to the Estate Officer at the time of applying for accommodation. Such officer shall be eligible for allotment of Government residence on payment of licence fee for the Government accommodation allotted to her/him at such rate as may be determined from time to time by the Government.
3. When after a Government residence has been allotted to an officer, she/he or any member of her/his family becomes owner of a house at the place of her/his duty or in an adjoining Municipality, such officer shall notify the fact to the Estate Officer within a period of one month from the date the house is let out or occupied, or the date of completion, whichever is earlier.

4. Allotment to husband and wife-Eligibility in cases of officers who are married to each other.

1. No officer shall be allotted a residence under these rules if the wife or the husband, as the case may be, of the officer has already been allotted a residence, unless such residence is surrendered:

Provided that this sub-rule shall not apply where the wife and husband are residing separately in pursuance of –

- i) an order of judicial separation made by any Court; or
 - ii) an order to proceed to frame and record the issues for settlement of the proceedings by any Court in which a petition filed by either spouse for dissolution of marriage by a decree of divorce is pending and either of them has furnished an undertaking to surrender the accommodation allotted to her or him forthwith in case of revival of conjugal rights with her or his spouse.
2. Where two officers in occupation of separate residence allotted under these rules marry each other, they shall, within one month of the marriage, surrender one of the residences.
 3. If a residence is not surrendered as required by sub-rule 2, the allotment of the residence of the lower type 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 these quarters, as the Estate Officer may decide, shall be deemed to have been cancelled on the expiry of such period.

4. Where both husband and wife are employed under the eligible offices, the title of each of them to allotment of a residence under these rules shall be considered independently.
5. Notwithstanding anything contained in sub-rules (1) to (4),
 - a) If a wife or husband, as the case may be, who is an, allottee of a residence under these rules, is subsequently allotted a residential accommodation at the same station from a pool to which these rules do not apply, she or he, as the case may be, shall surrender any one of the residences within one month of such allotment;

Provided that this clause shall not apply where the husband and wife are residing separately in pursuance of an order of judicial separation made by any Court.
 - b) Where two officers, in occupation of separate residences at the same station, one allotted under these rules and another from a pool to which these rules do not apply, marry each other, anyone of them shall surrender any one of the residences within one month of such marriage.
 - c) If a residence is not surrendered as required under clause (c) or clause (b), the allotment of the residence made under these rules shall be deemed to have been cancelled on the expiry of such period.

5. Classification and entitlement of residences

Save as otherwise provided by these rules, an officer will be eligible for allotment of a residence of the type shown in the table below:-

Type of residences	Pre-revised Grade Pay/Basic Pay (₹) (6th CPC)	Level in the pay matrix. (7th CPC)
I	1300, 1400, 1600, 1650, 1800	1
II	1900, 2000, 2400, 2800	2, 3, 4, 5
III	4200, 4600, 4800	6, 7, 8
IV	5400, 6600	9, 10, 11

IV(Special)	6600	11
V	7600, 8000, 8700, 8900	12, 13, 13A
VI	10000 and above	14 and above

Provided further that where accommodation higher than Type-VI is available, eligibility of allotment will be as follows:-

Type of Residence	Level of Pay/ Basic Pay
Type VII	Level 15 (Index numbers 5 to 8 in the level) and 16 in the pay matrix.
Type VIII	Level 17 and 18 in the pay matrix.

6. Application for allotment.

1. Every officer on joining duty in any of the eligible offices on first appointment or on transfer at a station where the residential accommodation of the departmental pool under the control of IA&AD Estate Manager is located, may make an application online or manually through her/his office for allotment of accommodation to which she/he is eligible under these rules and the entitled type of accommodation shall be offered as per the priority in accordance with these rules having regard to the allottee's preference:

Provided that no application shall be entertained for accommodation within six months of the date of superannuation.

2. Applications received prior to the specified bidding date shall be included in the respective unified waiting list and considered for allotment in the next bidding cycle subject to fulfillment of terms and conditions for allotment as per these rules.
3. The applicant shall furnish various particulars in form specified by the Estate Officer which shall be verified by the office of the applicant and in case of any discrepancy in the application or furnishing of incorrect information in the application, the applicant and the verifying officer shall be liable for furnishing of incorrect information and disciplinary action shall be taken against them including cancellation of allotment of accommodation if allotment was made based on incorrect information.

7. Allotment of residences and offers

1. Preparation of waiting lists for various types of accommodation –

- i) A unified waiting list shall be prepared for each type of accommodation.
- ii) A unified waiting list shall have names of the applicants applied for initial as well as for change of accommodation and shall be prepared as per entitlement for a type of accommodation.
- iii) The names of applicants entitled for Type V and above accommodation shall be included in all unified waiting lists of below types of accommodation for which they are eligible.
- iv) The names of applicants entitled for Type II, III, IV and IV(S) accommodation shall be included in all unified waiting lists of one type below accommodation for which they are eligible.

2. Offer of allotment of accommodation –

- i) Save as otherwise provided in these rules, accommodation falling vacant in all types including hostel accommodation will be allotted by the Estate Officer to the applicant applying for initial allotment or for change of accommodation from the unified waiting list for that type of accommodation under these rules.
- ii) The Estate Officer may, in emergent circumstances where the accommodation in occupation of the allottee is required to be vacated, allot her/him an alternate accommodation of the same type of accommodation or the type next below the type of accommodation in occupation of the allottee, subject to availability.

3. Acceptance of allotment –

- i) An offer of allotment of an accommodation shall be accepted by the allottee within eight days from the date of allotment of the accommodation.
- ii) The allottee may accept the allotment of the accommodation by herself/himself or through an authorized representative before the next bidding cycle.

4. Process after acceptance. –

- i) After acceptance of the allotted accommodation, the allottee shall take physical possession of the accommodation from the CPWD or from any other maintenance agency, as the case may be, within five working days from the date of receipt of the acceptance letter and the CPWD or any other maintenance agency, as the case may be, shall hand over the allotted accommodation to the allottee.
- ii) In case the allotted accommodation is not ready for immediate occupation, CPWD or any other maintenance agency shall issue a Technical Occupation Report to the allottee on receipt of authority letter from the Estate Officer.
- iii) The CPWD/concerned maintaining agency shall issue a Physical Occupation Report to the allottee once the accommodation is ready for occupation and after handing over the accommodation to the allottee in habitable condition.

5. Non acceptance of allotment or offer or failure to occupy the allotted accommodation after acceptance. –

- i) If any allottee fails to accept the allotment of a residential accommodation within eight days from the date of allotment of the said accommodation, or fails to take possession of that accommodation within five working days from the date of receipt of the letter of authorization, she/he shall be debarred to apply for accommodation for a period of three months from the date of non-acceptance of allotment subject to payment of one month's licence fee for that type of accommodation.
- ii) The date of non-acceptance of allotment shall be calculated from the date of allotment.
- iii) If an allottee occupying a lower type of accommodation refuses to accept the offer of an accommodation of the type for which she/he is eligible under these rules, she/he shall be permitted to continue in the previously allotted accommodation:

Provided that such allottee shall not be eligible for another allotment for a period of six months from the date of non-acceptance of such allotment.

6. Reconsideration –

Request for reconsideration in cases of non-acceptance of allotment within the specified time shall be considered by the Estate Officer if an application for reconsideration is made before the next bidding cycle, in the following cases:

- i) intervening Gazetted holidays during the eight days period;
- ii) delay in forwarding of prescribed acceptance form from the office concerned;
- iii) the allottee is on official tour during the acceptance period;
- iv) other valid reasons provided by the allottee;
- v) the allotted accommodation is occupied by another allottee;
- vi) the allottee is unwilling to pay the pending dues of the previous occupants relating to electricity or water, etc.

7. Allotment to an allottee under suspension –

The allotment of accommodation to an allottee under suspension shall be made as if suspension has not taken place.

8. Allotment of accommodation on unsafe or dangerous grounds -

- i) An allottee, whose residential accommodation is unsafe or dangerous may make an application to the concerned maintenance agency to declare such accommodation as unsafe or dangerous for living and an officer not below the rank of an Executive Engineer, CPWD or equivalent officer in any other maintenance agency on satisfying herself/himself that the accommodation concerned is unsafe or dangerous, issue a certificate of declaration to the effect, to the IA&AD Estate Manager online or in writing and enter the accommodation in the Unsafe Accommodation Register.
- ii) Allotment of alternate accommodation to an allottee on declaration of a house as unsafe or dangerous shall be done through online system or manual system of allotment as may be applicable.
- iii) In cases where an individual house in a Government residential colony is declared as unsafe or dangerous, an alternate allotment of same type of accommodation is to be made on priority on the following basis:
 - a) Vacancies in the same or nearby IA&AD colony to be identified for allotment where such occupants would be given priority in the same

- type of accommodation over the unified (change/initial) waiting list;
- b) The allottee in occupation of a specific floor may apply for that floor and above floor only and allotment will be made accordingly. However, in case of non-availability of such quarters, quarters may be allotted as per availability;
 - c) Equal number of identified vacancies will be placed for allotment in relation to number of such unsafe or dangerous houses.

9. Allotment of accommodation on re-development of Government colony or any other purpose –

- i) Where an entire IA&AD colony is required to be vacated for re-development or any other purpose, the allottees of such colonies shall be placed enbloc over the unified (change/initial) waiting list for same type of accommodation;
- ii) Where there is no sufficient vacancy in the concerned type of accommodation to relocate the allottees of such colony, the entire bidding process for other applicant in the Unified waiting list may be frozen in respect of such type of accommodation for such period as may be deemed necessary.

10. Allotment to ex-servicemen. –

The ex-servicemen shall be given a benefit of their previous military services for the purposes of calculation of date of priority.

11. Allotment of accommodation on re-employment –

Allotment of accommodation on re-employment in eligible offices shall be governed by such guidelines as the Government of India may issue from time to time.

8. Deleted.

8A. Ladies Pool:

- 1. Notwithstanding anything contained in these rules, “Ladies Pool” shall be maintained separately of married lady employees and for single lady

employees depending upon the supply and demand of the quarters in the station and the allotment under shall be made in the ratio of 2:1 between married lady employees and single lady employees.

2. The inter-se-seniority of the lady employees eligible for allotment of accommodation under this rule shall be determined as per rule 5.
3. All lady employees, who are otherwise eligible for accommodation in IA&AD Pool, will also be eligible for allotment from the Ladies Pool.
4. Lady Employees, who are already in occupation of accommodation, will be eligible for allotment of higher type of accommodation or change in the same type, in their own turn, from the Ladies Pool and from other than Ladies Pool.
5. The number and type of accommodation to be placed in this pool shall be determined by the respective Estate Managers from time to time, depending upon the supply and demand of the quarters in the station.
6. Explanation For the purpose of this rule –
 - i) “Married lady employee” means a lady employee whose marriage is subsisting and who is not judicially separated from her husband;
 - ii) “Single lady employee” means an unmarried lady employee and includes a widow with or without children.

8(B). Alternate allotment of accommodation (out of turn basis) to eligible IA&AD employee who is in occupation of general or any other pool residential accommodation. –

1. An Officer who is in possession of general or any other pool residential accommodation in a station, on transfer or posting or on completion of deputation period to an eligible office in the same station shall be considered for alternate allotment of accommodation in the 'next below the entitled type of accommodation' till she/he is eligible for entitled type of accommodation under these rules.
2. In case an officer who is in possession of a general or any other pool residential accommodation in a station is transferred to another station, an alternate allotment of accommodation in the 'next below the entitled type of accommodation' may be considered to the spouse, if the spouse is working in an eligible office in the same station, in lieu of such Departmental Pool

accommodation till she/he is eligible for her/his entitled type of accommodation under these rules.

3. The alternate allotment of accommodation shall be considered or admissible only if the applicant is not getting allotment of IA&AD pool accommodation in normal course and the eligible applicant for accommodation is in occupation of a general or any other pool residential accommodation or spouse is in occupation of a general or any other pool residential accommodation for a minimum period of three years or more.
4. Application for allotment of alternate accommodation shall be submitted by the applicant in the prescribed form to the Estate Officer under IA&AD within one month from the date of cancellation of general or any other pool residential accommodation or within one month after expiry of the date of retention period granted by the authority of general or any other pool residential accommodation, with supporting documentary proof that the office of the general or any other pool residential accommodation has requested for vacation of the general or any other pool residential accommodation.

8(C). Allotment of surplus accommodation

At stations where a number of residential accommodations are lying vacant for longer periods and there is no waiting list, utilisation of vacant accommodation shall be done as per the guidelines prescribed in MSO (Estates).

8(D) Reservations in allotment to Scheduled Castes and Scheduled Tribe employees.–

1. The reservation in allotment of accommodation to Scheduled Castes and Scheduled Tribe employees shall be **ten** per cent in Type I and II accommodation and **five** per cent in Type III and IV accommodation.
2. The allotment from Type I to IV shall be made in the ratio of 2:1 vacancies to Scheduled Castes and Scheduled Tribe employees, respectively.
3. Separate unified waiting lists for Type I to IV accommodation shall be prepared for the Scheduled Castes and Scheduled Tribe employees.
4. In case, there is no Scheduled Tribe applicant in the unified waiting list, the quota reserved for the Scheduled Castes and Scheduled Tribe applicant.

5. Scheduled Castes and Scheduled Tribe applicants, who are already in occupation of general pool residential accommodation, shall be eligible for allotment of higher type of accommodation from the quota reserved for them under this rule.
6. In respect of Type I and II accommodation, there will be 60 point roster system and the vacancies at point number 10, 20, 40 and 50 shall be allotted to Scheduled Castes applicants and the vacancies at point number 30 and 60 shall be allotted to Scheduled Tribe applicants.
7. In respect of Type III and IV accommodation, there will be 60 points roster system and the vacancies at point number 20 and 40 shall be allotted to Scheduled Caste applicants and vacancy at point number 60 shall be allotted to Scheduled Tribe applicants.
8. The Scheduled Castes and Scheduled Tribe applicants shall also be eligible for allotment from general pool.
9. Scheduled Castes and Scheduled Tribe applicants shall mention the fact that as to whether they belong to Scheduled Castes and Scheduled Tribe in their application for allotment of accommodation, which shall be verified by the office of the applicants from their record at the time of acceptance of allotment of the accommodation by the office of the applicant or by the Estate Office, wherever applicable.

8(E) Allotment of temporary status employees.

1. Allotment of accommodation may be considered for temporary status employees working in eligible offices who have been awarded temporary status under the provisions of the "Central Labourers (Grant of Temporary Status and Regularisation) Scheme of the Government of India, 1993:

Provided that such temporary status employees must have rendered service as temporary status for at least three years and is in receipt of House Rent Allowance as per the relevant rules eligible for accommodation.
2. The date of priority of temporary status employees shall be the date on which they have completed three years of service as temporary status employee.

9. Period for which allotment subsists and the concessional period for further retention.

1. An allotment shall be effective from the date on which it is accepted by the allottee and shall continue till in the IA&AD service or in force until: (R-14)
 - a) The expiry of the concessional period permissible under these rules after the allottee ceases to be on duty in an eligible office;
 - b) It is cancelled by the Estate Officer or is deemed to have been cancelled under any provisions in these rules;
 - c) It is surrendered by the allottee; or
 - d) The allottee ceases to occupy the residence.
2. The allottee may, subject to the conditions laid down in these rules, be permitted to retain the accommodation on the happening of any of the events specified in column (2) of the table below, for the period specified in the corresponding entry in column (3) thereof, provided that the accommodation is required for the bonafide use of the allottee or members of her/his family:-

<i>Sl. No.</i>	<i>Events</i>	<i>Permissible period for retention of accommodation</i>
(i)	Resignation, dismissal or removal from Service, termination of service or unauthorized absence without permission, compulsory retirement [under CCS (CCA) Rules, 1965] and for non-regular Govt. servants.	One 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 from ineligible organisations during initial constitution of such organisation, technical resignation, death of allottee on re-employment (irrespective of retention availed on retirement) and death of an allottee who is not a regular Govt. servant or deputation	Six months on normal licence fee

	outside India.	
(iii)	Transfer to a place outside from the existing place, transfer to an ineligible office in the same station, on proceeding on foreign service in India, temporary transfer in India or transfer to a place outside India or deputation within India.	Two months on normal licence fee plus six months on double licence fee.
(iv)	To eligible spouse or ward in case 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 HLF 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	Actual period of leave or two years, whichever is earlier
(vi)	All authorised and sanctioned leave except extraordinary leave without medical grounds, on proceeding on training, on mandatory posting under Central Govt. Staffing Scheme to Lok Sabha Rajya Sabha Secretariat on certificate from DoPT and on transfer to a non-family station abroad declared by M/o External Affairs (Provided the allottee or members of family does not own a house at the last place of posting)	For the full period of leave/posting on normal licence fee.
(vii)	On transfer or deputation to PSUs, Statutory and Autonomous bodies on their initial constitution	Sixty months on normal licence fee plus HRA drawn by the allottee from the organisation.
(viii)	Leave preparatory to retirement or refused leave granted under FR 86 or EL granted to Govt. servant who retired under FR 56(j)	For the full period of leave on full average pay subject to a maximum period of one

		hundred and eighty days in the case of leave preparatory to retirement and four months in other cases, inclusive of the period of permissible in the case of retirement on normal licence fee.
(ix)	(i) On mandatory posting to PSUs, Statutory and Autonomous Bodies under Central Staffing Scheme on certificate from Establishment Officer, DoPT or from Other Ministries or Department of Govt. of India; and (ii) On mandatory posting at the same station to PSUs, Statutory and Autonomous Bodies on certificate from Establishment Officer, DoPT for balance period of central deputation after serving four years under Central Staffing Scheme.	Full period of posting on normal licence fee plus House Rent Allowance drawn by the allottee from the organisation

3. The licence fee free allottees of IA&AD pool residential accommodation shall be allowed to retain the accommodation for a period of one month on retirement:

Provided that on expiry of one month period, the allottee shall pay licence fee for retention of accommodation as prescribed in these rule.

4. All allottees of IA&AD pool residential accommodation shall furnish a self-certificate to the Estate Officer in case they are on leave for more than six months and retention of accommodation is required for family.

5. **Retention of accommodation by officer availing leave and joining time. –**

i) The allottee on transfer shall be allowed to retain the accommodation for two months or for the period of their leave not exceeding four months, whichever is more, if the leave has been sanctioned before relinquishment of charge:

Provided that an allottee availing joining time after expiry of leave at

the old station, may be allowed to retain the accommodation until the expiry of the period of joining time.

- ii) Normal licence fee shall be charged for the period of retention at the old station.
- iii) In case leave is sanctioned after the allottee joined duty at new station, this period may not be taken into account for the purpose of cancellation of allotment and retention may be allowed for a period of two months only.

6. Retention of accommodation on death, retirement and transfer of an allottee posted to a non-family station and re-transfer to any place in India. –

- i) In the event of retirement or transfer of an officer during her/his posting to a non-family station, the allottee shall be allowed the facility of retention of accommodation under occupation at the last place of posting prior to transfer to a non-family station for the period permissible under these rules on payment of prescribed licence fee.
- ii) In the event of death of an allottee during her/his posting to a non-family station, the family of the allottees shall be allowed the facility of retention of accommodation under occupation at the last place of posting prior to transfer to a non-family station for the period permissible under these rules on payment of prescribed licence fee.

Provided that the extended period of retention under these rules shall not be allowed in the event of death of an allottee in cases where the deceased allottee or her/his dependent family members own a house at the last place of posting.

9(A) Regularisation of Accommodation

1. Allotment of alternate accommodation or regularisation of accommodation in the name of certain person in case of death of an allottee. –

- i) In the event of death of an allottee, the same accommodation may be regularized in the name of the spouse or ward of the deceased allottee, if the spouse or ward is entitled for it.
- ii) In case, the entitlement of the spouse or ward is a lower type than the accommodation allotted to deceased allottee, an alternate entitled type of

accommodation may be regularized in the name of spouse or ward.

- iii) In case, the spouse or ward is entitled for higher type of accommodation than the accommodation allotted to the deceased allottee, an alternate one type below the entitled accommodation may be allotted to the spouse or ward subject to a maximum of Type V accommodation on payment of normal licence fee or fulfillment of the following conditions, namely: –
- (a) the spouse or ward had been residing with the deceased allottee for at least three years prior to the death of the allottee and has not drawn house rent allowance for this period and in case such spouse or ward is in the service of Central Government for less than three years, then she/he has not drawn house rent allowance since the date of her/his joining the Central Government service;
- (b) the spouse or the ward joins the Central Government service within a period of two years after the death of the allottee and the accommodation in occupation has not been vacated.

Explanation - For the purpose of this rule, "ward" shall include –

- (i) a married daughter, working in an eligible office, irrespective of the fact that the deceased allottee is having a son, who is also employed in an eligible office, and he is in a position to maintain the parents;
- (ii) a daughter-in-law, working in an eligible office.

2. Allotment of alternate accommodation or regularisation of accommodation in the name of certain persons in retirement cases. –

- i) In the event of retirement of an allottee, the same accommodation may be regularized in the name of the spouse or ward of the retired allottee, if the spouse or ward is entitled for it.
- ii) In case, the entitlement of the spouse or ward is a lower type than the accommodation allotted to retired allottee, an alternate entitled type of accommodation may be regularized in the name of spouse or ward.
- iii) In case, the spouse or ward is entitled for higher type of accommodation than the accommodation allotted to the retired allottee, an alternate one type below the entitled accommodation may be allotted to the spouse or ward subject to a maximum of Type V accommodation on payment of normal

licence fee and on fulfillment of the following conditions:–

- (a) The spouse or ward had been residing continuously for at least three years with the retiring allottee prior to her/his retirement and has not drawn house rent allowances for this period and in case such spouse or ward is in the service of Central Government for less than three years, then, she/he has not drawn house rent allowance since the date of her/his joining the Central Government service.
 - (b) The spouse or ward joins the Government service within the permissible period of retention and the accommodation in occupation has not been vacated.
- iv) In case of more than one eligible ward, the retiring official will have option to exercise her/his choice in favour of her/his wards.

Explanation. – For the purpose of this rule, "ward" shall include –

- (a) a married daughter, working in an eligible office, irrespective of the fact that the retiring allottee is having a son, who is also employed in an eligible office, and he is in a position to maintain the parents;
- (b) a daughter-in-law, working in an eligible office.

3. Allotment of alternate accommodation or regularisation of accommodation in the name of certain persons in transfer cases. –

- i) In the event of transfer of an allottee to another station, the same accommodation may be regularized in the name of eligible spouse of the transferred allottee, if the spouse is entitled for it.
- ii) In case, the entitlement of the spouse is a lower type than the accommodation allotted to transferred allottee, an alternate entitled type of accommodation may be regularized in the name of spouse.
- iii) In case, the spouse is entitled for higher type of accommodation than the accommodation allotted to transferred allottee, an alternate one type below the entitled accommodation may be allotted to the spouse subject to a maximum of Type IV accommodation on payment of normal licence fee.
- iv) The application for regularisation or allotment shall be submitted before the expiry of the permissible period of retention after the date of transfer of the allottee or, from the date of appointment of the spouse, whichever is later.
- v) All dues outstanding in respect of the accommodation occupied by the

transferred allottee shall be cleared before submission of the application for regularisation or alternate allotment.

- vi) The pay of the spouse shall be taken into account for determining the entitled type of accommodation as per these rules on the date of regularisation of the spouse.
- vii) The alternate allotment in the name of the spouse will be made, to the extent possible, in the same area, failing which in a nearby area.

4. The conditions for regularisation or allotment of alternate accommodation in certain cases. –

- i) The facility of regularisation or allotment of alternate accommodation shall be admissible under sub-rules 9(A)(I) and 9(A)(II) irrespective of the date of priority of the spouse or ward.
- ii) The application for regularisation or allotment shall be submitted before the expiry of the permissible period of retention after the date of death or retirement of the allottee or from the date of appointment of the spouse or ward in Government service, whichever is later.
- iii) All dues outstanding in respect of the accommodation occupied by the deceased or retired allottee shall be cleared before submission of the application for regularisation or alternate allotment.
- iv) The pay of the spouse or ward shall be taken into account for determining the entitled type of accommodation as per these rules on the date of regularisation of the spouse or ward.
- v) The alternate allotment in the name of the spouse or ward will be made, to the extent possible, in the same area, failing which in a nearby area.
- vi) A No Objection Certificate shall be obtained from the spouse of the deceased allotted in death cases, and from the retired allottee in retirement cases, for regularisation or allotment of alternate accommodation to the ward.
- vii) The ward in whose name regularisation of alternate accommodation is to be made shall give an undertaking to the extent that the spouse of the deceased allottee or the retired allottee, as the case may be, shall reside with such ward in the allotted accommodation after regularisation or after allotment of alternate accommodation.

5. Non-admissibility for regularisation or alternate accommodation. – The facility of regularisation or allotment of alternate accommodation under sub-rules 9(A)(I), 9(A)(II) and 9(A)(III) shall not be admissible in the following cases: -

i) where the allottee or any member of her/his family owns a house at the place of posting where regularisation is being sought:

Provided that either one type below accommodation or same accommodation may be regularized in the name of spouse or ward whose date of priority is covered on the date of retirement of the retiring allottee or on the date of death of the deceased allottee, irrespective of being a house-owner at the place of their posting subject to such conditions as applicable to house owning allottees and as per the guidelines issued by the Directorate of Estates from time to time; and

ii) where the allottee has become ineligible for allotment of accommodation, due to any reason, on or before the date of her/his death or retirement.

iii) In the event of resignation from Government service.

6. Regularisation of allotment on re-transfer to the last place of posting. – Regularisation of accommodation under retention in case of re-transfer to the last place of posting shall be considered only in cases where re-transfer takes place within the permissible period of retention and any retention beyond the permissible period shall be treated as unauthorized occupation:

Provided that in all case of retention beyond the permissible period, regularisation of the same accommodation shall be considered only if the date of priority is covered, subject to fulfillment of the following conditions, namely: -

i) the allottee has reported the fact of her/his transfer to ineligible office within one month of transfer;

ii) the allottee has been granted retention as per rules;

iii) the allottee has been posted back and has joined duty at the station where she/he has been allowed to retain the accommodation;

iv) the allottee has paid the damages at the prevalent rates of damages for retention beyond permissible retention period till the date of retransfer to the last place of posting;

- v) all arrears have been cleared; and
- vi) the allottee submits a certificate from the office where she/he was posted stating that she/he has not drawn House Rent Allowance during the unauthorized period of occupation and was not in occupation of any residential accommodation during the period of posting.

7. Regularisation of accommodation to eligible spouse or ward in case of missing persons. – Regularisation of accommodation in the name of the spouse or ward may be considered in cases where on the basis of a First Information Report (FIR) lodged by the family, the missing allottee has been reported untraceable by the Police authorities subject to the following conditions, namely :—

- i) the spouse or ward of the missing allottee has been appointed on compassionate grounds provided such application is made within a period of two years from the date on which the allottee has been certified to be untraceable;
- ii) neither the missing allottee nor any member of her/his family own a house at the place of posting;
- iii) all dues outstanding in respect of the accommodation under occupation has been cleared;

Provided that normal rate of licence fee may be charged for the intervening period with effect from the date of missing till the date of regularisation.

10. Provisions relating to licence fee.

1. Payment of licence fee for accommodation.-

- i) Where allotment of accommodation or alternative accommodation has been accepted, the liability for licence fee shall commence from the date of physical occupation of the accommodation.
- ii) An allottee who, after acceptance, fails to take possession of that accommodation within eight days from the date of receipt of the authority letter shall be charged one month licence fee from the date of allotment:

Provided that this provision shall not apply in case the maintenance agency does not hand over the accommodation in a habitable condition

to the allottee within the prescribed period or the accommodation is not ready for physical occupation for any other reason.

- iii) An allottee shall remain personally responsible for any licence fee payable in respect of the accommodation and for any damages caused to the accommodation or its precincts or grounds or services provided therein by the Government beyond fair wear and tear.
- iv) In case of licence fee has not been received continuously for a period of four months from an allottee or the Drawing and Disbursing Officer of office of the allottee, the allotment of accommodation of the concerned allottee shall be cancelled.

2. Fixation or revision of licence fee for accommodation. –

- i) The normal licence fee for accommodation shall be revised every three years based on the Average All India Consumer Price Index (CPI) by the Central Government and shall be applicable to all types of IA&AD pool accommodation throughout the country.
- ii) The revised rate shall take effect from the 1st July of the year next following, or from such other date as the Central Government may direct.

3. Rates of damages. –

The rates of damages for unauthorized occupation or subletting or misuse of accommodation, servant quarter or garage shall be specified by the Government from time to time.

4. Payment of licence fee in advance for retention of accommodation. –

All the allottees of accommodation shall pay the requisite licence fee in advance for retention of the accommodation allotted to them.

5. Special licence fee for temporary allotment of accommodation. –

The rates of special licence fee shall be charged from allottees and other ineligible office or organisation for temporary allotment of accommodation at such rates as may be specified by the Directorate of Estates from time to time.

6. Recovery of licence fee from clubs, associations, etc. –

Recovery of licence fee in respect of accommodation in occupation of clubs, associations of Government employees, consumer co-operative societies run under the aegis of the Ministry of Home Affairs, etc., shall be regulated as per the guidelines issued by the Directorate of Estates from time to time.

7. Recovery of licence fee from allottee in installments in certain cases. –

- i) The request for recovery of arrears of licence fee in installments may be considered only in deserving cases from an allottee subject to the condition that the allottee agrees to pay ten percent of the dues in lump-sum in advance in the case of allottees of Type I to IV accommodation and fifty percent of dues in lump-sum in advance in the case of allottees of Type IV (Special) and above accommodation:

Provided that the balance may be recovered in equated monthly instalments amounting to at least ten percent of the basic pay plus dearness allowance paid to the allottee subject to payment of interest rate applicable to General Provident Fund per annum:

Provided further that the allottee shall furnish sureties from two permanent Government servants who may not retire on superannuation before the total amount is recovered and in case, either or both the sureties take voluntary retirement or die in harness or leave service otherwise, the concerned employee shall make arrangements for other sureties.

- ii) Recovery of installment along with the interest amount shall be effected by the administrative office from the salary of the employee every month till full amount is recovered.
- iii) In case the allottee is a victim of any calamity, natural or otherwise, the portion of outstanding dues not realized or recovered till then shall be adjusted from gratuity payable to her/him.

11. Personal liability of the officer for payment of licence fee till residence is vacated.

1. The officer to whom a residence has been allotted shall be personally liable for the licence fee thereof and for any damages beyond fair wear and tear caused thereto

or to the furniture, fixtures or fittings or services provided therein by Government during the period for which the residence has been and remains allotted to her/him, or where the allotment has been cancelled under any of the provisions of these rules, until the residence alongwith the outhouses appurtenant thereto have been vacated and full vacant possession thereof has been restored to Government. The allottee shall be required to sign an inventory of furniture and fittings when she/he takes over possession. At the time of vacation, she/he will have to hand over complete charge of all items taken over by her/him at the time of taking over the possession of the house.

2. Officer to whom a residence has been allotted shall be personally liable for the use of residential accommodation for any unauthorized purposes whatsoever.

12. Surrender of an allotment of accommodation.

- 1 An allottee may surrender an allotment of accommodation at any time during the allotment period.
- 2 An allottee who surrenders the accommodation shall not be considered again for allotment of accommodation at the same station for a period of one year from the date of such surrender. However, she/he may be considered by the Estate Officer before the expiry of one year, if there are no other applicants.

13. Change of residence.

1. Change in same type or entitled higher type of accommodation. –

- i) An officer to whom an accommodation has been allotted under these rules may apply for a change to another same type of accommodation only after taking physical possession of accommodation allotted under initial allotment.
- ii) Only one change shall be allowed in the same type of accommodation to the allottee.
- iii) An allottee, who intends to change the accommodation already allotted to her/him shall make an application in the form specified by the Estate Officer, and thereafter, the name of such allottee shall be included in the concerned type unified waiting list.
- iv) The date of priority or the inter-se seniority of the officers in the waiting list for change of accommodation in respect of Type I to Type VII shall be as applicable to initial allotment.

- v) The change of same type of accommodation shall be offered as per the priority in accordance with these rules and having regard to the officer's preference:

Provided that no change in the same type of accommodation shall be allotted within six months of the date of superannuation.

- vi) If an officer fails to accept a change of accommodation offered to her/him within eight days of the issue of such offer or allotment, she/he shall not be considered again for a change of accommodation for that type of accommodation.

- vii) An officer who, after accepting a change of accommodation fails to take possession of the same, shall be charged one month licence fee for such accommodation in accordance with the provisions of these rules in addition to the normal licence fee for the accommodation already in her/his possession the allotment of which shall continue to subsist:

Provided that if the CPWD fails to make the accommodation offered on change habitable within the prescribed time period, a certificate from the concerned Executive Engineer shall be furnished in this regard by CPWD and the officers will be exempted from payment of licence fee for the intervening period in such cases.

- viii) Where an officer, who is in occupation of an accommodation, is allotted another accommodation and she/he occupies the new accommodation, the allotment of former accommodation shall be deemed to have been cancelled from the date of physical occupation of the new accommodation:

Provided that such date of occupation, the allottee may, retain the former accommodation on payment of normal licence fee for a period of thirty days for shifting to the newly allotted accommodation:

Provided further that if the previous accommodation is not vacated within a period of thirty days, the allottee shall be liable to pay damages for use and occupation of the previous accommodation, furniture and garden charges as may be determined by the Government from time to time with effect from the 31st day from the date of physical occupation of the new accommodation and the accommodation allotted in the change shall be deemed to have been cancelled under these rules.

- ix) The officer shall ensure before applying for change of accommodation that she/he continues to be entitled for that type of accommodation on the basis of revised entitlement as well as other conditions governing such change of accommodation and the respective allotment authority or estate office shall verify this fact before accepting the prescribed acceptance form of the applicant.
- x) No change of accommodation shall be allowed to an allottee under this rule if an enquiry is under progress against the allottee on the charge of subletting.

2. Change of accommodation on medical grounds. –

- i) Change on medical grounds shall be given only if the officer concerned has already availed of one change in the same type of accommodation admissible under these rules:

Provided that if the officer has not already availed one change, the application for change on medical grounds shall be referred to the Committee constituted for the purpose.

- ii) Requests for change on medical grounds may be entertained only in such cases where the officer or a member of her/his family or dependent-in-laws living with her/him, after the allotment of the accommodation in change has developed such diseases as may be specified by the Committee constituted for the purpose by the Estate Manager:

Provided that a medical certificate from a Head of Department of the Specialty of concerned diseases of a Government Hospital indicating the nature and extent of physical handicap or disease and recommending such a change is furnished.

- iii) Change from one floor to another in the same colony or from one colony to another colony may be allowed, if the request is supported by medical certificate from a board constituted for the purpose from Safdarjung Hospital or Dr. Ram Manohar Lohia (RML) Hospital in Delhi and from a board constituted for the purpose from a Government hospital in places other than Delhi and the change of accommodation shall be given by the Estate Officer by issuing a well-reasoned speaking order.

3. Shifting of allottees in case of quarrel between neighbours:

- i) Any complaint relating to the quarrels between neighbours in Government colonies shall be examined in detail by the Welfare Officer, who shall make her/his recommendations to the Estate Manager.
- ii) The allottee found guilty under this rule shall be shifted to another accommodation in the same locality but at a distance from the accommodation of the allottee with whom she/he had picked up quarrel, or to another nearby or remote locality, depending upon the nature of the offence or situation.
- iii) If the allottee so shifted to another place again picks up quarrel with her/his neighbours, her/his allotment shall be cancelled and she/he shall be debarred from allotment of accommodation for a period varying from one year to two years depending upon the nature of the offence:

Provided that if the allottee who is debarred under this sub-rule, on subsequent allotment again picks up a quarrel with her/his neighbour and is found guilty, she/he shall be declared ineligible for further allotment of accommodation permanently and such declaration shall be made with the approval of the CAG office.

4. Change of Residence in the Event of Death of Member of Family.

Notwithstanding anything contained in these rules, an officer may be allowed a change of accommodation on the death of any member of her/his family if she/he applies for a change within **six months** of such occurrence, provided that the change will be given, as far as practicable, in the same type of accommodation, same floor and in the same area as the accommodation already allotted to the allottee.

14. Mutual Exchange of Residence.

Officers to whom residences of the same type have been allotted under these rules may apply for permission to mutually exchange their residences. Permission for mutual exchange may be granted only when both the residences are in same type/ category and locality and if both the officers are reasonably expected to be on duty in eligible offices at the same station and to reside in their mutually exchanged residences for atleast six months from the date of approval of such exchange.

15. Transfer to a non- family station.

Retention granted to allottees of IA&AD pool residences at their last place of posting in case of their posting to different non-family stations for bonafide use of their family members under different guidelines of Government of India issued from time to time, will be restricted to a maximum of three years. It is further clarified that the term 'Non Family station' includes:-

- i) North Eastern Region, Sikkim, Andaman & Nicobar Islands and Lakshadweep, UTs of Jammu & Kashmir, and Ladakh.
- ii) Left Wing Extremist (LWE) areas, as declared by Ministry of Home Affairs from time to time.

All other instructions issued by Government of India for retention of General Pool Residential Accommodation on transfer to 'Non Family station' shall also be applicable to IA&AD pool residences.

16. Maintenance of Accommodation.

1. Maintenance of accommodation by the allottee. –

- i) The allottee to whom a residential accommodation has been allotted shall maintain the accommodation and premises in a clean condition and such allottee shall not grow any trees, shrubs or plants contrary to the instructions issued by the Government or by its maintenance agencies nor cut or lop off any existing tree or shrubs in any garden, courtyard or compound attached to the accommodation save with the prior permission in writing of the concerned maintenance agencies.
- ii) Trees, plantation or vegetation, grown in contravention of this rule may be caused to be removed by the concerned maintenance agencies at the risk and cost of the allottee concerned.

2. Cooperation with maintenance agencies by the allottees to carry out repair works. –

- i) All allottee of accommodation will cooperate with respective maintenance agencies of residential accommodation in Government colonies in carrying out all kinds of repair or renovation works.
- ii) In case a complaint for non-cooperation is received from maintenance

agency against any allottee, strict action shall be taken against her/him as per these rules and the instructions issued by the Directorate of Estate from time to time.

3. Misuse of accommodation for trade or business or any other unauthorized activity.–

- i) The accommodation shall be used for residential purpose only by the allottee and other authorized persons as per these rules.
- ii) Action shall be taken against the allottee for unauthorized use of the allotted accommodation as per these rules and instructions issued by the Directorate of Estates in this regard from time to time.

4. Payment of requisite charge or fee to public utility services. –

- i) The allottees of accommodation shall pay the charges and fees to all utility services such as electricity, water, gas etc., regularly on receipt of the bill for such payment.
- ii) In case an allottee has not paid the dues to the public utility authorities before vacation or surrender of the accommodation, vacation or surrender of accommodation shall not be accepted by the maintenance agency.

5. Unauthorized constructions in Government colonies. –

- i) No unauthorized construction shall be allowed in Government residential colonies and the unauthorized constructions, if any shall be removed or demolished by the concerned maintenance agency or the Estate Officer notified under the Public Premises (Eviction of unauthorized occupants) Act, 1971 (40 of 1971), as the case may be in accordance with the provisions of that Act.
- ii) In case any further unauthorized construction is found in the accommodation of the same allottee, the accommodation provided to such allottee shall be cancelled from the date of inspection of the accommodation and she/he shall be debarred for allotment of accommodation for remaining period of service in future.
- iii) The procedure for dealing with cases relating to unauthorized construction or encroachment in accommodation or public premises and the responsibilities

of respective maintenance agencies shall be specified by the Central Government from time to time.

17. Subletting and sharing of Residences.

1. Persons to reside with allottee. –

- i) The allottee shall reside in the accommodation allotted to her/him with her/his family and immediate relations.
- ii) In case any relationship ceases by any order of court of law, such relation shall not reside with the allottee.
- iii) The servant quarters, out-houses and garages may be used for the bonafide purposes only as permitted by the Directorate of Estates.
- iv) The allottee who shares the accommodation with her/his family or immediate relations shall furnish prior intimation to the Estate Officer in such form, as may be specified by the Estate Officer, furnishing full particulars of her/his family members or immediate relations residing in the accommodation allotted to her/him:

Provided that the details of guests, if such guest is likely to stay for more than fifteen days in the accommodation, shall be intimated to the Estate Officer in such form, as may be specified by the Estate Officer, intimating full particulars of the individual or individuals.

2. Subletting of accommodation. –

- i) An allottee shall not sublet the whole or part of accommodation including garage allotted to her/him:

Provided that an allottee proceeding on leave may accommodate, in the accommodation any member of her/his family or immediate relations, as a caretaker, by submitting, along with her/his leave application, the details of such member of her/his family or immediate relation, to the Estate Officer:

Provided further that the maximum period of such accommodation by a caretaker shall be not exceeding six months.

- ii) If an allottee to whom an accommodation has been allotted, unauthorisedly sublets the accommodation, the Estate Officer may without prejudice to any

other disciplinary action that may be taken against her/him, cancel the allotment of the accommodation from the date of inspection.

Explanation. – In this sub-rule, the term "allottee" include, unless the context otherwise requires, a member of her/his family and any person claiming through the allottee.

- iii) If an allottee sublets an accommodation allotted to her/him or any portion thereof on any of the out-houses or garages in contravention of these rules, she/he may without prejudice to any other action that may be taken against her/him, be charged such damages from the date of inspection by the Estate Officer, as may be determined by the Central Government from time to time, in this respect.
- iv) Where an action to cancel the allotment is taken on account of unauthorized subletting of the premises, a direction shall be issued by the Estate Officer to the concerned administrative office of the allottee for the purposes of initiation of Departmental proceedings and for imposition of major penalty, along with the copy of a draft charge sheet; and the administrative office shall intimate the Estate Officer the details of the charges framed and the penalty imposed on the allottee under this rule.
- v) The Estate Officer shall be competent to –
 - a) take all or any of the actions provided under this rule;
 - b) declare the allottee to be ineligible for allotment of residential accommodation for the remaining period of her/his service;
 - c) intimate to the office of the allottee for initiating disciplinary proceedings for major penalty under the relevant rules.
- vi) Where any penalty under this rule is imposed on proved case of subletting, the aggrieved person may within thirty days of the receipt of the order by her/him or her/his employer imposing the penalty, may prefer an appeal before the concerned appellate authority (i.e. the PAG/DG/AG/PD who exercises control over the Estate Management functions at the station), through proper channel.
- vii) The original order imposing the penalty shall stand unless it is modified or rescinded on appeal by the appellate authority.
- viii) Cases where individual fails to comply with the provisions this rule shall be brought to the notice of authorities concerned by the Estate Officer for taking

appropriate disciplinary action against such defaulting allottees.

3. Procedure for conduct subletting inspections. –

The procedure to conduct subletting inspections by the authorized officials shall be such as may be specified by the O/o the CAG of India, New Delhi from time to time.

4. Penalty for subletting. –

- i) Cancellation of allotment of accommodation or otherwise of the cases suspected of subletting shall be decided by the concerned authority after inquiry providing equal opportunity to the allottee as per the established procedure in this regard.
- ii) The "Estate Officer" shall be the deciding authority and the "HoD" of Estate Office shall be the appellate authority in respect of subletting of accommodation.
- iii) All cases of subletting shall be reported to the deciding authority who shall initiate inquiry and inspection in accordance with the procedure as may be specified by the Government of India from time to time.
- iv) After completion of the inspection and inquiry under sub-rule (3), the inspection report shall be referred to the deciding authority. Who shall, after giving an opportunity of hearing to the allottee, pass an order in writing and where a case of subletting is established, the allotment shall be cancelled and the allottee shall be liable to the penalty under these rules:

Provided that where allottee vacates the accommodation during the proceedings under this rule, the inquiry shall continue against such allottee and in case subletting is established, the remaining penalties shall be imposed on her/him as provided under these rules.

Provided further that where allottee is aggrieved with the decision of the deciding authority, she/he may prefer an appeal before the appellate authority within a period of thirty days from the date of receipt of the order of the deciding authority.

- v) Where fact of subletting has been established, the deciding authority shall refer the case to the Estate Officer for initiation of eviction proceedings under the provisions of the Public Premises (Eviction of Unauthorised

Occupants) Act, 1971 to carry out eviction proceedings.

18. Consequences of breach of rules and condition:

If any officer to whom a residence has been allotted, unauthorisedly sublets the residence or charges licence fee from the sharer at a rate which the Estate Officer considers excessive or erects any unauthorized structure in any part of the residence or uses the residence or any portion thereof for purposes other than that for which it is meant or tampers with the electricity or water connection or commits any other breach of rules or other terms and conditions of the allotment or uses the residence or premises or permits or offers the residence or premises to be used for any purposes, which the Estate Officer considers to be improper or conducts herself/himself in a manner which, in her/his opinion, is prejudicial to the maintenance of harmonious relations with her/his neighbours or conducts herself/himself in such a manner as to disturb peace in the residential complex or colony in any manner or utilizes or cause to be utilized common facilities for unauthorized purposes such as parties etc without the consent of Estate Officer, has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Estate Officer may, without prejudice to any other disciplinary action that may be taken against her/him, cancel the allotment of the residence.

Explanation: In this sub-rule, the expression "officer" includes unless the context otherwise requires, a member of her/his family and any person claiming through the officer.

19. Deleted.

20. Interpretation of Rules:

If any question arises as to the interpretation of these rules, it shall be decided by the Comptroller & Auditor General of India. The decision of the Comptroller & Auditor General of India thereon shall be final.

21. Relaxation of Rules:

The Comptroller & Auditor General of India may, for reasons to be recorded in writing, relax all or any of the provisions of the rules in the case of any officer or residence or class of officers or type of residences. However in the field offices,

DG/PrAG/PD/AG may relax the provisions in following matters:-

- i) Allotment of accommodation in favour of an allottee of IA&AD pool accommodation for marriage or other social purposes for a maximum period of seven days.
- ii) Allotment to physically handicapped officials.

Allotment in the above cases may be made as per the Govt. of India's orders in this regard in respect of General Pool Accommodation.

22. Eviction of unauthorized occupants:

1. The Estate Officer shall exercise the powers conferred under the Public Premises (Eviction of Unauthorised occupants) Act, 1971.

2. Unauthorised occupation after cancellation of allotment:

Where, after an allotment of accommodation has been cancelled or is deemed to have been cancelled under any provisions of these rules, the accommodation remains or has remained in occupation of the allottee to whom it was allotted or of any person claiming through, such allottee shall be liable to pay damages for use and occupation of the accommodation, services, furniture and garden charges, as may be determined by the Central Government from time to time.

3. **Issue of vacation notice and show cause notice to the allottees:**

- i) The vacation notice shall be issued to all the allottees of accommodation or to their families at least fifteen days before the date of expiry of the permissible period of retention.
- ii) In case where the allottees have not vacated the quarters after expiry of permissible retention period, the concerned authority will issue show cause notice to such unauthorized occupants under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971).

4. **Disciplinary proceedings against persons who fail to vacate temporary allotment of accommodation. –**

- i) The temporary accommodation allotted for marriage and other social purpose shall be vacated on expiry of the allotted period.
- ii) In case of failure to vacate the allotted accommodation the matter shall be referred to the office of the allottee for appropriate disciplinary action against her/him and damages shall be charged for such unauthorized occupation.

23. Applicability of orders, circulars, etc. of Appropriate Authority to IA&AD pool residential accommodation.-

1. IA&AD reserves the right to apply various rules, orders or circulars, etc. on IA&AD pool residential accommodation which are issued by the appropriate authority from time to time. The applicability of such rules or orders to IA&AD pool accommodation shall be decided on the merit of each case with the approval of CAG's office.

2. Continuance of allotment made prior to the issue of these rules:

Any valid allotment of a residence under the rules which is subsisting immediately before the commencement of these rules shall be deemed to be an allotment made under those rules, notwithstanding that the officer to whom allotment, has been made is not entitled to a residence of that type under Rule 5; all the preceding provisions of these rules shall apply in relation to that allotment and that officer accordingly.