

INDIAN INSTITUTE OF TECHNOLOGY, BOMBAY

**RULES FOR
ALLOTMENT OF RESIDENTIAL ACCOMODATION**

1992

Rules for allotment of Residential Accommodation
(Indian Institute of Technology, Bombay) -1992

1. Title and scope :

- 1.1 These rules shall be called the "Rules for Allotment of Residential Accommodation (Indian Institute of Technology, Bombay), 1992.
- 1.2 These rules shall come into force with effect from such date as may be notified by the Registrar.
- 1.3 These rules shall apply to all employees of the Institute and others mentioned in these rules and cover the residential accommodation within the IIT, Bombay campus.
- 1.4 With the coming into force, these shall supercede all the earlier rules.
- 1.5 Allotment made under the provisions of the earlier rules shall continue to be valid.

2. Definitions

- 2.1 *Allotment* means the grant of a license to occupy a residential accommodation in accordance with the provisions of these rules.
- 2.2 *Allottee* means an employee to whom residential accommodation is allotted.
- 2.3 *Board* mean the Board of Governors of the Institute.
- 2.4 *Committee* means the Accommodation Allotment Committee of the Institute.
- 2.5 *Director* means the Director of the Institute.
- 2.6 *Emoluments* mean the emoluments as defined in F.R. 45-C of the Government of India.
- 2.7 *Entitlement* means the highest type of accommodation that an employee is eligible for under Rule 3.3.
- 2.8 *Faculty* means Assistant Professor, Associate Professor and Professor.
- 2.9 *Family* means spouse, children, step children, legally adopted children, parents, brothers and sisters who ordinarily reside with and are dependent on the employee.
- 2.10 *F. R.* means Fundamental Rules of the Government of India.
- 2.11 *Institute* means the Indian Institute of Technology, Bombay.
- 2.12 *License Fee* means the sum of money payable monthly as compensation for occupation of a residential accommodation allotted under these Rules. It includes flat rent license fee fixed by the Board in respect of different types of quarters based on living area.
- 2.13 *Subletting* includes sharing of accommodation by an allottee with another person with or without any payment by such other person, but does not include any sharing of accommodation with close relations as per Annexure- I and as may be notified by the Institute from time to time and with casual guests visiting the allottee.
- 2.14 *Type* in relation to an employee means the type of accommodation to which an employee is eligible under Rule 3.3.

3. Eligibility, Seniority and Procedure of Allotment

3.1 Seniority

3.1.1 Allotment of a particular accommodation to an employee will be made on the basis of a seniority list of those who may be interested in being allotted this accommodation (and those whose names are included in it under the provisions of rule) and are eligible for it (subject to restrictions under rules 3.5.3, 3.5.4 and 4.1.6). The precedence in the list will be determined by the seniority date of an employee which is the earliest date from which he/she became eligible for the type of accommodation in question and has continued to remain eligible, excepting for temporary disqualification under rule 4.1.6.

3.1.2 *Inter se seniority*: For the purpose of fresh allotment to all types of quarters not below type C, the seniority date will be determined either by (3.1.1) or by the following procedure and the earlier of the two dates will be the seniority date : an employee who is currently in a pay scale higher than the lowest pay scale which makes one eligible for the quarter in question, will be given an advantage of one year seniority for every step above which his current pay scale is above the lowest pay scale mentioned above. The *inter se* seniority date will be determined by pre-dating the date on which the employee was appointed to the higher scale by the number of years of advantage mentioned above. In case the employee has been in more than one such higher scale, the *inter se* seniority date will be the earliest of the dates so determined.*

3.1.3 When the seniority date as determined by (3.1.1) or (3.1.2) happens to be the same for two or more employees, the following conditions will be successively applied until the precedence in the seniority list is determined.

(i) an employee who would have had an earlier seniority date determined by (3.1.1) alone had the quarter been one step lower than the quarter in question, will precede in the list.

(ii) an employee with longer service in the Institute will precede.

* Explanation : The hierarchy of the scales for this purpose will be (i) 5100-7300 (ii) 4500-7300 (iii) 4500-6300 (iv) 3700-5700 (v) 3700-5000 (vi) 3000-5000 (vii) 3000-4500 (viii) 2200-4000. As per the procedure in (3.1.2) the seniority of an employee in the scale 3700-5700 will be earlier by 4 years from the date he was appointed in this scale for a C-type quarter and by one year for a B type quarter. Similarly the seniority of an employee in 4500-6300 scale will be earlier than the date of appointment to this scale by 5 years for a C type quarter and 2 years for a B type quarter. In case the employee has previously served in 3700-5700 scale the seniority date will be 4 years earlier than his date of appointment to 3700-5700 scale or 5 years earlier than his appointment to 4500-6300 scale, whichever is to the employee's advantage. For pay scales not included in the list above a scale will be considered higher if the end point of the scale is higher and where two scales have the same terminal point, if the beginning of the scale is higher. Rule (3.1.2) will be only applicable for fresh allotment and not for allotment by way of change.

- (iii) an employee with a higher basic pay on the last day for responding to the exploratory circular for the accommodation in question will precede.
- (iv) an employee with an earlier date of birth will precede.
- (v) by drawing of lots by the Chairman in the presence of at least one more member of the Committee.

3.2 Eligibility

- 3.2.1 An employee will be eligible for allotment of an accommodation of his/her entitlement, and also for an accommodation which is one step or two steps lower, provided that faculty members (as read with 3.5.1) will not be eligible for quarters lower than D type, and those who are entitled for type H1 will not be eligible for quarters lower than H2 *. The steps in the type of accommodation for the purpose of this rule will be A,B,(including B-Tr), C (including C-CSRE), D/Staff Hostel Flats, II-B, H1/H1A, H2/H1BB and I/H2BB in descending order.
- 3.2.2 The Rooms in the Staff Hostel (as distinct from the Staff Hostel Flats) and the flatlets in the general pool of Vihar House shall be excluded from the purview of rule 3.2.1, their allotment being regulated as per 3.5.5.
- 3.2.3 Notwithstanding the restriction specified in rule 3.2.1, an employee who has been allotted and is physically in occupation of a certain type of quarter will continue to be eligible for allotment of all types of quarters (both by way of change and by upward movement) upto and including the type of quarter to which he/she is entitled.
- 3.2.4 In case where both the husband and the wife are working in the Institute, only one of them shall be eligible for accommodation. In case where two allottees in occupation of separate accommodation allotted under these rules of under corresponding rules previously in force marry each other, they shall, within one month of the marriage, surrender one of the accommodations. If the accommodation is not surrendered, the allotment of the lower type shall be deemed to have been cancelled on the expiry of such period, and, if the accommodations are of the same type, the allotment of such one of them as the Chairman of Committee may choose, shall be deemed to have been cancelled on the expiry of such period. This rule will not apply in case of judicial separation.

* Note: The Board will review the eligibility for two steps down quarters at an appropriate time when the quarter availability situation improves with new constructions.

**3.3 Eligibility for types of accommodation
(subject to 3.2.1)**

Sr. No.	type of accommodation	employees eligible
1.	A	(i) Professors, (ii) Permanent employees and Senior Contract personnel in the Centres * in scales of pay equivalent to that of Professors, (iii) Other Officers holding permanent posts in a pay scale the minimum of which is Rs.5100 or with a minimum basic salary of Rs.5100 in a scale with a maximum of Rs.7300 or more.
2.	B, B-TR	(i) Associate Professors, (ii) Assistant Professors, (iii) Permanent employees in the Centres* in scales of pay equivalent to that of Associate Professors and Assistant Professors, (iii) Other Officers holding permanent posts in a scale of pay the minimum of which is Rs.3700 or above, (iv) All those who are eligible for type A.
3.	C	(i) Permanent Employees in the Centers* and other Officers of the Institute in a scale of pay, the minimum of which is Rs.2200 or above, (ii) Contract personnel in the Centres in scales of pay equivalent to that of Associate Professor with a minimum of 3 years contract (iii) All those who are eligible for types A and B.
4.	D/Staff Hostel flats	These accommodations are of a transient nature and these will be allotted at the discretion of the Chairman, Allotment Committee or the Director and regulated by 3.4.4

* Centres mean Regional Sophisticated Instrumentation Centre (RSIC), Advanced Centre for Research in Electronics (ACRE), Centre of Studies in Resources Engineering (CSRE), Computer Aided Design Centre (CAD), Centre for Technology Alternatives in Rural Areas (CTARA) and such other centres as the Board may decide from time to time.

Sr. No.	type of accommodation	employees eligible
5.	Staff Hostel Rooms/Flatlets in General Pool of Vihar House	These accommodation are of a transient nature and these will be allotted at the discretion of the Chairman, Allotment Committee or the Director and regulated by 3.4.5 3.5.5
6.	II -B	(i) employees drawing a basic pay of Rs.1500 (Rs.500) or above, <i>5000 above</i> (ii) non-faculty officers who are entitled to type C.
7.	H1, H1-A	(i) employees drawing a basic pay of Rs.1200 (Rs.340) to Rs.1499 (Rs.499) <i>1000 & above</i> (ii) employees eligible for type II -B
8.	H2, H1 -BB	(i) employees drawing a basic pay of Rs.950 (Rs.260) to Rs.1199 (Rs.339) <i>3550</i> (ii) employees entitled to type II -B or H -1
9.	I, H2-BB	(i) employees drawing a basic pay of Rs.750 (Rs.196) to Rs.949 (Rs.259) <i>2550</i> (ii) employees entitled to type H -2

Explanation

- (i) Figures in brackets indicate basic pay in pre-revised scales.
(ii) For type A, B and C type quarters, employees in service before 1.1.86 will continue to remain eligible for the quarters to which they were eligible before adoption of these rules and their seniority dates will be as determined under these rules or as determined by the Rules for Allotment of Residential Accommodation, 1989, whichever is earlier.

3.5: Basis of Allotment

- 3.5.1 Employees holding permanent posts in the Centres in equivalent scales of pay of the faculty shall be treated on par with the faculty in regard to accommodation.
3.5.2 For A and B types, a common seniority list will be made for all eligible employees and priority of allotment of a quarter in these types will be determined as per precedence in the seniority list.
3.5.3 For type C quarters one out of every five vacancies will be allotted to officers other than faculty (as read with 3.5.1). To implement this quota of allotment, five successive vacancies will be considered as a 'block'. Within a given block, a common seniority list will be made for all eligible and interested employees. Accommodation will be allotted to the seniormost in the list until one of the vacancies has been allotted to one 'other officer' mentioned above. Once an allotment has been so made, other officers will not be eligible to be considered for

the subsequent vacancies within the block. If the first four allotments of a block have gone in favour of faculty, the fifth vacancy of the block will be reserved for other officers.

- 3.5.4 Staff Hostel Falts and D type quarters will be allotted at the discretion of the Chairman, Allotment Committee or the Director on priority basis to new faculty members and other officers joining the Institute on the basis of the date of joining irrespective of their seniority. After meeting the requirement of incoming faculty and officers as stated above, accommodation in these may also be provided to visiting faculty members, contract personnel at the centre with a minimum contract period of three years duration and to such other officers as the Director may approve of from time to time.
- 3.5.5 For allotment of staff hostel room/flatlets in the general pool of Vihar House, faculty members will get first priority. Other officers will be considered for allotment subject to availability.
- 3.5.6 No employee shall be allotted accommodation of a type higher than that for which he is eligible under the above rules.
- 3.5.7 No employee shall be compelled to accept an accommodation lower than his eligibility under above rules, provided that employees who are in occupation of accommodation lower than their entitlement may be required to move upward to a quarter of their eligibility.
- 3.5.8 For persons appointed on temporary basis on a prescribed scale of pay and subsequently appointed to a permanent post, date of seniority will be with reference to the date initial appointment, provided the entire service in is continuous.
- 3.5.9 Employees of other organisations who are attached to IIT for a period exceeding three months (e.g. Pool Officers, NCC Officers etc.) may be allotted staff hostel rooms/Vihar house flatlets subject to availability. In exceptional cases the Director may approve the allotment of type C quarter to these employees.
- 3.5.10 Accommodation in Staff Hostel flats / rooms, D-type quarters and flatlets in Vihar House will be regarded as transit accommodation, and the allotment for these will be initially for a maximum period of three years. Thereafter the allotment may be renewed on a yearly basis at the discretion of the Director or the Chairman of the Committee. The Committee suo moto or on instructions from the Director may include the names of employees who are in occupation of these quarters in the seniority list of any notified B or C type quarter for which these employees may be eligible, even though they may not have applied for the same. These employees will be intimated of such inclusion and they will be considered as applicants for the notified quarter for the purpose of allotment under these rules and annexure II thereof.

NOTE

The allotment of accommodation in Sr. No.1 to 9 will be made by the committee in accordance with these rules as per procedure set out in annexure II. In addition, the Institute has following accommodations for which the allotment authority will be as may be specified by the Director from time to time. The allotment to these will be made as per norms separately approved by the Director.

Sr. No.	type of accommodation	eligibility
1.	QIP quarters	Ph. D. scholars under the Quality Improvement Programme
2.	HPS quarters	Contract appointees in Centres and Scientists/Engineers in sponsored projects.
3.	H-11 flatlets	Lady staff members with with a minimum consolidated salary of Rs. 2500
4.	Low cost tenements	Watchmen

4. Condition of Allotment and Rules for Occupancy

4.1 General

- 4.1.1 An allottee shall give in writing his acceptance of the allotment within five days from the date of receipt of the letter of allotment, failing which the allotment shall stand cancelled. The Chairman, Allotment Committee may condone delay in giving letter of acceptance, which in all cases must be submitted before the allotment is cancelled as per provision of 4.1.3
- 4.1.2 The date on which the letter of allotment is received by the Department shall be considered as the date of receipt of the same.
- 4.1.3 The allottee, who accepts the allotment, shall take possession of the allotted accommodation within seven days following the date of receipt of the allotment letter, failing which the allotment shall stand cancelled on the eighth day and he shall be charged license fee for a period of twelve days. The Chairman, Allotment Committee will be empowered to grant extension of the period of taking possession where the allottee is out of station on official duty, the maximum period of extension being the number of days the employee was out of station during the seven day period mentioned above. Provided that nothing in this rule, except the cancellation of the allotment, shall apply where the Executive Engineer (Estate), or such other officer as may be approved by the Director, of his own motion or on the application of the allottee or under the instruction of any higher authority, certifies that the accommodation is not fit for occupation and on the basis of such certificate the allottee does not take possession of the accommodation within the aforesaid period.
- 4.1.4 If the allottee is in occupation of an Institute accommodation, the same shall be deemed to be cancelled from the date he/she occupies the new accommodation. However the allottee may retain the former accommodation without payment of license fee on the day he/she occupies the latter accommodation and for the next three days, for the purpose of shifting. If the former accommodation is not vacated and its possession not handed over before 12 noon on the day following

these three days, the allottee will be liable to pay damages, for use and occupation of accommodation, equal to four times the rate of flat license fee of the old accommodation, with effect from the date he/she took possession of the new accommodation and the license fee free period will not be applicable.

- 4.1.5 In all the above cases and wherever applicable, if the due date falls on a holiday, the immediate next working day will be the due date for all purpose.
- 4.1.6 If an employee rejects the allotment in writing, or does not communicate his acceptance as provided in rule 4.1.1 or it is deemed cancelled under rule 4.1.3, the allottee shall not be considered for another allotment for one year from the date of allotment. An allottee who takes possession of the new accommodation, but later surrenders the same deciding to keep his older accommodation, will also be similarly debarred. In all such cases he/she will be charged flat license fee for a period of 12 days (or four times the flat license fee for the period the new accommodation was in his possession, whichever is more) for the quarter in question. The Chairman Allotment Committee or the Director may waive both the fines and the debarment, if in their opinion the rejection was due to unavoidable circumstances.
- 4.1.7 The allottee, at the time of taking possession of the accommodation, shall note carefully all items, fittings and fixtures in the allotted accommodation and shall sign in the book of inventory kept for that purpose. He/she shall be responsible for damage except that which arises as a result of normal wear and tear.
- 4.1.8 The cost of damage as assessed by the Estate Office and approved by the Director shall be payable by the occupant.
- 4.1.9 The allottee is a licensee and not a tenant, and the Institute reserves the right to terminate the license at any time without assigning any reason.*
- 4.1.10 The allottee shall not use the allotted quarters for any purpose other than residing with his family and shall keep the premises in hygienic and safe condition.
- 4.1.11 The allottee shall not subject or mutually exchange the allotted accommodation with anyone.
- 4.1.12 The allottee shall not cut trees in or around the premises or anywhere else within the campus except with the permission of the Executive Engineer (Estate) or such other Officer as may be empowered by the Director.
- 4.1.13 The allottee shall not make any additions or alterations to the building or any part thereof, without the prior written permission of the Executive Engineer (Estate), and shall not damage any civil works, plumbing and electrical and other fittings.
- 4.1.14 The allottee shall allow officers of the Institute or contractors as may be authorized by the Executive Engineer (Estate) to have access to the quarters at all reasonable hours, for the purpose of carrying out repairs to the water-supply, sanitary installations, electrical fittings, fixtures and furniture in the building, as and when considered necessary.

* The intention of the parties to the license is that of creating a mere license and nothing more, and at no point of time can the allottee claim to be the tenant of the premises allotted to him/her.

- 4.1.15 The allottee shall forthwith report to the Executive Engineer (Estate) any damage or any defect in the building, fittings and fixtures or installations for necessary action.
- 4.1.16 The occupants shall immediately report to the Medical Officer of the Hospital of the Institute about contagious diseases in the quarter, and shall take all precautions as advised by the Medical Officer.
- 4.1.17 The allottee shall not store any explosive or any inflammable material in the allotted accommodation.
- 4.1.18 The allottee of an accommodation on the ground floor of a building will have priority of claim in the area immediately adjoining his ground floor accommodation, for privacy.
- 4.1.19 The allottee shall not plant any tree which would grow above three meters in height, in places which are within three metres from the building line.
- 4.1.20 The allottee shall allow the Security Officer, the Senior Medical Officer, Officers of Sanitation and Public Health Department of the Institute to visit the allotted accommodation at all reasonable hours and to give instructions to the allottee on matters of official work of their respective departments and the allottee should comply with the same.
- 4.1.21 The allottee shall not play loud speaker from the occupied accommodation or create any noise leading to annoyance to his neighbours and disturbance of public tranquility.
- 4.1.22 The allottee shall not commit any act of nuisance or annoyance for the adjoining or neighbouring allottees or allow the premises to be used for immoral or illegal purpose.
- 4.1.23 The allottee shall not construct any structure in or around the quarter allotted to him for the purpose of using it as a car or a scooter shed except with the permission of the Executive Engineer (Estate), who may permit the construction of a temporary structure for the purpose. When such a construction is permitted, it has to be done as per specification and at the location approved by the Executive Engineer (Estate) and the allottee will get it demolished at his/her (allottee's) expense at the end of the period of permission or within fifteen days of being asked to remove the structure. If the allottee does not remove the structure, the Executive Engineer (Estate) may demolish the structure and charge the allottee for the same.

at the expense of the allottee

4.2 : Period for which the allotment subsists and concessional periods for further retention

- 4.2.1 An allotment shall be effective from the date on which possession thereof is taken by the employee, and shall continue in force until:
- (a) the expiry of the concessional period permissible under Rule 4.2.2.
 - (b) it is cancelled by the Chairman of the Committee or is deemed to have been cancelled under any provision in these rules,
 - (c) it is surrendered by the employee, or
 - (d) the employee ceases to occupy the accommodation.

- 4.2.2 An accommodation allotted to an employee may, subject to Rule 4.2.3, be retained on the happening of any of the events specified in Table 4.1 for the period specified in column 3 thereof, and on the condition specified in column 4. Provided that, in case of Sr.No.1 of the said Table, retention of the quarter may be permitted by the Director for such period beyond one year as the Director may decide, if the accommodation is acquired for the use and occupation of the employee, and is, in fact, occupied by the employee or members of his family.
- 4.2.3 Where a quarter is retained under Rule 4.2.2, the allotment shall be deemed to be cancelled on the expiry of the concessional periods mentioned in Table 4.1.
- 4.2.4 An employee who has surrendered the quarter allotted to him while proceeding on, or during the period of leave/lien, may be allotted a quarter upto one month in advance of the expected date of his returning to duty in the Institute, on payment of license fee under Rule 4.3.1.
- 4.2.5 An employee may, at any time, surrender an allotment by giving notice so as to reach the Executive Engineer (Estate) at least ten days before the date of the vacation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the eleventh day after the day on which the letter is received by the Executive Engineer (Estate), or on the date specified in the letter, whichever is later. If he fails to give due notice, he shall be responsible for payment of license fee under Rule 4.3.1. for ten days or the number of days by which the notice given after the expiry of the concessional period for retention of accommodation allowed in the circumstances mentioned in Sr. No.1.6 and 7 of Table 4.1, or is given within such concessional period but expires after such concessional period, the licensee shall pay license fee equal to 4 times the rate of flat license fee for the period beyond the concessional period. Provided that the Director may accept notice of vacation for a shorter period, if he is satisfied that the prescribed period, if he is satisfied that the prescribed period could not be given owing to circumstances beyond the control of the allottee.

4.3 License Fee and other Charges

- 4.3.1 The allottee shall pay license fee during the subsistence of allotment for the allotted accommodation at the rate equal to flat license fee or at such percentage of his emoluments defined in F.R. 45-C of the Government of India, whichever is less.
- 4.3.2 The allottee shall pay water charges, electricity charges and such other charges like hire charges for furnitures and fixtures etc. as may be applicable to the particular accommodation, as decided by the Board from time to time.
- 4.3.3 The license fee and charges referred to in Rule 4.3.1 and 4.3.2 above are recoverable from the salary of the allottee when the salary is payable, or from any other amount due to him. Where no salary is payable, he/she shall remit the amount due to the Institute on receipt of the bill from the Institute Engineer, within such time as may be specified in the bill. If the amount due is not remitted for two successive months, the allotment is liable to be cancelled.

- 4.3.4 When after an allotment has been cancelled or deemed to have been cancelled under any provisions contained in these rules, the accommodation remains or has remained in occupation of the employee or of any person claiming through him, such employee shall pay damages for use and occupation of the accommodation equal to ten times the flat license fee and other applicable charges. Provided that an employee, as a special case may be allowed by the Director to retain an accommodation on payment of license fee equal to twice the rate of flat license fee for a period not exceeding six months in case of death, beyond the permissible period of retention under rule 4.2.2.
- 4.3.5 If the employee sublets an accommodation allotted to him or any portion thereof or any of the out houses or garages in contravention of these rules, he may, without prejudice to any other action that may be taken against him, including eviction, be charged enhanced license fee equal to ten times the flat license fee. Specific cases of violation will be dealt with as per the provisions of section 9 of these rules.
- 4.3.6 Employees mentioned in annexure-III, and as may be approved by the Board in future, shall be exempted from payment of license fee when provided with Institute accommodation. They shall, however, pay all other charges including the electricity and the water charges, furniture hire charges etc.
- 4.3.7 The Chairman Allotment Committee may temporarily allot any available accommodation to an employee or any recognised association or organisation of the campus for specific purposes like marriage, religious festivals etc. Similarly if accommodation in the Guest House is not available, the Chairman may allot Staff Hostel Rooms for temporarily accommodating guests of staff members. In all such cases the license fee to be charged will be four times the flat license fee for the quarter so allotted.
- 4.4 Change of accommodation**
- 4.4.1 The allottee in occupation of an Institute accommodation shall be eligible for one change of accommodation in the same type. For the purpose of this rule, any change that the employee might have availed of before 1st June 1989 will be ignored.
- 4.4.2 The change in the same type to quarter, if permissible under 4.4.1, may not be availed within one year from the first allotment.
- 4.4.3 Rejection of an allotment will not be counted as a change.
- 4.4.4 Notwithstanding the provisions of rule 4.4.2, an employee shall be eligible for a change of accommodation to another of same type, if there is a death of any member of the family residing with the allottee, provided the employee applies for such a change within three months of such an event. In such cases the allotment will be regulated by rule 6.4. This change will not be counted as a change for the purpose of rule 4.4.1. A subsequent regular change under 4.4.1 may however be availed only after one year from the date of such a change.

4.4.5 An allottee in occupation of a particular type of accommodation will normally be expected to move upward towards his entitlement. The Chairman of the committee may however permit a downward movement provided the employee is eligible for the type of quarter to which the employee intends to move. This will be permitted only in such cases where the employee is eligible for a change in the same type quarter as he is occupying under 4.4.1 and the downward movement will be counted towards this change.*

4.5 Co-sharing

4.5.1 No employee to whom a residence is allotted is permitted to sublet the same. The Director may permit such an employee to share a residence allotted to him with another employee or a student of the Institute for a period not exceeding one year and may renew the permission for a further period for periods as he may think necessary, each of such renewals not exceeding one year. Conditions for co-sharing are as set forth in the annexure to these rules. Casual guests and relations visiting the allottee for an period not exceeding one month and residing with the allottee will not be considered subletting for the purpose of these rules.

4.6 Garage

- 4.6.1 Only allottees of the Institute accommodate having a car for personal use and registered in his/her name and entitled for type A or type B quarters, are eligible for allotment of a garage.
- 4.6.2 Employees staying in type A quarters which have garages as integral part and those in quarters in buildings on stilts shall not be eligible for allotment of garages.
- 4.6.3 Allotment of a garage will be made according to the date of seniority mentioned in 4.6.4.
- 4.6.4 Date seniority for the purpose of allotment of a garage will be date of registration of the car in the application's or his/her spouse's name.
- 4.6.5 When the car is sold, the allottee shall have the option of retaining the garage for three months from the date of sale of the car. Beyond this period, the allotment shall stand cancelled. The fact of sale of car shall be communicated by the allottee to the Institute Engineer within a week of the sale.
- 4.6.6 If the applicant buys another car within less than one year from the date of sale of the previous car, the date of seniority will be according to the date of registration of the previous car, subject to clause 4.6.4 above.
- 4.6.7 The garage is meant for keeping the car and its associated equipment/tools, etc. It shall not be used to store any combustible material.

* Explanation : An employee who is occupying a type B quarter and is eligible for a change to another quarter in type B, may be allowed to move to a type C quarter. This movement will be treated as if he has availed of a change within the same type and no subsequent movement of the allottee either in type B or in type C will be permitted. The allottee may however move to type A, if he is entitled for the same. Similarly an employee occupying an H1 quarter may be permitted to move down to a H2 quarter provided he has not availed of a change in H1 and is eligible for H1 quarter under 3.2.1. He will subsequently not be eligible for any change of accommodation in these two types.

- 4.6.8 Procedure for allotment/occupation and rules for change in respect of garages will be the same as those for the residential accommodation.
- 4.6.9 License fee payable shall be as laid down by the Institute.

5. Accommodation Allotment Committee

- 5.1 There shall be two separate Accommodation Allotment Committee to be nominated by the Director to consider accommodation allotment in accordance with the provision of these rules, which shall be constituted as follows:

Committee I - for allotment of accommodation to Group A employees

- (i) A Professor ... Chairman
- (ii) Three Faculty members ... Members
- (iii) Two Group A non-faculty members ... Members
- (iv) Executive Engineer (Estate) ... Member-Secretary (*Ex-Officio*)

Committee II - for allotment of accommodation to Group B,C and D employees

- (i) A Professor ... Chairman
- (ii) A Faculty member ... Member
- (iii) Three non-faculty members ... Members
- (iv) Executive Engineer(Estate) ... Member-Secretary (*Ex-Officio*)

The Executive Engineer (Estate) will be the *ex officio* member secretary of both the committees. Whenever he is on leave or if the position of Executive Engineer (Estate) is vacant for any reason, the Director may designate any officer of Group A associated with Estate office to be the member secretary of the committees. In such a case all references to Executive Engineer (Estate) in these rules will be deemed to have been replaced by such designated officer.

The Committees shall meet as often as necessary, subject to a minimum of one meeting every three months.

- 5.2 The Chairman for both the Committees shall be the same person; the tenure of the Committees shall be three years. The Chairman, and the members, may be renominated. The Chairman may, with the approval of the Director, assign part of his duties a member of the Committee.

5.3 Functions of the Committees:

- (i) to overview the working of the allotment procedure and to supplement the procedure as may be necessary.
- (ii) to consider requests for out-of-turn allotment and then make suitable recommendations to the Chairman of the Committee/Director in appropriate cases.
- (iii) to make suitable recommendations in case of any unusual problems related to accommodation.

5.4 Functions of the Chairman

- (i) to make allotments in accordance with the provision of these rules.
- (ii) to preside over the meetings of the Committees.
- (iii) to advise the Director on such matters relating to allotment, etc., as may be referred to him by the Director.

5.5 Function of the Secretary:

- (i) The secretary will carry out all administrative work connected with allotment and cancellation and matters incidental thereto as laid down in these rules, and as may be decided by the Committee and the Director.
- (ii) He will convene, under instructions from the Chairman, the meetings of the committee and attend to all related matters, including writing the minutes of the meetings. He will place before every ordinary meeting of the Committee, a report on the allotment that have been made after the last meeting of the Committee.
- (iii) He shall carry out such other functions as may be assigned to him by the Director/Chairman.

6. Out-of-turn-Allotment

Out-of-turn allotment may be made by the Chairman of the Allotment Committee to new faculty members or visiting faculty members (as read with 3.5.1) and other Group A officers as per procedure laid down in (6.1.1-6.1.3). In addition, the Director, suo moto or on the recommendation of the committee may allot out-of-turn accommodation to employees on functional grounds, in accordance with the provisions as may be laid down by the Board from time to time. Out-of-turn allotment may be made by the committee under the special circumstances mentioned in rules 6.2.1 and 6.4.

- 6.1.1 The Chairman Allotment Committee, on instructions from the Director, may freeze the allotment of a quarter or a group of quarters for a period upto three months in anticipation of requirement from faculty members/other officers who might be expected to join the institute.
- 6.1.2 A new faculty member (permanent or visiting)/Group A officer desirous of availing an out-of-turn allotment must apply for the same within three months of his/her joining the Institute's employment provided that such applications will be accepted only once during the three - month period.
- 6.1.3 If the faculty member has been appointed as an Associate Professor or an Assistant Professor or an Officer in a grade the minimum of which is Rs.2200 or above, he/she will be allotted a type D/Staff Hostel flat that may become available* after receipt of the application. The allotment of available accommodation for this purpose will be made strictly on first-come basis as per provisions of rule 3.5.4
- 6.1.4 If the applicant is a Professor or an officer in a grade the minimum of which is Rs.5100 or above, he/she will be allotted a type C quarter that may become available (*) after receipt of his/her application. Pending availability of such a quarter, he/she may be allotted a type D/Staff Hostel flat, if it is so desired by the applicant and if such a quarter becomes available(*).
- 6.2.1 In exceptional cases, an employee may apply to the committee for out-of-turn allotment (either fresh or by way of change) on medical grounds. All such applications will be considered by the Committee in its regular meetings and the

* Note : A vacancy that has already been announced and for which the allotment process has been initiated by inviting applications will not be considered as available for the purpose of 6.1.3, 6.1.4 and 6.4.

decision of the Committee communicated to the applicant. In case the Committee approves the application, such allotment may be made for a quarter which is one type lower than the entitlement of the employee (excepting where the entitlement is for type I, in which case the allotment may be for type I) in case of fresh allotment.

- 6.2.2 If the employee feels aggrieved, at his/her application for allotment under rule (6.2.1) being rejected by the Committee, he/she may appeal to the Director against this, and the decision of the Director will be final in this matter.
- 6.3 Out-of-turn allotment made under rules 6.1.1-6.2.1 may be for a quarter which is one type lower than the type to which a staff member is eligible, excepting in case where the entitlement is type I, in which case the allotment will be for type I or equivalent quarter.
- 6.4 An employee may be given an out-of-turn allotment of a quarter of the same type as he is occupying in the circumstances mentioned in 4.4.4 (death in the family). The employee will be allotted a quarter that might become available(*) after the receipt of application form the employee. Such application will be accepted only once during the three-month period after a death. The employee may reject the quarter offered to him without any penalty.
- 6.5 An employee who is entitled to a license fee free accommodation (see annexure III) may be allotted a quarter out-of-turn. Normally, such an employee will be allotted a quarter of the lowest type to which he/she is eligible. The Director may however approve the allotment of a higher type of quarter in such cases upto and including the quarter of the entitlement of the employee.
- 6.6 The Director may approve two quarters every year on functional grounds. For the purpose of such allotment the committees will examine requests from Heads and In charges of Departments, Centres, Sections and administrative units and forward their recommendations to the Director. The Director may approve quarters to staff members from the list recommended by the committees. These allotments will be in addition to any allotment that may be approved by the Director under rule 13. The 'year' for the purpose of this rule will be from 1st June of any calender year to 31st May of the following year.

7. Ad-hoc Allotments

7.1 Concession of allotment of quarters to dependents on retirement

When an employee in occupation of Institute accommodation retires after a continuous service of at least 15 years, his/her spouse, son or daughter, as the case may be, may be allotted Institute accommodation on an ad-hoc-basis, if he/she satisfies the conditions:

(i) He/she should be eligible for allotment of Institute accommodation for at least 5 years immediately preceding the date of retirement of the allottee.

(ii) He/she should have resided continuously for the previous three years or more with the retiring/retired employee, and should not have been drawing HRA, while so residing.

(iii) He/she should have made an application either before the date of retirement of the allottee, or within two months thereof.

7.2 Concession of allotment of quarters to a dependent of an Institute employee who has died while in service

When an Institute's employee in occupation of Institute accommodation dies while in service, his/her spouse, son or daughter may be allotted accommodation on an ad-hoc-basis as in the case of retirement, with following modification:

(i) The dependent employee should have resided with the deceased employee for at least six months immediately before his/her death.

(ii) The eligible dependent should be eligible for the Institute accommodation.

(iii) If the eligible dependent is not employed at the time of death of the Institute employee, he/she should have got an employment in the Institute making him/her eligible for any type of accommodation within the concessional period allowed as per Rule 4.2.2 from the date of death.

7.3 The eligible dependent under Rules 7.1 and 7.2 shall be allotted accommodation of one type lower than the type of his/her eligibility provided that, in no case except otherwise specified, shall allotment be made in a higher type of accommodation than the one in occupation of the retiring/retired, deceased employee. Provided further that, if the eligible dependent is eligible for H2 type quarters, he/she shall be eligible for being allotted accommodation in a quarter of that type, even if the retiring/retired/deceased employee was in occupation of type I quarter. If, however, the eligible dependent has applied for a type I quarter, he/she may be allotted a quarter of that type.

7.4 Notwithstanding anything contained in Rule 7.3, if the eligible dependent becomes or has become eligible for a higher type of quarter than the one allotted to him/her on an ad-hoc basis, he/she shall, on an application made by him/her on that basis, be included in a seniority list prepared for allotment of a quarter of his/her eligibility, and shall be considered for allotment of that quarter in accordance with his/her seniority.

8. **Authorization by employee in matters related to accommodation**

If circumstances so warrant, an employee may, through a proper letter of authorization, authorized another employee or a member of his/her family, to act on his/her behalf in matters related to accommodation, including

- (i) receiving and responding to exploratory circulars,
- (ii) receiving the letter of allotment and accepting the allotment, and
- (iii) taking/handing over possession of the allotted accommodation from/to the Executive Engineer (Estate) or his representative.

In such an event, the Institute shall not be responsible for the consequences, if any, on account of such authorization, the responsibility for which shall rest solely with the employee.

9. **Consequences of breach of rules and conditions**

9.1 If an employee to whom a residence has been allotted:

- (a) unauthorizably sublets/shares the residence, wholly or partly, or
- (b) charges license fee from the sharer at a rate which the Director consider excessive, or

- (c) creates any unauthorized structure in any part of the residence, or
- (d) uses the residence or any portion thereof for any purpose other than for which it is meant, or
- (e) tampers with the electrical or water connections, or
- (f) commits any other breach of rules or violates any of the terms and conditions of allotments, or
- (h) conducts himself in a manner which, in the opinion of the Director, is prejudicial to the maintenance of harmonious relations with high/neighbours, or
- (i) has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment,

the Director may, without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the residence. For the purpose of this sub-rule, the expression "employee" includes, unless the context otherwise requires, a member of his family and any person claiming through him.

9.2 Where action to cancel the allotment is taken on account of unauthorized sub-letting or an authorised sharing of the premises by the allottee, penalty as prescribed in the following table will be imposed on the employee.

Sr. No.	Nature of unauthorised occupancy	Action to be taken
1.	The allottee has completely sub-let the Institute quarter and does not stay in the quarter.	<ul style="list-style-type: none"> (i) Removal of unauthorised outsiders immediately (ii) Vacation of quarter by the allottee (iii) Disciplinary action against the allottee for misconduct as per rules.
2.	Allottee staying in the quarter with outsider(s).	<ul style="list-style-type: none"> (i) Removal of unauthorised outsider(s) immediately (ii) Vacation of quarter by the allottee (iii) Forfeiture of seniority by 10 years for the purpose of next allotment of quarter. (iv) Recovery of license fee at market rate from the date of allotment or charging license fee at 10 times the flat license fee that was being paid by the allottee at the time of checking the quarter at the discretion of the Director

Sr. No.	Nature of unauthorised occupancy	Action to be taken
3.	Allottee not residing in the quarter and allowing other Institute employee(s) to stay in the quarter without permission.	<ul style="list-style-type: none"> (i) Removal of Institute employee staying unauthorisedly (ii) Recovery of HRA from the Institute employee staying unauthorisedly from the date of allotment of quarter to allottee or from the date of the appointment of the said employee, whichever is later. (iii) Charging of license fee at 5 times the flat license fee from the date of allotment from the allottee. (iv) vacation of the quarter and debarring the allottee from future allotment for 5 years.
4.	Allottee residing in the quarter and allowing other Institute employee(s) to stay in the quarter without permission.	<ul style="list-style-type: none"> (i) Warning to the Allottee. (ii) Recovery of HRA from the Institute employee staying unauthorisedly from the date of allotment of quarter to the allottee or from the date of appointment of the said employee whichever is later. (iii) Debarring the sharer from future allotment for 5 years.
5.	Authorised sharer of quarter with an allottee over-staying permitted period.	<ul style="list-style-type: none"> (i) Warning to the Principal allottee. (ii) Over-staying sharer to loose HRA for six months and to be debarred from allotment of accommodation for 2 years from the date of order to this effect.

9.3 The Director shall be competent to take all or any of the actions under rules 9.1 and 9.2.

9.4 Where the allotment of residence is cancelled for conduct prejudicial to maintenance of harmonious relations with neighbours, the employee at the discretion of the Director may be allotted another residence of the same type in another location.

10 Authority competent to take action under these rules

The Director shall be competent to take any action under these rules. He may delegate any or all of the powers vested in him to any officer of the Institute. The Chairman of the Allotment Committees shall be competent to take action in respect of matters on which he is specifically authorised by these rules, but the Director will have over-riding power in all such cases.

11 Matters not covered

Matters not covered by these rules shall be referred to the Board for decision.

12 Interpretation of Rules

If any question arises as to the interpretation of these rules, it shall be decided by the Director/Board.

13 Discretionary allotments by the Director

The Director shall have the discretionary power to allot upto four quarters/flatlets in a year to employees of the Institute, as may be considered necessary by him. For this purpose the 'year' will mean from 1st June of any calendar year to 31st may of the following year.

14 Relaxation of the Rules

The Board may, for reasons to be recorded, relax any or all the provisions of these rules in the case of any employee or class of officers or type of accommodation

Table 4.1
(vide Rule 4.12.2)

CONCESSIONAL PERIOD FOR WHICH ACCOMMODATION MAY BE RETAINED

Sr. No.	Event	Permitted Period	Condition
1.	On proceeding to take up employment elsewhere with the permission of appropriate authority by retaining lien on his/her post or with extra-ordinary leave.	one year	
2.	Vacation and Leave of all type including extra-ordinary leave	full Period	
3.	Deputation/Training	full period	
4.	Proceeding elsewhere under approved faculty exchange programme	full period	
5.	Death of the allottee	6 months	The accommodation is required for bonafide use of the members of the family and is in fact occupied by them.
6.	Retirement	4 months*	same as above
7.	Resignation, dismissal removal or termination of service	1 month	same as above

In case of voluntary retirement: see the elaboration given in a ~~enclosed~~ *file*.

* In case of faculty members re-hired after the date of superannuation, this period will be reckoned from the date of completion of such rehiring period.

LIST OF CLOSE RELATIVES REFERRED TO IN RULE 2.13

1. Sons, daughters, father, mother, brothers, sisters, grand father, grand mother, grand sons and grand daughters.
2. Uncles, aunts, first cousins, nephews, nieces, directly related by blood to the allottee.
3. Father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law and daughter-in-law.
4. Relationship established by legal adoption.

PROCEDURE FOR ALLOTMENT OF ACCOMMODATION

(under Rule 3.5)

1. An employee desirous of Institute accommodation shall apply in Form No. AA-1 (copy available with the Executive Engineer (Estate)).
2. The Estate Office shall maintain and update a data base of employees entitled to various types of quarters. In case of doubt or in case the data base entry is insufficient, the Executive Engineer (Estate) will have the particulars of the application verified by the administration section.
3. Seniority list of employees who have applied for a fresh allotment and for change of accommodation shall be maintained by the Executive Engineer (Estate) for each type of quarter.
4. A list of quarter in respect of which notice under Rule 4.2.5 has been received by the Executive Engineer (Estate) till the last working day of week, shall be placed on the Notice Board of the Estate Office on the first working day of the following week. Copies of this list shall also be sent to all Departments/Sections for being put up on their respective notice boards. The last date for responding to such an announcement shall be the tenth day from the date of announcement. If the due date falls on a holiday, the last day shall be the next working day. The Chairman Allotment Committee may authorise the Executive Engineer (Estate) to issue vacancy notifications on days other than mentioned above and may also reduce the period for responding to a circular, if in his opinion this is required for the more efficient allotment.
5. All employees desirous of being considered for the notified quarters by way of fresh allotment or by way of change, shall write to the Executive Engineer (Estate) indicating the order of their preference on or before the last date indicated in the notice of vacancy. Where the order of preference is not given, the applicant may be allotted such quarter as may be decided by the Chairman/committee.
6. After the last date for responding to the circular, the Executive Engineer (Estate) shall prepare a list of all applicants arranged in order of seniority. This statement shall be made available in the Estate Office for inspection by the Committee members for three days from the date of intimation to that effect to be sent by the Executive Engineer to the Committee member, after which it shall be sent to the Chairman of the Committee for his approval of the proposal for allotment, provided that the Committee for efficiency of allotment may waive the inspection or reduce the period of inspection. In case the employee to whom the quarter is allotted rejects the allotment, the quarter will be allotted to the next person on the list. The list will be kept operative for a period of one month after the first allotment for the operation of waiting list. Provided that rejections will not be considered as fresh vacancies for the purpose of 3.5.3.
7. Upon getting the approval of the Chairman, the Executive Engineer shall issue a formal letter of allotment in duplicate in Form No. AA-4 (copy available with the Estate Office).

8.33

8. The allottee shall return the duplicate copy of the letter of allotment duly signed, indicating his acceptance or otherwise within five days from the date of receipt of the same and take possession of the quarter within eight days from the date of receipt of the letter of allotment.

Annexure-III

LIST OF EMPLOYEES EXEMPTED FORM PAYMENT OF LICENSE FEE
(vide Rule 4.3.6)

1. Deputy Director
2. Registrar
3. Public Relations Officer
4. Senior Medical Officer
5. Medical Officers
6. Security Officer
7. Dy. Security Officers
8. Assistant Security Officers
9. Wardens and Associate Wardens of Students Hostels and Chairman, Hostel wardens Council
10. Chairman (Sports) and Chairman (Cultural Affairs) of Student's Gymkhana
11. Faculty Adviser for SC/ST students
12. Faculty Adviser for Foreign students
13. P.A. to the Director
14. Guest House Manager
15. Sister-in-Charge IIT Hospital

Annexure-IV

CONDITIONS FOR GRANT OF PERMISSION FOR SHARING OF ACCOMMODATION
(Vide Rule 4.5)

1. The sharing arrangement will be valid for such period as the Director may consider necessary, not exceeding one year at a time from the date of issue of permission irrespective of the date on which the sharer starts staying with the allottee.
2. The allottee, while sharing the accommodation, should ensure that he, while on duty, or his family actually stays with the sharer. In case of default, it will be construed that he is not in need of accommodation and the allotment of quarter will be liable to be cancelled besides any other suitable action being taken for breach of the conditions.
3. The licence fee payable to the Institute by the allottee shall be the licence fee payable by him if he had not shared the residence or the licence fee payable by the sharer if the residence had been allotted to him direct by the Institute, whichever is higher.
NOTE: This condition is not applicable where students are permitted to reside with the allottees.
4. The licence fee payable by the sharer shall not, except with the previous sanction of the Director, exceed the licence fee payable to the Institute by the allottee.
5. The allottee will pay water charges at double the rate chargeable for the quarter located in the same building.
6. The allottee shall remain personally responsible for the licence fee and for any damage caused to the residence beyond fair, wear and tear.
7. The permission for sharing arrangement shall lapse on the day on which the allottee ceases to be the employee of the Institute or if, for any reason, is required to vacate the quarter, if that date be earlier than the date of expiry of the permission.
8. The allottee when vacating the quarter should hand over clear and vacant possession of the quarter to the Institute. In no case, a quarter with a sharer residing inside will be treated as quarter having been vacated by the allottee.
9. The sharer will stay in the quarter at the pleasure of the allottee and will be required to vacate the said quarter as and when desired by the allottee.
10. The total number of persons residing in the quarter should not in any case exceed the number of persons mentioned in the declarations made both by the allottee and the sharer and should not ordinarily exceed eight in all excluding casual guests visiting the allottee and residing with him in the quarter, for not more than one month.
11. It will be the allottee's responsibility to see that the sharer adheres to all the conditions mentioned above.
12. Prior permission for sharing arrangement shall be obtained by the Principal allottee and co-sharer by making an application.
13. If the sharer does not vacate the quarter at the end of the period for which the sharing is permitted, disciplinary action against both the allottee and the sharer will be taken as per the provision of Rule 9.2.