

(फा.सं.43-01 / 2013-14 / सा.प्र)
राष्ट्रीय शैक्षिक योजना एवं प्रशासन संस्थान
17 बी, श्री अरविंद मार्ग
नई दिल्ली - 110016

दिनांक: 05/07/2019

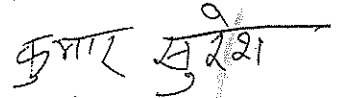
अधिसूचना

सातवें केंद्रीय वेतन आयोग के अनुसार दिनांक 28/03/2019 को आयोजित प्रबंधन बोर्ड की बैठक में आवास आबंटन नियम संशोधित करने के लिए अनुमोदन प्रदान किया गया। संशोधनों को शामिल कर लिया गया और तत्पश्चात क्रमशः दिनांक 02.04.2019 तथा 28.06.2019 को आयोजित आवास आबंटन समिति द्वारा अनुमोदित किया गया, इसे तत्काल प्रभाव से आवास के आबंटन के लिए अधिसूचित किया जाता है। नीपा के कर्मचारियों के लिए आवास के आबंटन हेतु संशोधित नियम "नीपा आवास आबंटन नियम 2019" के रूप में कहा जाएगा।

"नीपा आवास आबंटन नियम 2019" की प्रति नीपा वेबसाइट पर अपलोड की गई है।

(www.niepa.ac.in)

यह सक्षम प्राधिकारी के अनुमोदन से जारी किया जाता है।



(प्रो. कुमार सुरेश)
कुलसचिव (प्रभारी)

(F.No.43-01/2013-14/GA)
National Institute of Educational Planning and Administration
17-B, Sri Aurobindo Marg
New Delhi-110016


Dated: 05-07-2019

Notification

The approval of the Board of Management was granted to revise House Allotment Rules as per 7th CPC in its meeting held on 28.03.2019. Further amendments were incorporated and thereafter approved by the House Allotment Committee (HAC) in its meetings held on 02.04.2019 & 28.06.2019 respectively, hereby notified for allotment of residence with immediate effect. The revised rules for allotment of accommodation to NIEPA's employees shall be called as "NIEPA House Allotment Rules 2019".

A copy of the "NIEPA House Allotment Rules 2019" has been uploaded on the NIEPA website (www.niepa.ac.in)

It has been issued with the approval of the Competent Authority


(Prof. Kumar Suresh)
Registrar (I/c)

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING
& ADMINISTRATION
SRI AUROBINDO MARG, NEW DELHI - 110 016

REVISED RULES FOR ALLOTMENT OF ACCOMMODATION TO
NIEPA's EMPLOYEES AS PER 7th CPC - 2019



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**REVISED RULES FOR ALLOTMENT OF ACCOMMODATION TO NIEPA'S
EMPLOYEES AS PER 7th CPC-2019**

Rule 1: SHORT TITLE AND APPLICATION

- (i) These rules may be called "The Rules for Allotment of Accommodations to Institute'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) "Accommodation" means the residential accommodation under the control of the NIEPA.
- (b) 'Allotment' means the grant of a license to occupy a accommodation in accordance with the provisions of these rules.
- (c) 'Allotment year' means the year beginning on 1st January or such other period as may be notified by the Institute.
- (d) 'Eligible office' means Institute's Offices.
 - (a) 'emoluments' means the emoluments as defined in Fundamental Rules 9 (21) (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 Institute.
- (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) 'Institute' means the National Institute of Educational Planning and Administration.
- (i) 'Vice- Chancellor' means the Vice- Chancellor, NIEPA
- (j) **(A) PRIORITY DATE:** (The priority date means the date of joining in NIEPA)
 - a. Priority date in respect of Type I to Type IV accommodation will be the date of joining in NIEPA and the eligibility for the type of accommodation will be their level in the pay matrix. An applicant can bid for one type lower accommodation than his/her eligibility.
 - b. The date of priority for Type V and above accommodation shall be determined on the date from which the applicant is continuously eligible as per the level in the Pay Matrix after joining in NIEPA.

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The inter se seniority for Type V and above shall be considered as:-

- (i). If the date of priority of two or more applicants is same, applicant having higher level pay in level will be senior
- (ii). If the date of priority and pay in level of two or more applicants are same, date of joining will determine seniority
- (iii). If the date of priority, pay in the level and date of joining of two or more applicants are the same, date of retirement will determine seniority

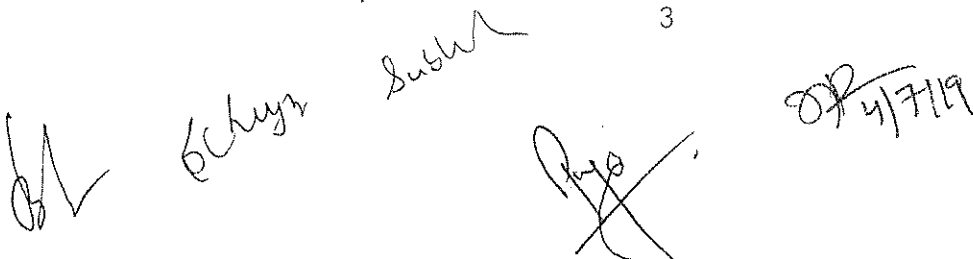
(B) Priority Allotment & Quota (As per approval of BoM dated 23.5.2012 as under)

- i. The provision of reservation as notified through office order No. 536/2007-08-NUEPA dated March 12, 2008 in respect of Type V quarters for non teaching staff hereby stands withdrawn and cancelled.
- ii. Type IV-75% quarters are reserved for teaching staff and 25% of the quarters are to be reserved for the non teaching staff.
- iii. Type III-25% quarters are reserved for teaching and 75% of the quarters are to be reserved for non teaching staff.
- iv. Type I and II are exclusively reserved for non teaching staff.

The committee further recommended that:

- i. One quarter of Type III may be reserved for AO within 75% reserved quota
- ii. One quarter of Type IV may be reserved for Registrar within 25% reserved quota.
(Personal Pay, NPA, MSP or any other such component of pay shall not be considered for determining inter se seniority).

- (l) 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.
- (m) **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 through automated system or by manual system of allotment as the case may be.
(ii) The allottee may accept the allotment of accommodation by himself or through an authorized representative before the next bidding cycle.
- (n) **Non-acceptance of allotment or failure to occupy:** Non acceptance of 8 days or failure in taking position within five days of receipt of letter of authorization will debar allottee to apply for appeared of three months from the date of non-acceptance subject to payment of one month's normal license fee.

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If an allottee occupying a lower type of accommodation refuses to accept an offer of the type to which he is eligible, he shall be permitted to continue in the previously allotted accommodation.

Wherever the rules are silent the rules modified by Ministry of Urban Development (Directorate of Estates) will apply

- (o) 'License fee' means the sum of money payable monthly in accordance with the provisions of the fundamental Rules in respect of accommodation allotted under these rules.

The revised license fee as fixed by the Government of India, Ministry of Urban Development, Directorate of Estates vide their Office memorandum dated 19.7.2017 is given as under which will be modified/revised as and when the new guidelines issued by the above given.

Rates Effective from July 1, 2017 (subject to change as and when notifications issued by the Urban Development Ministry):

Sr. No.	Types of Accommodation	License Fee per month
1.	Type I	190
2.	Type II	350
3.	Type III	510
4.	Type IV	680
5.	Type V	1300
6.	VC Bungalow	2300

- (p) 'Accommodation' means any accommodation for the time being under the administrative control of the Institute.

- (q) '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.

- (r) 'Temporary transfer' means a transfer which involves an absence for a period not exceeding FOUR months.

- (s) 'Transfer' means a transfer from Delhi to any other place and includes deputation to a post in an ineligible office or organization.

- (t) 'Type' in relation to an employee means the type of accommodation to which he/she is eligible

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under the rules.

Rule 3: CONSTITUTION OF HOUSE ALLOTMENT COMMITTEE.

A House Allotment Committee is constituted as under: -

1.	Dean, Academic & Research/Senior Professor	Chairperson
2.	Professor	Member
3.	Associate Professor	Member
4.	Assistant Professor	Member
5.	Two members nominated by Vice Chancellor from non academic staff	Member
6.	Administrative Officer	Member Secretary

- (A) 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 NIEPA houses as may be referred to it from time to time by the NIEPA authorities.
 - (iv). The House Allotment Committee shall ordinarily meet once in three months.
- (B)** The recommendations of the House Allotment Committee will become effective after they are approved by the Vice chancellor, NIEPA. An appeal against the decision of the House Allotment Committee shall lie with the Vice chancellor, NIEPA. 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 his/his family in the station of her/his posting or in adjoining municipal area. Where, after an accommodation 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 Institute 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.

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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.

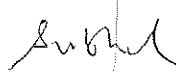
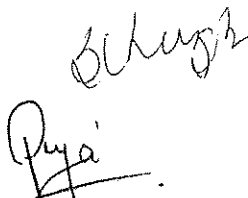
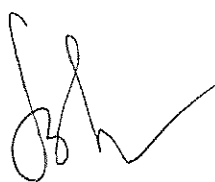
- (d) "Local municipality" in relation to an officer means the municipality within whose jurisdiction her/his office is located;
- (e) "member of family" in relation to an officer means the wife or husband, as the case may be or a dependent child of the employee;
- (f) "Municipality" includes a municipal corporation, a municipal committee or board, a town area Committee a notified area committee and cantonment board.
- (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 Institute accommodation on payment of license fee for the Institute accommodation allotted to her/him at such rate as may be determined from time to time by the Institute.

Rule 4 (A): ALLOTMENT TO HUSBAND AND WIFE

- (1) No employee shall be allotted a accommodation under the rules if the wife or the husband, as the case may be, has already been allotted a accommodation by the Institute, unless such accommodation 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 accommodation 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 accommodation allotted under these rules marry each other, they shall, within one months of the marriage, surrender one of the accommodations.
 - (3) If an accommodation is not surrendered, as required by sub-rule (2), the allotment of the



accommodation of the lower type shall be deemed to have been cancelled on the expiry of such period and if the accommodations are of the same type, the allotment of such one of them, as the Registrar 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 Institute, the title of each of them to allotment of a accommodation 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 accommodation under these rules, is subsequently allotted a accommodation at the same station, she or he, as the case may be shall surrender anyone of the accommodations 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 accommodation at the same station, one allotted under these rules and another from a Govt. /Semi Govt./Autonomous/Local shall surrendered any one of the accommodations within one months of such marriage.
- (c) If a Institute's accommodation is not surrendered as required under clause (a) or clause (b) the allotment of the accommodation shall be deemed to have been cancelled on the expiry of such period.

Rule 5: CLASSIFICATION OF ACCOMMODATIONS

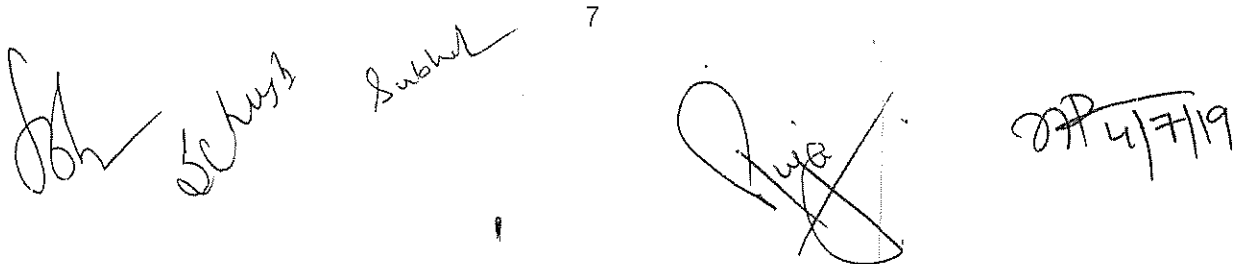
Sl. No.	Grade Pay	Level of Pay	Type of accommodation
1	Up to Rs.1800	Level 1	I
2	Rs.1900, Rs.2000, Rs. 2400 and Rs.2800	Level 2-5	II
3	Rs.4200, Rs.4600, Rs.4800 and 5400(PB 2)	Level 6-9	III
4	Rs.5400 to Rs.8000	Level 10-12	IV
5	Rs.9000/- and above	Level 13- 14	V
6	Rs.210000/-	-----	VC Bungalow

Rule 6: APPLICATION FOR ALLOTMENT

- (1) All employees on first appointment or on transfer may submit her/his application to the Institute for allotment of house.
- (2) Every employee of the Institute in occupation of Institute accommodation may submit her/his application, in such form and manner and by such date, as may be specified by the Institute in this behalf if she/he becomes eligible for higher accommodation by virtue of praise of her/his pay.
- (3) Applications received on or before the 20th day of the calendar month shall alone be considered for allotment in the succeeding month, by the House Allotment Committee.

Rule 7: ALLOTMENT OF ACCOMMODATIONS AND OFFERS

- (i) Save as otherwise provided in these rules, an accommodation, on falling vacant shall be allotted by the Institute 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

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priority date for that type or accommodation subject to the following conditions:

- (a) The Institute shall not allot an accommodation of a type higher than that to what the applicant is eligible under rule.
- (b) The Institute shall not compel any applicant to accept an accommodation of a lower type than that for which she/he is eligible under rules.
- (c) The Institute on request from an applicant for allotment of lower category of accommodations, might allot to her/him an accommodation 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 Institute may cancel the existing allotment of an employee and allot to her/him an alternative accommodation of the same type or in emergent circumstances an alternative accommodation of the type next below the type of accommodation in occupation of the employee if the accommodation in occupation of the employee is required to be vacated.
- (iii) A vacant accommodation 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. Vice chancellor, NIEPA - free furnished accommodation
 2. Hostel Warden of 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 Vice chancellor, NIEPA,

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 accommodations to be placed in these pools shall be determined by the Institute 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.

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

- (i) If any employee fails to accept the allotment of accommodation within five days or fails to take possession of that accommodation 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 accommodation is allotted or offered a accommodation 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 previous allotted accommodation 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 accommodation 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 accommodation 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 Institute 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 accommodation.
- (2) A accommodation 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 accommodation is required for the bona fide use of the employee or members of her/his family.

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	Event	Permission period for retention of the accommodation for Bonafide use only
(i)	Resignation, dismissal or removal from Service, termination of service or unauthorized absence without permission, compulsory retirement	1 month on normal license fee
(ii)	Retirement, VRS, retirement on medical grounds, terminal leave on compulsory retirement, retirement on deputation, technical resignation, death of allottee on re-employment(irrespective of retention availed on retirement)	Six months on normal license fee
(iii)	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)	Twelve months on normal license fee and for a further period of twelve months on normal license 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
(iv)	Study Leave	Actual period of leave or two years, whichever is earlier
(v)	All authorized and sanctioned leave except extra ordinary leave without medical grounds	For the full period of leave on normal license fee
(vi)	Leave preparatory to retirement or refused leave granted under FR 86 or Earned leave granted under FR 56(J)	For the full period of leave on full average pay subject to a maximum period of 180 days in case of leave preparatory to retirement on normal license fee

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 accommodation 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 Institute is satisfied that it is not necessary or expedient in the public interest so to do, she/he may require the Institute to cancel the allotment of the accommodation 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

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Table below sub- rule (ii) as it may specify and Institute shall do accordingly.

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 physical occupation of the accommodation

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 an accommodation, is allotted another accommodation, and she/he occupies the new accommodation, the allotment of the former accommodation shall be deemed to be cancelled from the date of occupation of the new accommodation. After such date of occupation, she/he may, however, retain the former accommodation on payment of normal license fee therefore, for a period of 15 days for shifting to the allotted accommodation in charge.

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

3. If an officer occupying a lower type accommodation has given her/his option in her/his application made under Rule to retain the said accommodation, 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 ACCOMMODATION IS VACATED & FURNISHING OF SURETY BY TEMPORARY OFFICERS.

(i) The employee to whom a accommodation 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 Institute during the period for which the accommodation 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 accommodation along with the out-houses appurtenant there to have been vacated and full vacant possession thereof has been

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restored to the Institute.

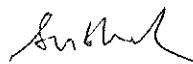
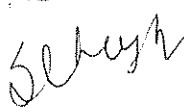
- (ii) Where the employee to whom a accommodation has been allotted is neither a permanent nor a quasi-permanent Institute servant she/he shall execute a security bond in the form prescribed in this behalf by the Institute with a surety, who shall be a permanent Institute servant serving under the Institute for due payment of license fee and other charges, dues from her/him in respect of such accommodation and services and any other accommodation provided in lieu.
- (iii) If the surety ceases to be in the Institute 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 accommodation to her/him, shall, unless otherwise decided by the Institute, 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 Institute at least ten days before the date of vacation of the accommodation. The allotment of the accommodation shall be deemed to be cancelled with effect from the eleventh day after the day on which the letter is received by the Institute 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 Institute may except a notice for a short period.
- (ii) An officer who surrenders the accommodation under sub-rule (1) shall not be considered again for allotment of Institute accommodation at the same station for a period of one year from the date of such surrender.

Rule 13: CHANGE OF ACCOMMODATION

- (i) An employee to whom a accommodation has been allotted under these rules may apply for a change to another accommodation of the same type or a accommodation 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 accommodation 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 Institute 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 V shall be determined on the basis of the date of receipt of such application to the Institute 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 Institute 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 accommodation 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 accommodation a second time, she/he shall not be considered again for a change of accommodation of that type.
- (vi) If an employee who after accepting a change of accommodation fails to take possession of the same, she/he shall be charged license fee for such accommodation 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 accommodation already in her/his possession, the allotment of which shall continue to subsist.

Rule-14: MUTUAL EXCHANGE OF ACCOMMODATION
Mutual exchange will not be allowed

Rule 15: MAINTENANCE OF ACCOMMODATION

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

Rule 16: SUBLETTING AND SHARING OF ACCOMMODATION

- (i) No employee shall share the accommodation allotted to her/him or any of the out-houses, garages and stables appurtenant thereto except with the employee of the Institute eligible for allotment of accommodations under these rules, the servants quarters, out houses, garages may be used only for the bona fide purposes including accommodation of the servant of the allottee

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or for such other purposes as may be permitted by the Institute.

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

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

Rule-17: CONSEQUENCES OF BREACH OF RULES AND CONDITIONS

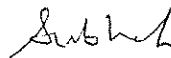
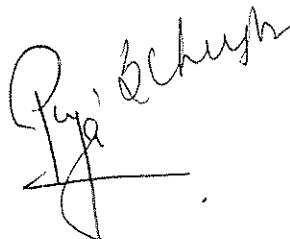
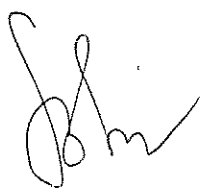
- (i) If an employee to whom accommodation has been allotted unauthorized sublets the accommodation or charges (license fee) from the sharer at a rate which the Institute considers excessive or erects any unauthorized structure in any part of accommodation or uses the accommodation or any portion thereof 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 accommodation or premises or allows the accommodation or premises to be used for any purpose which the Institute considers to be improper or conducts herself/himself in a manner which in her/his opinion of the Institute 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 Institute may, without prejudice to any other disciplinary action that may be taken against him/her, cancel, the allotment of the accommodation.

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 accommodation 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 Institute 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 Institute or merits. In addition the officer may be debarred from sharing the accommodation for a specified period in future as may be decided by the Institute.

- (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 accommodation is cancelled for conduct prejudicial to the maintenance of harmonious relations with the neighbours, the employee at the discretion of the Institute may be allotted another accommodation in the same class at any other place.
- (v) The Institute 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 Institute shall provide to such employee a reasonable opportunity of being heard against the action proposed.

Rule-18: OVERSTAYING IN ACCOMMODATION 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 accommodation 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 accommodation, services, furniture and garden charges, as may be determined by Institute 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 Institute'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 Institute accommodation. Till that time her/his full amount of gratuity and sum due to encashment of leave will be withheld by the Institute till allottee vacates the quarters.

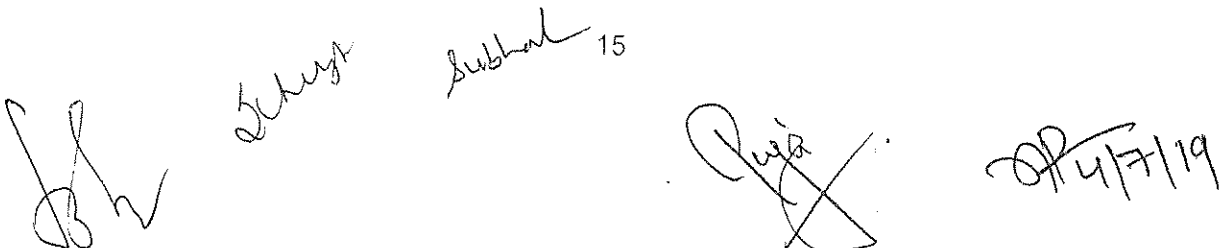
Rule-19: OUT OF TURN (Adhoc ALLOTMENT ON MEDICAL/DISABILITY GROUNDS)

Applications from the employees of the Institute 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 Institute 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 of NIEPA.

Rule 20: RESERVATION FOR SC/ST EMPLOYEES

The Institute shall continue to allot quarters against the reserve quota for SC/ST. Out of the

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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 issued by the Govt. of India from time to time.

Rule 21: RELAXATION OF RULES

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

Further, the Vice chancellor 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: CHARGING OF DAMAGES FROM UNAUTHORIZED OCCUPANTS OF GENERAL POOL ACCOMMODATION-

(1) Revisied rates of damages for unauthorized occupation of General Pool Residential Accommodation with effect from 1-7-2017:

Station	Type of Accommodation and Rates of damages to be charged for the first month		
	Type I to IV	Type V and Hostel	Garages
NIEPA Headquarters, Delhi	40 times	50 times	50 times

(2) **Damages for unauthorized Occupants:** the damages will be charged from the date of cancellation of allotment to the date the GPRA is vacated by the unauthorized allottee and the rate of damages for unauthorized occupation for each type of General Pool residential Accommodation shall increase in telescopic method from second month onwards i.e. for second month –damages+10% of rate of damages; for third month-damages+ 20% of rate of damages; for fourth month-damages+40% of rate of damages; and so on, limiting to the maximum 5 times of rates of damages charged during the first month of unauthorized occupation.

(3) **Damages for subletting:** Telescopic method will be made applicable for unauthorized occupation in proved subletting cases with effect from 1-7-2016 on all unauthorized occupants as on 1-7-2016 and who will be declared unauthorized henceforth. The rates of damages will be calculated as two times of damages for first month; two times of damages +10% two times of damages for

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second month, two times of damages+20% two times of damages for third month; two times of damages +40% two times of damages for fourth month and so on, limiting to the maximum 5 times of damages charged in such proved subletting cases during the first month.

(4) Water charges, Furniture charges, etc., if applicable, will be charged apart from the above-mentioned damages at the normal rates only.

Rule 23: DELEGATION OF POWERS OF FUNCTIONS

The Vice chancellor 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.

27/4/7/19

John Edwards

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OLD RULES

RULES FOR ALLOTMENT OF RESIDENCES TO NIEPA'S EMPLOYEE –

1987 – 2019

NATIONAL INSTITUTE OF EDUCATIONAL PLANNING AND ADMINISTRATION

RULES

FOR ALLOTMENT OF RESIDENCES TO NIEPA'S EMPLOYEE

1. SHORT TITLE AND APPLICATION

- i) These rules may be called "The Rules for Allotment of Residences to NIEPA's employees.
- ii) They shall come into force from 1.6.1987

2. DEFINITIONS

In these rules, unless the context otherwise requires:-

- a) 'ALLOTMENT' means the grant of license to a NIEPA's employee to occupy a residence in accordance with the provision of these rules;
- b) 'ALLOTMENT YEAR' means year beginning on 1st January or such other period as may be notified by the NIEPA.
- c) 'EMOLUMENTS' means the emoluments as defined in Fundamental Rules 45-C, but excluding the compensatory allowances and the deputation pay.

EXPLANATION: In the case of an officer who is under suspension the emoluments drawn by him immediately before the date of suspension shall be taken as 'emoluments'.

- d) 'EMPLOYEES' means a whole time employee of the NIEPA.
- e) '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.
- f) 'NIEPA' means the National Institute of Educational Planning and Administration.
- g) 'DIRECTOR' means the Director, NIEPA.

- h) 'PRIORITY DATE' of an officer in relation to a type of residence to which he is eligible under the provisions of these rules means the earliest date from which he has been continuously drawing emoluments relevant to a particular type or a higher type in a post under the NIEPA, except for periods of leave.

'PROVIDED' that in respect of a Type-I, Type-II, Type-III or Type-IV residence, the date from which the officer has been continuously in service under the NIEPA shall be his priority date for that type.

'PROVIDED' that where the priority date of two or more officers is the same, seniority among them shall be determined by the amount of emoluments, the officer in receipt of higher emoluments taking precedence over the officer in receipt of lower emoluments; and where the emoluments are equal, by the length of service.

- i) 'LICENCE FEE' means the sum of money payable monthly in accordance with the provisions of the fundamental rules in respect of a residence allotted under these rules.
- j) 'RESIDENCE' means any residence for the time being under the administrative control of the NIEPA.
- k) 'SUBLETTING' including sharing the accommodation by 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.

RULE 3 ELEGIBILITY

All employees who are appointed on regular scales of pay.

ELIGIBILITY OF HUSBAND AND WIFE

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 husband and wife are residing separately in pursuance of an order of judicial separation made by any court.

2. Where two officers in occupation of separate residences allotted under these rules marry each other, they shall, surrender one of the residences within one month of the marriage.

RULE 4 CLASSIFICATION OF RESIDENCES (S.R. 317-B-5).

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

Type of Residences	Category of officer or his monthly emoluments (Revised scales) as on the first day of the allotment year in which the allotment is made.
Type – I	Upto Rs. 3049
Type – II	Rs. 3050 to Rs. 5499
Type – III	Rs. 5500 to 8499
Type – IV	Rs. 8500 to Rs. 11999
Type – V	Rs. 12000 and above

Rule 5 : APPLICATION FOR ALLOTMENT

An employee who seeks allotment/change of a residence shall apply on the prescribed form to the Registrar.

RULE 6: ALLOTMENT OF RESIDENCE

1. Save as otherwise provided in these rules, a residence, on falling vacant shall be allotted to an applicant having the earliest priority date for that type of residence from among those desiring change, or those without accommodation, or those living in a type of lower type of accommodation.
2. The NIEPA may cancel the existing allotment of an officer and allot to 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 officer if the residence in occupation of the officer is required to be vacated.

3. A vacant residence may, in addition to allotment to an officer under sub-rule (1) above, be offered simultaneously to other eligible officers in order of their priority dates.

RULE 7: POOL FOR PERSONS BELONGING TO SCHEDULED CASTES AND SCHEDULED TRIBES

1. Employees belonging to SC/ST shall be eligible for allotment under this pool. This pool shall be maintained for Types I, II, III, & IV of residences. Such persons should specifically apply for allotment under this pool. In the absence of such applications, they shall be considered under the general pool.
2. The vacancies to be earmarked for SC and ST should be out of clear vacancies, i.e., the vacancies which are required for change shall be excluded. 10% clear vacancies in types I and II and 5% clear vacancies in types III & IV shall be reserved for this pool and shall be allotted in the ratio of 2:1 to the SC/SC/ST employees respectively. Thus, every 10th, 20th and 30th clear vacancy will go to SC/SC/ST employees quota for types A and B accommodation and every 20th, 40th and 60th clear vacancy will go to SC/SC/ST employees for types III and IV accommodation. In case however, there is no ST employees available the quota reserved would be allotted to SC employee.
3. SC/ST employees who are already having accommodation shall not be considered for the entitled type of accommodation under SC/ST quota. Such allottees shall be considered only in their turn.

The quota shall be applicable only with regard to the initial allotment.

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

1. If any officer fails to accept the allotment of a residence within five days or fails to occupy that residence after acceptance within eight days from the date of receipt of the letter of allotment the allotment will stand cancelled and he shall not be eligible for another allotment for a period of one year from the date of such cancellation.
2. If an officer occupying a lower type residence is allotted or offered a residence of the type for which he is eligible he may, on refusal of the said allotment or offer of

allotment, be permitted to continue in the previously allotted residence on the following conditions, namely:

- (a) That such an officer shall not be eligible for another allotment for a period of six months from the date of the allotment letter for the higher class accommodation.
- (b) While retaining the existing residence he shall be charged the same license fee which he would have had to pay under F.R. 45-A in respect of the residence so allotted or offered or the license fee payable in respect of the residence already in the occupation, whichever is higher.

RULE 9 PERIOD FOR WHICH ALLOTMENT WILL BE VALID

1. A residence allotted to an officer may subject to sub-rule (3) 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 bonafide use of the officer or members of his family.

TABLE

(1)	(2)
i) Resignation, dismissal or removal from service, termination of service or unauthorized absence with permission	1 month
ii) Retirement or terminal leave	4 months
iii) Death of allottee	2 years
iv) On proceeding on foreign service in India	2 years
v) Temporary transfer to a place outside India.	4 months
vi) Leave (other than leave preparatory to retirement, refused leave, terminal leave, medical leave or study leave)	For the period of leave but not full average pay subject to a maximum of 4 months inclusive of the period permissible in the case of retirement.
viii) Study leave or deputation outside India	For the period of leave but not exceeding 12 months.
ix) Study leave in India	For the period of leave but not exceeding 12 months.
x) Leave on medical grounds	Full period of leave.
xi) On proceeding on Training.	Full period of training.

2. Where a residence is retained under sub-rule (2) the allotment shall be deemed to be cancelled on the expiry of the admissible concessional periods unless immediately on the expiry thereof the officer resumes duty in NIEPA.
3. Where an officer is on medical leave without pay and allowances, he may retain his residence by virtue of the concession under item (x) of the Table below sub-rule (1) provided he remits the licence fee for such residence in cash every month and where he fails to remit such license fee for more than two months, the allotment shall stand cancelled.

4. An Officer who has retained the residence by virtue of the concession under item (i) or item (ii) of the table below sub-rule (1) shall, on re-employment in NIEPA within the period specified in the said table, be entitled to retain that residence and he shall also be eligible for any further allotment of residence under these rules.

PROVIDED that if the emoluments of the officer on such re-employment do not entitle him to the type of residence occupied by him, he shall be allotted a lower type of residence.

5. Notwithstanding anything contained in sub-rule (2) or sub-rule (3) or sub-rule (4) when an officer is dismissed or removed from service or when his services have been terminated and the Director is satisfied that it is necessary or expedient in NIEPA's interest so to do, he may cancel the allotment of the residence made to such officer either forthwith or with effect from such date prior to the expiry of the period of one month referred to in item (i) of the Table below sub-rule (1) as it may specify.
6. Where an employee to whom accommodation has been allotted by the NIEPA or any person claiming through him does not hand over vacant possession there-of immediately on the expiry of the permissible period prescribed in Rule 9, such employee or such person shall be liable to pay eight times of the standard rent or market rent, whichever is higher, for the continued possession of the accommodation beyond the said prescribed period. Payment of higher rent will not confer any right to continue possession of the residence.

10. PROVISIONS RELATING TO LICENCE FEE

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

An officer, 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 licence i.e. from 9th day till written communication for surrender is received from the allottee, provided that nothing contained herein shall apply where the NIEPA certifies that the accommodation is not yet ready for occupation and as a result thereof the officer does not occupy the accommodation within the period aforesaid.

2. Where an officer, who is in occupation of a residence, is allotted another residence and 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. He may, however, retain the former residence without payment of licence fee for that day and the subsequent day for shifting.

RULE 10 (ii) PERSONAL LIABILITY OF THE OFFICER FOR PAYMENT OF LICENCE FEE TILL THE RESIDENCE IS VACATED AND FURNISHING OF SURETY BY TEMPORARY OFFICERS

1. The officer, to whom a residence has been allotted shall be personally liable for the licence 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 NIEPA during the period for which the residence has been and remains allotted to him or where the allotment has been cancelled under any of the provisions in these rules, until the residence alongwith the out-houses apartment thereto have been vacated and full vacant possession thereof has been restored to the NIEPA. It will also be the personal responsibility of the officer to settle all dues for electricity, water, etc.
2. Where the officer to whom a residence has been allotted is neither a permanent nor a quasi-permanent NIEPA employee, he shall execute a surety bond in the form prescribed in this behalf with a surety who shall be a permanent NIEPA employee serving under the NIEPA for due payment of licence fee and other charges due from

him in respect of such residence and services and any other residence provided in lieu.

3. If the Surety ceases to be in the NIEPA service or becomes insolvent or ceases to be available for any other reasons, the officer shall furnish a fresh bond executed by another surety within thirty days from the date of his acquiring knowledge of such event or fact; and if he fails to do so, the allotment of the residence to him shall unless otherwise decided by the NIEPA; be deemed to have been cancelled with effect from the date of that event.

RULE 11 SURRENDER OF AN ALLOTMENT AND PERIOD OF NOTICE

1. An officer may at any time surrender an allotment by giving intimation so as to reach 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 NIEPA or the date specified in the letter, whichever is later. If he fails to give due notice he shall be responsible for payment of licence fee for ten days or the number of days by which the notice given by him falls short of ten days provided that the NIEPA may accept a notice for a short period.
2. An officer who surrenders the residence under sub-rule (1) shall not be considered again for allotment of accommodation for a period of one year from the date of such surrender.

RULE 12 CHANGE OF RESIDENCE

1. An employee to whom a residence has been allotted under these rules may apply for a change of residence within the same type. Not more than one change shall be allowed in respect of the type of residence allotted to the officer.
2. Change shall be offered in order of seniority determined in accordance with sub-rule (2) and having regard to the officer's preference as far as possible.
3. If an officer fails to accept a change of residence offered to him within five days of the issue of such offer of allotment; he shall not be considered again for a change of residence of that type for 3 years from the date the offer of change is made to him.

RULE 13 MUTUAL EXCHANGE OF RESIDENCE

Two employees to whom a residence of the same type have been allotted under these Rules may apply for permission to exchange their residences mutually provided neither of them is likely to surrender the accommodation consequent upon his transfer/resignation/retirement or release from NIEPA's service or on likelihood of getting accommodation of higher type.

RULE 14 MAINTENANCE OF RESIDENCE

An employee to whom a residence has been allotted shall maintain the residence and premises in clean conditions to the satisfaction of the NIEPA. Such employee shall not grow any tree, shrubs or plants contrary to the instructions issued by NIEPA from time to time and not cut or chop off any existing tree or shrub in any garden, courtyard or compound attached to the residence.

RULE 15 SUBLETTING AND SHARING OF RESIDENCES

1. No officer shall share the residence allotted to him or any of the out-houses, garages etc. except with the employee of the NIEPA eligible for allotment of residence under these rules. Prior approval of NIEPA is necessary in any case. The servant quarters, out-houses, garages etc. may be used only for the bona fide purposes including residences of the servant of the allottee or for such other purposes as may be permitted by the NIEPA. If NIEPA does not permit accommodation or a part of it to be shared or used for a particular purpose, the instructions shall be duly complied with.
2. No officer shall sublet the whole of his/her residence.

POVIDED that an officer proceeding on leave may accommodate, in the residence any other officer `eligible to share NIEPA's accommodation, as a Caretaker for the period of leave but not exceeding six months.

3. Any officer who shares his residence shall do so at his own risk and responsibility and shall remain personally responsible for any licence 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 NIEPA beyond fair wear and tear.

RULE 16 CONSEQUENCES OF BREACH OF RULES AND CONDITIONS

1. If an officer to whom a residence has been allotted, unauthorisedly sublets the residence or charges rent from the sharer at a rate which the NIEPA considers excessive or erects any unauthorized structure in any part of the residence or uses the residence or any portion thereof for any purposes other than that for which it is meant or tampers 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 permits or offers the residence or premises to be used for any purpose which the NIEPA considers to be improper or conducts himself in a manner which in his opinion is prejudicial to the maintenance of harmonious relations with his neighbors or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the NIEPA may, without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the residence.

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

2. If an officer sublets a residence allotted to him or any portion thereof or any of the out houses garages etc. in contravention of these Rules, he may, without prejudice to any other disciplinary action that may be taken against him be charged enhanced licence fee upto eight times the standard licence fee under F.R. 45-A or the market rent whichever is higher. The quantum of licence fee to be recovered and the period for which the same may be recovered will be decided by NIEPA in each case. In addition, the officer may be debarred from sharing the residence for a specified period in future as may be decided by the NIEPA.
3. Where action to cancel the allotment is taken on account of unauthorized subletting of the premises by the allottee, a period of sixty days shall be allowed to the allottee, and any other person residing with him therein to vacate the premises. The allotment shall be cancelled with effect from the date of vacation of the premises or

expiry of the period of sixty days from the date of the orders for the cancellation of the allotment whichever is earlier.

4. The NIEPA shall be competent to take all or any of the actions under Sub-rules (1) to (3) of this rule and also such other disciplinary action as may be necessary against the officer who commits breach of the rules of allotment of residential accommodation.

RULE 17 OVERSTAYAL IN RESIDENCE AFTER CANCELLATION OF ALLOTMENT

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

PROVIDED that an officer, in special cases, may be allowed by NIEPA to retain a residence on payment of twice the standard licence fee under F.R. 45-A, or twice the pooled standard licence fee under FR 45-A, whichever is higher, for a period not exceeding six months beyond the period permitted.

2. In case of officers who are in occupation of NIEPA's accommodation on leaving service on retirement or otherwise, the quarters allotted to them may be cancelled after expiry of the stipulated period. A no-dues certificate will be issued only after they vacate the NIEPA accommodation. Till that time their full amount of gratuity and sum due to encashment of leave will be withheld by the NIEPA till they vacate the quarters.

RULE 18 ALLOTMENT PRIOR TO ISSUE OF RULES

Any valid allotment of residence which is subsisting immediately before the commencement of these Rules shall be deemed to be an allotment duly made under these rules.

RULE 19 INTERPRETATION OF RULES

If any question arises as to the interpretation of the Rules the decision of the Director thereon shall be final.

If any case is not covered by these rules, the Director will be competent to take a decision.

RULE 20 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 NIEPA enters into a contractual obligation with a person whose services have to be obtained in the interest of the NIEPA or for any other compelling reasons in the interest of the NIEPA, relax all or any of the provisions of the Rules in the case of any employer or residence or class of employees or type of residences.

RULE 21 DELEGATION OF POWERS OR FUNCTIONS

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

Jan. 7/2015