

The Rules for Occupation of Inspection Bungalows of Departments in-Charge of Public Works Department

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The Rules for Occupation of Inspection Bungalows of Departments in-Charge of Public Works Department

1. Short title.

(1)These rules may be called "the Rules for Occupation of Inspection Bungalows in-Charge of Public Works Department".(2)These shall come into force at once.

2. Definitions.

- In these rules unless the context otherwise requires-(a)"Inspection Bungalow" means a Bungalow primarily meant for occupation of Inspecting Officers of Public Works Department and includes Rest-shed under management of an officer in-charge of Public Works.(b)"Competent Authority" with reference to any Bungalow means-(i)the Divisional Officer, in respect of I.B.'s/Restsheds situated under the jurisdiction of the concerned Division;(ii)the Superintending Engineer in respect of the following Inspection Bungalows :PuriGopalpurBhubaneswarBerhampur(c)"Day" means 24 hours between 7 am of a date and 7 a.m. of the next date.

3. Purpose of Inspection Bungalows.

- Inspection Bungalows/Rest-sheds are maintained with the primary object of providing accommodation to officers in-charge of Public Works while supervising work and travelling on duty.

They have prior right to occupy these Bungalows. Note-Officers below the rank of Sub-divisional Officers are not entitled to occupy these Bungalows without the written permission of the Divisional Officer in each case.

4. Exclusive occupation by Governor.

- The Governor of Orissa has the right of exclusive occupation of any Inspection Bungalow. On receipt of notice of exclusive occupation by the Governor of Orissa the competent authority shall cancel reservation, if any, made for the corresponding period in favour of any other person and inform him forthwith of the fact.

5. [Other persons entitled to occupy Bungalow. [Substituted vide Notification No. 17394/18.6.1986.]

- Other Gazetted Officers of the State Government, Government Pleader, Public Prosecutors, other Law Officers of Government, Members of Parliament, Members of Legislative Assemblies of States in the Indian Union of the Union Territories, while touring within the State on official duty, Chairman and Vice-Chairman of Panchayat Samities, while touring within their area, officers and Superintendents, office of the Accountant-General, Orissa and other persons travelling on duty, as may be decided by Government from time to time, are entitled to occupy the I.B.'s free of rent subject to these rules.] Note-(i) Whenever alternate facilities are available at Station for offices of other Departments, they may not be allowed ordinarily to occupy Bungalow and Rest-sheds maintained by the Department in-charge of Public Works. (ii) State Guests are entitled to occupy Inspection Bungalow on rent-free basis.

6. Accommodation in the Bungalows to the non-entitled persons.

- Accommodation in the Inspection Bungalows or Rest-sheds is not usually available for the general public but they may occupy the Bungalows provided accommodation is not required by the persons entitled to occupy them.

7. Person suffering from infectious or contagious diseases not entitled to occupy the Inspection Bungalows.

- No person suffering from infectious or contagious disease may occupy any Bungalow.

8. Control and reservation of accommodation.

(a)(i) Control of accommodation in the Inspection Bungalows/Rest-sheds rests with the Divisional Officer in-charge of Bungalows except Puri, Bhubaneswar and Berhampur for which the Superintending Engineer concerned is the authority for reserving accommodation. Persons requiring accommodation are advised to obtain reservation in advance from the Divisional Officer or the Superintending Engineer concerned, as the case may be. Proof of reservation is indicated by

production of the Divisional Officer/Superintending Engineer's orders, a copy of which is also pasted on the Bungalow Notice Board.(ii)Ordinarily one suite of rooms will be reserved for each visitor.(b)(i)Officers of the Department in-charge of Public Works have priority of reservation and occupation, at all time of Inspection Bungalows/ Rest-sheds and thereafter reservation of accommodation for Gazetted officers of other Departments of Government and for other entitled persons shall ordinarily be made in priority of receipt of request and if received at the same time, in seniority or rank.Exception - Minister and other High Officials will have priority in the matter of occupation and are entitled to occupy two suites.(ii)The Superintending Engineer/Divisional Officer authorised to reserve accommodation has the right to cancel the reservation without assigning any reason. He should, however send intimation to the officer concerned by telegram at the earliest opportunity.(iii)The duration of reservation starts from 7 a.m. of a date to 7 a.m. of the next day irrespective of the hour of occupation.

9. Right of occupation.

- Any person occupying more than one room, whether reserved or not, is required to vacate the other rooms if required by any entitled person.

10. Number of persons permissible for occupation of a Bungalow.

- Parties of more than five persons are not allowed to occupy a Bungalow without the previous permission of the Divisional Officer or the Superintending Engineer, as the case may be Such permission will only be given when the whole Bungalow can be reserved for the party.

11. Circumstances under which reservation once made can be cancelled.

- (i) When reservation of accommodation has not been made, preference of occupation is to be given to Officers of the Departments in-charge of Public Works; on duty, then to the senior ranking Gazetted Officers of other Department of Government and then to other entitled persons. All entitled persons shall have preference over members of the general public.(ii)Whenever an Inspection Bungalow/Rest-shed is occupied without reservation, it shall be vacated when asked for on the above preference, within six hours as between officers of Government and as between other entitled persons, and within three hours for members of the general public in favour of entitled persons. Exercise of this preference should be made with caution and consideration and not between 6 p. m. and 7 a. m.(iii)Any member of the general public who has not obtained reservation of accommodation in an Inspection Bungalow/Rest-shed will be required to vacate after 24 hours' notice by and in favour of any other member of the general public who has obtained reservation.(iv)Any person who occupies a suite in a Bungalow when reserved for any other person shall, subject to Rules 3 to 5, vacate immediately if accommodation required by the officer or person who has a reservation order.

12. Period of stay.

- No officer of Government other than Officer-in-charge of Public Works on duty shall occupy a Bungalow/ Rest-shed for a period exceeding ten days and in case of other persons for more than 7 days, without permission from the Superintending Engineer. An officer of the Department in-charge of Public Works may occupy a Bungalow up to a period not exceeding fifteen days when on duty. Where a Bungalow is required for occupation for a period exceeding fifteen days orders of Government are required. No private person is allowed to occupy I.B. for a period more than seven days.

13. Manner of use of Inspection Bungalow.

(a) Inspection Bungalows and their verandahs are not meant to be used as Courts, Kutcheries, or for any purpose involving the gathering of tenants, etc. If for any special reason a Government Officer requires to do so permission in writing must first be obtained either from the Superintending Engineer or from the Divisional Officer concerned. (b) Convening of holding any political conferences or meetings within the precincts of any Inspection Bungalow is prohibited.

14. Visitor's Book.

- A visitor's book is kept in each Bungalow. Every person is required to enter his name and designation legibly together with the date and time of arrival immediately on arrival. The date and time of departure should be given at the time of departure under his signature.

15. Rate of rent.

(a)(i) Rent shall be charged for occupation of the following Inspection Bungalows at the rate of Rs. 12 per suite per day or fraction thereof exceeding 3 hours to the member of the general public; (1) Puri, (2) Bhubaneswar, (3) Konark, (4) Barkul, (5) Berhampur, (6) Gopalpur, (7) Cuttack, (8) Angul, (9) Balangir, (10) Bhawanipatna (11) Sambalpur, (12) Bhadrak. In respect of other Inspection Bungalows/Rest-sheds rent is payable at the rate of Rs. 5 per suite per day or fraction thereof exceeding three hours by the members of the general public. (ii) In both the above cases rent at half the above rates will be payable for a stay not exceeding three hours. (iii) When two persons share a room the rate of rent should be of the prescribed rent. Note -(1) For the purpose of calculation, a day shall be taken as a period of 24 hours commencing from 7 a.m. of next day and fraction beyond that over 3 hours shall be taken as one complete day and under 3 hours as half a day. (2) When a Government servant entitled to occupy an Inspection Bungalow/ Rest-shed free of rent when on duty occupies a suite of room in the Inspection Bungalow/Rest-shed, while not on duty, he should pay rent at half the rates payable by general public for such occupation. If the period of stay exceeds ten days, rent should be paid at full rates. (b) An entitled person while on duty is not required to pay Bungalow rent for self, his wife and children below twelve years of age, if they accompany him. If the entitled person is not on duty, the rent for self, his wife and children (above twelve years) shall be recovered as per note (2) of Sub-rule (a). (3) [The Ex-Legislators of the Orissa Legislative Assembly

and the Ex-M. Ps. of Orissa should pay rent at half the rates payable by general public for occupation in I.Bs./Rest sheds of the P.W.D. If the period of stay exceeds 10 (Ten) days, rent should be paid at full rates, applicable to general public for such occupation.] [Inserted vide Orissa Gazette No. 1418/28.9.1989-Order No. 23595/ IL-BR-11/ 89/5.9.1989.]

16. Rate of electric charges.

(a) Where Bungalows are fitted with electric lights and fans the main switch thereof will be in charge of Choukidar. The occupants desirous of using electricity will inform the Choukidar as soon as they occupy the Bungalow. The rent for consumption of current will be as follows : (i) From the 15th March to the 15th November at the rate of Rs. 1.50 per day of twenty-four hours or part of a day in excess of three hours. (ii) From the 16th November to the 14th March, Re. 0-75 per day of twenty-four hours or for part of a day in excess of three hours. (iii) If the period of stay does not exceed three hours, then half of the above will be charged. At the time of leaving the Bungalow, the Choukidar will switch off the electric supply to the suite of rooms occupied by the visitor. (iv) Whenever Air Coolers are fixed to any suite in an Inspection Bungalow, additional service charges at the rate of Rs. 5 per day for non-entitled persons and Rs. 2.50 for entitled persons is payable in addition.

17. Rate of service charges.

- All persons occupying the Inspection Bungalows/Rest-sheds are required to keep the Bungalow and the crockery, utensils, etc., clean and if they have no servants with them for so arranging, the Bungalow Choukidar should be paid Re 0.50 per day or fraction thereof for doing the work.

18. Fee for pitching tents in the compound of the Bungalow and use of garage.

(a) All persons whether occupying a Bungalow/ Rest-shed or not but using the compound for pitching tents shall be subject to the Bungalow rules. Priority of use of kitchens, out-houses and utensils shall rest with the occupants of the Bungalow. (b) All non-entitled persons occupying the Bungalow/Rest-shed and also using the compound for pitching tents shall pay a fee of Rs. 5 for every period of 24 hours or part thereof in addition to the Bungalow rent payable by them. (c) A fee of Rs. 2 per day or fraction thereof will be charged from non-entitled persons for garaging a car in the absence of the owner.

19. Recovery of rent for non-occupation.

- Persons who do not intend to occupy accommodation reserved for them in an Inspection Bungalow/ Rest-shed are liable to pay charges at the rate of Re. 1 per day, unless the reservation is cancelled by Intimation in writing to the reserving authority 24 hours in advance. In case of private persons full rent shall be charged and recovered.

20. Manner of payment of rent, service charges etc.

(a) Rent recoverable under Rule 14 should be paid to the Choukidar in advance immediately on arrival failing which occupation of the Bungalow shall be refused. Payment or rent in advance may be made day to day or in a lump sum for the entire period of occupation noted in the Visitor's Book under Rule 14. If in case the Bungalow is vacated earlier voluntarily or otherwise the amount paid in excess of the rent due for the period of actual occupation shall be refunded by the Choukidar and on such refund the Bungalow should be vacated immediately. (b) Rent payable by entitled Government servants occupying Inspection Bungalow/Rest-shed when not on duty should be paid to the Choukidar at the rates prescribed in Rule 15 (b). (c) If the occupant vacates Bungalow/Rest-shed temporarily but leaves any rooms locked he should be charged rent for this period as if he was in occupation. (d) All charges paid to Choukidar on account of Bungalow rent, electric charges or for replacement of breakages or loss must be clearly recorded in the Visitor's Book before departure. A complaint book is also maintained for recording all complaints of occupants. Any laxity on the part of the Choukidar or Watcher may be noted in the said book.

21. Valuation of articles.

- A list showing the valuation of each article in Bungalow is on view. The recorded price of any article damaged, broken or lost by occupant or his servants should be paid at the rates shown in the list to the Bungalow Choukidar or Watcher and recorded in the Visitor's Book.

22. Responsibility for loss to occupant's property.

- Government accept no responsibility for loss or damage to any property of the occupants of Bungalows or Rest-shed.

23. List of Bungalows and Rest-shed.

- A list of Inspection Bungalows and Rest-sheds is given in the Annexure. Procedure in respect of litigation involving the State Government (1) Whenever a notice under Section 80 of the C.P.C. is received by the concerned officer, he should forward all relevant papers with a statement of facts along with the opinion of the local Government Pleader to the Advocate-General. The Advocate-General will indicate the line of defence both on question of fact and law and return the same to the officer. Thereafter the reply will be drafted and issued by the Government Pleader in accordance with the indications given by the Advocate-General. (2) When summons in a suit is received, the concerned Government Pleader will draft the written statement in accordance with the line of defence indicated by the Advocate-General as mentioned above. If there has been any change of events of minor character in between the Section 80-notice and the preparation of the written statement, then he can prepare the pleading with suitable modifications. In case of major change of events, where he thinks that the line of defence requires a change, he should refer the case again to the Advocate-General, who will suggest the line of defence in the light of such change. Thereafter the Government Pleader will draft the pleading and send it to the Legal Remembrancer for formal

approval. It is hereby made perfectly clear that by giving formal approval, the Legal Remembrancer does not take the responsibility of settling the pleading. The sole responsibility of drafting the pleading in accordance with the line of defence indicated by the Advocate-General will rest on the Government Pleader. In case of amendment of written statement of minor and formal character, the same may be effected by him, but cases requiring major change should only be done in consultation with the Advocate-General.(3)Similarly in the case of drafting the plaints, the relevant papers with the opinion of the Government Pleader should be forwarded to the Advocate-General, who will indicate the line of action. Thereafter the Government Pleader will draft the plaint In accordance with the suggestions and send it to the Legal Remembrancer for formal approval, which will never mean that the Legal Remembrancer takes the responsibility in settling the plaint. The responsibility of drafting the plaint in accordance with Advocate-General's suggestion will rest on the Government Pleader. The amendment of plaint will be done in the same manner as in the case of amendment of written statements mentioned above.(4)Proposal for preferring civil appeals should be sent by the District Magistrate with his own views and with the opinion of Government Pleader to the Advocate-General. The Advocate-General shall forward the case with his opinion to Government. The decision of Government will be communicated to the appropriate level for taking necessary action.(5)In cases of criminal appeal or revision, the proposal shall be forwarded by the District Magistrate with the opinion of the Public Prosecutor to the Advocate-General, who, after examining the case, will convey his opinion to the Government. The decision of the Government will be communicated to the appropriate level for taking necessary action.(6)In suits of the value of Rs. 20,000 and above, the pleadings will be settled by the Advocate-General. The pleadings will be sent to the Legal Remembrancer for formal approval which, as aforesaid, will never mean any responsibility for the correctness of the stand taken therein.(7)The functions of the Advocate-General as mentioned above may be discharged by him or he may cause it to be done under his guidance through the other Law Officers such as Government Advocate and the Standing Counsels.(8)The Assistant Government Pleaders and the Special Public Prosecutors may indicate proposals for preferring appeals or revisions in respect of cases conducted by them, but they will move through District Magistrate of the district. The Assistant Government Pleaders may discharge the same functions as the Government Pleader of the district in respect of pleadings and Section 80 notices arising within the respective sub-divisions. In those cases, the District Magistrate shall, if he considers the case to be exceptionally important and complicated, obtain the opinion of the Government Pleader before forwarding the matter to the Advocate-General.(9)The District Magistrate will keep the Revenue Divisional Commissioner informed regarding the correspondence with the Advocate-General and in important matters also the Board of Revenue when the District Magistrate so thinks fit.