

No.F.10-10/2012-C&W
National Council of Educational Research and Training
Sri Aurobindo Marg, New Delhi-110016
(Campus and Welfare Section)

Dated the 31st December 2012

NOTIFICATION

In exercise of the powers conferred by the proviso of Rule 40 of MOA & Rules of the NCERT, the House Allotment Rules, duly approved by the Executive Committee in its meeting held on 20.7.2012, along with the modifications approved by the Executive Committee in its meeting held on 3.12.2012, duly incorporated, are hereby notified for **implementing in the Council and its constituent units with immediate effect**. These rules shall be called "**The Rules for Allotment of Residences to the Council's employees, 2012.**"

A copy of "**the Rules for Allotment of Residences to Council's employees 2012**" is also being uploaded on the NCERT website.

This issues with the approval of the Competent Authority.



(Kanta Kelkar)
Deputy Secretary

1. Joint Directors, CIET & PSSCIVE, Bhopal.
2. All Principals of RIEs, Ajmer, Bhopal, Bhubaneswar, Mysore & NERIE Shillong.
3. All Heads of the Departments/Divisions/Cells.
4. All Deputy Secretaries/Under Secretaries in the Council Secretariat.
5. Chief Accounts Officer, NCERT
6. P.S. to Director, NCERT
7. P.S. to Joint Director, NCERT
8. P.S. to Secretary, NCERT
9. NCERT Website
10. All Notice Boards.

फा०सं० 10-10/2012-प०एवंक०
राष्ट्रीय शैक्षिक अनुसंधान और प्रशिक्षण परिषद्
श्री अरविंद मार्ग, नई दिल्ली-110016

परिसर एवं कल्याण अनुभाग

दिनांक: 31 दिसंबर, 2012

अधिसूचना

एनसीईआरटी के एसोसिएशन का जापन और नियम के विनियम 40 के उपबंध द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 20.07.2012 को सम्पन्न कार्यकारिणी की बैठक द्वारा अनुमोदित आवास आबंटन नियमावली को दिनांक 03.12.2012 को सम्पन्न कार्यकारिणी की बैठक द्वारा अनुमोदित आशोधनों के साथ विधिवतरूप से शामिल करते हुए परिषद् और इसकी संघटक इकाईयों में कार्यान्वित करने के लिए तत्काल प्रभाव से अधिसूचित किया जाता है। इन नियमों को "परिषद् कर्मचारियों के लिए आवास आबंटन नियमावली, 2012 कहा जाएगा।

परिषद् कर्मचारियों के लिए आवास आबंटन नियमावली, 2012 की एक प्रति एन.सी.ई.आर.टी. वेबसाइट पर भी अपलोड की जा रही है।

यह सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।



(कान्ता केलकर)

उप सचिव

1. संयुक्त निदेशक, सीआईईटी एवं पीएसएससीआईवीई, भोपाल
2. क्षेत्रीय शिक्षा संस्थानों (अजमेर, भोपाल, भुवनेश्वर, मैसूर और उपक्षेत्रीय शिलांग) के सभी प्राचार्य
3. विभागों/प्रभागों/प्रकोष्ठों के सभी अध्यक्ष
4. परिषद् सचिवालय के सभी उप सचिव/अवर सचिव
5. मुख्य लेखा अधिकारी, एनसीईआरटी
6. निदेशक, एनसीईआरटी के निजी सचिव
7. संयुक्त निदेशक, एनसीईआरटी के निजी सचिव
8. सचिव, एनसीईआरटी के निजी सचिव
9. एनसीईआरटी वेबसाइट
10. सभी सूचना पट्ट

NATIONAL COUNCIL OF EDUCATIONAL RESEARCH & TRAINING
SRI AUROBINDO MARG, NEW DELHI - 110 016

THE RULES FOR ALLOTMENT OF RESIDENCES TO COUNCIL'S EMPLOYEE

Rule 1. SHORT TITLE AND APPLICATION

- (i) These rules may be called "The Rules for Allotment of Residences to Council's employee".
- (ii) They shall come into force from the date of notification.

Rule 2. DEFINITIONS

In these rules, unless the context otherwise requires:-

- (a) 'allotment' means the grant of a license to occupy a residence in accordance with the provisions of these rules.
- (b) 'allotment year' means the year beginning on 1st January or such other period as may be notified by the Council.
- (c) 'eligible office' means Council's Offices.
- (d) 'emoluments' means the emoluments as define in Fundamental Rules 9 (21) (a) (i)
- (e) EXPLANATION: In the case of an employee who is under suspension the emoluments drawn by her/him on the first day of the allotment year in which she/he is placed under suspension, or if she/he is placed under suspension on the first day of the allotment year, the emoluments drawn by her/him immediately before that date shall be taken as 'emoluments'.
- (f) 'employee' means whole time employee of the Council.



- (g) 'family' means the wife or husband, 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 employee.
- (h) 'Council' means the National Council of Educational Research and Training.
- (i) 'Director' means the Director, NCERT
- (j) 'Principal' means Principal of a RIE/NERIE
- (k) **Priority Date**
- (i) the eligibility of an employee for allotment of accommodation shall be determined as per the Grade Pay of such employee in her/his present post held in the National Council of Educational Research & Training.
- (ii) the date of priority in respect of lower type accommodation, i.e. Type I to Type IV shall be the date of joining in the service of the Council.
- (iii) the inter se seniority for the higher type accommodation i.e. Type V shall be considered on the basis of following principles, namely: -
- I. Firstly, the Grade Pay of the officer;
 - II. Secondly, the priority date within the same Grade Pay. In this case, the priority-date shall be the date from which the applicant is continuously drawing her/his existing Grade Pay.
 - III. Where the priority date of two or more officers is the same, the inter se seniority of the officers shall be determined on the basis of the basic pay, i.e. the officers who have a higher pay shall be senior in the waiting list.
 - IV. Where the priority date and the basic pay of two or more officers are the same, the earlier date of joining in the service of the Council shall be the next determining principle of inter se seniority.
 - V. Where the priority date, basic pay and date of joining in the service of the Council of two or more officers are the same, the officer retiring earlier may be accorded higher priority over the officer retiring later.



- (d) Officer entitled for Type V accommodation shall also be eligible to apply for accommodation below entitlement subject to the condition that such accommodation shall not be below Type IV accommodation. In case a Type III accommodation is available and there is no claimant as per priority list, the same may be allotted, on request of an employee who is otherwise eligible for Type V.
- (l) 'license fee' means the sum of money payable monthly in accordance with the provisions of the fundamental Rules in respect of residence allotted under these rules.
- (m) 'residence' means any residence for the time being under the administrative control of the Council.
- (n) 'subletting' includes sharing the accommodation by an allottee with another person with or without payment of rent by such other person;

EXPLANATION: Any sharing of accommodation by an allottee with close relations shall not be deemed to be subletting.

- (o) 'temporary transfer' means a transfer which involves an absence for a period not exceeding FOUR months.
- (p) 'transfer' means a transfer from Delhi to any other place and includes deputation to a post in an ineligible office or organization.
- (q) 'Type' in relation to an employee means the type of residence to which he/she is eligible under the rules.

Rule 3 **Constitution of House Allotment Committee.**

A House Allotment Committee is constituted as under: -

(A) For NCERT HQ

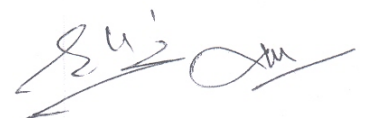
- | | | | |
|-----|--|---|--------------------|
| 1. | Secretary | - | Chairperson |
| 2. | One Deputy Secretary to be nominated
by Director | - | Member |
| 3-4 | Representative of Academic & Non-Academic
Staff on the Establishment Committee (or if they
are posted outside Delhi, their nominees) | - | Member |
| 5. | Deputy Secretary, C&W | - | Member
Convener |

(B) For RIEs

- | | | | |
|----|----------------------------|---|--------------------|
| 1. | Principal | - | Chairperson |
| 2. | Senior Most Faculty member | - | Member |
| 3. | Administrative Officer | - | Member
Convener |

(C) The House Allotment Committee shall:

- (i). Finalize the priority list after the preparation of tentative priority list by the concerned section and examine the objection, if any.
 - (ii). Consider cancellation of allotment and recommend any other action against the allottee for breach of rules and conditions for allotment of houses which have been brought to its notice.
 - (iii). Consider such other matters relating to the NCERT houses as may be referred to it from time to time by the NCERT authorities.
 - (iv). The House Allotment Committee shall ordinarily meet once in three months.
- (D) The recommendations of the House Allotment Committee will become effective after they are approved by the Director, NCERT/Principal, RIEs. An appeal against the decision of the House Allotment Committee shall lie with the Director, NCERT. Pending decision on any appeal, the allotment made by the House Allotment Committee would not be kept in abeyance.



Rule 4: ALLOTMENT OF HOUSE OWNING OFFICERS

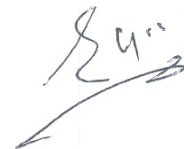

- (a) House owning officers mean an officer who owns a house either in her/his name or in the name of any member of her/his family in the station of her/his posting or in adjoining municipal area.

Where, after a residence has been allotted to an officer she/he or any member of her/his family constructs a house or otherwise becomes the owner of a house, such officer shall notify the fact to the Council within a period of four weeks from the date on which she/he or such member becomes the owner of the house.

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

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

- (d) "Local municipality" in relation to an officer means the municipality within whose jurisdiction her/his office is located;
- (e) "member of family" in relation to an officer means the wife or husband, as the case may be or a dependent child of the employee;
- (f) "municipality" includes a municipal corporation, a municipal committee or board, a town area Committee a notified area committee and cantonment board.

  5

- (g) Income from the house would mean the rent received by the owner where the house has been given on lease. Where, however the house has not been given on lease, income would mean the rent which is taken into account by the municipal bodies for the purpose of determining house tax etc.
- (h) An employee owning a house either in her/his own name or any member of her/his family at the place of his duty or in an adjoining municipality shall be eligible for allotment of Council residence on payment of license fee for the Council accommodation allotted to her/him at such rate as may be determined from time to time by the Council.

Rule 4 (A) ALLOTMENT TO HUSBAND AND WIFE

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

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

- (i) an order of judicial separation made by a court; or
- (ii) an order to proceed to frame and record the issues for settlement of the proceedings by any court in which petition filed by the wife or husband, as the case may be, for dissolution of marriage by a decree of divorce is pending and the wife or husband, as the case may be, has furnished an undertaking that she or he will surrender the residence allotted to her or him forthwith in case of revival of conjugal rights with her or his spouse”.
- (2) Where two employees in occupation of separate residence allotted under these rules marry each other, they shall, within one months of the marriage, surrender one of the residence.
- (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 such one of them, as the Secretary 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 Council, the title of each of them to allotment of a residence under these rules shall be considered independently.
- (5) **Notwithstanding anything contained in sub-rule (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 residence accommodation at the same station, 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 employees in occupation of separate residence at the same station, one allotted under these rules and another from a Govt./Semi Govt./Autonomous/Local shall surrendered any one of the residences within one months of such marriage.
- (c) If a Council's residence is not surrendered as required under clause (a) or clause (b) the allotment of the residence shall be deemed to have been cancelled on the expiry of such period.
- (6) In case of the death of the wife/husband who has been allotted an accommodation, the allotment to other spouse will be made strictly as per the provisions prescribed in the orders of the Directorate of Estates, Ministry of Urban Development, Govt. of India.

Rule 5: CLASSIFICATION OF RESIDENCES

Type of residences	Grade Pay
I	upto Rs.1800
II	Rs.1900, Rs.2000, Rs.2400 and Rs.2800
III	Rs.4200, Rs.4600 and Rs.4800
IV	Rs.5400 to Rs.6600
V	Rs.7600/- & above

[Handwritten signature]

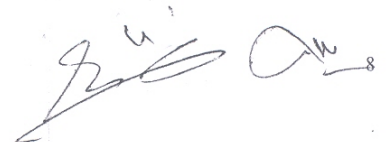
[Handwritten signature]

Rule 6: APPLICATION FOR ALLOTMENT

- 1) An employee can apply for allotment of a house at any time and her/his name would be placed in the priority list of allotment of quarters as per the provisions of the allotment rules.
- 2) A vacant quarter will first be allotted to the employees on the **change priority list**.
- 3) The cases of employees who have applied for allotment of houses before the last date of the preceding months will be considered, along with the names already existing in the priority list, for allotment of quarters.
- 4) The employees will have the option to give their preferences for various houses. In case there is more than one claimant for a particular house, the senior most person in the priority list will be allotted the house as per her/his choice.

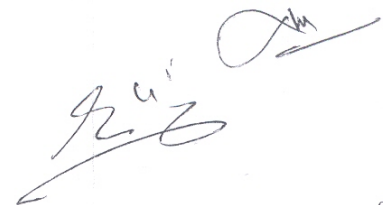
For Delhi

- 5) The first allotment from the priority list in respect of Type I to IV quarters will be made for houses in Pappankalan, Nasirpur Campus. She/he will come in the NCERT Campus, on change of allotment, as per her/his turn.
- 6) The first allotment from the priority list in respect of Type V houses will be made for flats first. Type V Bungalow will be allotted on change only.
- 7) If an employee moves on transfer in public interest from Nasirpur Campus or NIE Campus, she/he, on reposting at NCERT HQ, will be eligible for allotment of quarter in the same campus. She/he will get preference over the names figures in the change list.
- 8) If an employee joins NCERT on transfer from RIEs, her/his name will be included in the priority list for allotment of quarter as per her/his date of priority.



Rule 7: ALLOTMENT OF RESIDENCES AND OFFERS

- (i) Save as otherwise provided in these rules, a residence, on falling vacant shall be allotted by the Council preferably to an applicant desiring a change of accommodation in that type, and if not required for that purpose, to an applicant without accommodation in that type having the earliest priority date for that type or residence subject to the following conditions:
- (a) The Council shall not allot a residence of a type higher than that to what the applicant is eligible under rule.
 - (b) The Council shall not compel any applicant to accept a residence of a lower type than that for which she/he is eligible under rules.
 - (c) The Council on request from an applicant for allotment of lower category of residences, might allot to her/him a residence next below the type for which she/he is eligible under Rule on the basis of her/his priority date for the same, if the accommodation in the lower type is surplus to the requirements.
- (ii) The Council may cancel the existing allotment of an employee and allot to her/him an alternative residence of the same type or in emergent circumstances an alternative residence of the type next below the type of residence in occupation of the employee if the residence in occupation of the employee is required to be vacated.
- (iii) A vacant residence may, in addition to allotment to an employee under sub-rule (i) (a) above, be offered simultaneously to other eligible officers in order of their priority dates.
- (iv) An allotted accommodation is to be used only for bonafide purposes. If an allottee misuses the allotment, e.g., locking it up and not living there, her/his allotment will be cancelled and she/he will be debarred from applying for allotment of accommodation for a period of five years.



- (v) Free Furnished/Rent Free Accommodation will be allotted to the followings:
1. Director, NCERT - free furnished accommodation
 2. Section Officer, Security - rent free accommodation, as per entitlement
 3. Section Officer, Steward - rent free accommodation, as per entitlement
 4. Manager, NIE Guest House - rent free accommodation, as per entitlement

Rule 7 (A) Maintenance of Separate pools for certain categories of Officers

(1) Notwithstanding anything contained in these rules, the following pools shall be maintained, namely:

- (i) Houses will be earmarked for Joint Director, NCERT, Joint Director, CIET & Secretary, NCERT. VSO, IFA shall be given preferential allotment at NIE Campus.

RIEs/NERIE/PSSCIVE - The following category of staff will compulsorily stay on Campus

RIEs/NERIE/

- | | |
|---------------------------------|---|
| 1. Principal | 2. H.M., D.M. School |
| 3. Administrative Officer | 4. Medical Officer (appointed on regular basis) |
| 5. All Wardens of hostels | 6. Caretaker |
| 7. Security Supervisor | 8. Sr. Most Pharmacist, RIE Dispensary |
| 9. Driver attached to Principal | |

PSSCIVE

- | | |
|---|---|
| 1. Joint Director, PSSCIVE | 2. Deputy Secretary |
| 3. Warden of the Hostel and Guest House | 4. Driver attached to Joint Director, PSSCIVE |

- (ii) Lady Employees Pool separately for married lady employees and single lady employees (including widows)

EXPLANATION:

- (a) "Married lady employee" means a lady employee whose marriage is subsisting and who is not judicially separated from her husband.
- (b) "Single lady employee" means a lady employee who is not a married lady employee or is a widow or a legally separated married women.
- (2) The number and types of residences to be placed in these pools shall be determined by the Council from time to time.
- (3) The lady employee shall be entitled to allotment of accommodation in the pools in the type next below the type to which they are entitled under provisions of Rule.



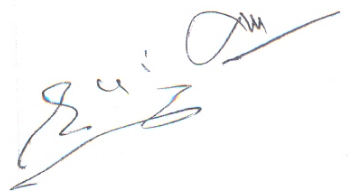
- (4) For the ladies quota, the allotment should be of the order of 2% of available units in each type.

Rule 8 NON-ACCEPTANCE OF ALLOTMENT OR FAILURE TO OCCUPY THE ALLOTTED RESIDENCE AFTER ACCEPTANCE

- (i) If any employee fails to accept the allotment of residence within five days or fails to take possession of that residence after acceptance within eight days from the date of receipt of the letter of allotment she/he shall not be eligible for another allotment for a period of one year from the date of allotment letter.
- (ii) If an employee occupying a lower type residence is allotted or offered a residence of the type for which she/he is eligible under rule or for which she/he has applied under rule she/he may, on refusal of the said allotment or offer of allotment, be permitted to continue in the pervious allotted residence on the following conditions namely: -
- (a) that such an employee shall not be eligible for another allotment for a period of one year from the date of the allotment letter for the higher class accommodations.
- (b) While retaining the existing residence she/he shall be charged the same license fee, which she/he would have had to pay in respect of the so allotted or offered or the license fee payable in respect of the residence already in her/his occupation, whichever is higher.

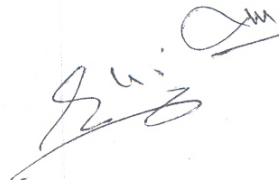
Rule 9 PERIOD FOR WHICH ALLOTMENT/RENT FREE ACCOMMODATION SUBSISTS AND THE CONCESSIONAL PERIOD FOR FURTHER RETENTION

- (1) An allotment shall be effective from the date on which it is accepted by the employee and shall continue in force until:
- (a) The expiry of the concessional period under sub-clause (2) after the employee ceases to be on duty;
- (b) It is cancelled by the Council or is deemed to have been cancelled under any provision in these rules;



- (c) It is surrendered by the employee or
- (d) The employee ceases to occupy the residence.
- (2) A residence allotted to an employee may subject to this sub-rule be allowed to be retained on the happening of any of the events specified in column 1 of the table below for the period specified in the corresponding entry in column (2) thereof, provided the residence is required for the bona fide use of the employee or members of her/his family.

	Event	Permission period for retention of the residence for bonafide use only
(i)	Resignation, dismissal or removal from service, termination of service or unauthorized absence without permission	1 month.
(ii)	Retirement or terminal leave	2 months on normal licence fee; and another 2 months on double the normal licence fee +2 months on payment of four times of the normal license fee and subsequent 2 months on payment of six times of normal license fee for special reasons involving medical/ educational ground subject to appropriate certification by the authority concerned
(iii)	Death of the allottee	(a) 6 months + Extendable further for 6 months, for Type-III and above. (b) 1 year + Extendable further for 1 year, for Type-I & II (c) The extended period of 6 months in case of Type-III & above and 1 year in case of Type-I & II shall not be allowed in cases where the deceased officer or her/his dependents own a house at the place of posting.
(iv)	Transfer to a place outside the station including the case of officials who are on deputation to NCERT and whose tenure has come to an end.	2 months or for those whose School/College going children are living with them, upto end of the academic session (upto class XIIth end of academic session will be 31st March, and for college/higher study end of current session of the academic year). For retention beyond 2 months, license fee will be charged as per rates fixed by the Directorate of Estates, Govt. of India.


 12

(v)	On proceeding on foreign service in India	2 months
(vi)	Temporary transfer in India or transfer to a place outside India	4 months.
(vii)	Leave (other than leave preparatory to retirement)	4 months.
(viii)	Maternity Leave	For the period of maternity leave plus the leave granted in continuation subject to a maximum of 5 months.
(ix)	Study leave in or outside India	6 months
(x)	Deputation outside India	For the period of deputation but not exceeding six months.
(xi)	Leave on medical grounds	For the full period of leave.
(xii)	On proceeding on training	For the full period of training.

EXPLANATION

The period permissible on transfer mentioned against items (iv) and (v) in the Table shall count from the date of relinquishing charge plus the period of leave, if any, sanctioned to and availed herself/himself of by the officer before joining duty at the new office subject to a maximum limit provided under item (vi) or (ix) as the case may be of the said Table.

- (3) Where a residence is retained under sub-rule (ii) the allotment shall be deemed to be cancelled on the expiry of the admissible concessional period unless immediately on the expiry thereof the officer resumes duty in the eligible office at that place.
- (4) Notwithstanding anything contained in sub-rule (ii) or sub-rule (iii) when an officer is dismissed or removed from service or her/his services have been terminated and Council is satisfied that it is not necessary or expedient in the public interest so to do, she/he may require the Council to cancel the allotment of the residence made to such employee either forthwith or with effect from such date prior to the expiry of the period of one month referred to in term (i) of the Table below sub-rule (ii) as it may specify and Council shall do accordingly.



REGULARIZATION IN CASE OF RE-POSTING: -

- (i) Only in cases where re-posting takes place within the permissible retention period.
- (ii) Where re-posting in eligible organization takes place beyond permissible period of retention, damage rate of licence fee will be charged for period beyond 2 months and regularization will be allowed only if date of priority is covered.
- (iii) Eviction proceedings will be initiated after the retention period.

Transfer to North East Regions

If an employee is posted to an office in North Eastern Region, she/he will be entitled to the facility of retention of Council accommodation for the bonafide use of members of her/his family at the last station of posting subject to recovery of licence fee at the rate of one and half times the licence fee for the period beyond the permissible period for retention of the house. Provided that the period of retention of the house under this sub-rule shall not exceed a period of one year unless otherwise permitted. However, these provisions shall not apply in case of transfer to North East Region at own request.

Rule 10 PROVISIONS RELATING TO LICENSE FEE

- (1) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for license fee shall commence from the date of occupation or the eighth day from the date of receipt of the allotment letter, whichever is earlier.

An employee who, after acceptance, fails to take possession of that accommodation within eight days from the date of receipt of the allotment letter, shall be charged license fee from such date up to a period of twelve days, provided that nothing contained herein shall apply where the accommodation is not fit for occupation and as a result thereof the officer does not occupy the accommodation within the period aforesaid.

- (2) Where an employee, who is in occupation of a residence, is allotted another residence, and she/he occupies the new residence, the allotment of the former residence shall be deemed to be cancelled from the date of occupation of the new residence. After such date of occupation, she/he may, however, retain the

former residence on payment of normal license fee therefore, for a period of 15 days for shifting to the allotted accommodation in change.

Provided that if the former residence is not yet vacated within 15 days the employee will be liable to pay damages for use and occupation of the residence furniture, and garden charges as may be determined by the Council from time to time, with effect from 16th day from the date of acceptance of the new residence.'

3. If an officer occupying a lower type residence has given her/his option in her/his application made under Rule to retain the said residence, the provisions contained in sub-rule (2) shall not apply to her/him during the period for which such an option has been given.

RULE 11 PERSONAL LIABILITY OF THE OFFICER FOR PAYMENT OF LICENSE FEE TILL THE RESIDENCE IS VACATED & FURNISHING OF SURETY BY TEMPORARY OFFICERS.

- (i) The employee to whom a residence has been allotted shall be personally liable for the license fee thereof and any damage beyond fair wear and tear caused thereto or to the furniture, fixtures or fittings or services provided therein by the Council 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 in these rules, until the residence along with the out-houses appurtenant there to have been vacated and full vacant possession thereof has been restored to the Council.
- (ii) Where the employee to whom a residence has been allotted is neither a permanent nor a quasi-permanent Council servant she/he shall execute a security bond in the form prescribed in this behalf by the Council with a surety, who shall be a permanent Council servant serving under the Council for due payment of license fee and other charges, dues from her/him in respect of such residence and services and any other residence provided in lieu.
- (iii) If the surety ceases to be in the Council service or becomes insolvent or withdraws her/his guarantee or ceases to be available for any other reasons, the employee shall furnish a fresh bond executed by another surety within thirty days

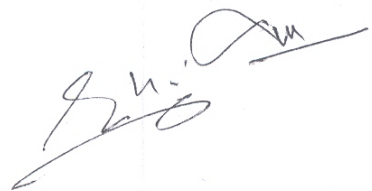
from the date of her/his acquiring knowledge of such event or fact; and if she/he fails to do so, the allotment of the residence to her/him, shall, unless otherwise decided by the Council, be deemed to have been cancelled with effect from the date of that event.

Rule 12: SURRENDER OF AN ALLOTMENT AND PERIOD OF NOTICE

- (i) An employee may at any time surrender an allotment by giving intimation so as to reach the Council at least ten days before the date of vacation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the eleventh day after the day on which the letter is received by the Council or the date specified in the letter, whichever is later. If she/he fails to give due notice she/he shall be responsible for payment of license fee for ten days or the number or days by which the notice given by her/him falls short of ten days provided that the Council may except a notice for a short period.
- (ii) An officer who surrenders the residence under sub-rule (i) shall not be considered again for allotment of Council accommodation at the same station for a period of one year from the date of such surrender.

Rule 13: CHANGE OF RESIDENCE

- (i) An employee to whom a residence has been allotted under these rules may apply for a change to another residence of the same type or a residence of the type to which she/he is eligible under rule. Not more than one change shall be allowed in respect of one type of residence allotted to the employee.
- (ii) An employee, who intends to change the accommodation already allotted to her/him shall make an application in the prescribed form to the Council and thereafter, the name of such employee shall be included in the waiting list concerned and inter se position of such employee in such waiting list for accommodation of Type I to Type IV shall be determined on the basis of the date of receipt of such application to the Council in such order and for accommodation of higher types, the inter se position in the waiting list concerned of employees intending to change the accommodation shall be determined on the basis of priority date of the employee concerned in relation to allotment of higher types and to which she/he is eligible under the provisions of SR 317-B-5".



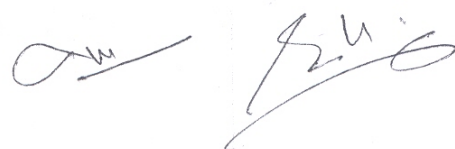
- (iii) All application for change made in the form prescribed by the Council and received up to the 19th day of a calendar month shall be included in the waiting list in the succeeding month. For purposes of this rule the employees whose names are included in the waiting list in an earlier month shall be senior en block to those whose names are included in the list in subsequent months. The inter seniority of the officers included in the list in any particular months shall be determined in the order of the priority dates.
- (iv) Change shall be offered in Order of seniority determined in accordance with sub-rule (ii) and having to the officers preferences as far as possible.
- (v) If an employee fails to accept a change of residence offered to her/him within eight days of the issue of such order of allotment, she/he shall be debarred for one year. If she/he fails to accept the change of residence a second time, she/he shall not be considered again for a change of residence of that type.
- (vi) If an employee who after accepting a change of residence fails to take possession of the same, she/he shall be charged license fee for such residence in accordance with the provisions of sub-rule (i) of SR 317-B-12 in addition to the normal license fee under FR 45-A for the residence already in her/his possession, the allotment of which shall continue to subsist.
- (vii) **If more than one offer for allotment of house has been issued on the same day but has been received by individuals on different dates and time, the names in the change list will be included as per the seniority of the employee in the priority list for allotment of quarters, provided the allottee submits her/his change request within the stipulated date mentioned in the offer letter.**

13 (A) Technical Change

If a Council employee is already in an occupation of a lower type of accommodation in NIE Campus only and is offered initial allotment of higher type, she/he can accept the offer technically and may apply for change of accommodation of higher type as per her/his preference. Her/His name will be included in the change of higher type of accommodation provided she/he will pay the license fee of higher type of accommodation

Rule-14: MUTUAL EXCHANGE OF RESIDENCE

Mutual exchange will not be allowed



Rule 15: MAINTENANCE OF RESIDENCE

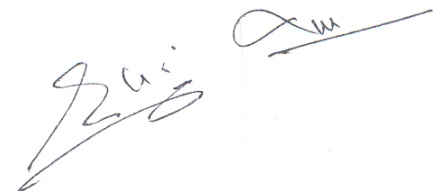
An employee to whom a residence has been allotted shall maintain the residence and premises in a clean condition to the satisfaction of the Council. Such employee shall not grow any tree, shrubs or plants contrary to the instructions issued by the Council not cut or lop off any existing tree or shrub in any garden, courtyard or compound attached to the residence save with prior permission in writing of the Council. Trees, plantation or vegetation grown in contravention of this rule may be caused to be removed by the Council at the risk and cost of the employee concerned.

Rule 16: SUBLETTING AND SHARING OF RESIDENCE

- (i) No employee shall share the residence allotted to her/him or any of the out-houses, garages and stables appurtenant thereto except with the employee of the Council eligible for allotment of residences under these rules, the servants quarters, out houses, garages may be used only for the bona fide purposes including residence of the servant of the allottee or for such other purposes as may be permitted by the Council.

Provided that the employee shall send prior intimation to the Council in such form as may be prescribed by the Council intimating full particulars of the employee and her/his family residing in the quarter and full particulars of the sharer and her/his family.

- (iii) An employee who shares or sublets her/his residence shall do so at her/his own risk and responsibility and shall remain personally responsible for any license fee payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by Council beyond fair wear and tear.



Rule-17: CONSEQUENCES OF BREACH OF RULES AND CONDITIONS

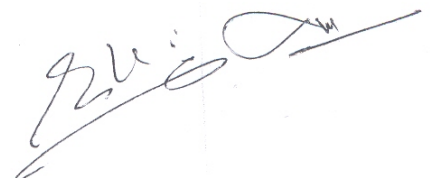
- (i) If an employee to whom residence has been allotted unauthorizedly sublets the residence or charges (licence fee) from the sharer at a rate which the Council considers excessive or erects any unauthorized structure in any part of residence or uses the residence or any portion thereof for any purposes other than that for which it is meant or tempers with the electric or water connection or commits any other breach of the rules or of the terms and conditions of the allotment or uses the residence or premises or allows the residence or premises to be used for any purpose which the council considers to be improper or conducts herself/himself in a manner which in her/his opinion of the Council is prejudicial to the maintenance of harmonious relations with the neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Council may, without prejudice to any other disciplinary action that may be taken against him/her, cancel, the allotment of the residence.

EXPLANATION

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

- (ii) If an employee sublets a residence allotted to her/him or any portion thereof or any of the out-houses or garages; appurtenant thereto, 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 cancellation of allotment as may be fixed by the Council from time to time in this respect.

The quantum of license fee to be recovered and the period for which the same may be recovered, in each case will be decided by the Council or merits. In addition the officer may be debarred from sharing the residence for a specified period in future as may be decided by the Council.



(iii) Where action to cancel the allotment is taken on accounts of unauthorized subletting of the premises, the allotment shall be cancelled w.e.f. the date of issue of the order for the cancellation of the allotment. A period of sixty days shall be allowed to the allottee, and any other person residing with her/him therein to vacate the premises.

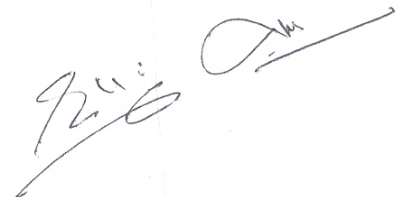
(iv) Where the allotment of residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with the neighbours, the employee at the discretion of the Council may be allotted another residence in the same class at any other place.

(v) The Council shall be competent to take all or any of the actions under sub-rules (i) to (iv) of this rule and also to declare the employee who commits a breach of the rules and instructions issued to her/him, to be ineligible for allotment of residential accommodation for a period not exceeding five years.

Provided that before taking any action against an employee under this rule, the Council shall provide to such employee a reasonable opportunity of being heard against the action proposed.

Rule-18 OVERSTAYING IN RESIDENCE AFTER CANCELLATION OF ALLOTMENT

Where, after an allotment has been cancelled or is deemed to have been cancelled under any provision contained in these Rules, the residence remains or has remained in occupation of the employee to whom it was allotted or of any person claiming through such employee shall be liable to pay damages/market rent whichever is higher for use and occupation of residence, services, furniture and garden charges, as may be determined by Council from time to time. Action will also be taken against the employee under the provisions of Public premises (Eviction of Unauthorized Occupants) Act 1971.



Provided further that in case of employees who are in occupation of Council's accommodation on leaving service on retirement/or otherwise, the quarters allotted to them may be cancelled or deemed cancelled after expiry of the stipulated period. A no-due certificate will be issued only after allottee vacates the Council accommodation. Till that time her/his full amount of gratuity and sum due to encashment of leave will be withheld by the Council till allottee vacates the quarters.

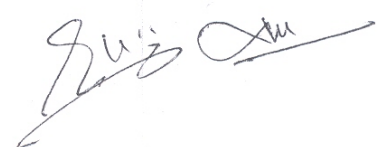
Rule-19 OUT OF TURN (Adhoc ALLOTMENT ON MEDICAL/DISABILITY GROUND)

Applications from the employees of the Council will be considered for adhoc allotment of residential accommodation on medical grounds/ disability, for case as decided by a medical board and as per Govt. Rules.

The number of houses for allotment under medical grounds/disability would be notified by the Council from time to time, but will not be more than 5% of the total number of houses in Type I + Type II combined, and Type III + Type IV + Type V combined, in each campus of NCERT.

Rule 20 RESERVATION FOR SC/ST EMPLOYEES

The Council shall continue to allot quarters against the reserve quota for SC/ST. Out of the vacancies 10% Type I & II quarters and 5% in Type III & IV quarters shall be allotted to the SC/ST employees as per rules/instructions issues by the Govt. of India from time to time.



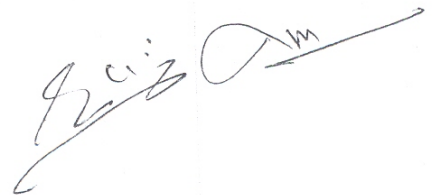
Rule 21 RELAXATION OF RULES

The Director may, for special reason to be recorded in writing (for example, on grounds of extreme hardship to any employee, or when the Council enters into a contractual obligation with a person whose services have to obtain in the interest of the Council) or for any other compelling reasons in the interest of the Council, relax all or any of the provisions of the Rules in the case of any employee or residence or class of employees or type of residences

Further, the Director will have the discretion to allot at most 5% of total number of houses from Type III to Type V under special circumstances.

Rule 22 DELEGATION OF POWERS OF FUNCTIONS

The Director may delegate any or all the powers conferred upon her/him by these rules to any officer(s) under her/his control subject to such conditions as she/he may deem fit to impose.

A handwritten signature in black ink, appearing to be 'G. C. J.' followed by a flourish.