

The Punjab Industrial Housing Rules, 1956

HARYANA

India

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Rule THE-PUNJAB-INDUSTRIAL-HOUSING-RULES-1956 of 1956

- Published on 12 July 1958
- Commenced on 12 July 1958
- [This is the version of this document from 12 July 1958.]
- [Note: The original publication document is not available and this content could not be verified.]

The Punjab Industrial Housing Rules, 1956 Published Vide Punjab Government Notification No. 2361-HG-58/192224, dated 12th July, 1958.

1. Short title.

- These rules may be called the Punjab Industrial Housing Rules, 1956.

2. Definitions.

- In these rules, unless there is anything repugnant in the subject or context, -(a)"Act" means the Punjab Industrial Housing Act, 1956.(b)"Agreement" means an Agreement in Form C appended to these rules.(c)Words and expressions used but defined in these rules shall have the meaning assigned to it in the Act.

3. Functions and duties of the competent authority.

- Subject to the control of State Government, the competent authority shall be responsible for the maintenance and control of houses, the realisation of rent, the eviction of persons occupying such houses, where necessary, and for all other matters incidental to the administration of houses, except the allotment, built under the Act. The Competent Authority shall have powers -(a)to receive all payments of money under the Act;(b)to re-enter, retake or, resume possession of any house whenever required, or to order the removal of an unauthorised occupant of a house;(c)to issue notice to the occupants of houses for and in connection with the recovery of rent, electrical charges and other dues, for ejectment, re-entry or retaking possession of the tenements or for unauthorised additions and alterations thereof and breach of any other terms and conditions of the agreement by the tenants or for any other purpose whatsoever for which notice may be required to be given by law or under an agreement;(d)to issue notices to the employers of the tenants to deduct the rent of the houses from the salary or wages payable to such tenants;(e)to order the recovery of arrears of rent

and other dues as arrears of land revenue;(f)to execute all documents as may be proper or necessary for the administration of the Act;(g)to prescribe forms or registers and rent receipts and other records which he considers necessary for the proper administration of the Act.

4. [Eligibility for allotment.

- [(1) Houses built by the State Government under the Integrated Subsidised Housing Scheme, for allotment on rental basis to Industrial Workers shall be allotted only to those workers whose income does not exceed Rs. [1600] [Substituted by Haryana Government GSR 49/PA 16/56/S. 24/86 dated 6.6.1986 Page 588.] per month. Full economic rent will be recovered as soon as the income of an allottee crosses the limit of Rs. [1600] [Substituted by Haryana Government GSR-42/PA 16/56/S. 24/90 dated 12.4.90 Page 446.] per month until he is evicted.](2)On retirement from service or death of an industrial worker who is an allottee of an industrial house built under the scheme, his/her son or daughter, or wife or husband, or father or mother who -(a)was an eligible industrial worker at the time of retirement/death of such an industrial worker; and(b)has been sharing the accommodation with the retired deceased industrial worker for at least six months immediately preceding the date of his retirement/death may be allotted that house or another such industrial house out of turn, irrespective of his/her seniority; provided all dues outstanding in respect of the Industrial House in occupation of the retired deceased industrial worker are paid by the person seeking allotment under this sub-rule.]

5. Procedure of allotment.

- [(1) Whenever houses constructed under the scheme are vacant and the Labour Commissioner is of the view that they should be let out, he shall issue a notice specifying therein the number of houses available for allotment, the monthly rent and other particulars thereof, alongwith the terms and conditions of allotment. Copies of the notice shall be sent at least fifteen clear days in advance of the proposed allotment to the Managements of all local factories governed by the Factories Act, 1948. Copies of the said notice shall also be pasted at least fifteen clear days in advance of the proposed allotment at the following places, namely :-(i)Office of the Municipal Committee, notified area committee or Panchayat in the jurisdiction of which the industrial concern is located;(ii)Government hospital or dispensary situated within the jurisdiction of the said municipal committee, notified area committee, or panchayat;(iii)Employees State Insurance hospital or dispensary, if any;(iv)houses to be allotted; and(v)office of the competent authority.](2)Application for allotment of houses shall be submitted in Form 'A' appended of these rules.(3)[The Labour Commissioner shall prepare separate lists of such workers whose wages do not exceed two hundred and fifty rupees per mensem. The names of applicant shall be arranged in the order in which they submit their applications for allotment of houses] [Substituted by Punjab Government Notification No. 3058-2HG-61/15512 dated the 3rd June, 1961.].(4)Allotments shall be made in the order of [the date of submission of application] [Substituted for the words 'length of service' by Punjab Government Notification No. 3058-2HG-61/15512 dated the 3rd June, 1961.] preference being given to applicants who have not already been provided with suitable houses by the employers :Provided that the Labour Commissioner may allot 10 per cent of the accommodation out of turn for reasons to be recorded in writing in each case :[Provided further that the Labour Commissioner shall allot

two per cent of the accommodation out of ten percent provided in the first proviso to the handicapped workers except the deaf persons, subject to the conditions and manner hereinafter provided, namely :-(i)In the case of blind Industrial workers, the request for out-of-turn allotment shall be entertained and examined on merits.(ii)In the case of orthopaedically handicapped workers, requests from only those who as a result of their Orthopaedic deformity find it very difficult to move freely, shall be entertained and considered on merits.(iii)All requests for out-of-turn allotment of accommodation shall be accompanied by the following documents in original :-(a)a medical certificate from a doctor of a Government Hospital indicating the nature and extent of physical handicap; and(b)a certificate from the employer indicating whether the applicant, was recruited through the Employment Exchange meant for handicapped persons.](5)All allotments shall be shown in a register to be maintained for the purpose.(6)The allotment orders shall be issued by the Labour Commissioner in Form 'B' appended to these rules.(7)Before occupation of the house the allottee shall have to execute an agreement in Form 'C'.(8)The possession of the house shall be given to the allottee by the competent authority or any other person to whom such powers shall be delegated by the competent authority with the previous approval of the State Government. The conditions of occupation will be such as prescribed in the agreement or may be prescribed from time to time by the State Government.

6. Assessment and recovery of damages for unauthorised occupation.

(1)In assessing damages for unauthorised use and occupation of any premises, the competent authority or any other officer authorised by him in this regard, with the approval of the State Government, shall take into consideration the following matters :-(a)the purposes and period for which the premises were in unauthorised occupation;(b)the nature, size and standard of the accommodation available in such premises;(c)the rent that would have been realised if the premises had been let out on rent for the period of unauthorised occupation;(d)any damage done to the premises during the period of unauthorised occupation;(e)any other matter which, in the opinion of the Competent Authority, is relevant for the purpose of assessing the damages.(2)Before assessing the damages the Competent Authority shall give the person proceeded against an opportunity of being heard.(3)No damages shall be recovered except with the prior approval of the Labour Commissioner.

7. Procedure of appeal.

- Any person preferring an appeal under section 20 of the Act, shall address the appeal to the Secretary to Government, Punjab, Housing Department, in the form of a memorandum in duplicate, setting forth precisely the grounds of objection to the order appealed against accompanied by a typed attested copy of such order. The petition for appeal shall bear a court fee stamp of Rupee one.

8. Rent.

- [(1) The rent for various types of houses built under the Act shall be as follows according to the ceiling cost as shown against each] [Substituted by Punjab Government Notification No. 3058-2HG-61/15512 dated the 3rd June, 1961.] :-

Serial No.	Type of house	Ceiling cost	Rent per mensem	Ceiling cost	Rent per mensem
		Rs.	Rs.	Rs.	Rs.
1.	Single-storeyed one room/small two roomed	2,700.00	10.00	3,300.00	12.50
2.	Single-storeyed regular two-roomed	3,340.00	13.00	3,850.00	14.50
3.	Double-storeyed and multi-storeyed one-room	2,700.00	10.00	3,500.00	13.50
4.	Double-storeyed and multi-storeyed two-roomed	3,490.00	14.00	4,200.00	16.00

(2) The rent shall be in the nature of damages for use and occupation and the occupants shall in all cases be licensees. Form A Application for Allotment of a House

1. (a) First preference _____

(b) Second preference _____

2. Applicant's -

(a) Full name (in block letters) _____ (b) Present address _____ (c) Permanent address _____

3. Was the applicant's present accommodation provided by his employer; if so, why the applicant wants to shift from there ?

4. Occupation of the applicant (with details and Ticket No., if any) _____.

If permanent, temporary, probationary or casual _____

5. Initial pay, allowances and their total .

Pay ... Rs. _____

Allowance ... Rs. _____

Total... ... Rs. _____

6. Employer's -

(a) Full name and address _____ (b) Date of employment under the present employer _____. I hereby agree that in case the house is allotted to me, Government may get the payable rent and other dues deducted from my pay or wages, as the case may be, through my employer every month. I declare that the above statement is correct and if

any of the above statements is found incorrect, I may be asked to vacate the house immediately. _____ Signature of the applicant Dated _____
_____. Certified that the applicant is an industrial worker according to section 2(1) of the Factories Act, 1948, and the statement given by him above/overleaf is correct. _____ (Signature of the Labour Welfare Officer) _____ (Signature of the employer) Form B Allotment Order House No. _____ of Block No. _____ at _____ is allotted to Shri _____, son of Shri _____, Ticket No. _____, an employee of M/s _____, on a monthly rent of Rs. _____, exclusive of electricity and other charges, on the conditions noted below. Labour Commissioner, Haryana. Copy forwarded to the Executive Engineer, Public Works Department, Buildings and Roads Branch, for information and necessary action. Conditions

- 1. The allottee shall pay the rent and other dues for each month on or before the 15th of the following month, to the person(s) authorised by the Executive Engineer, Public Works Department. Buildings and Roads Branch _____, to receive the same.**
- 2. The allottee shall not assign his right of tenancy and shall not sublet or otherwise transfer or part with possession of the house or any part thereof.**
- 3. The house will be used and occupied for the purpose of residence only by the allottee and by the bona fide members of his family only and not otherwise.**
- 4. If any damage is caused to the house or any part thereof or to any fixtures, the allottee shall be liable to pay such compensation as may be determined by the Executive Engineer.**
- 5. The allottee shall keep the house in clean and sanitary condition.**
- 6. The allottee shall not allow water from any tap to run waste.**
- 7. The allottee shall not use the house in a manner as to cause any inconvenience or nuisance or annoyance to the adjoining houses or neighbours.**
- 8. The allottee shall not make any addition or alteration in the houses or any part thereof and shall not remove any existing fixtures.**

9. The allottee shall abide by all the above conditions and any change in or addition to them of which due notice is given to him.

10. As soon as the allottee ceases to be a worker as defined in the Factories Act, 1948, he shall send intimation of the same in writing to the Labour Commissioner and the Executive Engineer.

Form C[See rule 7(C)]An agreement made on the _____ day of _____ between the Governor of Haryana (herein after referred to as the Government of the one part) and _____ son of _____, caste _____ and resident of _____, hereinafter referred to as the allottee) of the other part;Whereas the Labour Commissioner has, on the application of the Allottee under section 8 of the Punjab Industrial Housing Act, 1956, allotted to him a house No. _____ constructed by the State Government of Haryana for occupation by Industrial Workers under the Industrial Housing Scheme subsidised by the Government of India, situated in the town of _____ by his allotment order, dated _____ on the conditions mentioned in the said Allotment Order and hereinafter.And whereas under section 10 of the Industrial Housing Act, 1956, the allottee is required to execute an agreement regarding the said allotment :And whereas the allottee has agreed to execute the agreement in compliance with the said requirement of law;Now this agreement witnesses and parties hereto hereby agree as follows :-

(1)(2)(1)The allottee hereby agrees to take possession of the said House No. _____ from the Executive Engineer, P.W.D., Buildings and Roads Branch, _____ who is the competent authority appointed under _____ for the _____ area within 15 days of the receipt of intimation of the allotment.(2)The allottee shall pay a sum of Rs _____ to serve as security for the performance of the terms and conditions hereinafter appearing and of the obligations imposed on him by the Act.(3)During the continuance of the allotment the allottee shall pay in cash the sum of Rs. _____ by way of rent for each month on or before the 15th day of the following month to the Executive Engineer or to other person authorised by him in this behalf in his office and obtain from him a receipt for the rent paid.(4)In addition to the rent for the house the allottee shall pay the electricity charges at such rates as may be fixed by the Executive Engineer from time to time. The allottee shall also be liable to pay any other reasonable charges at the rates fixed by the Executive Engineer.(5)The allottee shall also be liable to pay the extra charges fixed by the Executive Engineer for the electric appliances used by him, the report of which shall immediately be given to the Executive Engineer.(6)If the allottee fails to report to the Executive Engineer the details of such appliances, he shall be liable to pay a penalty up to Rs. 50 as may be imposed by _____.(7)The Executive Engineer will be at liberty to appropriate the said security or any part thereof or any other sum which may be due to the allottee from the Government towards satisfaction of any claim whatsoever which may be due against him and recover the balance, if any, from him or his employer from the wages or salary deposit or any part thereof so appropriated, whenever required to do so.(8)The allottee shall not assign his right of tenancy and shall not sublet or underlet or part with possession of the house or any part thereof.(9)The tenancy will be terminable by either party giving to the other one clear month's notice. If the allottee leaves the house without notice in writing, he shall be liable to pay one clear calendar month's rent in lieu of such notice, and all other charges due from him as provided herein for the notice period.(10)Any

notice to be served on the allottee will be deemed to be duly and properly given and served if given by a person duly authorised by the Executive Engineer in this behalf and shall be deemed duly served if it is personally delivered to the allottee or sent to him by postal certificate.(11)The house will be used and occupied for the purpose of residence only by the allottee and by the bona fide members of his family only and not for any other purpose.(12)If any damage is caused to the house or any part thereof or to any fixture and fastenings therein the allottee shall be liable to compensate the Government for the same without prejudice to any other right or remedy which the Government or the Executive Engineer may have against the allottee.(13)The allottee shall not use the house for any illegal or immoral purpose and shall not use it in such manner as to cause any inconvenience, nuisance or annoyance to the adjoining houses or neighbours.(14)The allottee shall keep the house in a clean and sanitary condition.(15)The allottee shall not allow water from any tap to run to waste and shall not throw water or any other thing from out of the house.(16)The allottee shall not make any additions to or alterations in the house or any part thereof and shall not remove any existing fixtures and fastenings and in the event of his contravening in any way the provision, he shall be liable to pay the damages and cost thereof.(17)The allottee shall not bring or allow to be brought and to remain in the any person suffering from any contagious or infectious disease.(18)The allottee shall not tamper with or damage any tree nor shall be take fruit or flower or vegetable from the trees, growing in the land belonging to Government, of which the house is part.(19)The Labour Commissioner, Haryana/the Executive Engineer, with such assistance, if any, as he thinks fit shall be at liberty to enter the house for purposes of administering or carrying out the provisions of the Punjab Industrial Housing Act.(20)As the house has been let to the allottee at a subsidised rent by reason of his being an "Industrial Worker" as defined in section 2(c) of the Punjab Industrial Housing Act, 1956, the tenancy shall cease forthwith as soon as he ceases to be an industrial worker :Provided that where a worker dies while in service or goes on transfer, or resigns, or goes on medical leave or where a worker's services are terminated by his employer, the allotment may, with the previous approval of the Labour Commissioner, continue up to the period as detailed below :- (i) in the case of death or transfer, a period not exceeding two months; (ii) in the case of retirement, resignation or termination of service, a period not exceeding one month; and (iii) in the case of medical or ordinary leave, for the period of leave.(2)Where an allotment has been cancelled, the Labour Commissioner shall send intimation thereof to the Competent Authority who shall proceed forthwith for securing the eviction of the tenant.(21)In June and December of every year and also whenever required by or on behalf of Executive Engineer or the Labour Commissioner the allottee shall provide a certificate from his employers that he continues to be an "Industrial Worker" as defined in section 2(e) of the Punjab Industrial Housing Act, 1956.(22)If the house allotted to allottee is not occupied by him within fifteen days of the receipt of the allotment, it shall be treated as cancelled.(23)The allottee shall abide by all the above conditions and any changes in or additions to them which are made in accordance with the Punjab Industrial Housing Act and this agreement and of which one month's notice is given to him. In witness whereof the parties hereto have signed this agreement on the respective dates shown against their signature the [_____] [Here insert the relevant number of the year of the Republic of India at the time of execution of the deed.] year of the Republic of India. Signature of Allottee (in full) Dated _____ Witness _____

_____. Address _____ Signed for on behalf of the Governor of Haryana. Dated _____ Witness _____ Designation _____

_____. [Haryana Legislative Supplement Part III dated 5.9.1980.][Haryana Notification

GSR 32/PA 16/56/S.24/75 dated 10.1.1975.]