NOTIFICATION

The Executive Committee meeting held on 22.03.2022 has approved the partial modifications in Rule 5, 7, 9, 13 and 18 of Rules for Allotment of Residences to the Council’s Employees, 2012 and the same are hereby notified by the Council. These modifications would be deemed to be effective from the date of issue of this notification. The modifications made in the rules are hereby enclosed.

This issues with the approval of the Competent Authority.

(Madan Singh Yadav)
Under Secretary
Campus & Welfare

1. Joint Director, CIET with the request to kindly get the above notification along with enclosures on the NCERT website.

2. Joint Director, PSSCIVE, Bhopal and all Principals of RIEs-Ajmer/Bhopal/ Bhubaneshwar/Mysore & NERIE-Shillong.

3. All Heads of the Departments/Divisions/Cells/Units.

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. All Notice Boards.
Rule 5  
CLASSIFICATIONS OF RESIDENCES

<table>
<thead>
<tr>
<th>Types of Residences</th>
<th>Grade Pay</th>
<th>Level in the Pay Matrix</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Rs. 1300, Rs. 1400, Rs. 1600, Rs. 1650 and Rs. 1800</td>
<td>1</td>
</tr>
<tr>
<td>II</td>
<td>Rs. 1900, Rs. 2000, Rs. 2400 and Rs. 2800</td>
<td>2, 3, 4, 5</td>
</tr>
<tr>
<td>III</td>
<td>Rs. 4200, Rs. 4600 and Rs. 4800</td>
<td>6, 7, 8</td>
</tr>
<tr>
<td>IV</td>
<td>Rs. 5400 to Rs. 6600</td>
<td>9, 10, 11</td>
</tr>
<tr>
<td>V</td>
<td>Rs. 7600 &amp; above</td>
<td>12, 13, 14</td>
</tr>
</tbody>
</table>

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 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 employees and allot to her/him an alternatives 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 employees if the residence in occupation of the employee is required to be vacated.

(iii) A vacant residence may, in addition to allotment to an employees 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.
In case of availability of surplus accommodation in any constituent units of the Council, the Council may decide to utilize the surplus accommodation by offering to sister organizations under Ministry of Education, Govt. of India for a fixed period and subject to such terms and conditions as the Council may determine.

Free Furnished/Rent Free Accommodation will be allotted to the following:

1. Director, NCERT - Free furnished accommodation
2. Section Officer, Security Section - Rent free accommodation, as per entitlement
3. Section Officer, Steward Section - Rent free accommodation, as per entitlement
4. Manager, NIE Guest House - Rent free accommodation, as per entitlement
5. Driver attached to Director, Joint Director(c) Joint Director (CIET) and Secretary - Rent free accommodation, as per entitlement

Rule 9  Retention of Accommodation

Concessional period of retention:

(1) The allottee may, subject to the conditions laid down in these rules, be permitted to retain the accommodation on the happening of any of the events specified in column (2) of the table below, for the period specified in the corresponding entry in column (3) thereof, provided that the accommodations is required for the bonafied use of the allottee or members of his family:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Events</th>
<th>Permissible period for retention of accommodation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>(i) Resignation, dismissal or removal from Service, termination of service or unauthorized absence without permission, compulsory retirement (under CCS (CCA) Rules, 1965) and for non-regular Government servants.</td>
<td>One month on normal licence fee</td>
</tr>
<tr>
<td>(ii)</td>
<td>Retirement, voluntary retirement, retirement on medical grounds, terminal leave or compulsory retirement (under FR 56 (j)), retirement on deputation from ineligible organizations during the initial Constitution of such organizations, technical resignation, death of allottee on re-employment (irrespective of retention availed on retirement) and death of an allottee who is not a regular Government servant or deputation outside India.</td>
<td>Six months on normal licence fee</td>
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<tr>
<td>(iii)</td>
<td>Transfer to a place outside from the existing place, transfer to an ineligible office in the same station, on proceeding on foreign service in India, temporary transfer in India or transfer to a place outside India or deputation within India.</td>
<td>Two months on normal licence fee plus six months on double licence fee.</td>
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<td>(iv)</td>
<td>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).</td>
<td>Twelve months on normal licence fee and for a period of twelve months on normal licence fee provided the deceased or missing allottee or any member of the family does not own a house at the place of occupation of accommodation.</td>
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<tr>
<td>(v)</td>
<td>Study Leave</td>
<td>Actual period of leave or two year, whichever is earlier.</td>
</tr>
<tr>
<td>(vi)</td>
<td>All authorized and sanctioned leave except extraordinary leave without medical grounds, on proceeding on training, mandatory posting under Central Staffing Scheme to Lok Sabha or Rajya Sabha Secretariat on certificate from the Establishment Officer, Department of Personnel and Training, and on transfer to a non-family station abroad declared by Ministry of External Affairs (provided the allottee or members of family does not own a house at the last place of posting).</td>
<td>For the full period of leave/posting on normal licence fee</td>
</tr>
<tr>
<td>(vii)</td>
<td>On transfer or deputation to Public Sector Undertakings, Statutory and Autonomous bodies on their initial constitution.</td>
<td>Sixty months on normal licence fee plus House Rent Allowance drawn by the allottee from the organization.</td>
</tr>
<tr>
<td>(viii)</td>
<td>Leave preparatory to retirement or refused leave granted under FR 86 or Earned Leave granted to Government Servant who retired under 56 (j).</td>
<td>For the full period of leave on full average pay subject to a maximum period of one hundred and eighty days in the case of leave preparatory to retirement and four months in other cases, inclusive of the period permissible in the case of retirement on normal licence fee.</td>
</tr>
</tbody>
</table>
| (ix) | (i) On mandatory posting to Public Sector Undertakings, Statutory and Autonomous Bodies under Central Staffing Scheme on certificate from Establishment Officer, Department of Personnel and Training or from other Ministries or Department of the Government of India; and  
(ii) On mandatory posting at the same station to Public Sector Undertakings, Statutory and Autonomous Bodies under Non-Central Staffing Scheme on Certificate from Establishment Officer, Department of Personnel and Training for balance period of central deputation after serving four year under Central Staffing scheme.  
| Full period of posting on normal licence fee plus House Rent Allowance drawn by the allottee from the organization. |

**Regularization of accommodation**

**Regularization of allotment on re-transfer to the last place of posting.**

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

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

- The allottee has reported the fact of his transfer to ineligible office within one month of transfer;
- The allottee has been granted retention as per rules;
- The allottee has been posted back and has joined duty at the station where he has allowed to retain the accommodation;
- The allottee has paid the damages at the prevalent rates of damages for retention beyond permissible retention period till the date of re-transfer to the last place of posting;
- All arrears have been cleared; and
- The allottee submits a certificate from the office where he was posted stating that he has not drawn House Rent allowance during the unauthorized period of occupation and was not in occupation of any residential accommodation during the period of posting.

**Transfer to North East Region**

As per norms/order of Ministry of Urban Affairs, Directorate of Estate, Govt. of India on this subject issued from time to time and also charge payment of permissible rate of licence fee accordingly. However, these provisions shall not apply in case of transfer to North East Region at own request.
Rule 13  Change of Accommodation

Change in same type or entitled higher type of accommodation-

(1) An allottee to whom an accommodation has been allotted under these rules may apply for a change to another same type of accommodation only after taking physical possession of accommodation allotted under initial allotment.

(2) Only one change shall be allowed in the same type of accommodation to the allottee.

(3) An allottee, who intends to change the accommodation already allotted to him shall make an application in the form specified for this purpose, and thereafter, the name of such allottee shall be included in the concerned type unified waiting list.

(4) The date of priority or the inter-se seniority of the allottees in the waiting list for change of accommodation in respect Type-I to Type-V shall be as applicable to initial allotment.

(5) The change of same type of accommodation shall be offered as per the priority in accordance with these rules and having regard to the allottee's preference:
Provided that no change in the same type of accommodation shall be allowed to an allottee within six months of the date of superannuation.

(6) If an allottee fails to accept a change of accommodation offered to him within eight days of the issue of such offer or allotment, he shall not be considered again for a change of accommodation for that type of accommodation.

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

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

(8) Where an allottee, who is in occupation of an accommodation, is allotted another accommodation and he occupies the new accommodation, the allotment of former accommodation shall be deemed to have been cancelled from the date of physical occupation of the new accommodation:

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

(9) The allottee shall ensure before applying for change of accommodation that he continues to be entitled for that type of accommodation on the basis of revised entitlement as well as other conditions governing such change of accommodation and the respective allotment authority shall verify this fact before accepting the prescribed acceptance form of the applicant.

(10) No change of accommodation shall be allowed to an allottee under this rule if an enquiry is under progress against the allottee on the charge of subletting.

The provision of "Technical Change" under Rule 13A of Council's HAR shall remain unchanged.

Rule 18 Over staying 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-debt certificate will be issued only after allottee vacates the Council accommodation. Till that time her/his 10% amount of gratuity will be withheld by the Council till allottee vacates the quarters.