

CSIR (Residence Allotment) Rules 1997

**COUNCIL OF SCIENTIFIC AND INDUSTRIAL RESEARCH
ANUSANDHAN BHAVAN, RAJI MARG, NEW DELHI-110 001**

COUNCIL OF SCIENTIFIC & INDUSTRIAL RESEARCH
Anusandhan Bhavan, 2, Rafi Marg, New Delhi-110 001

No.CSIR/Res.Allot/97/WE
06th May, 1998

**The Heads of all National
Laboratories/Institutes**

Sir,

I am directed to forward herewith two copies of "The CSIR (Residence Allotment) Rules 1997" approved by the Governing Body of CSIR at its 144th meeting held on 18th February, 1998. These rules shall come into force from the date of this notification and supersede the Allotment Rules hitherto in force. The circulars/orders issued on the subject earlier shall stand superseded or modified to the extent they are inconsistent with these Allotment Rules. The priority lists already drawn shall remain valid for the current allotment year. However, such cases which fall within the provisions under Rule 7 may be reviewed and the names of such employees be deleted from the priority lists wherever necessary. Future priority lists shall be drawn in accordance with the new Allotment Rules.

It is requested that sufficient copies of these Allotment Rules may be made at the Laboratory/Institute level and forwarded to the concerned Sections/Divisions of your Laboratory/Institute for their record, reference and guidance. A few copies may be kept in the Library also for reference by the employees.

Yours faithfully,

(SURENDR NATH RAI)
DEPUTY SECRETARY (WE)
TEL.No.3710519

Encls: As above

Copy to:-

1. Divisional/Sectional Heads in CSIR Hqrs./Complex.
2. General Secretary, Federation of CSIR EWUA, C/o CFTRI, Mysore.
3. General Secretary, Scientific Workers Association, C/o RRL, Bhubaneswar.

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Council of Scientific & Industrial Research
CSIR (*Residence Allotment*) Rules, 1997

1.0 SHORT TITLE, COMMENCEMENT AND APPLICATION

- 1.1 These rules may be called “The CSIR Residence Allotment Rules 1997”. They shall come into force from the date of notification and supersede the allotment rules hitherto in force. The circulars/orders issued on the subject earlier shall stand superseded or modified to the extent they are inconsistent with these allotment rules.
- 1.2 These rules shall apply to the employees of the Laboratories/Institutes under the Council of Scientific & Industrial Research and the CSIR Headquarters.
- 1.3 The Director General, Council of Scientific & Industrial Research may, from time to time, modify these rules which will be applicable from the dates from which the modifications are introduced by him or from the dates as may be specified.

2.0 DEFINITIONS:

In these rules, unless the context otherwise requires:

- (a) **“Allotment”** means grant of licence to occupy a residence under the provisions of these rules.
- (b) **“Allotment Year”** means the year beginning on 1st January or such other period as may be notified by the Director-General, CSIR.
- (c) **“Council”** means the Council of Scientific & Industrial Research (CSIR) which term includes CSIR Headquarters and its Laboratories/Institutes.
- (d) **“Council Service”** means service rendered on regular basis whether substantive or temporary (including contract appointment in Projects) in a Laboratory/Institute/CSIR Headquarters.

The Council service in respect of canteen employees shall be reckoned with effect from the date they have been absorbed in CSIR Headquarters and/or Laboratories/Institutes.

- (e) **“Eligible Office”** means a Laboratory/Institute or group of specified Laboratories/Institutes located at a station which have been declared by the Council as eligible for allotment of residences under these rules falling within the control of such Laboratory/Institute or group of Laboratories/Institutes.

- (f) “**Emoluments**” mean the emoluments as defined in Fundamental Rule 9(21)(a)(i) and shall include stagnation increment and non-practicing allowance wherever applicable.

Explanation: In the case of an employee who is under suspension, the emoluments drawn by him on the first day of allotment year in which he is placed under suspension or if he was placed under suspension on the 1st day of the allotment year, the emoluments drawn by him immediately before suspension shall be taken as emoluments.

- (g) “**Family**” means employee’s wife or husband, as the case may be, and children, step-children, legally adopted children, parents, brothers and sisters as ordinarily reside with and are dependent on the employee.
- (h) “**Head of the Laboratory/Institute**” means the Director of the Laboratory/Institute or in his absence an officer authorised by the Director to exercise the powers under these rules. Whenever the post of Director is vacant, the officer authorised by CSIR Headquarters shall be deemed to be the Head of the Laboratory/Institute.
- (i) “**Licence Fee**” means the sum of money payable monthly in accordance with the instructions issued by CSIR, from time to time, in respect of a residence allotted under these rules.
- (j) (i) “**Priority Date**” of an employee in relation to a type of residence to which he is eligible under the provisions of Rule 3.1, 3.2 & 3.3 means the earliest date from which he has been continuously drawing emoluments relevant to a particular type or a higher type in a post under the Council or on foreign service.

Provided that in respect of Type I to Type IV residences the date from which the employee has been continuously in service under the CSIR including the period of foreign service shall be his priority date for that type.

Provided further that where the priority date of two or more employees is the same, seniority among them shall be determined by the emoluments, the employee in receipt of higher emoluments taking precedence over the employee in receipt of lower emoluments; where the emoluments are equal, by the length of service; and where both the emoluments and length of service are equal, on the basis of the scale of pay of the employees, the employee working in a post having higher scale of pay taking precedence over the employee in lower scale of pay.

- (ii) For those who join CSIR on foreign service terms/deputation/immediate absorption basis the service rendered by them under the State Govt., Public Sector Undertakings or other Central Govt. Departments/Organisations shall count for reckoning their priority date on their absorption in CSIR.

- (iii) In case of re-employed personnel, the past service shall be counted for reckoning their priority date even if the employee concerned has drawn terminal benefits (like pension/gratuity etc). However, the period of break in service shall be deducted from the total of the past service.

The priority date in respect of such employee shall be the date from which he has been continuously drawing emoluments relevant to a particular type or a higher type in his parent department and has been holding qualifying appointment except for periods of leave.

- (iv) In the case of re-employment where the element of basic pension has been deducted from the pay of the post, the notional pay of the post in which the person has been re-employed shall be taken into account.
- (v) When an employee entitled to type I to IV residence starts drawing less emoluments for a short period subsequent to the crucial date fixed for the relevant allotment year but resumes drawing the prescribed emoluments at the time of allotment, the period during which the employee had drawn lesser emoluments may be ignored and allotment made on the basis of his date of joining service. If, however, subsequent to applying for allotment, the entitlement of an employee is reduced due to reduction in pay and the employee is not entitled to the type of residence he had applied for, he may be considered for allotment of a lower type of residence, provided his date of priority for the lower type is covered.
- (k) “**Residence**” means any residence under the administrative control of Laboratory/Institute/CSIR Headquarters or group of Laboratories/Institutes and/or CSIR Headquarters.
- (l) “**Subletting**” includes sharing of accommodation by an allottee with another person with or without payment of licence fee by such other person.

Explanation: Any sharing of accommodation by an allottee with close relations shall not be deemed to be subletting. Intimation, however, to this effect shall be given in writing to the Office.

(m) “**Close Relations**”:

The following are to be treated as close relations:

- i) Father, Mother, Brother, Sister, Grand father and Grand mother and Grand son and Grand daughter.
- ii) Uncle, Aunt, First cousin, Nephew, Niece, directly related by blood to allottee.
- iii) Father-in-law, Mother-in-law, Sister-in-law, Brother-in-law, Son-in-law, Daughter-in-law.
- iv) Relationship established by legal adoption.

The concession of sharing accommodation available to the close relations as indicated above will not be admissible when relationship ceases by any order of Court or under law.

- (n) “**Temporary Transfer**” means a transfer which involves an absence for a period not exceeding six months.
- (o) “**Type of residence**” in relation to an employee means the type of residence to which he is eligible under these rules.
- (p) “**Transfer**” means transfer from one Laboratory/Institute to another Laboratory/Institute of CSIR Headquarters of vice-versa with or without change of station.

3.0 CLASSIFICATION OF RESIDENCE AND ENTITLEMENT THEREOF

3.1 Residences other than Scientist Apartments and Hostels

Save as otherwise provided under these rules, the entitlement of an employee to a type of residence will be determined with reference to the emoluments drawn by him as indicated below:

Type of Residence	Emoluments
I.	Less than Rs.950/-
II.	Rs.950/- and above but below Rs.1500/-
III.	Rs.1500/- and above but below Rs.2800/-
IV.	Rs.2800/- and above but below Rs.3600/-
V.	Rs.3600/- and above but below Rs.5900/-
VI.	Rs.5900/- and above but below Rs.7300/-
VII.	Rs.7300/- and above

NOTE. One Type VII quarters shall be reserved for the Director of the Laboratory/Institute. It will apply to pool accommodation also.

3.2 Scientist Apartments

The accommodation in Scientist Apartments shall be treated as transit accommodation only. Entitlement for allotment of these Apartments shall be as under:

Type	Entitlement
i) Double/Three room Scientist Apartments	Scientists in Group IV drawing emoluments of Rs.2800/- and above
ii) Single room Scientist Apartments	Scientists in Group IV drawing emoluments below Rs.2800/-

Explanation – Scientists in Group IV drawing emoluments below Rs.2800/- may be considered for allotment of double/three room Scientist Apartment if Scientists drawing emoluments of Rs.2800/- and above are not available on the date on which the apartment has fallen vacant.

3.2.1 If the Scientists in Group IV are either not available or are not willing to avail allotment as on the date on which the apartment has fallen vacant, the apartment may be allotted to the following categories of employees in order of priority:

- a) CSIR Fellows appointed under Quick Hire Scheme.
- b) Emeritus Scientists/Research Associates/Senior Research Associates (Pool Officers).
- c) Research Fellows (for whom hostel accommodation is not available).
- d) Technical Officers in Group III drawing basic pay of Rs.2000/- and above.
- e) Officers of the level of Section Officers and above from non-technical cadre.

3.2.2 The Laboratories/Institutes may also keep a few Scientist Apartments earmarked for accommodating short term visiting Scientists either from Universities or Industries or otherwise under any mobility scheme in consultation with their respective Management Councils.

3.3. Hostels/Hostel Suits

Hostels/Hostel Suits with or without kitchen shall be allotted to the Research Fellows.

If Research Fellows are either not available or are not willing to avail of the allotment as on the date on which the hostel has fallen vacant the same may be allotted to regular employees drawing basic pay of Rs.950/- and above but not exceeding Rs.2000/-

- 3.3.1 Only those Research Fellows/employees shall be eligible for hostel accommodation who are unmarried or shall stay alone without their family members.
- 3.4 As Scientist Apartments are transit accommodation only, the names of the allottees of these apartments shall be automatically put on the priority list of the entitled type of residences for allotment. Their names shall be put on the relevant priority list irrespective of the fact whether or not such allottees have applied for allotment of entitled type.
- 3.5 If on allotment of the entitled type of residence, the employee fails to vacate the Scientist Apartment and/or take possession of the allotted residence he shall be liable to pay penal licence fee for the Scientist Apartment in his occupation from the date of such failure till the Scientist Apartment remains in his possession.
- 3.6 Employees, who as a result of classification of residences or revision of entitlements, cease to be eligible for residences in their occupation and have become entitled to a lower type of accommodation, will not be required to shift to their entitled type of residences. They will be allowed to continue in the residences under their occupation. They will not, however, be given any change in the same type. However, if they apply for change to their entitled type, such request of change may be considered, if otherwise in order.
- 3.7 An employee on transfer to CSIR Headquarters from any of the Delhi based Laboratories/Institutes shall be entitled to retain the residence in his occupation in the Laboratory/Institute on such transfer till he is allotted an alternative residence by the CSIR Headquarters or gets an allotment in the general pool of the Central Govt. administered by the Directorate of Estates.

4.0 ALLOTMENT PROCEDURE

4.1 Constitution of Allotment Committees

4.1.1 Allotment Committee for non-pool residences

The Head of the Laboratory/Institute shall constitute an Allotment Committee under the Chairmanship of a senior Scientist not below the rank of Scientist 'F' (the Senior most Officer where Scientist 'F' is not available) with Sr. COA/COA or Administrative Officer functioning as head of administration as one of the members.

4.1.2 Allotment Committee for Pool residences

The Allotment Committee for residences in a general pool shall consist of a representative from each participating Laboratory/Institute. The Head of the controlling Laboratory/Institute or his nominee, not below the rank of Scientist F

(the senior most Officer if Scientist 'F' is not available), shall function as Chairman of the Committee with its Sr. COA, COA or Administrative Officer functioning as head of administration, as one of the members.

4.1.3 Functions of the Allotment Committees

The Allotment Committees shall:

- i) scrutinise and certify the priority lists before notification;
- ii) examine all cases involving departure from the normal Allotment Rules;
and
- iii) consider any other matter referred to by the Head of Lab./Instt. and give its recommendations to the Head of the Lab./Instt. whose decision shall be final and binding.

4.1.4 Allotment Committee for Scientist Apartments, CSIR Hqrs.

DG,CSIR shall constitute an Allotment Committee for allotment of Scientist Apartments/Hostels under the Chairmanship of a Scientist not below the rank of Scientist 'F' with DS(CO) and DS(Estates) among the members. Where DS(CO) and DS(Estates) happens to be the same person, DS(G) shall be one of the members. The Committee shall scrutinize and certify the priority list before notification.

4.1.5 Tenure of The Allotment Committees

The tenure of the Allotment Committees shall be three years from the date of notification. Except ex-officio members, the term of the members of the Allotment Committee including the Chairman shall not be more than three years from the date of the said notification.

4.2 Application for Allotment

4.2.1 An employee seeking allotment of residence shall apply for the same in the prescribed form and in such manner and within such date as may be prescribed by the Head of the Laboratory/Institute or JS (Admn.), as the case may be.

4.2.2 The applications received by the prescribed date shall be scrutinized to determine eligibility of the applicants for inclusion of their names in the priority list. For each type of residence separate priority list shall be drawn on the basis of the priority date of the applicants as on the first day of the Allotment Year. The priority lists so drawn and certified by the Allotment Committee shall be displayed at appropriate places in the Laboratory/Institute/CSIR Hqrs.

- 4.3 Save as otherwise provided in these rules, the residences shall be allotted by the Head of the Laboratory/Institute in accordance with the priority lists.
- 4.4 A higher type of accommodation may be allotted to an employee on his request as a purely temporary measure, in case all the employees entitled to that type of accommodation have been provided with residence subject to the condition that the employee (such allottee) shall vacate the residence at one month's notice as soon as the entitled employee asks for residential accommodation failing which the allotment may be cancelled.
- 4.5 No employee shall be compelled to accept a residence of a type lower than that to which he is entitled under these rules. However, the Head of the Laboratory/Institute may, on request from an employee, allot a residence next below the type to which he is otherwise entitled.
- 4.6 The Head of the Laboratory/Institute may on the recommendation of the Allotment Committee cancel the existing allotment of an employee and allot an alternative residence of the same type or in emergent circumstances an alternative residence of the lower type, if the residence in occupation of the employee is required to be vacated for some bonafide public purpose.
- 4.7 An employee under suspension shall be entitled to allotment of a residence of the entitled type. To determine entitlement of the suspended employee, his emoluments shall be as per the Explanation under Rule 2.0(f).
- 4.8 Save as otherwise provided in these rules an allottee desiring a change of residence within the entitled type will be given preference in allotment of a residence over and above the applicants in the priority list of that type.

5.0 OUT OF TURN ALLOTMENT

- 5.1 Notwithstanding anything contained in these Rules, the Head of the Laboratory/Institute may allot residence on out of turn basis in the following cases:-
- i) To an employee with all India transfer liability subject to the condition that the allotment shall be made only to employees of the rank of Section Officer or equivalent and above borne on the common cadre provided that on promotion to the post of Section Officer or equivalent post, change of station is involved.
 - ii)(a) To a non-resident or resident Indian of exceptionally brilliant professional career who is appointed as a senior Scientist.

- b) To a single woman employee (facing extreme hardship) in Scientist Apartment/Hostel as per entitlement on the recommendation of the allotment committee.
- ii) To an employee on medical grounds specified below on the recommendation of the Allotment Committee.
 - a) if he suffers from Cancer, Pulmonary T.B. in active phase with risk to others and sputum for A.F.B. is positive;
 - b) if he has a severe physical defect or deformity which causes undue interference with the normal functioning of the bones, muscles and joints, in consultation, if considered necessary, with the prescribed medical authority as per the Medical Attendance Rules;
 - c) if he suffers from heart ailments having symptoms of Grade III and IV which include serious disability like Angina Grade III and IV or congested Cardiac Failure Grade III and IV or Malignant Hypertension Grade III and IV;
 - d) if he suffers from either total absence of sight or Visual Acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lenses or impression of the field of the vision subtending an angle of 20 degrees or worse;
 - e) if his sense of hearing is non-functional for ordinary purposes of life, he does not hear or understand sounds at all even with amplifier speech. The cases included in this category will be those having hearing loss of more than 90 decibels in the better ear (profound impairment) or total loss of hearing in both the ears;
 - f) if he, as a result of orthopaedic deformity, finds it very difficult to move freely. If the percentage of disability according to American Academy Scale is less than 40%, the request may normally be rejected;
 - g) if the employee's wife or husband, as the case may be, son, daughter, step son and step daughter is suffering from T.B. or Cancer mentioned at sl. a) above.

5.1.1 The priority for out of turn allotment on medical grounds as mentioned in sub-rule 5.1(iii) shall be the date on which the application of the employee for such allotment is received by the Head of the Lab./Instt.

5.2 In the event of death of an allottee, a member of the allottee's family maybe given out of turn allotment by the Head of the Laboratory/Institute subject to the following conditions:

- a) the family member, if he is a Council employee in an eligible office makes an application within one month of the death of the allottee
- b) if the family member is not in Council's employment but gets Council employment in an eligible office within 12 months after the death of the allottee, he makes an application within one month of getting such employment;
- c) the applicant mentioned in sub para (a) and (b) above or any member of his family does not own a residence within the municipal limits or within a radius of 8 Km from the Lab./Institt. whichever is more;
- d) all the dues outstanding in respect of the residence of the deceased allottee have been cleared.

Explanation 1: If the applicant referred to in sub rule (a) and (b) above is eligible for the type of residence in occupation of the deceased allottee, the same residence may be allotted on out of turn basis to the applicant family member.

Explanation 2: The facility of out of turn allotment to the family member of the deceased allottee shall be available to only one of the family members of the deceased allottee.

5.3 In case of retirement on superannuation or voluntary retirement of an allottee, a member of his family, who is in Council's employment and working in an eligible office may be given out of turn allotment by the Head of the Laboratory/Institute subject to the following conditions:

- a) the application for allotment is accompanied by an affidavit from the retiring employee in the prescribed form;
- b) the applicant family member has been residing continuously with the retiring employee for at least three years immediately preceding the date of retirement of the retiring allottee and has not drawn HRA, or where the applicant family member has been appointed in the Council service and posted or transferred in the eligible office of the retiring employee within three years of the retirement of the allottee, he has been residing with the allottee from the date of such appointment and posting or transfer and has not drawn HRA;
- c) the applicant or any of his family members does not own a residence within the municipal limits or within a radius of 8 Km from the Laboratory/Institute, whichever is more;

- d) no other family member of the retiring employee or of the applicant has been allotted or is in occupation of Council residence;
 - e) all the dues outstanding in respect of residence of the retiring employee have been cleared.
- 5.4 The applicant family member referred to in Rule 5.2 and 5.3 shall not be entitled to out of turn allotment for a residence of a type higher than that in occupation of the retired or deceased allottee except when the retired or deceased employee was in occupation of type I residence and the applicant is entitled to type II and above residence in which case he may be allotted type II residence.
- 5.5 Allotment of a residence may be regularised even on out of turn basis in the name of the spouse of the employee on his transfer if the spouse is otherwise eligible for such an allotment. In case the spouse is entitled to lower type of residence, he may be allotted alternative residence of the lower type as per his entitlement immediately on out of turn basis.

6.0 ALLOTMENT OF NEXT BELOW TYPE OR LOWER TYPE

- 6.1 Employees who are eligible for residence of types II, III & IV shall not be entitled to allotment of residence of the next below or the lower type.
- 6.2 Employees who are eligible for residences of type V and above can be considered for allotment of the next below type of residence on application.

Explanation – When an employee, who is eligible for type V Residence, applies for type IV residence, his priority date for type IV residence shall be determined with reference to the date he has been in continuous service of the Council.

7.0 INELIGIBILITY TO COUNCIL RESIDENCE

- 7.1 An employee shall not be eligible for allotment of Council accommodation if he constructs or purchases a residence at the place of his posting, by taking HBA (House Building Advance) from the Council within the municipal limits or within a radius of 8 Kms. Of the Lab./Instt., whichever is more.
- 7.2 An employee shall not be entitled to retain Council residence under the circumstances mentioned below:
- a) When he owns a residence at the place of his posting in his name or in the name of his spouse either severally or jointly within the municipal limits or within a radius of 8 Kms of the Lab./Instt., whichever is more and had been allotted residence in pursuance of any rules existing prior to these Allotment Rules coming into force he shall cease to be entitled to the

residence on these Rules coming into force and shall have to vacate the residence within a period of two months of the notification of these rules.

- b) When an employee or his spouse, who has been allotted Council accommodation constructs or purchases or acquires without taking HBA from the Council or inherits a residence at the place of his posting within the municipal limits or within a radius of 8 Kms. of the Laboratory/Institute, whichever is more, he shall have to vacate the residence within two months of completion of such construction or purchase or acquisition or inheritance, as the case may be.
- c) When an employee constructs or purchases a residence at the place of his posting after taking HBA from the Council within the municipal limits or within a radius of 8 Kms. of the Laboratory/Institute, whichever is more, he shall have to vacate the Council accommodation within two months of completion of such construction or taking possession, as the case may be, failing which allotment shall be cancelled as per rules and he shall be liable for the consequences under these rules.
- d) Notwithstanding the provisions under Rules 7.1 and 7.2, an employee shall become eligible for Council accommodation on payment of normal licence fee, if the house owned by him or his spouse jointly or severally is transferred by way of sale to any person other than close relations.

7.3 If an employee decides to apply for or retain the Council residence despite the fact that his case is covered by the circumstances mentioned under sub rules (a), (b) and (c) of Rule 7.2, he shall apply for retention or allotment of Council residence and if allowed to retain or allotted he shall be liable to pay licence fee for the allotted residence as per Rule 7.5.

7.4 If an employee fails to vacate the residence under the circumstances stated in sub rules (a), (b) and (c) Rule 7.2 or fails to apply to retain the Council residence he shall be liable to pay licence fee as per Rule 18 on expiry of two months period stipulated in the said rule. Such employee shall also be liable for disciplinary proceedings under CCS (CCA) Rules. The Head of the Laboratory/Institute shall have power to take such other action as considered appropriate by him in all such cases to effect eviction of the employee.

7.5 The rate of licence fee payable by the allottee failing under the provisions of sub Rules (a), (b) and (c) of Rule 7.2 and Rule 7.3 will be based on slabs of rent received by him from his own house or house owned by his spouse and shall be as under:

Slab of income from the house Rates of the Licence fee to be recovered

- a) If the income does not exceed Rs 3000 pm Single licence fee

- | | | |
|----|---|------------------------------------|
| b) | If the income exceeds Rs.3000/- p.m. but does not exceed Rs.5000/- p.m. | Double the normal licence fee |
| c) | If the income exceeds Rs.5000/- p.m. | Three times the normal licence fee |

The above rates are subject to revision as per the decision of the DG, CSIR from time to time

- 7.6 The provisions of Rules 7.1, 7.2 and 7.3 shall not be applicable to the Head of the Laboratory/Institute, the senior most Scientist, Sr. COA, COA, A.O., Sr. F & AO, F & AO, SPO, Medical Officer, Nursing Sister/Security Officer and any other staff declared as essential by the Head of the Laboratory/Institute, on the recommendation of the Allotment Committee.
- 7.7 When both husband and wife are in Council's service at the same station, only one of them shall be entitled to allotment of residence. However, both of them shall be eligible to apply for allotment separately on the basis of their entitlement. The eligibility of each shall be determined separately for allotment purposes.

Provided that this rule shall not apply in cases where husband and wife are residing separately in pursuance of a court order for judicial separation.

- 7.8 When two Council employees in occupation of residences allotted to them individually, marry each other, they shall be entitled to retain only one of the residences after such marriage and will be required to surrender the other within one month from the date of marriage. On failure to surrender a residence as above, the allotment of residence of the lower type shall be deemed to have been cancelled on expiry of the prescribed period of one month. If both the residences are of the same type, allotment of any one of them shall be deemed to have been cancelled as the Head of the Laboratory/Institute may decide on the expiry of such period.
- 7.9 When one of the spouses has been allotted or is in occupation of accommodation from a pool to which these Rules are not applicable, he shall have to surrender either the Council residence or the pool residence within one month of occurrence of such event. If he fails to surrender one of the residences within the specified period of one month, the allotment of Council residence shall be deemed to have been cancelled.

8.0 CHANGE OF RESIDENCE

- 8.1 An employee who has been allotted residence under these rules may apply for a change of residence of the same/similar type.
- 8.2 Change of residence shall not be permitted under the following circumstances:

- a) During the period of six months immediately preceding the date of superannuation;
 - b) If an inquiry is in progress against an allottee about sub-letting of his residence.
- 8.3 An employee who has been allotted residence on ad-hoc basis shall not be allowed change of residence for three years from the date of ad-hoc allotment or till the date of his priority is covered for regular allotment, whichever is earlier.
- 8.4 Notwithstanding anything contained in these rules, an employee may be allowed change of residence on the death of a member of his family, if he applies for change within three months of such occurrence provided that the change will be permitted within the same/similar type of residence.
- 8.5 Not more than one change shall be allowed within the same/similar type of residences.

Provided that more than one change of residence within the same/similar type may be allowed on medical grounds subject to the condition that the allottee or a member of his family living with him, has after the allotment of the residence, developed a serious illness such as Asthma, Heart Trouble or T.B. or developed physical defect or deformity. The application in these cases shall have to be supported by a medical certificate from Government Hospital or a recognized hospital.

- 8.6 Change of residence shall be offered in the order of date of receipt of applications for respective type of residences in the office of the Head of the Laboratory/Institute or an officer authorised by him.
- 8.7 If an employee submits fresh application for change of residence cancelling his previous registered application, his request may be accepted but his priority shall be counted from the date of his fresh application.
- 8.8 If an employee fails to accept the change of residence offered to him within five days of the issue of such offer of allotment he shall not be considered again for a change of residence of that type during the same and next allotment year.
- 8.9 If an employee after accepting the change of residence fails to take possession of the same within eight days he shall be charged licence fee for such residence in addition to the normal licence fee for the residence already in his possession for the period upto which the allotment of the new residence continues to subsist.

8.10 Mutual Exchange of Residences

If two Council employees who have residences of the same/similar type allotted under these rules apply for mutual exchange of their residences, they may be granted permission if both are reasonably expected to be on duty in the Laboratory/Institute and likely to reside in their mutually exchanged residences for at least six months from the date of approval for such exchange.

9.0 **SUB-LETTING AND SHARING OF ACCOMMODATION**

- 9.1 The allottee shall not sublet part or whole of the residence allotted to him.
- 9.2 An allottee who sublets part or whole of the residence allotted to him shall do so at his own risk and shall remain personally responsible for the licence fee payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by the Council.
- 9.3 An allottee who sublets part or whole of the residence allotted to him shall render himself liable to cancellation of the allotment and eviction from the allotted residence. He shall also, render himself liable to disciplinary proceedings under the CCS (CCA) Rules as made applicable to the Council employees.
- 9.4 An allottee while proceeding on leave may allow any other Council employee to stay in a portion of his residence as a caretaker for security purposes for a period not exceeding six months, with the prior written permission of the Head of the Lab./Instt.
- 9.5 An allottee may share part of his allotted residence including out-house or garage appurtenant thereto with another employee of the Council with prior written permission of the Head of the Laboratory/Institute on the following conditions:
- a) A portion of residence, out-house and garage permitted to be shared shall be used only for the bona-fide residential purposes;
 - b) Where the allotment of an allottee who has been granted permission to share the accommodation under his occupation, is cancelled or the allottee himself surrenders the accommodation allotted to him, the co-sharer shall be liable to vacate the residence alongwith the allottee on such cancellation or surrender. If the co-sharer fails to vacate the residence both the allottee and the co-sharer shall be liable to pay panel licence fee/damages and render themselves liable to disciplinary action for violation of this rule read with the relevant general clause(s) of CCS (Conduct) Rules in force and for any other action under the law.

10.0 **NON-ACCEPTANCE OF ALLOTMENT OFFER OR FAILURE TO OCCUPY ALLOTTED RESIDENCE AFTER ACCEPTANCE**

- 10.1 If an employee on receipt of an allotment order falls to accept the allotment of residence within five days or take possession within eight days of the date of acceptance of the allotment order, the allotment order shall stand cancelled and the concerned employee shall be debarred for allotment for a period of one year from the date of such cancellation.
- 10.2 If an employee, in occupation of a residence of a lower type than his entitlement applies for a residence of his eligible type and on allotment of such eligible type of residence fails to accept the allotment, he may be permitted to stay in the residence already in his occupation provided that he shall not be eligible for another allotment for the remaining period of the same and the next allotment year. These provisions shall not apply to Scientist Apartments/Hostel accommodation.

11.0 **PERIOD FOR WHICH ALLOTMENT SUBSISTS AND THE CONCESSIONAL PERIOD FOR FURTHER RETENTION**

11.1 An allotment shall be effective from the date it is accepted by the employee and shall continue to be in force until:

- a) expiry of the concessional period permissible under Rule 11.2;
- b) cancelled by the Head of the Laboratory/Institute or deemed cancellation under any provision of these rules;
- c) surrendered by the allottee; or
- d) the allottee ceases to occupy the residence.

11.2 A residence allotted to an employee may be allowed to be retained on the occurrence of any of the events mentioned below for the period specified against each from the date of such occurrence subject to the condition that the residence is required for the bonafide use of the employee or the members of his family:

<u>S No.</u>	<u>EVENTS</u>	<u>PERMISSIBLE PERIOD FOR RETENTION OF RESIDENCE</u>
a.	Resignation, dismissal or removal from service or termination of service or unauthorised absence without permission	1 month
b.	Retirement or terminal leave	4 months
c.	Death of the allottee	12 months
d.	Transfer to a place outside the station or to an ineligible office	2 months
e.	On proceeding on foreign service in India	2 months
f.	Temporary transfer in India or transfer to a	6 months

	place outside India	
g.	Leave (Other than leave preparatory to retirement, refused leave, terminal leave, medical leave, sabbatical leave and study leave)	For the period of leave but not exceeding 4 months
h.	Maternity leave	Period of maternity leave plus leave granted in continuation as per the instructions issued by the Govt. of India/CSIR from time to time
i.	Leave preparatory to retirement of refused leave granted under rules or earned leave granted to employee retired under F.R. 56(j)	Full period of leave subject to a maximum of 6 months in case of leave preparatory to retirement and 4 months in other cases inclusive of the period permissible in the case of retirement
j.	Study leave/sabbatical leave	Full period of leave
k.	Leave on medical grounds	Full period of leave
l.	Deputation outside India, excluding cases covered under sub clause 'm'	12 months on payment of normal licence fee extendable for another twelve months for convincing reasons to be recorded on payment of double the normal licence fee
m.	Foreign Assignments on foreign service terms of leave due and admissible or EOL etc.	For the period of absence but not exceeding six months
n.	On proceeding on training	Full period of training

11.3 Where an employee on transfer or on foreign service in India is sanctioned leave and avails it before joining duty at the new station, he may be permitted to retain the residence for the period mentioned against serial No. (d) to (f) or the period of leave whichever is more.

11.4 Where an order of transfer or on foreign service in India is issued to an employee while he is already on leave, the permissible period mentioned in Rule 11.3 shall commence from the date of issue of such order.

11.5 On expiry of the permissible concessional period the allotment shall be deemed to have been cancelled unless immediately before expiry of such concessional period the employee resumes duty.

11.6 The employee, who has retained the residence in accordance with the provisions of Rule 11.2, on re-employment in an eligible office within the concessional period specified therein shall be entitled to retain that residence for the period of re-employment if the pay of the employee on such re-employment entitles him to

that type of residence. If on re-employment, he does not remain entitled to the type of residence in his occupation, he shall be entitled to retain the same residence till the entitled type of residence is allotted to him.

- 11.7 Notwithstanding anything contained in Rules 11.2 to 11.6 when an employee is dismissed or removed from service or his services have been terminated and the Head of the Laboratory/Institute where such employee was in service immediately before such dismissal, removal or termination is satisfied that it is necessary or expedient in public interest to do so, he may cancel the allotment of Council residence of such employee either forthwith or with effect from such date prior to expiry of the concessional period referred to in Rule 11.2.
- 11.8 When an employee is transferred to a Laboratory/Centre situated in North-Eastern Region who desires to keep his family at the last station of his posting and applies within two months of such transfer for retention of the accommodation in his occupation, he may be allowed to retain the same if the accommodation in his occupation is below his entitled type on the basis of emoluments prescribed on the crucial date of relevant allotment year. If he is in occupation of entitled type of accommodation he shall be allotted accommodation one type below the type of accommodation under his occupation.

The licence fee for such retention/allotment shall be charged at the rate of one and half times the normal licence fee for the period beyond the permissible period of retention of the accommodation.

12.0 **RETENTION BEYOND PERMISSIBLE PERIOD**

- 12.1 The Head of the Laboratory/Institute may, for reasons to be recorded in writing, allow retention of Council residence for a period not exceeding six months beyond the permissible concessional period under Rule 11.2, if he is satisfied that the retention of the residence is justified for any of the following reasons:
- (a) Education of children of the employee;
 - (b) Serious or chronic illness in the family of the employee;
 - (c) Any other reason considered to be beyond the control of the employee.

Provided that in the event of retirement or terminal leave the period of retention to be allowed by the Head of the Laboratory/Institute shall be limited to 4 months.

- 12.2 The allottee shall be required to pay twice the normal licence fee for the period of retention mentioned in Rule 12.1.

12.3 **Retention of Accommodation by Employees Availing Joining Time**

Employees on transfer are allowed to retain the accommodation for two months or period of their leave not exceeding four months, whichever is more. However, in the case of employees availing joining time after the expiry of leave at the station from which they have been transferred, normal licence fee shall be charged for the period of stay at the 'old' station and allotment will be cancelled only after the joining time.

12.4 Temporary Transfer – Retention of Accommodation

In the case of temporary transfer, where such extension beyond the normal period of six months permissible under Rule 11.2 is sought strictly in public interest i.e. where the employee concerned is given the impression that his transfer or deputation is temporary which is extended by the Laboratory/Institute for short period, the individual cases may be examined on merit and the question of relaxation of the relevant provisions of Rule 11 under provisions of Rule 28 may be considered and forwarded to the Director-General, CSIR for decision.

12.5 Licence fee for the period of retention of the residence shall be payable in advance on monthly basis.

13.0 OVERSTAYAL IN RESIDENCE AFTER CANCELLATION OF ALLOTMENT

13.1 Where, after the allotment has been cancelled or is deemed to have been cancelled under any provisions of these rules, the residence remains or has remained in occupation of the employee to whom it was allotted or of any person claiming through him, the allottee or such other person shall render himself liable to the following:-

- i) Payment of penal licence fee for use and occupation of the residence and damages equivalent to twice the normal charges for furniture, services, garden etc.;
- ii) Disciplinary proceedings for violation of CCS (Conduct) Rules, 1964, and/or any other rules in this regard applicable to the Council employees;
- iii) Any other proceedings that may be taken up at the discretion of the Head of the Laboratory/Institute for getting the residence vacated.

14.0 PERSONAL LIABILITY OF THE EMPLOYEE TILL THE RESIDENCE IS VACATED

14.1 The allottee shall be personally liable for payment of the licence fee and other charges for the accommodation and for any damage, beyond reasonable wear and tear, caused thereto or to the furniture or fittings or services provided therein by

the Council during the period of occupation and until full vacant possession thereof has been restored to the Head of the Laboratory/Institute.

- 14.2 Non payment of license fee and other charges for the accommodation shall constitute breach of these allotment rules.
- 14.3 If the allottee fails to make payment of prescribed licence fee and other charges the allotment may be cancelled.

15.0 **SURRENDER OF ALLOTMENT AND PERIOD OF NOTICE**

- 15.1 An allottee may at any time surrender the allotment by giving notice to the Head of the Laboratory/Institute at least seven days prior to the date of vacation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the 8th day after the date on which the notice is received by the Head of the Laboratory/Institute or the date specified in the notice, whichever is later.

Provided that the Head of the Laboratory/Institute may accept a notice for shorter period.

- 15.2 An employee who surrenders the residence under Rule 15.1 shall not be considered again for allotment of Council residence at the same station for a period of one year from the date of such surrender.
- 15.3 Notice of surrender will not be necessary in the following cases:
- (a) When an employee in occupation of a lower type of residence than his entitlement is allotted a residence of the type to which he is entitled;
 - (b) When an employee on his re-employment is found to be entitled to a lower type of residence and is allotted a residence in that type;
 - (c) When an employee is permitted a change of residence;
 - (d) When the residence in occupation of an employee is required to be vacated in public interest or for repairs or demolition and the employee is allotted alternative accommodation;
 - (e) When allotment of the residence in occupation of an employee is cancelled or is deemed to be cancelled under the provisions of these rules;
 - (f) When eligible family members of the retired/deceased allottee/employee get alternative residence on ad-hoc basis;
- 15.3.1 Where the family of a deceased allottee vacates the residence within the permissible period, cases of waiving off the period of notice or surrender may be

considered with compassion and each case decided on merit and orders obtained from the competent authority.

15.0 **FURNISHING OF INFORMATION REGARDING TRANSFER/DEATH OF AN ALLOTTEE TO THE CONTROLLING LABORATORY/INSTITUTE**

16.1 Each participating Lab./Instt. Of the general pool accommodation shall intimate the controlling Lab./Instt. about transfer of an allottee from one office to another or to an outstation and retirement or death of the allottee immediately on the occurrence of such event to enable the Controlling Lab./Instt. To take necessary follow up action in respect of the Council accommodation.

17.0 **PROVISION RELATING TO LICENCE FEE**

17.1 The rates of licence fee payable by the allottees for different types of residences and the Scientist Apartments/Hostels shall be as per the notification and/or instructions issued by CSIR from time to time.

17.2 Where the allotment of residence or alternative residence has been accepted, the liability for licence fee shall commence from the date of occupation or the 8th day of the date of the allotment letter, whichever is earlier.

17.3 Where an employee after accepting the allotment fails to take possession of the accommodation within 8 days from the date of the allotment letter, he shall be charged licence fee from such date for 12 days.

Provided that nothing contained in this rule shall apply where it is certified that the allotted residence is unfit for occupation and as a result thereof the employee is unable to occupy the residence within the aforesaid period.

17.4 Where a Council employee is considered to be in deemed possession of the residence for 12 days in accordance with the provisions of Rule 17.3, he shall not be entitled to HRA for the aforesaid period of 12 days.

17.5 If on allotment of an alternative or entitled residence the former residence is not vacated by the date already mentioned in the preceding rules the allottee shall be liable to pay penal licence fee and damages for continued occupation of the former residence with effect from the date he takes possession of the newly allotted residence. In the cancellation letter the exact amount of damages which the unauthorised occupant will be required to pay for overstay will be mentioned.

17.6 When at the request of an employee a residence of higher than the entitled type is allotted, the employee concerned shall be charged three times the normal licence fee for such a residence.

18.0 **PENAL LICENCE FEE**

18.1 The rates of penal licence fee shall be as follows:

Type of residence	Station	Station
	A category: Delhi, Calcutta*, Mumbai, Chennai, Hyderabad, Bangalore, Lucknow & Pune	B category : Other Stations
I	Rs.2000/- p.m.	Rs.1500/- p.m.
II	Rs.2500/- p.m.	Rs.2000/- p.m.
III	Rs.3000/- p.m.	Rs.2500/- p.m.
IV	Rs.4000/- p.m.	Rs.3000/- p.m.
V	Rs.5000/- p.m.	Rs.4000/- p.m.
VI	Rs.6000/-	Rs.5000/- p.m.
VII	Rs.7000/- p.m.	Rs.6000/- p.m.

*Kolkata (Webmaster 2005)

Scientist Apartments/Hostels : 15 times the normal Licence fee for all stations

18.2 DG, CSIR shall have power to revise the penal licence fee from time to time.

19.0 **UNDERTAKING FROM THE LICENCE**

19.1 Each employee shall give an undertaking at the time of allotment of residence that he shall vacate the residence on cancellation or deemed cancellation of allotment failing which he shall be liable to pay penal licence fee and that the Council shall have authority to withhold his gratuity and leave encashment etc.

Provided that gratuity and leave encashment etc., may be released on furnishing of bank guarantee by the employee for an equivalent amount. Bank guarantee shall be discharged after vacant possession of the residence is surrendered to the Council and all the dues relating to the residence have been settled, failing which the bank guarantee shall be invoked.

19.2 All employees who are in occupation of Council residences and have not furnished an undertaking specified under rule 19.1 so far, shall furnish the same forthwith or within such time as may be prescribed by the Head of the Laboratory/Institute.

20.0 **PROVISION OF ACCOMMODATION FOR PERFORMING MARRIAGE ETC. IN THE FAMILY OF AN ALLOTTEE**

20.1 On receipt of an application, the Head of the Laboratory/Institute may make temporary allotment, not exceeding five days including the day of marriage, to a Council employee if a vacant residence is available or likely to be available during the period for which allotment has been applied for.

20.2 Disciplinary action may be taken if the residence allotted under rule 20.1 is not vacated on expiry of the period of temporary allotment besides liability for payment of penal licence fee for the period of unauthorised occupation.

21.0 **CONSEQUENCES OF BREACH OF RULES AND CONDITIONS**

21.1 If an allottee sublets the residence or charges licence fee from the sharer at a rate which the Head of the Lab./Instt. Considers excessive or erects any unauthorised structure in any part of the residence or uses the residence or any portion thereof for purposes other than that for which it has been allotted or tampers with the electric or water connections or commits any other breach of rules or of the terms and conditions of the allotment or uses the residence or premises or allows it to be used for any purposes which the Head of the Laboratory/Institute considers to be improper or conducts himself in a manner which in the opinion of the Head of the Laboratory/Institute is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Head of the Laboratory/Institute may, without prejudice to any other action including disciplinary proceedings that may be taken against such allottee, cancel the allotment after giving show cause notice.

Explanation: In this rule the expression allottee includes, unless the context otherwise requires, a member of the family of the allottee and any other person claiming through the allottee.

21.2 If the allottee sublets his residence or any portion thereof or any of the out-house, garages appurtenant thereto in contravention of these rules he may without prejudice to any other action that may be taken against him, be charged penal licence fee/damages as laid down in these rules. The employee may also be debarred from sharing the residence in future for a period not exceeding 5 years as may be decided by the Head of the Lab./Instt.

21.3 Where action to cancel the allotment is taken on account of subletting of the whole or part of the allotted residence a period of 60 days shall be allowed to the allottee and any other person residing with him to vacate the residence. The allotment shall be cancelled with effect from the date of vacation of the premises or on expiry of 60 days from the date of order for cancellation of allotment, whichever is earlier.

21.4 Where the allotment of residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with the neighbours, the allottee, at the discretion of the Head of Laboratory/Institute may be allotted another residence of the same type at any other place.

21.5 The Head of the Laboratory/Institute shall have power to take all or any of the actions under these rules and to declare the allottee ineligible for allotment for a period not exceeding 5 years.

22.0 **MAINTENANCE OF RESIDENCE**

22.1 The allottee shall maintain the residence and premises in a clean condition to the satisfaction of the Head of the Laboratory/Institute. He shall not grow any tree, shrubs or plants contrary to the instructions of the Head of the Laboratory/Institute nor cut or lop off any existing trees or shrubs in any ground, courtyard or compound attached to the residence save with the prior permission in writing of the Head of the Laboratory/Institute. Any plantation or vegetation grown in contravention of the instructions may be got removed by the Head of the Laboratory/Institute at the risk and cost of the allottee.

23.0 **RESERVATION OF RESIDENTIAL ACCOMMODATION TO SC/ST EMPLOYEES**

23.1 Reservation of residential accommodation in favour of SC/ST employees will be as per the instructions issued by the Government of India/CSIR from time to time.

24.0 **CONTINUANCE OF ALLOTMENTS MADE PRIOR TO THE ISSUE OF THESE RULES**

24.1 Any valid allotment of residence under the provisions of the allotment rules in force immediately prior to commencement of these rules shall be deemed to be an allotment made under these rules notwithstanding the fact that the employee ceases to be entitled with reference to Rule 3.1 to the type of residence already allotted to him.

Provided that nothing contained in this rule shall apply if the employee ceases to be entitled to retain the house under Rule 7.0.

25.0 **ESTATE OFFICER**

25.1 Sr. COA/COA/AO functioning as Head of Administration shall discharge the functions and responsibilities of Estate Officer to ensure observance of these rules and terms and conditions of allotment by the allottees and take necessary action consequential to any breach of these rules.

26.0 **INTERPRETATION OF RULES**

26.1 If a question as to the interpretation of these rules arises, the Head of the Laboratory/Institute shall be competent to decide the same in consultation with the Allotment Committee, if required.

27.0 **APPEAL**

27.1 An employee aggrieved by the decision or order of the Head of the Laboratory/Institute under Rules 13 and 21 may appeal in writing to the Director General, CSIR within 21 days of receipt of such decision or order. However, the decision or order of the Head of the Laboratory/Institute shall stand unless it is modified or rescinded as a result of such appeal of the employee.

28.0 **RELAXATION OF RULES**

28.1 The Head of the Laboratory/Institute, on the recommendation of the Allotment Committee, may, for reasons to be recorded in writing, recommend relaxation of any of the provisions of these rules in case of an employee or class of employees or residence or type of residences including cases where waiving off of the penal licence fee is involved, to the Director General, CSIR who shall have the power to relax. The Director General, CSIR may at his own discretion relax any of the rules in any case.