

The Special Accommodation Rules, 1959

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India

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Rule THE-SPECIAL-ACCOMMODATION-RULES-1959 of 1959

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The Special Accommodation Rules, 1959

1.

These rules may be called the "Special Accommodation Rules, 1959".

2.

They shall come into force at once.

3.

These rules apply to the allotment of residences at New Capital built or to be built under the Capital Construction Programme and also for residences built by other Departments of Government of which the allotment and collection of rent is entrusted to the Estate Officer for the use of the Officers, both gazetted and non-gazetted, of the Government of Orissa who are required to reside in the New Capital on duty.

4.

(1)The officers of the Departments of Government and other offices specified in Schedule A to these rules will normally occupy residences in New Capital :Provided that Government reserve the power of allotting quarters to those who are not normally entitled to them in exceptional cases and the rent in such cases will be [standard licence fee] [Substituted vide O.G.E. No. 876/21-7-1994. Notification No. 4183- S-A. 15/94/6.7.94.] and other charges at private rate unless there are special Government orders in particular cases like those of the employees of the Ministries of the Government of India:Provided further that the Government may, wherever so necessary direct the above-mentioned non-entitled officers to vacate the buildings allotted to them if they are required

for allotment to officers of the State Government who are normally entitled to occupy the same.(2)The State Government may, from time to time, add or omit the name of any Department, Head of Department or other office to or from Schedule A.(3)No residential building should normally be used for purposes other than that for which it has been constructed. Government however, reserve the right of allotting quarters for non-residential purpose to non-Government and semi-Government Institutions in exceptional cases and the rent charges in such cases will be [standard licence fee] [Substituted vide O.G.E. No. 876/21-7-1994. Notification No. 4183- S-A. 15/94/6.7.94.] and other charges at private rates unless there are special Government orders in particular cases. The parties will be required to execute the necessary licence deed (Schedule E) in such cases :Provided that the State Government may direct that the all quarters utilised for non-residential purposes of non-Government, semi-Government institutions should be vacated if they are offered for residential purposes in the officers of the State Government.

5. [[Substituted vide O.G.E. No. 876/21-7-1994. Notification No. 4183- S-A. 15/94/6.7.94.]

(1)Save as otherwise provided by or under these rules residences of various types should be allotted to officers whose pay as defined in the Orissa Service Code, are as shown in the following table subject to their availability and payment of rent mentioned against each. When the proper type of quarters to which a person is entitled is not available, he may be given the next higher or lower type of quarters according to availability and convenience by the Estate Officer of such terms as are considered reasonable.Table

Sl. No.	Type of Quarters	Approximate Plinth Area	Allottable Pay range	Flat Rate Licence fee (rent)	Standard Licence fee (rent)
(1)	(2)	(3)	(4)	(5)	(6)
			Rs.	Rs.	Rs.
1.	Type VIII, VIIC, VIIR, VIIMR, VIID/S, VIISGO, A, 6R orequivalent quarters.	3700 Sft.	6.000-9,000	560	1,120
2.	Type VII, VIIC, VIIDS, VIIR, 5R (F), B or equivalentquarters.	2300 Sft.	4.500-6,000	390	780
3.	Type VI, VIA, VIC, VIR, VIMR, VID/S, 4R, 4R (F), C, C-D ofequivalent quarters.	1600 Sft.	3.000-4,500	290	580
4.	Type V, VA, VR, VIB, 3R, 3RF, D, MLA-F, MLA-D/S or equivalentquarters.	900 Sft.	2,260-3,300	200	400
5.	Type IV, IVA, IVC, IVR, IVR-PF, 2RB, 2RB (F), E or equivalentquarters.	580 Sft.	1.500-2,260	40	280

6.	Type IVN, 2RA (F), 2RA, F or equivalent quarters.	390 Sft.	1.000-1,500	90	180
7.	Type II, HR, IR, 2R, 2R (F), HR (F), G, G (F), IIA orequivalent quarters.	270 Sft.	Up to 1,000	60	120

(2)All the Class-IV employees working under State Government shall pay concessional licence fee (House-rent) at the rate of Rs. 30.00 only per month for the lowest type of Government quarters or Rs. 45.00 for a type above that.(3)Allotment of quarters should as far as practicable be made on the basis of eligibility of the officers according to their pay range as mentioned in the Table under Sub-rule (1). If, for any reason an employee is allotted with a quarters which is of a higher/lower type than his eligible pay range, the licence fee shall be the flat rate of the. quarters which is under his occupation.(4)The amount of Water Tax/Municipal Tax not being the nature of property/tax shall continue to be recovered from the occupants of the quarters as per orders of Government issued from time to time.(5)The Government of India employees occupying State Government quarters shall pay licence fee at par with State Government employees as prescribed under these rules.(6)Employees of Boards and Corporations/Private Parties and other non-entitled persons allowed for occupying Government quarters shall pay Standard Licence Fees.]

6.

(1)Every officer who desires to have an allotment made shall submit an application to the Estate Officer in the form prescribed in Schedule 'B' signed by the applicant and submitted in duplicate through the head of the office who after satisfying himself as to the correctness of the statements made in the application, shall countersign and forward one copy to the Estate Officer and retain the second copy in his office for maintaining the waiting list under Rule 7. The allottee shall furnish an undertaking in the form specified in (Schedule 'C') promising to pay the rent fixed from time to time and agreeing to vacate the house when asked to do so under penalties mentioned therein.(2)The head of each office shall send to the Estate Officer and to this Rent Officer, a copy of the consolidated list of the employees under his charge who have been allotted quarters in New Capital in the form (Occupancy Statement) prescribed in Schedule 'D' by the fifteenth of every month.

7.

Each Department or Head of Department of office, shall maintain a waiting list of applicants and shall arrange the applications in order of priority of the date of the applications :Provided that if two or more applications are received on the same date, the applicant drawing higher pay (including amounts classified as Pay) shall get preference over the others and in case of equality of Pay (including amounts classified as Pay) the applicant drawing the same for a longer period shall get preference over the others.

8.

The principle of allocation of houses for the various Departments, Heads of Departments, and other offices entitled to stay at New Capital is to provide residences for 70 per cent of the staff at the end of the First Five Year Plan and 50 per cent of the staff engaged in the Second Five Year Plan subject to availability. The quarters for peons (Class IV servants) will be only 50 per cent for both the plans. The percentages may be varied according to circumstances : Provided that until the requisite number of houses becomes available a prorata cut in the allotment of quarters for staff engaged in the Second Five Year Plan will be made for all Departments, Heads of Departments and offices. Formal allotment shall be made by the Estate Officer strictly in accordance with the recommendation of the head of the office to which an officer belongs.

9.

Notwithstanding anything contained in Rule 8, all the gazetted officers of all the offices mentioned in Schedule 'A' are normally to be provided with quarters at New Capital subject to availability. Allotment of quarters to Gazetted officers will be made by the Estate Officer. For this purpose he shall maintain a waiting list of persons for types VIII, VII, VI and V houses which shall be arranged according to priority dates of the application. As soon as accommodation of any type falls vacant the Estate Officer shall subject to other provisions in these Rules, allot for the applicant whose name appears first in the waiting list for that type of accommodation.

10.

(a) When any accommodation, i.e. Types V, IV, III and II already allotted to a particular Department of Government or Head of Department of office, as the case may be, falls vacant, the Head of the Department shall recommend the name of an employee of his office from the waiting list maintained by him under Rule 7 for allotment of a similar type of quarters after consultation with the Advisory Committee for allotment of houses which should be constituted for each Department and Heads of Department of Office consisting of the officer dealing with the establishment matters and two representatives from among the non-gazetted staff of the Department or Office. As the Head of the Department has to manage within the quota given to him, he will have the discretion for recommending the name which will not be strictly according to the waiting list in the interest of Government work. He should, however, keep a comparative statement of the competing claims together with his reasons for deviating from the Rule in his office. Joint allotment of a quarter to more than one employee of a Department or Office is not permissible as a house is to be allotted to one person only. Provided that, in view of paucity of quarters it will be left to the concerning department to obtain written consent of the person to take one or more joint occupants, and then the Estate Officer will merely permit such joint occupation on the distinct understandings that the allottee will be solely responsible for all the dues of house rent and other charges payable to Government and for complying strictly with the provisions of these Rules in the same way as in the case of a quarter allotted to a single person, i.e., in all respects the original occupant who has been allotted the quarter will be responsible to hand over possession of the quarter to Government when he vacates, surrenders or is asked to do so, and the permission for joint occupation will

automatically be deemed to have been cancelled from that date.(b)The allotment of Type 111 and I blocks will rest with Estate Officer.

11. [[Substituted, vide Orissa Gazette Extraordinary No. 876/21.7.1994-Notification No. 4183-S.A. 15/94/6.7.1994.]

(1)Notwithstanding anything contained in Rules 5,8, 9 and 10 an Officer, who has a house in municipal area of Bhubaneswar in his name or in the name of his wife/children may be allotted with a Government quarters or be allowed to remain in Government quarters on payment of higher rate of licence fee in the following slab, namely : (i)no extra amount of licence fee shall be charged in cases, where the employees are in receipt of house rent not exceeding Rs. 500 per month for their own houses;(ii)one and half times of the flat licence fee shall be charged from those who are in receipt of house rent above Rs. 500/- per month and not exceeding Rs. 1500/- per month;(iii)two times of flat licence fee shall be charged from those who are in receipt of house rent beyond Rs. 15,000/- and not exceeding, Rs. 3,000/- per month;(iv)three times of flat licence fee shall be charged from those who are in receipt of house rent above Rs. 3,000, but does not exceed Rs. 5,000/- per month; and(v)four times of flat licence fee shall be charged from those who are in receipt of house rent exceeding Rs. 5,000/- per month.(2)If the house of any officer either in his own name or in the name of his wife/children has been let out or leased out on rent, he shall furnish a copy of the agreement/deed before the Estate officer for the purpose of determining the fate of licence fee in respect of the Government quarters, if any, allotted to him. In case the house is not let out Or leased out, the notional rent of the house shall be assessed on the fair rent basis (or determining the licence fee.)[Note - Before amendment of the rule in 1994 judgement was rendered in a case in 1992. The Case-Law follows :]

12.

Notwithstanding anything contained in Rule 9-(i)Minister and Deputy Ministers, the Speaker and the Dy. Speaker shall have priority of allotment over all others.(ii)Secretaries, Additional Secretaries and Joint Secretaries Government whether married or unmarried, and non-Secretariat Officers drawing emoluments of Rs. 1,300 or more per mensem have their families residing with them, are entitled to out-of turn allotment.(iii)The seniority of such officers inter se will be according to priority in the date of their appointment entitling them to out-of-turn allotment:Provided that the Secretaries to Government will have precedence, of allotment of quarters over all other officers of Government and the Additional Secretaries and Joint Secretaries of Government will have precedence over the non-Secretariat Officers,(iv)The Secretariat Officers of the status of Under-Secretaries said above will be given precedence in the matter of allotment of houses for all other Non-secretariat Officers of Government entitled to occupy the same type of quarters.

13.

Notwithstanding anything contained in Rule 5, the Estate Officer may make temporary allotment of any type of accommodation to the following categories of officers provided that the accommodation

so allotted is not immediately required for permanent allotment to some other officer on duty at New Capital, and on condition that the said quarters will be vacated as soon as it is required for permanent allotment to some other officer entitled for the same-(a)To an officer newly posted to New Capital pending allotment of accommodation for which he is eligible according to priority date.(b)To officers required to move from other allotted accommodation.

14.

When a non-Gazetted officer to whom a residence has been allotted is transferred from one office to another mentioned in the Schedule 'A' he shall be required to surrender the quarters he is occupying in favour of another employee of the office from which he is transferred within ten days of his transfer unless he is adjusted within the quota of the office to which he is transferred. If he does not surrender the quarters within ten days he shall have to pay the [standard licence fee] [Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A. 15/94/6.7.1994.] for the period of his occupation after the 10th day, till he actually vacates the quarters. The Estate Officer may, however, adjust the quarters against the quota of either Department with the consent of the Department concerned if the number of quarters due to them has not been provided.

15.

(i)If an officer fails to accept the allotment of a residence allotted to him under these rules within 7 days after the date of allotment or fails to move to that residence within 10 days after the date of allotment or within such extended period as may be granted by the Estate Officer on application-(a)he shall not be eligible for another allotment under these rules for a period of one year from the said date.(b)the residence in question shall be re-allotted in accordance with the provisions of these rules;(c)any previous allotment of residence made to him under these rules shall be deemed to be cancelled with effect from the said date and he shall vacate the residence forthwith ; and(d)in addition to any disciplinary or other action that may be taken against him, he shall be charged in respect of any period for which he continues to occupy that residence after the said date, the [standard licence fee] [Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A. 15/94/6.7.1994.] calculated at the present day capital cost of the buildings :Provided that if the actual cost of a building is not immediately available the full standard rent will be calculated on the estimated cost of the building.

16.

Subject to Rule 106 of the Orissa Service Code, the allotment shall be effective from the date on which it is accepted by the officer concerned and shall continue until-(a)it is cancelled by the Estate Officer or is deemed to be cancelled under these rules ; or(b)it is surrendered by the officer concerned ; or(c)the officer concerned ceases to occupy the residenceProvided that an officer who goes on leave or on deputation for training or otherwise or on temporary transfer, may with the previous approval of the Estate Officer retain the allotment subject to availability to the extent as follows :(i)In the case of leave preparatory to retirement for the period of leave on full average pay included in such leave subject to a maximum period of four months.(ii)In the case of any other leave

for a period not exceeding four months subject to the condition that in case of extraordinary leave he shall be required to deposit the rent in advance at the rate he was paying before proceeding on such extraordinary leave.(iii)In the case of deputation on training or otherwise for a period not exceeding six months.(iv)In the case of temporary transfer, for a period not exceeding four months:

17.

(a)Before applying for retention of the allotment under Rule 16 of the officer concerned shall before proceeding on leave, training or temporary transfer, obtain and submit to the Estate Officer a certificate from the Head of the Office stating the period and nature of his leave, training or transfer and certifying that the officer would be returning to duty at New Capital on the expiry of that period or, as the case may be, that leave is preparatory to retirement; and(b)In any of the cases mentioned in Clauses (iii) and (iv) of Rule 16, the residence is required for the occupation of and is in fact occupied by his family.

18.

The officer to whom a residence of the appropriate class has been allotted under these rules shall not ordinarily be entitled for a change of allotment within the same class.Under exceptional circumstances to be recorded in writing the Estate Officer may, however, change a residence in really deserving cases :Provided that no officer shall be allowed a change of allotment within the same class more than once under this rule.

19.

(i)An Officer may at any time surrender an allotment to him under these rules 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 from such date as he may mention in the application, but not earlier than six months from the date of vacation of the residence after its surrender.(ii)Any Officer surrendering an allotment under this rule shall send to the Estate Officer a letter at least ten days before the date of vacation of his residence. The allotment of the residence shall be deemed to be cancelled with effect from the 11th day of the date on which the letter is received by the Estate Officer.

20.

(i)If the Officer to whom a residence has been allotted under orders of transfer from New Capital he shall forthwith intimate the fact to the Estate Officer and shall also inform him of the said use which he intends to vacate the residence at least seven days before that date.(ii)[Any-officer who is transferred from his station between the the August to the 31st May of the year will be permitted to retain the quarters till the 31st May provided he represents for the same and there is no administrative inconvenience. For the retention of the quarters for the first four months, flat rate of licence fee shall be charged and for the remaining period standard licence fee shall be charged.

[Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A.-15/94/6.7.1994.]Retention of the quarters beyond this period will be treated as unauthorised and the allottee shall have to pay five times of the standard licence fee of the building.(iii)Government servants transferred during the 31st May to the 1st August can retain the quarters for one month after which the standard licence fee shall be charged. Retention of the quarters beyond 3 months of transfer, the allottee shall pay 5 times of the standard licence fee.]Provided that the Estate Officer may on application permit in very exceptional cases to retain the quarters for a period not exceeding one month on payment of usual concessional standard rent for the occupation of the family members of such officers.

21. [[Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A.-15/94/6.7.1994.]

(1)If the officer to whom a residence is allotted dies, retires, resigns or is dismissed, discharged or removed from service, the provisions of Rule 107-A of the Orissa Service Code shall be followed :Provided that where a Government servant is allowed to retain the quarters occupied by him for a maximum period of four months as per Rule 107-A of the Orissa Service Code, he shall have to pay in advance the licence fee of the said period.(2)The rent at the rate of 5 times of the standard licence fee/rent shall be charged for the period of occupation of the quarters beyond permissible period.]

22.

(i)The Officer, when taking possession of a house, is requested to report about the occupation of the sold quarters to the Executive Engineer, Bhubaneswar Division/Executive Engineer, Electrical Division, Executive Engineer, Southern Public Health Division and he is required to give the date and signature in the register kept by the Executive Engineer, Bhubaneswar Division, for the purpose from which date rent will accrue failing which the date to be supplied by the concerned Sub-divisional Officer-in-charge will be binding.(ii)The Officer to whom a residence has been allotted shall before vacating the residence,-give not less than five days' notice in writing to the Estate Officer and to the Executive Engineer, Bhubaneswar Division, Executive Engineer, Public Health Division and the Executive Engineer, Electrical Division. He shall in no case hand over the quarter direct to his successor allottee or to any other person. Deviation from the above principle will result in realisation of full standard rent of the quarters estimated at the present day capital cost plus 50 percent extra from the date of vacation of the quarters till the detection of such irregularity.

23.

Government quarters may be allotted temporarily for performing marriage ceremony or other social functions in New Capital on payment of [standard licence fee] [Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A.-15/94/6.7.1994.] of the building calculated at present day capital cost plus water and electricity charges at the rate payable by private person in advance.

24.

Notwithstanding anything in these rules Government employees whose pay is less than Rs. 30 who are given rent-free accommodation should not occupy or retain Government quarters unauthorisedly or against the provisions of these rules. They shall be charged concessional standard rent of the building payable by Government servants for such unauthorised occupation or violation of any of these rules, instead of [standard licence fee] [Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A.-15/94/6.7.1994.] of the building in case of other classes of Government servants.

25.

(i) No Officer shall sublet a residence allotted to him or any portion thereof or any of the out-house appurtenant thereto except with the permission of the Estate Officer. Note - Subletting does not include a casual guest paying rent. (ii) If an Officer sublets a residence allotted to him or any portion thereof any of the out-houses appurtenant thereto without the permission of the Estate Officer he shall without prejudice to any other action that may be taken against him, be charged to the [standard licence fee] [Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994- Notification No. 4183-S.A.-15/94/6.7.1994.] of the residence calculated at present day capital cost for the period of such subletting. Besides, his allotment will be cancelled and he will be deprived from getting a quarters in New Capital for a period of one year from the date of detection of such subletting. (iii) Till such time as adequate number of residential accommodation are built at the New Capital sharing of accommodation may be allowed by the Estate Officer.

26.

The Officer 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 services provided therein by Government during the period for which residence has been and remains allotted to him.

27.

The Officer to whom a residence has been allotted will be required when he enters into occupation of and when he vacates the residence to sign an inventory of electrical and public health fittings.

28.

The Officer to whom a residence has been allotted shall not permit trees, or plants which have been planted by or under orders of Government in premises to be cut down or lopped except with the consent of the Agriculture Superintendent, nor shall any officer plant any big trees such as mango, jack fruit, etc., which are likely to damage the building without the permission of the Executive Engineer, Bhubaneswar Division. He will be responsible for keeping the compound clean.

29.

The Officer to whom a residence has been allotted shall comply with any orders of Government for the time being in force in respect of the garden attached thereto, provided such orders do not involve him in incurring extra expenditure or labour.

30.

If the Officer to whom a residence has been allotted commits any breach of these rules or uses the residence or premises, or permits the residence or premises to be used for any purpose which the Estate Officer considers to be improper or if it is found that the Officer has knowingly furnished incorrect information in any application or written statement with a view to securing an allotment the Estate Officer 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 officer;(b)Declare him to be ineligible for a residence in the Capital during a specified period.For the purpose of this rule, 'Improper use' shall include -(i)charging of excessive rent from sub-lessee or a paying guest inducted into the quarters with the permission of the Estate Officer.(ii)erecting unauthorised structures in any part of the residence so as to be potentially damaging to the existing structures or so as to inconvenience an occupant of an adjoining quarters;(iii)using the residence or a portion thereof for purpose other than these for which they are meant; and(iv)unauthorised extension from electric and water connection or tampering therewith.

31. [[Substituted vide Orissa Gazette Extraordinary No. 876/21.7.1994-Notification No 4183-S.A.-15/94/6.7.1994.]

Whereafter the cancellation of an allotment under any of these rules the residence continues to be occupied by the officer to whom it was allotted or by any one claiming through him, the rent of the residence shall be charged for the period of such unauthorised occupation as per the provisions contained in these rules.]Note - Before amendment of the rule in 1994, judgement was rendered in a case in 1992. The case-law follows :

32.

If any question arises as to the interpretation of these rules the decision of the Chief Secretary to Government of Orissa shall be final.

33.

Sufficient number of quarters should be earmarked for occupation of the M.L.As. during the Assembly Session, which should be placed at the disposal of the Secretary, Orissa Legislative Assembly for allotment to the M.L.As. Dy the House Allotment Committee of the Assembly.

A

[Vide Rules 9 and 14]Statement showing the names of the Departments Heads of the Departments and their officers who are entitled to occupy Government residence in New Capital[Vide Rule 4]Department of GovernmentSerial No.

- 1. Political and Services Department**
- 2. Development Department**
- 3. Home Department**
- 4. Industries Department**
- 5. Mining and Geology Department**
- 6. Revenue and Excise Department**
- 7. Tribal and Rural Welfare Department**
- 8. Works Department**
- 9. Transport Department**
- 10. Education Department**
- 11. Health Department including Health (L.S.G.) Department**
- 12. Finance Department**
- 13. Law Department**
- 14. La,bour Department**
- 15. Commerce Department**
- 16. Supply Department**

17. Relief and Rehabilitation Department

Heads of Departments

- 1. O.L.A. Secretariat**
- 2. Directorate of Health Services**
- 3. Inspector-General of Prisons**
- 4. Registrar, Co-operative Societies**
- 5. Chief make up Engineer, Roads and Buildings**
- 6. C.E., Irrigation**
- 7. C.E., P.H., Orissa**

Other Offices

- 1. Public Health Engineer**
- 2. Southern Public Health Division**
- 3. Bhubaneswar Electrical Division**
- 4. Superintendent of Archaeology and Museum**
- 5. Capital Construction Division**
- 6. Capital Maintenance Sub-division of Bhubaneswar Division**
- 7. Fire Station**
- 8. Sub-Treasury, Bhubaneswar**
- 9. Sub-Inspector of Schools and Lower Primary Schools**

- 10. Tahasildar Office, Bhubaneswar**
- 11. Capital High English Schools**
- 12. Hospital**
- 13. Superintending Engineer, Central Circle**
- 14. M. E. Schools**
- 15. Girls' H. E. School**

B

[Vide Rule 6]Application for allotment of a quarter in the New Capital, Bhubaneswar

- 1. Name of the applicant...**
- 2. Office in which he serves and his designation...**
- 3. Pay, special pay, dearness allowance, etc. each separately...**
- 4. Married or unmarried. If married whether-he will remain in the New Capital with his family, if a family quarter is allotted....**
- 5. Whether he is newly appointed, if so, the date of appointment. If not newly appointed, where he was staying so long....**
- 6. Whether the applicant has come on to New Capital on transfer. If so, the name of his predecessor and the office to which he has been transferred....**
- 7. Whether his predecessor was allotted a quarter in the New Capital. If so, the description of the quarter together with the date of his vacation may be indicated....**
- 8. Whether the applicant is prepared to accept an inferior type of quarter if allotted, to which he is not entitled by virtue of his pay* (The reason for ascertaining this point is that sometimes the quarters to which a person is entitled to is not available and a quarter inferior in type is available.)-**

9. The number of Unit and Block in which the applicant prefers to have a quarter. (The allotment purely depends upon the availability of quarters in the said Unit or Block.)...

10. The name of the office which will send the occupancy statement in respect of quarter allotted to the applicant...

11. Date of application...

12. The required undertaking duly signed by me is appended.

Signature of the applicant Office of the.....

C

[Vide Rule 6]Undertaking

1. (a) Name

(b)Designation and Department.....

2. In consideration of the allotment of a Type quarters in N.H. Unit No.....I do hereby agree that I would abide by the terms and conditions governing the occupation of the Government building allotted in my favour during the tenure of my occupation as laid down in the Special Accommodation Rules, 1959, notified by the Political and Services Department in their notification No.....date.....

3. I hereby agree that I would regularly make payment of the residence at the rate prescribed under the existing rules of the rate of rent re-assessed or reviewed from time to time along with other rent, if any, and water charges and municipal taxes, etc., and I hereby authorise to receive the same from my monthly pay bill. Should it be necessary in the event of non-payment of rent chargeable upon me under the rules, Government may at their discretion for such acts of default, recover the dues from me by any other penal or legal means.

4. I hereby agree that if in the event of any breach of the conditions of occupation, I am called upon to surrender the quarters, I shall vacate and make over vacant possession of the Government quarters within the reasonable period of notice as will be specified by the Estate Officer or his authorised representative from time to time.

In case of non-compliance with the order of the Estate Officer, New Capital, Bhubaneswar, to surrender the Government quarters as aforesaid. I shall be liable to pay such penalty by way of damages as would be awarded against me by the Estate Officer acting on behalf of Government or his authorised agents.

5. I do hereby undertake that I shall be held responsible for the safe and proper handling of the Government property such as fixtures and furniture, electric and sanitary installations, etc., during the period of my occupation of the Government quarters. No material structural, alterations and additions to the residence during my occupation of the same will be effected by me without prior permission of the competent authority.

6. In case, I fail to occupy the quarter within a period of a week from the date of issue of the order the allotment would lapse and I shall have to forfeit my claim and to itself till my next turn in the waiting list occurs.

7. In the event of failure to comply with the conditions laid down in Clause No. 5, I shall be required to make good the damages or losses not due to natural calamity but due to improper use and careless handling, if any, caused to the structural fittings, textures of the building etc., as decided upon by Government in consideration of the extent of damage or loss caused. Date..... Signature of the applicant

D

[Vide Rule 6]Statement showing the occupancy of the Government quarters allotted to the employees of the.....Department for the month of.....

Sl. No.	Unit No.	Block No. and Quarter No.	Name or Names	Designation	Salary	Period of occupation	Remarks	
Rs.	P.							
1	2	3	4	5	6	7	8	9

E

[Vide Rule 4]Agreement for allotment of Government quarters to private persons or semi Government Institutions in the New Capital, Bhubaneswar.This licence is made on the day of 20..... between the Government of Orissa (hereinafter called "the licensor") of the one part and Shrison of.....resident.....of.....(hereinafter called "the licensee") of the other part.Whereas the licensee has been allotted a type quarters in the New Capital, Bhubaneswar (more fully described in the Scheduled amendments) and has agreed to use the same for the purpose of subject to the terms and conditions herein contained.

1. Now this deed witnesses as follows :

(i)In pursuance of the said agreement and in consideration of the monthly fee of Rs the licensor hereby grants the licensee leave and licence to have the said quarter on the terms and conditions herein stated.(ii)The licensee shall use (mention the purpose) for a term of..... years with effect from the date of-occupation.(iii)The licensee shall pay during the said term a monthly licence fee of Rs..... (in words.....) in advance on the 25th day of the month preceding the month from which licence fee is payable. Month for the purpose of this licence shall be according to English calendar month:Provided that the licensee occupying the quarters for the first time in any month shall pay the monthly licence fee or the proportionate amount for that month or the unexpired portion thereof, as the case may be, on the date of its occupation.(iv)The licensee shall deposit the monthly fee in the Bhubaneswar Sub-Treasury and forward a duplicate copy of the challan to the Estate Officer, New Capital, Bhubaneswar.

2. The licensee hereby covenants with the licensor -

(i)To pay up the licensor during the term hereby granted the fee reserved on the days and in the manner aforesaid.(ii)To pay enhanced fees if it is so decided by the licensor and intimated to the licensee by a notice in writing.(iii)To pay interest at 12 per cent per annum on the fees accruing due from time to time if the same be not paid on the due date.(iv)To the recovery of the arrear fees and interest therein by licensor as a public demand in the manner provided under the Bihar and Orissa Public Demands Recovery Act (Act IV of 1914).(v)To use the premises for the purpose for which it is allotted subject to such restriction and conditions, as may be prescribed by the licensor from time to time.(vi)To keep the premises neat and clean and not to cause any damage to the building or its boundary or its fittings and fixtures and not to add any structure either temporary or permanent to the existing premises without the written consent of the licensor.(vii)To pay and discharge at all times during said term all charges relating to water, electricity and municipal taxes, etc. now or hereafter assessed, imposed or charged upon the premises.(viii)Not to transfer the licence or part with the possession of quarters or premises or any part thereof, without the written permission of the licensor.(ix)To permit the licensor or his agents at all reasonable times during the said term to enter into the premises to inspect the conditions thereof.(x)To deliver up possession to the licensor on the expiration of the term of this licence, or (sooner) earlier in case determination on this licence,(xi)Not to use or permit to be used the premises for any purpose other than that for which

licence has been granted.(xii)Not to claim any interest in the property licensed hereby.

3. Provided always and it is hereby agreed as follows :

(i)The licensor shall carry on the annual repairs to the premises and the licensee shall have no right or obligation to cause such repairs to be made.(ii)That if any part of the fee hereby reserved shall be in arrear for 30 days (next after the days where on the same shall have become due, whether the same shall have been demanded or not), or if there shall be a breach of any of the licensee's covenants herein contained or if the quarters is required for some public purpose of which fact the licensor shall be the sole judge then the licensor may notwithstanding this (licence) terminate the licence by 15 days notice in writing ending with the month of occupation and thereupon the licence of the premises shall absolutely cease and determine and the licensee shall vacate the premises during the notice period and hand over premises to the licensor or his agents; and in the event of such termination the licensee shall be liable to pay for all damages to the buildings, its fittings and fixtures if any caused by the licensee after making due allowance for ordinary wear and tear the value of which as determined by the licensor shall be binding on the licensee.(iii)That if the licensee shall not deliver up possession of the quarters under Sub-clause (ii) of Clause 3 above, the licensor is hereby authorised to treat the licensee as a trespasser and to evict him and take over possession of the quarters by applying reasonable force and to claim damages to the extent of Rs. 500.

4. It is hereby agreed that where the context so requires or admits the expression the "Licensor" hereinbefore used shall include his successors in office, agents and officers concerned.

5. In witness whereof the parties hereto have put their hands and seals on the dates respectively mentioned under their signature.

SealSignature of the Estate Officer and Ex-OfficioDeputy Secretary to the Government ofOrissa acting in the premises for and on behalf of the Government of OrissaIn the presence of witnesses-

1.

.....

2.

.....

Unit No. Block No. Schedule Quarter No.

In the New Capital, Bhubaneswar-Bounded byNorthSouthEastWestOrderThe.....

20.....SUBJECT-Allotment of Government quartersNo.....Admt.-Quarters

No..... of type No.....In N.H. Unit No.....in the New Capital is hereby

allotted provisionally to Shri.....on payment of rent admissible under the rules.The date of occupation and vacation of the quarter should be reported to Executive Engineer, Bhubaneswar Division and to this Department under intimation to Executive Officer, Notified Area Council, Bhubaneswar.If the quarter now allotted is not occupied within.....days from the date of the issue of this order the allotment will automatically lapse.Executive Officer, New Capital, Bhubaneswar