



Note :

In the first phase these regulations have been drafted for RVPN by a Committee consisting of Officers from all Power Sector Companies of Rajasthan. After finalization these will be modified for RVUN & other Companies also.

Any Comment/ Suggestions may be sent up to 22nd December, 2008 to Jt. Director (P&A), RVUN, Jaipur, otherwise these Draft Rules will be treated as Final Rules and accordingly finalized for all the five Power Sector Companies of Rajasthan.

**Rajasthan State Electricity Board
(Determination and Recovery of Rent of Residential
Accommodation) Regulations, 1980**

(Updated upto 31.10.2008)

Rajasthan Rajya Vidyut Prasaran Nigam Limited

PREFACE

In view of a number of amendments issued since last publication of Rajasthan State Electricity Board (Determination and Recovery of Rent of Residential Accommodation) Regulations, 1980 and also after introduction of Rajasthan Power Sector Reforms Act, 1999 (Act No. 23 of 1999) read with Rajasthan Power Sector Transfer Scheme, 2000 read with Electricity Act, 2003, it was felt that an updated edition of above Regulation should be made available incorporating all the amendments and Board/Nigam's decision on the subject issued up-to 31.10.2008.

Every possible care has been taken to avoid errors and omissions, however if any errors or omissions are detected in this update, which have inadvertently remained, the same may please be brought to the notice of the Assistant Secretary (GAD), RVPNL, Jaipur. For the matters involving legal and financial implications a reference to the original Circulars/Orders/Instructions should, invariably, be made.

Suggestions, if any, for improvement to make the update more useful would be appreciated.

Jaipur.
Date:

RAJASTHAN STATE ELECTRICITY BOARD

(Finance & Rules Section)

No. RSEB/F&R/F. Rent Recovery/D. 94

Jaipur, dt. 22nd Oct. '1980

ORDER

The Board in its 296th meeting held on 3rd Oct., '1980 approved the Rajasthan State Electricity Board (Determination and Recovery of Rent of Residential Accommodation) Regulations, 1980 (annexed at Appendix—'A') for application in respect of the employees of the Board.

These Regulations shall come in force with effect from 1st Oct., '1980. It was also decided by the Board in the aforesaid meeting that the past cases may be regulated under provisions of these regulations.

By order

Sd/-

Rameshwar Singh
Secretary

APPENDIX 'A'

RAJASTHAN STATE ELECTRICITY BOARD

Rajasthan State Electricity Board (Determination and Recovery of Rent of Residential Accommodation) Regulations. 1980.

In exercise of the powers conferred by Section 79 (c) & (k) of the Electricity (Supply) Act, 1948, the Rajasthan State Electricity Board, constituted by the Government of Rajasthan Public Works Department, Notification No. F. 11/OSD/PWSD/57 dated 28.6.57, is pleased to make the following Regulations as per decision taken at the meeting of the Board.

Rajasthan State Electricity Board (Determination and Recovery of Rent of Residential Accommodation) Regulations. 1980.

PART—I General

1. Short Title and commencement:

These Regulations may be called the Rajasthan State Electricity Board (Determination and Recovery of Rent of Residential Accommodation) Regulations, 1980.

2. Application:

These regulations shall apply to all the employees of the Board from the date of issue of these Regulations and supersede all previous orders on the subject.

3. Definitions

In these Regulations unless the context otherwise requires:

- (a) Allotting authority: Means the authority specified by the Chief Engineer/Addl. Chief Engineer, RSEB, in whose jurisdiction the residential accommodation is available for allotment of residential accommodation. **Vide Order No. RSEB/F&R/F.Loose/D.6 dated 22.1.1982; the Superintending Engineer (O&M) shall be Allotting Authority for allotment of Board's residential accommodation in their respective jurisdiction.**
- (b) Board: means the Rajasthan State Electricity Board.

- (c) Tenant: means an employee to whom the residential accommodation is allotted by the Allotting Authority.
- (d) Employee- means and includes any employee of the Board.
- (e) Class—in relation to a residence means the class of that residence to which an employee is entitled according to the table given in Appendix-'A'.
- (f) Family—includes only the wife, husband (in case of female employee) children, step, children; parents, brothers, their wives and sisters ordinarily residing with, and wholly dependent on an employee.
- (g) 'Half year' means half year beginning on the first day of April or the first of October.
- (h) Plinth area rates;—Plinth area rates determined in accordance with the rules framed by the Chief Engineer (Building & Roads), Rajasthan.
- (i) Present market value:—Means the market value at the time of assessment.
- (j) Priority date of an Officer- in relation to a class of residence, means the earliest date from which he has been continuously entitled to the allotment of a residence in that class or a higher class and has also been continuously holding a qualifying appointment.
- (k) Qualifying appointment: means an appointment, the incumbent of which is required to reside at the place of his posting on duty with the Board.
- (l) Residence - means any residence for the time being specified by the Superintending Engineer (Civil-O&M) as residential accommodation.
- (m) Residential Accommodation—means accommodation provided for residential purposes to the employees of the Board.
- (n) 'Sub-letting'- includes sharing of accommodation with an allottee with or without payment of rent but does not include a casual guest
- (o) Schedule—means the Schedule appended to these Regulations.

4. Capital Cost

The capital cost of a residence owned by the Board shall include the cost or value of the buildings and also of sanitary, water supply and electric installations and fittings, but exclude the cost or value of the site including expenditure on its preparation, and shall be either:

- (a) The cost of acquiring or constructing the residence and any capital expenditure incurred after acquisition or construction,

OR

When this is not known

- (b) The present value of the residence. Provided that the cost of restoration or special repairs shall not be added to capital cost or present value, unless such restoration or repairs add to accommodation or involve replacement of the existing type of work of a more expensive character.

5. Present Value

The present value shall be determined as follows:

The plinth area of the building will be ascertained and the present day cost of constructing a building of similar size and specification shall then be estimated at plinth area rates. From the figures thus arrived at will be deducted: —

- “(a) A percentage estimated by the Executive Engineer (Civil) after inspection, representing depreciation or of obsolescence.”
- “(b) A lump sum representing such damages as may exist, but as does not effect the life of the building and if necessary a further lump sum representing the value of these features which exist which have been included in the plinth area valuation, but which representing no value to a tenant e.g. (exceptionally thick walls, unnecessary decoration and the line)”.

- (2) In the case of residence owned by the Board the standard rent shall be calculated on the capital cost of the residence, and shall either be:
 - (i) A percentage of such capital cost equal to such rate of interest as may from time to time be fixed by the Board plus in addition for municipal and other taxes in the nature of house or property tax payable by the Board in respect of residence and for repairs both ordinary and special, a sum equal to—
 - (a) I percent of the capital cost of the building excluding the sanitary, water supply installations and 1½ percent for annual repairs for heating and electrical installations; and

6. Valuation of site:

When the building has been purchased and the amount paid for the entire property including the site is known, but the amount actually paid on account of the site is not known, the cost of the site shall be determined by the Superintending Engineer (Civil) by comparing it with similar land, the value of which obtaining at the time of purchase of the building can be ascertained from the records of the District or other Government offices, or in any other appropriate manner.

7. Expenditure on preparation of site:

Expenditure on the following work shall be considered to be expenditure upon the preparation of site, viz.

- (a) Levelling
- (b) Clearance
- (C) Culverts

8. Valuation of sanitary, water supply and Electric installation and fittings

The cost or value of sanitary water supply and electric installation and fittings shall include:

- (a) The cost or value of all materials and articles required or used, including all movable fans and lights supplied in the residence, at the expense of the Board.
- (b) Proportionate cost of the several installations in case of more than one residential and/or non-residential building being connected with one branch from the public drains, mains or supply line.
- (c) Cost of labour.
- (d) Cost of all 'fittings' (Electric heaters, or water heaters which are fixed to walls, floor or ceilings) and furniture (Portable heaters or water heaters).

9. Valuation of the site and residence:

When the present value of the residence and site is unknown the value of the residence and of the site shall be estimated separately by Executive Engineer (Civil) in accordance with the Regulations 5, 7 and 8 of the value of site and residence will be determined by the following authorities:—

- | | |
|--------------------------------|---|
| (i) Executive Engineer (Civil) | If the estimated value of either site or residence does not exceed Rs. 50,000/— |
| (ii) Supdtg. Engineer (Civil) | Full powers. |

10. Revaluation:

Chief Engineer, Addl. Chief Engineer, RSEB, I/C of Civil works may, after recording the reasons, authorise a revaluation of any or all residences, at any time and revise the capital cost on the basis of such revaluation.

11. Capital Cost & Estt. charges etc :

The capital cost howsoever calculated shall not take into consideration.

- (i) Any charges on account of establishment and tools and plants as were actually charged direct to the work in cases in which the residence was constructed by the Board or (2) in other cases, the estimated amount of such charges.

12. Calculation of standard rent:

The standard rent of a residence shall be determined as follows:

- (1) In the case of a leased residence the standard rent shall be the sum paid to the lessor, plus an addition of 1½ per cent for both ordinary and special repairs and such charges for capital expenditure. On addition or alterations as may be a charge on the Board and for the interest on such capital expenditure as also for Municipal and other taxes in the nature of house or property tax payable by the Board in respect of the residence.
- (2) In the case of residence owned by the Board the standard rent shall be calculated on the capital cost of the residence, and shall either be:
 - (i) A percentage of such capital cost equal to such rate of interest as may from time to time be fixed by the Board plus in addition for Municipal and other taxes in the nature of house or property tax payable by the Board in respect of residence and for repairs both ordinary and special, a sum equal to-
 - (a) 1½ percent of the capital cost of the building excluding the sanitary, water supply installations and 1½ percent for annual repairs for heating and electrical installations; and
 - (b) 1 percent for annual repairs 3½ percent for special repairs for sanitary and water supply installations and 1½ percent for annual repairs for heating and electrical installations; or
 - (ii) 6 percent per annum of such capital cost whichever is less.
- (3) Municipal Taxes which local rules or customs are levied on the occupant will be payable by the occupant in addition to the rent payable to the Board under these regulations.
- (4) In both cases standard rent shall be expressed as standard for a calendar month and shall be equal to one-twelfth of the annual rent as calculated above, subject to the provision that, in special localities or in respect of special classes of residence, the Board may fix a standard rent to cover a period greater than one month but not greater than one year.
- (5) The occupant of the Board accommodation when vacating the same shall obtain "No dues certificate" from both the Rajasthan State Electricity Board and the Water Works Department failing which the out standing charges as reported by these two departments shall be recovered from his salary.

13. Period of standard rent and its variation:

- (a) The rent calculated under Regulation 12 will remain in force for a period of 5 years and will not be varied unless certain additions and alterations are done, which add to the accommodation or involve replacement of the existing type of work by the work of more expensive character. In such cases cost of such work shall be added to the capital cost and the rent revised accordingly, irrespective of the fact whether the period of 5 years has expired or not. The recalculated standard rent will be effective from 1st April next following;
- (b) “The same principles will be observed when instead of an increase in the capital cost of a residence there is a decrease in it due to writing off, of a portion of it.”

14. Standard rent and additions and alterations:

When the standard rent of a residence has been calculated minor additions and alterations may be made without the rent of the residence being increased subject to the following conditions namely:

- (a) The total cost of such additions and alterations during a period of five years, from the day the standard rent was last calculated shall not exceed 5% of the capital cost, last calculated.
- (b) When the cost of such additions and alterations exceeds 5% of the capital cost, on which the rent was last calculated the standard rent will be recalculated with effect from 1st April next following or from the date upon which a new tenant because liable for the payment of rent whichever is earlier.
- (c) Subject to the provisions of clause (b) the standard rent of a residence shall be recalculated on the expiry of five years from the date of the last calculations and the recalculation shall take effect from the 1st of April, next following or from such other dates as the Board may direct.
- (d) When the portion of capital cost of a residence is written off under the orders of a competent authority, the rent should be recalculated forthwith.
- (e) Timely notice will be given by Executive Engineer (Civil) to the Allotting Authority who is Incharge of the allotment of that particular residence, who in turn will give due and timely notice to the tenant. Omission, however on the part of Executive Engineer (Civil) or the Allotting Authority to give such notice in any case, will not constitute a reason for enhancement of rent taking effect from any later date,
- (f) Executive Engineer (Civil) will maintain separate ledger of the capital expenditure incurred on the additions and alterations of each residence. In the

case of substantial additions and alterations to a residential building, its rent should be fixed by the Executive Engineer (Civil) concerned and recovery of rent from the tenant should be effected at the increased rate.

15. Occupation of building before closure of accounts of expenditure:

If a building is actually occupied, prior to the closing of the accounts of expenditure on its construction or acquisition or equipment, rent is chargeable from the date of occupation and should be fixed provisionally by the Executive Engineer (Civil) which will be revised with retrospective effect, when the accounts are closed.

16. Rent of separate sets of quarters:

In case of residence comprising separate complete sets of quarters for occupation by different tenants, the standard rent for each set must be calculated separately and the expenditure and accounts of each set must be booked and kept separately.

17. Allotment of House and Recovery of Rent:

The allotment of residential houses owned or taken on lease by the Board shall be made as per Annexure 'A' to these Regulations, subject to such modifications as the Chairman, may hereafter, from time to time make therein and payment of rent will be made as provided in these Regulations.

Provided that for any unauthorised occupation of the residence, without the order of the competent allotting authority or its retention beyond the date fixed for vacation, the rent will be recovered at four times the standard rent in addition to any such disciplinary action as may be considered necessary by the Appointing authority. **(Words substituted vide order No. 62 dated 28.11.1988)**

18. When a Board employee is provided with residence hired or owned by the Board, the following conditions shall be observed.

1. The scale of accommodation supplied shall not except on the employee's own request exceed that which is appropriate to his status in accordance with para 6 of Annexure A to these Regulations.
- 2 (a) Unless otherwise explicitly provided in these regulations, an employee of the Nigam, who is drawing salary under the revised pay scales effective from 01.09.2006 shall pay monthly rent according to the following rates w.e.f. ~~01.01.2007~~ 01.09.2008: -

Sr.No.	Pay Slab based on Basic Pay i.e. total of Pay in Running Pay Band and Grade Pay	Rate of Rent
1.	Below Rs.13000/- per month	0.75% of the pay
2.	Rs.13000 and above but below 19000/- per month	1.5% of the pay
3.	Rs.19000 per month and above	2% of the pay

- (b) The Officers of All India Services and Central Govt. employees on deputation drawing pay in the revised pay scales effective from 1.1.2006 shall pay monthly rent according to the rates applicable to the State Government servants who draw pay under the Rajasthan Civil Services (Revised Pay Scales) Rules, 2008.
- (c) In case of those employees who opt to retain the existing scale of pay the term pay will include, in addition to pay in the pre-revised scale and Dearness Allowance appropriate to that pay admissible under orders in existence on 1.9.2006.

Provided that Nigam's employees residing in the category of accommodation lower than the one to which they are entitled to shall not be required to pay rent more than the maximum amount of rent payable by an employee who is entitled to that lower category of accommodation.

((Sub-regulation 2 substituted vide order No. 1261 dated 01.10.2008 (F&R-540) & No. 1298 dated 14.10.2008 (F&R-548) and ratified vide order No. 1389 dated 07.11.2008 (F&R-554))

19. Occupation while on leave or under training:

1. A Board employee proceeding on leave of any kind or on training shall be entitled to occupy a residence for a maximum period of four months. Provided that the Allotting Authority may require a residence to be vacated at any earlier period and if the tenant refuses to vacate he will be charged four times the standard rent. (Words substituted vide order No. 62 dated 28.11.1988)
2. In case a Board employee continues to occupy the residence, contrary to the provisions as mentioned above he will be considered to be in unauthorised occupation and liable to pay four times the standard rent of the residence, apart from any other action that the Board may take. (Words substituted vide order No. 62 dated 28.11.1988)

- (a) for eviction, and
 - (b) for disobedience of Board orders.
3. A Board employee who at his own request is supplied with residence, owned or leased by the Board of a higher class than that to which he is eligible, shall be charged full standard rent of the residence and shall not be given the benefit of any concession afforded by these Regulations.

20. Extra Amenities:

Provision of extra amenities to the residential houses, such as furniture, garden, shall be subject to the following conditions, namely

- (a) that such amenities are not greater or more expensive than is reasonable having regard to the official position of the occupant, the social duties it entails, and other relevant circumstances;
- (b) Amenities like tennis courts, Badminton Courts, Cow—sheds fowl houses etc. shall not be provided except with the special sanction of the Chairman. If such amenity is permitted interest @ 12% p. a. of the capital value will be charged.

21. Rent for Gardens:

- (a) Rent for Gardens, laid out and maintained by the Board shall be calculated on an adhoc basis by the Executive Engineer (Civil) and will include all charges such as of malies cobties manuer, seeds and charges for drawing and supply of water and shall be recoverable monthly from the pay of the occupant and shall be in addition to the rent payable for the residence.
- (b) The non recurring and annual recurring expenditure on the laying out and maintaining respectively for the gardens for each category of house shall not exceed the following:

Cagetory	Non-recurring Rs.	Recurring Rs.
A	1000	500
B	800	400
C	600	300
D	400	200

- (c) It shall not be at the option of the occupant to make private arrangements for the laying out of such a garden. The maintenance of the garden also shall not be discontinued at the choice of the occupant.

22. Electric Pumping Set;

1. Rent for an electric pumping set if installed in a residence at the Board's expense shall be recovered monthly at one twelfth of the amount annually required for payment of interest @12% including annual repair.
2. Once a pumping set has been installed in a residence every Board's employee occupying the residence shall be liable to pay the rent for pumping set whether he requires or uses it or not.

23. Rent for furniture:

Rent of furniture supplied, will be charged monthly at 12 percent per annum on the capital value upto the scale prescribed and @ 18 percent per annum beyond the prescribed scale.

24. Electric Water and other supply:

1. The tenant shall pay for the cost of the Water, Electric and other energy consumed including Meter Rent, reconnection and disconnection charges. In the case of unmetered water supply the tenant will pay at flat rate prescribed by the Water Works Department from time to time.

25. Allottees Responsibility for rent:

1. Board employee to whom residence is allotted is responsible for the regular payment of the rent recoverable for the period of allotment, unless entitled to rent free accommodation.
2. Rent is to be paid monthly.
3. Any sum towards rent or other-wise payable under these Regulations shall be recoverable by deduction from the monthly salary or any other amount payable to the occupant.

26. Rent free accommodation:

In special circumstances and for reasons which should be recorded, by the Board.

- (a) May by general or special order grant rent free accommodation to any Board employee, class of employees or any other category of persons.
- (b) May by general or special order, waive or reduce the amount of rent, municipal and other taxes not being in the nature of house or property tax, to be recovered from a Board employee or class of employees.

- (c) The concession of rent free accommodation does not carry with it the free supply of water, electric, other energy amenities as mentioned in Regulation 20 the rent and charges of which shall be defrayed by the employee him-self. The rent of water and electric meters is also payable by the tenant.

27. Excavation of Rent:

- (i) If the tenant finds that the residence has become un in habitable he shall at once report the matter to the Executive Engineer (Civil) in charge of the residence and the Allotting Authority. Executive Engineer (Civil) will immediately inspect the building and forward a report on the subject to the Superintending Engineer (Civil) who will take such steps in the matter as he consider necessary. He will also then decide whether partial or total remission of rent is to be allowed and inform the XEN (Civil) and the Allotting Authority and the tenant concerned.
- (ii) Inconvenience caused by petty or ordinary annual repairs is insufficient to warrant remission of rent.

28. Residence cum office:

When a building is occupied partly as a residence and partly as an office, capital value of the portion occupied as a residence must be separately estimated. The cost of maintenance of the residential portion should also be separately estimated and accounted for. This should be done on the basis of the plinth area.

When separate office accommodation is provided the occupant and the use of the part of his residence for office is optional, no deduction from the rent is permissible on this account.

29. Emoluments:

1. For the purpose of the above Regulations, emoluments mean and include ;
 - (i) Pay,
 - (ii) Fixed addition to monthly pay & allowance,
 - (iii) Compensatory allowance, other than traveling allowance uniform allowance.
 - (iv) Pension drawn from any source other then extra ordinary pensioner, compensation received under the Workmen Compensation Act, 1923.
 - (v) Subsistence grant paid to an employee under suspension, provided that if he is subsequently allowed to draw pay for the period of suspension, the difference between the rent recovered and the rent due on the basis of the emoluments ultimately drawn shall be recoverable from him.

- (vi) The emoluments of a Board employee on leave mean, the emoluments drawn by him for the last complete Calendar month of duty performed by him to his departure on leave.

30. Removal of doubt:

In the case of any doubt relating to the application and scope of these Regulations, the matter shall be referred to the Secretary, RSEB whose decision in the matter shall be final.

31. Repeal and savings:

All rules and orders in relation to matters covered by these Regulations other than provided in the agreement(s) if any and in force immediately before the commencement of these Regulations are hereby repealed.

Provided that any action under the rules and orders repealed shall be deemed to have been taken under the provisions of these regulations.

INSTRUCTIONS FOR THE ALLOTMENT OF RESIDENTIAL ACCOMMODATION

1. As soon as the residential accommodation is decided to be constructed either by Project Authority or by the Operation & Maintenance Circle, following information about the accommodation will be sent by the Superintending/Executive Engineer incharge of construction to the Superintending Engineer (Civil-O&M) R. S. E. Board, Jaipur.
 - (i) Name of Locality, including full address where the accommodation will be constructed.
 - (ii) Number of the Quarters of each type to be constructed.
 - (iii) Target date of completion.
 - (iv) Estimated Capital Cost of each quarters.
2. The office of Superintending Engineer (Civil—O&M) will maintain a complete details of accommodation locality-wise in such form as may be prescribed by Superintending Engineer (Civil) containing the details about the date of completion of residential quarters, its capital cost, first occupant, date of occupance, annual recurring or non-recurring expenditure on each residential accommodation, additions and alterations & other works executed in each residential accommodation.
3. The Superintending Engineer (Civil & O&M) will keep regular check on the construction of residential accommodation by target date and inform the Allotting Authority about the construction of accommodation. The Executive Engineer incharge of Construction will also send the information about the construction of residential accommodation to the Allotting Authority direct to avoid delay.
4. The Allotting Authority will, on receipt of information as per para 3 above, will classify the various residences in the various categories as per para 6 and can change the class or earmark the same for any Officer or purpose. Allotting Authority will send the classified and allocated list of residences to the Superintending Engineer (Civil & O&M). The SE (Civil—O&M) will allot a specific number to each residence, class-wise and locality-wise. He will also take in his possession all the relevant record/ proof of acquisition, purchase, construction Cost from Controlling

Authorities as are generally required by the Life Insurance Corporation of India for the mortgage of property against loan/advance, if necessary.

5. Allotting Authority will allocate the residences and inform the Superintending Engineer (Civil-O&M), Accounts Officer concerned and the individual. The accommodation as earmarked for certain employees or class of employees will be allotted to such employees or class of employees alone and to no others, except with the prior approval of the Secretary. For allotment of earmarked accommodation for a particular class of employees, all other regulations regarding priority in arrival etc. will apply.
6. Save as otherwise provided by or under these regulations residences of the various classes shall be allotted to the employees whose emoluments on the first day of the half year in which the allotment is made, are as shown in the following tables **(effective from 01.09.2008)**.

S. No.	Type of Accommodation		Plinth Area	Officers Drawing Grade Pay
	Nigam			
A	Applicable at Jaipur			
1.	A& B	R 1	2337 Sqf.	Grade Pay of Rs.8700/- and above
2.	C	R 2	1500 Sqf.	Grade Pay of Rs.6600/- and to Rs.8200/-
3.	D	R 2 without Garrage & Servant Qr.	965 Sqf.	Grade Pay of Rs.4200/- and to Rs.6000/-
4.	E	R 3	570 Sqf.	Grade Pay of Rs.2400/- and to Rs.3600/-
5.	F&G	R 4 & 5	350 Sqf.	-1S and Grade Pay upto Rs.2100/-
B	At places other than Jaipur			
1.	A&B	R 1	2337 Sqf.	Grade Pay of Rs.7600/- and above
2.	C	R 2	1500 Sqf.	Grade Pay of Rs.5400/- to Rs.6800/-
3.	D	R 2 Without Garrage & Servant Qr.	965 Sqf.	Grade Pay of Rs.3600/- to Rs.4800/-
4.	E	R 3	570 Sqf.	Grade Pay of Rs.2100/- to Rs.3200/-
	F	R 4		
5.	G&H	R 5	350 Sqf.	-1S and Grade Pay upto Rs.2000/-

NOTE: Those who draw pay in the scales or pay specified against each type of accommodation but below the stage (amount) indicated will be entitled to immediately lower type of accommodation.

(Existing table substituted vide order No. 1260 dated 01.10.2008 (F&R-539) and ratified vide order No. 1389 dated 07.11.2008 (F&R-554))

- 7(a) Every employee who desired to have an allotment made under these regulations shall submit an application in the appended prescribed form (Schedule A) to the Allotting Authority concerned immediately on arrival/appointment at that place.
- 7(b) The application for allotment of Board's accommodation, in the prescribed form, shall be duly signed by the applicant and submitted through the Head of the Office to whom the powers of certifying the emoluments vests. Head of Office, after satisfying himself as to the correctness of the statements made in the application shall countersign and forward it to the Allotting Authority concerned.
- 7(c) The Allotting Authority will maintain a class-wise Waiting List, in a Register in the form given in Schedule 'B' in respect of all Officers for whom the power of allotment vests in him, in the order of priority date i. e. date of application or date of joining duty at that place, whichever is later.
- 7(d) It will be the responsibility of the employee concerned to intimate to the Allotting Authority concerned the fact of his crossing the limits of any category so that his name may be entered in the Priority list of the relevant category.
- 7(e) Employees who are living in lower category of residence shall be considered for allotment of residence of higher category as soon as they become entitled. His name will be cut at the bottom of the priority list of the relevant category on the date of receipt of intimation of his being eligible to upper class to the Allotting Authority.
- 7(f) Subject to exceptions and conditions mentioned, the Allotting Authority will make allotment of residences strictly in accordance with the scale and the waiting list mentioned above.
- 7(g) In no case any employee would be entitled, as a matter of right, to take any residence for allotment to him.
- 7(h) Any employee aggrieved with the decision of the Allotting Authority will represent his case to Chief Engineer (O&M), RSEB, Jaipur whose decision will be final.
8. If the house is allotted to an Officer for his residence as well as Office, rent would be charged from the Officer for the residential accommodation occupied by him. The rent would be calculated on the basis of plinth area occupied by him in the building.
- 9 (1) Notwithstanding anything contained in the sub-regulations, no employee who owns a house at the place of posting whether in his own name or in the name of his wife or children shall be allotted a residence under these regulations, unless
- (a) Such house has been taken by the Board on rent at the fair rent assessed as per Rules.
 - (b) Such house was given out on lease rent by an employee before being posted at that place and that he is unable for reasons beyond his control to obtain the vacant possession of the house.

9(2) No employee who has been granted a house, building advance for construction of a house at the place of his posting shall be allotted a residence under these regulations, or will be allowed to retain the residential building/quarter already allotted to him after the expiry of a period of one year from the date of receipt of the amount of advance Where the advance is drawn in installments' the date of last installment will be considered as the date of drawing such advance for purposes of calculating the above period.

9(3) If any employee takes occupation of the residence without the orders of the Allotting Authority or continues to occupy such accommodation against the orders of Allotting Authority, four times the standard rent shall be charged from the occupant concerned. **(Words substituted vide order No. 62 dated 28.11.1988)**

9(4) Contravention of these regulations shall be viewed as a breach of the RSEB conduct Regulations or other rules/Regulations applicable to a particular class of employee and shall make the employee concerned to be proceeded with accordingly.

10 (i) Chief Engineer, Addl. Chief Engineer, Deputy Chief Engineer, Controller of Accounts having their families residing with them are entitled to out of turn allotment of residence.

10 (ii) The Allotting Authority may make temporary allotments of any class of accommodation to the following:—

- (i) To Officers newly posted there,
- (ii) To Officers required to move for accommodation pending allotment of permanent accommodation.

10 (iii) As far as possible subject to availability the Allotting Authority will earmark residential building for the following by designation according to which they might be entitled.

- (1) Chief Engineer/Addl. Chief Engineer, Incharge of the Project, under construction.
- (2) Deputy Chief Engineer/Superintending 'Engineer Incharge of the Operation and Maintenance.
- (3) Executive Engineer/Assistant Engineer Incharge of Grid Sub-Station, Generating Station, Operation & Maintenance.
- (4) Employees, entitled to get rent free accommodation, as declared by the Board from time to time.
- (5) Any other employee by name or by designation as may be declared by Chairman.

11 (i) Those employees for whom residential accommodation is reserved by designation should occupy the accommodation thus reserved within a period of one month of their taking charge of such post, failing which rent will be recovered from them according to Regulations, even if the house is not occupied. As soon as an earmarked house is occupied by the employee concerned, he should intimate the date of taking over charge of his post as also that of occupying the house, within a week to the allotting Authority concerned, S. E. (Civil—O&M), Officer In-charge of supply of electricity, water, telephone etc. in that area. Failure in sending this information to the above noted Officers will make the employee liable for payment of full standard rent or the rent payable by the employee whichever is higher, from the last date by which the information was due to be sent and from employees entitled to rent free accommodation, standard rent or rent payable, whichever is less, will be charged.

11 (ii) As soon as a house has been allotted the allottee should on receipt of allotment order, send a letter of acceptance of the allotment, within five days of the date of the allotment order to the Allotting Authority and should occupy the allotted house, within eight clear days after the date of allotment. He should also intimate the actual date of occupation of the house to the (1) Allotting Authority (2) Superintending Engineer (Civil-O&M), (3) Officer Incharge of the supply of water, (4) Electricity in the area. Failure in sending the above information to the Officers noted above immediately after occupation will make the allottee liable for the payment of full standard rent or rent payable by him, as the case may be, whichever is higher, from the last date by which the intimation was due to be sent.

11 (iii) If an employee fails to accept the allotment of a residence under these Regulations within 5 clear days after the date of allotment or fails to move into that residence within eight clear days after the date of allotment:—

- (a) He shall not be eligible for another allotment for a period of six months from the date of failure to accept the allotment. After the expiry of six months, his name may be placed at the bottom of the waiting list. His house rent allowance, if permissible in the area, will not be payable from the date of allotment of house, and
- (b) The residence in question will be re-allotted in accordance with these Regulations.
- (c) The occupant of the residence, while vacating the same shall obtain “No dues certificate” from the Officer Incharge of the supply of water and electricity in that area; failing which the outstanding dues, as reported by these two Departments shall be recovered from his salary.

12 (a) An allotment shall be effective from the date mentioned in allotment letter and accepted by the employee concerned and shall continue until:-

- (i) it is cancelled or is deemed to have been cancelled under these regulations, or
- (ii) it is surrendered by the employee concerned, or
- (iii) the employee concerned ceases to occupy the residence.

12 (b) If an employee proceeds on deputation or transfer out the place of his posting or on foreign service or on temporary transfer, he will vacate the residence allotted to him within a month from the date of handing over the charge at the place of his Posting. If the house is not vacated within a period of one month:

- (i) full standard rent or rent payable by him whichever is higher, will be payable by him for the second month.
- (ii) after the second month four times the rent calculated as per (1) above shall be charged from the occupant. **(Words substituted vide order No. 62 dated 28.11.1988)**

Provided that the Allotting Authority may require the house to be vacated at any earlier period after the date of handing over the charge. If the occupant refuses to vacate even after the second month, or earlier period, as mentioned above, he will be considered to be in unauthorized occupation of the house and liable to pay (1) four times the standard rent or double the rent payable, whichever is higher, with effect from the date, the house was required to be vacated, apart from any other action that the S. E. (Civil—O&M) or any person authorized in this behalf may take— **(Words substituted vide order No. 62 dated 28.11.1988)**

- (a) for eviction, and
- (b) for disobedience of orders.

12 (c) In the case of temporary transfer, if the employee is likely to be posted again at the same headquarters; Allotting Authority may permit an employee to continue to occupy the house and exempt him from payment of enhanced rent, provided it is satisfied that the transfer has been made in the interest of the Board, for a period not exceeding four months and the employee is likely to have his place of posting at the same place within this period. A certificate to his effect shall invariably be endorsed in the transfer order in such cases.

12(d) Where rent-free accommodation has been allotted the allotment in case of transfer shall be treated as cancelled with effect from the date of handing over the charge by the employee concerned. If the house is not vacated by the employee on due date he shall pay

rent for accommodation for the first month at full standard rent and thereafter at **four times the standard rent.** (Words substituted vide order No. 62 dated 28.11.1988)

13. Any Officer to whom a residence of appropriate class has been allotted under these Regulations, may apply for a change of allotment within the same class and preference will be given in order of date of allotment of previous accommodation save under special circumstances. If an employee fails to accept a change of residence offered to him within the time specified in the order, he shall not be eligible for a subsequent change of allotment under this regulation. No employee shall be allowed a change of allotment within the same class more than once under the regulation

14. An Officer may however, be allowed subsequent change of residence within the same class either on the death in that residence of his wife, child or other close relation residing with him or any untoward accident happening in the family provided he applied for a change within a month of such occurrence.

15. Employees to whom residences have been allotted, may with the prior approval of the Allotting Authority in writing exchange residences within the same class.

16. An employee may at any time surrender an allotment made to him under these regulations and if he does so:—

- (a) He will not retain any right on the particular residence allotted to him,
- (b) He will be entitled on a fresh application made in this behalf to another allotment according to his name on the waiting list.

Any employee surrendering an allotment should send a letter to the Allotting Authority. S. E. (Civil—O&M) and Accounts Officer concerned at least 15 days before the date of vacation of the residence. The allotment of residence shall be deemed to have been cancelled with effect from the 16th day of the day on which the letter is received by the Allotting Authority.

17. If the employee to whom a residence is allotted dies, the allotment shall be treated as cancelled with effect from two months after the date of the employee's death or with effect from any date after such death on which the residence is actually vacated, whichever is

earlier. The responsibility of intimating the death of an employee to the proper authorities will lie on the members of his family.

18. If an employee to whom a residence is allotted, retires or resigns or is dismissed or removed from service, the allotment shall be treated as cancelled with effect from two months after the date of retirement, resignation, dismissal, removal as the case may be or with effect from the date after such dismissal, removal, or retirement, on which the residence is actually vacated, whichever is earlier. If such employee does not vacate the house -within two months and continues to occupy the same, without any prior sanction from the Allotting Authority, he will be liable to pay four times the standard rent for the period of such un authorized occupation from the beginning of the third month. The responsibility of intimating the fact of such retirement, dismissal or removal from service to the proper authorities, will lie on the Government servant concerned. **(Words substituted vide order No. 62 dated 28.11.1988)**

Provided that in case the officer in occupation of the earmarked residence retires, resigns, removed or is dismissed from service the allotment shall be treated as cancelled with effect from the date of his retirement, resignation, removal or dismissal as the case may be.

The concession of rent free accommodation is not admissible to an employee during leave preparatory to retirement. The allotment shall be treated as cancelled from the date the officer proceeds on leave preparatory to retirement. If he does not vacate the house he shall pay rent for the first 2 months for such accommodation from the date proceeds on leave preparatory--to retirement--at standard rent or rent payable whichever is higher and thereafter at four times the standard rent. **(Words substituted vide order No. 62 dated 28.11.1988)**

19. If an employee or his family has to vacate the residential accommodation on account of the employees transfer, deputation on foreign service or training etc. grant of leave over two months, retirement, resignation, removal or dismissal from service or death, an intimation of the probable date of vacation should be sent at least one week before the date of actual vacation immediately after that, to the (1) S. E. -Civil- O&M) (2) Allotting Authority, and (3) the Officer in—charge, Water Works (4) Electricity Board.

Failure in sending this intimation to the above noted officers will make the Officer concerned liable for payment of full standard rent or rent payable by him as the case may be,

whichever is higher, from the last date by which the intimation was due to be sent, till its receipt by the officers concerned.

20 (1) No employee shall sub-let a residence allotted to him, or any portion thereof or any of the out houses, appurtenant there to except with the permission of the allotting authority.

20 (2) If an Officer sub-lets a residence allotted to him or any portion thereof or any of the out houses appurtenant thereto without the permission of the allotting authority, he shall without prejudice to any other action that may be taken against him be charged four times the standard rent of the residence for the period of such sub-letting. **(Words substituted vide order No. 62 dated 28.11.1988)**

21. The employee to whom a residence has been allotted shall be personally responsible for the rent thereof and for any damage beyond fair wear and tear caused thereto or to the furniture or services provided therein by the Board during the period for which the residence has been and remains allotted to him.

22. The employee to whom a residence has been allotted shall be required when he enters into occupation of the and when he vacates the residence to sign an inventory of the fixtures and fittings.

23. The employee to whom a residence has been allotted, shall maintain the residence and premises in clean condition to the satisfaction of the Municipal Committee (which is responsible for the final disposal of rubbish and night soil) and the Health Officer concerned of the area.

24. The employee to whom a residence has been, allotted, shall not permit trees or shrubs in the premises to be cut down or chopped save with the consent of the S. E. (Civil-O&M).

25. If the employee to whom a residence has been allotted, commits any breach of the regulations or uses the residence or premises or permits the residence or premises to be used for any purpose which the Allotting Authority considers to be improper or if it is found that the officer has knowingly furnished incorrect information in application or written statement with a view to secure an allotment, the Allotting Authority may, without prejudice to any other disciplinary action that may be taken against him:—

- (a) require him to vacate the residence and may allot it to another employee but the employee so required to vacate the residence shall continue to be personally responsible for the rent thereof, and
- (b) declare him to be ineligible for a residence during a specified period.
- (c) using the residence or a portion thereof for purposes other than those for which they are meant; and
- (d) unauthorized extension from electric and water connections or tampering therewith.

***26. Instruction No. 26 deleted vide order No. RSEB/F&R/F.Rent-Recovery/D.14 Dated 25.2.1982.**

27. If any question arises as to the interpretation of these instructions the decision of the Secretary, RSEB shall be final.

28. The Secretary may for reasons to be recorded in writing, relax any or all the regulations in the case of any employee or residence or class of Officers.

29. The Secretary may delegate any of the powers and functions conferred upon him by the regulations to any Officer subject to such conditions, as he may deem fit to impose.

30. The above instructions supersede all previous instructions issued in this behalf from time to time.

* Deleted vide 0. No. RSEB/F&R/F. Rent-Recovery/D. 14 Dated 25. 2. 1982.

“If any employee accepts the allotment of a lower class of residence due to not availability of residence of higher class and occupies it, he will not be entitled to any relief whatsoever in payment of rent or otherwise.”

SCHEDULE B

RAJASTHAN STATE ELECTRICITY BOARD

Form of application for allotment of residential accommodation

To: -

Allotting Authority

Sir,

I hereby apply for the allotment of residential accommodation. Particulars are given below;—

1. Name
2. Designation
3. Pay & Allowances, if any, (to be shown separately)
4. Scale of Pay-date of increment
5. Date of joining at the place of posting
6. No. of adults and children in the family (indicating relationship to the applicant)
7. Whether any house property is owned at the place of posting.
8. Whether any house Building Advance has been drawn if so the date of last instalment drawn.

Place
Date

Signature
Designation Office/Place
of posting

Forwarded to _____ . The comments have been verified.

Signature
Designation
(Head of Office)

RAJASTHAN STATE ELECTRICITY BOARD

(Finance and Rules Section)

No. RSEB/F&R/F. Loose/D. 6

Jaipur, Dated 22nd Jan., 1982

ORDER

References have been received soliciting clarifications with regard to various aspects relating to determination and recovery of rent of residential accommodation. The matter was examined in detail by a Committee constituted vide this office order No. RSEB/F&R/F. Loose/D. 545 dated 12th Oct. 1981. After considering suggestions made by the committee, the following instructions/clarifications are issued with regard to implementation of provisions of RSEB (Determination & Recovery of Rent of Residential Accommodation) Regulations 1980 for the guidance and compliance of all concerned.

(1) In terms of sub-regulation (a) of regulation 3 of the said regulations, the 'Superintending Engineer (O&M)' shall be the "Allotting Authority" for allotment of Board's residential accommodation in their respective jurisdiction.

(2) The Superintending Engineer (O&M) concerned shall prepare and send a list of such quarters, the rent of which has not been calculated after 1st April, 1981, to the Superintending Engineer (Civil), RSEB, Jaipur who will get the rent calculated under Regulation 13 of the said regulations and inform the respective Superintending Engineer (O&M) accordingly, to ensure recovery of rent as per revised assessment.

(3) The Superintending Engineer (O&M) concerned shall maintain an occupancy register and review the position of occupancy of Board's residential quarters. . In cases where it is found that the present occupants were eligible for allotment of Board's accommodation, the Superintending Engineer (O&M) shall issue a formal allotment order in the name of the present occupier under an intimation to respective Circle Accounts Officers who would ensure regular recovery of rent from occupants' as regards unauthorised occupants, the Superintending Engineer (Q&M) shall take immediate necessary action for their eviction. In such cases, apart from the eviction proceedings, till the quarter is finally vacated by the unauthorised occupants, action regarding recovery of rent at penal rates as prescribed under Regulations shall also be taken.

(4) The Superintending Engineer (Civil), RSEB, Jaipur shall advise his Executive Engineers and Assistant Engineers posted in various Circles/Offices to classify all the buildings of the Board, in accordance with revised categorisation and inform respective Superintending Engineers (O&M) accordingly to enable them to take further action in the matter.

The progress of implementation of these instructions shall be reviewed by the above said committee mentioned in para 1, by end of March, 1982.

It is, therefore, enjoined upon all concerned to take immediate necessary action in this regard and send progress report to this office latest by March 15 1982.

By order,

Sd/-

**C. B. Mehta
Secretary**