

Explanation – In the case of an officer who is under suspension, the emoluments drawn by him on the first day of the allotment year in which he is placed under suspension, or if he is placed under suspension on the first day of the allotment year, the emoluments drawn by him immediately before that date shall be taken as emoluments.

- (f) Family means the wife or husband, as the case may be, and children step children legally adopted children, parents brothers or sisters who ordinarily reside with and are dependent on the officer.
- (g) Government means the Central Government.
- (h) Head of Department in relation to other and other staff employed in the Department of Income-Tax, Customs, Central Excise, _____ Directorate of Inspection and other Directorates, means the Commissioner of Income-Tax, Collector of Customs, Collector Central Excise, Narcotics Commissioner and Director in the concerned Department of Directorate.

Provided that in relation to officers and other staff employed in the Income-Tax Department in Bombay and Calcutta, the Commissioner of Income-Tax, Bombay City-I and the Commissioner of Income-Tax, West Bengal shall respectively by the Head of Department.

- (i) Post means a post in the offices under the control of the Department of Revenue and Company Law.
- (j) Qualified officers means as officer who is eligible for allotment of that class of residence which is admissible him under S.R.317-P-3 and is required to reside on duty at the station the residence is situated.
- (k) Rent means the sum of money payable monthly in accordance with the provisions of the Fundamental Rules in respect of a residence allotted under these rules.
- (l) Residence means a residence to which these rules apply.
- (m) Subletting includes sharing of accommodation by an allottee with another persons with or without payment of rent by such other persons, but does not include a casual guest.

Explanation – Any sharing of accommodation by an allottee with close relations shall not be deemed to be subletting.

- (a) Temporary transfer means a transfer which involves an absence for period not exceeding four months.

S.R. 317-P-3 Classification of residence – Save as otherwise provided by _____ Rules, an officer will be eligible for allotment of a residence of the class shown in the table below:-

Class of	Monthly emoluments of officer on the first day of the allotment year in which he allotment is made.
I	Less than Rs.110
II	Less than Rs.250 but not less than Rs.110
III	Less than Rs.400 but not less than Rs.250
IV	Less than Rs.700 But not less than Rs.400
V	Less than Rs.1300 by not less than Rs.700
VI	Less than Rs.2250 but not less than Rs.1300
VII	Rs.2250 and above

S.R. 317-P-4- Application for allotment – Every officer who is desiring to have an allotment or continued, under these rules, shall, in addition to his first application in this behalf which shall be made within one month of reporting for duty at a particular station, submit an application every year in the manner prescribed in Schedule 'A' to the head of the Department so as to reach him not later than 1st March every year.

S.R. 317-P-5-Allotment-

- (1) A residence shall be allotted to a qualified officer eligible for each class of residence by the Head of the Department on the basis of application in the order of seniority determined in accordance with S.R.317-P-5. The Head of the Department will maintain a list in respect of each class of residence.
- (2) The holder of a temporary post, to whom a residence is allotted shall revert to a lower class of residence as soon as one can be made available for him, if he is at any time reverted to a lower posts not entitling him to the class of residence allotted and this shall be annexures condition of the allotment.
- (3) When there are not sufficient qualified officers for a residence, the Head of the Department may allot the residence to an officer qualified for the next lower class. But when the number of residence of a particular class is less than the number of officers eligible and the accommodation of a lower class is available, the officers shall be offered the lower class of accommodation.
- (4) The Head of the Department may cancel the existing allotment of an officer and allot to him an alternative residence of the same class or in emergent circumstances an alternative residence of the class next below the class of residence in occupation of the officer, if the residence in occupation of the officer is required to be vacated.
- (5) A vacant residence made in addition to allotment to an officer under sub-rule () he offered simultaneously to other eligible officers in order of their _____.

S.R.317-P-6- Out of turn allotments – Notwithstanding the provision of S.R.317-P-5, allotment of a residence may be made by the Head of the Department on cut-of-turn basis to an officer on grounds of serious illness of self or a member of his family, in consultation, if considered necessary, with the prescribed medical authority. In such cases, the allotment will be made according to the actual dates of receipt of the out-of-turn application.

S.R.317-P-7- Compulsory allotment occupation and payment of rent in respect of residences specially constructed or leased for the holders of certain specified posts-whenver a suitable residence has

been constructed or leased by the Government for the incumbents of certain specified posts at specified station or stations, the allotment thereof shall solely be governed by the provisions S.R.311 to 317.

S.R.317-P-8 Determination of Seniority- The seniority of qualified officers whether holding a permanent or temporary at for the _____ prescribed for each class of residence under these rules:

Provided that if two or more officers have the same seniority, seniority among them shall be determined by the amount of emoluments: higher emoluments taking precedence over the emoluments next below, or where emoluments are equal by the period for which those emoluments have been drawn in the post held by such officer at the time of application, the longer period taking precedence over the period under below, when seniority and emoluments are the same, allotment will be made by drawn of lots.

S.R.317-P-9- Drawl of House rent allowance in certain specified cases –

- (1) When a Government servant intimates the allotting authority that he is not interested in the allotment of Government accommodation before an after of allotment is made house rent allowance may be allowed under special orders of the Head of the Department. If there are other similarly eligible officers willing to accept the allotment. If the allotment is refused after formal officer, house rent allowance may be restored. If otherwise eligible after six months from the date of allotment provided other similarly qualified officers have accepted the accommodation and no accommodation is available for further allotment.
- (2) Notwithstanding anything certain in (1) above in Delhi, Calcutta and Bombay, house rent allowance may be allowed under the specific orders of the Head of the Department even in cases of refusal of allotment, provided no accommodation remains vacant. In cases of doubt, the matter may be referred to the Government of India for clarification whose decision thereon shall be final.

S.R.317-P-10 Ineligibility of officers owning houses for allotment under these rule-

- (1) No officer shall be eligible for allotment of Government accommodation under these rules or if he is already in occupation of such accommodation to continued relation if-
 - (a) He owns, or has, since the allotment of Government accommodation become the owner in full or in part whether in his own name or in the name of any other person, of a house in Delhi which is located within sixteen kilometers of the place of his duty and in other stations is located within municipal limits and in which is can in the opinion of the Government, reside consistently with his official position or
 - (b) his wife or anuy dependent child owns, or has, since the allotment of Government accommodation become the owner in full or in part of a house in Delhi and New Delhi which is located within sixteen kilometers of the place of his duty and in other stations located within municipal limits and in which he can in the opinion of the Government, reside consistently with his official position or
 - (c) his father, mother or any other dependent station owns, or has, since the allotment of Government accommodation, become the owner of a house in Delhi and New Delhi

which is located within sixteen kilometers of the place other duty and in other stations is located within municipal limits and in which he can, in the opinion of the Government reside consistently with his official position and without under inconvenience wither to himself or to the owner thereof.

- (2) Any officer who on any date (hereinafter in these rules referred to as relevant date) subsequent to the date of his making application for allotment of Government accommodation or subsequent to the date of the allotment of Government accommodation becomes ineligible for such allotment under clause (a) or clause (b) or clause (c) of sub-rule (1), shall notify the fact to the Head of the Department within a period of seven days of the relevant date. In the event of the officer's failure to so notify him, the Head of the Department may reject the application for allotment or, if an allotment has already been sanctioned, cancel such allotment which effect from the relevant date and require the officer to vacate the government accommodation forthwith.
- (3) Notwithstanding anything contained in sub-rule (1)(2) above, the Government may allot or re-allot Government accommodation to an officer if:-
 - (a) the house owned by him, his wife, any dependent child or by his father, mother or any other dependent relation has been requisitioned by Government or
 - (b) it is proved to the satisfaction of the Government that such house was given out on lease:
 - (i) before the posting of the officer to Delhi and New Delhi and at any other station of duty; or
 - (ii) before the acquisition of such house by him, his wife, any dependent child or by his father, mother or any other dependent relation; or
 - (iii) before 24th December, 1955; or
 - (iv) with the express approval of the Government of India, and the government is satisfied that it is not possible for the lessor for reasons beyond his control to obtain vacant possession of the house.
- (4) Where any Government accommodation has been allotted or re-allotted to an officer under sub-rule (3) the officer shall be liable with effect from the date specified in the order of allotment or re-allotment, to pay standard rent under Fundamental Rule 45-B or standard rent under F.R.45A plus 33-1/3 per cent thereof or pooled standard rent under F.R.45-A plus 33-1/3 per cent thereof where the rents have been pooled or ten per cent of his emoluments, whichever is the highest, for so long as he or his wife or any dependent child or his father or mother of any other dependent relation, as the case may be, is unable to obtain vacant possession of the house.
- (5) If at any time it appears to the Government that no efforts have been made to obtain vacant possession of the house, it shall be open to the Government to give suitable directions as to the steps to be taken to obtain vacant possession of the house, and if such directions are not forthwith, or charge rent for Government accommodation of India decision (2) below Fundamental Rule 45-B or twice the standard rent under F.R. 45-A or twice the pooled standard rent under F. 45-A where rents have been pooled or 15 percent of his emoluments, whichever is the highest.

- (6) The allotment of an officer to whom the provisions of clause (a) or (b) or (c) of sub-rule (1) apply and in whose case the house was let out on or after the 24th December, 1955 and before the 29th April, 1957, shall be cancelled with effect from the date specified in the order of cancellation. It shall however, be open to the Government to allot or re-allot Government accommodation to the officer on payment of rent under Government of India decision (2) below Fundamental Rule 45-B or twice the standard rent under F.R. 45-A or twice the pooled standard rent under F.R. 45-A, where the rents have been pooled or 15 percent of emoluments whichever is the highest.

S.R.317-P-11-non-acceptance of allotment or offer or failure to occupy the allotted residence after acceptance -

- (1) If an officer fails to accept the allotment of a residence within five days or fails to take possession of that residence after acceptance within eight days from the date of receipt of the letter of allotment he shall be eligible for another allotment for a period of one year from the date of the allotment letter:
- (2) If an officer occupying a lower class of residence is allotted or offered a residence of the class for which he is eligible under S.R.317-P-3, he, may on 7 of the said allotment or offer of allotment be permitted to continue in previously allotted residence on the following conditions, namely:-
- (a) That such an officer shall not be eligible for another allotment for a period of six months from the date of the allotment, letter for the higher class accommodation.
- (b) While retaining the existing residence he shall be charged the same rent which he would have had to pay under F.R. 45-A in respect of the residence so allotted or offered or the rent payable in respect of the residence already in his occupation, whichever is higher.

S.R. 317-P-12- Period for which allotment subsists and the concessional period for further retention-

- (1). An allotment shall be effective from the date on which it is accepted by the officer and shall continue in force until:-
- (a) The expiry of the concessional period permissible under sub-rule (2) after the officer ceases to be on duty at the particular station;
- (b) It is cancelled by the Head of the Department or is deemed to have been cancelled under any provision in these rules;
- (c) It is surrendered by the officer, or
- (d) The officer ceases to occupy the residence.
- (2) A residence allotted to an officer may, subject to sub-rule (3), be retained on the happening of any of the events specified in column 1 of the Table below for the period specified in the corresponding entry in column 2 thereof, provided that the residence is required for the bonafide use of the officer or members of his family:-

Events	Permissible period for retention of the residence.
(i) Resignation, dismissal, removal or termination of service.	1 month
(ii) Retirement of terminal leave.	2 months.
(iii) Death of the allottee.	4 months.
(iv) Transfer to a place outside the station of allotment of residence.	2 months.
(v) On proceeding on foreign service in India.	2 months.
(vi) Temporary transfer in India or transfer to a place outside India.	
(vii) Leave (Other than leave preparatory to retirement refused leave, terminal leave, medical leave or study leave).	For the period of leave but not exceeding 4 months
(viii) Leave preparatory to retirement or refused leave granted under F.R.86.	For the full period of leave on full average pay subject to a maximum of 4 months, inclusive of the period permissible in the case of retirement.
(ix) Study leave or deputation outside India.	For the period of leave, but not exceeding 6 months.
(x) Study leave in India.	For the period of leave, but not exceeding 6 months.
(xi) Leave on medical ground (other than T.B. leave).	For the period of leave, but not exceeding 8 months.
(xii) Medical leave on grounds of T.B.	For the full period of leave.
(xiii) On proceeding on training.	For the full period of training.

Explanation – The period permissible on transfer mentioned against items (iv), (v), (vi), and (vii) shall count from the date of relinquishing charge plus the period of leave, if any, sanctioned to and availed of by the officer before joining duty at the new office.

- (3) Where a residence is retained under sub-rule (2) the allotment shall be deemed to be cancelled on the expiry of the admissible concessional unless immediately on the expiry thereof the officer resumes duty at a place where a residence had been allotted to him.
- (4) An officer who had retained the residence by virtue of the concession under the item (i) or item (ii) of the Table below sub-rule (2) shall, on re-employment in the same station within the period specified in the said Table, be entitled to retain that residence and he shall also be eligible for any further allotment of residence under these rules

Provided that if the emoluments of the officer on such re-employment do not entitle him to the class of residence occupied by him, he shall be allotted a lower class of residence. S.R.317-)-13-Surrender of Residence – An officer may at any time surrender an allotment made to him under these rules other than an allotment to which provision of S.R.317-P-7 apply, and if he does so;

- (a) he shall not retain any that on the particular residence allotment to him.
- (b) He shall give a written notice of his intention of surrendering the residence at least 10 days before the date of vacation of the residence. If he fails to do so rent for 10 days or for the period by which it falls short of ten days shall be charged.
- (c) he shall not draw any house rent allowance unless specifically sanctioned by Government.

S.R.317-P-14- Subletting and sharing of residences –

- (1) No officer shall share the residence allotted to him or any of the out-houses, garages and stables appurtenant thereto, except with the employees of the Central Government eligible for allotment of residences under these rules. The servants' quarters, out-houses, garages and stables may be used only for the bona fide purposes, including residence of the servants of the allottee or for such other purposes as may be permitted by the Head of the Department.
- (2) No officer shall sublet the whole of his residence.
Provided that an officer proceeding on leave, may accommodate in the residence any other officer eligible to share Government accommodation, as a caretaker, for the period specified in sub-rule (2) of S.R.317-P-12, but not exceeding six months.
- (3) Any officer who shares or sublets his residence shall do so at his own risk and responsibility and shall remain personally responsible for any rent payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by Government beyond fair wear and tear.

S.R.317-P-15- Provision relating to rent –

- (1) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for rent shall commence from the date of occupation or the eighth day from the date of receipt of the allotment, whichever is earlier.
- (2) An officer who after acceptance, fails to take possession of that accommodation within eight days from the date of receipt of the allotment letter shall be charged rent from such date upto a period of one month or up to the date of re-allotment of that particular accommodation whichever is earlier.

S.R.317-P-16- Allottee's responsibility to the damage to the residence, further etc., - an officer to whom a residence has been allotted shall be personally responsible for the rent thereof and for any damage, beyond fair wear and tear caused thereto or to the furniture fixtures or fittings or services provided therein by Government during the period for which residence has been or remains allotted to him, or, where the allotment has been cancelled under any of the provisions of these rules, until the residence along with the out-houses appurtenant thereto has been vacated and full vacant possession, thereof has been restored to Government.

S.R.317-P-17- Surety bond to be executed by temporary Government Servants – Where the officer to whom a residence has been allotted is a temporary Government servant, he shall furnish a surety bond in the form specified in Schedule 'B' of these rules with a surety who shall be permanent Government servant serving under the central Government for due payment of all rent and charges payable by him. In respect of such residence. If the surety to & dies, retires from becomes involvent or _____ to be available for any other reason, the officer shall furnish another surety to the bond within ten days from the date such an event comes to his knowledge, and if he fails to do so, the allotment of the residence shall, be canceled unless otherwise decided by the head of the Department.

S.R.317-P-18- Inventory of the furniture and fittings – An officer to whom a residence has been allotted shall be required when he enters into occupation of and when he vacates the residence, to sign an inventory of the furniture and fittings.

S.R.317-P-19- Trees or shrubs not to be out down- An officer to whom a residence has been allotted shall not permit trees or shrubs in the premises to be cut down or lopped, save with the permission of the Head of the Department.

S.R.317-P-20- Consequences of breach of rules and conditions – (1) If an officer to whom a residence has been allotted, unauthorisedly shrubs the residence or changes rent from the sharer at a rate which the Head of the department considers excessive or creates any unauthorized structure in any part of the residence or, uses the residence or any portion thereof for any purposes other than for which it is meant or tampers with the electric or water connection or commits any other breach of the rules or of the terms and conditions of the allotment or uses the residence or premises or promises or permits or suffers the residence or premises to be used for any purposes which the head of the department considers to be improper or conducts himself in a manner which in his opinion is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished the correct information in my

application or written statement with a view to securing the allotment, the head of the Department may without prejudice to any other disciplinary action that may be taken against him, cancel the allotment of the residence.

Explanation - In this sub-rules, the expression 'officer' includes, unless the context otherwise requires a member of his family and any person claiming through the officer.

- (2) If the officer has failed to notify to the Head of the Department as provided in S.R.317-P-10 or while so notifying has in any application or statement suppressed any material fact, the Head of the Department may cancel the allotment with effect from the date he became eligible or allotment of government accommodation under the said rule.
- (3) If an officer sublets a residence allotted to him or any portion thereof or any of the out houses, garages or stables appurtenant thereto in contravention of the of these rules he may, without prejudice to any other action that may be taken against him, be charged enhanced rent not exceeding four items the standard rent under F.R.45-A. The quantum of rent to be recovered and the period for which the same may be recovered in each case will be decided by Head of the Department or merits. In addition, the officer may be debarred from sharing the residence for a specified period in future as may be decided by the Head of the Department.
- (4) Where action to cancel the allotment is taken on account of unauthorized subletting of the premises by the allottee, a period of sixty days shall be allowed to the allottee and any other person residing with him therein to vacate the premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of sixty days from the date of the orders for the cancellation of the allotment, whichever is earlier.
- (5) Where the allotment of a residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with neighbours, the officer at the discretion of the Head of the Department may be allotted another residence in the same class at any other place.
- (6) The Head of the Department shall be competent to take all or any of the actions under sub-rules (1) to (5) of this rule and also to declare the officer, who commits a breach of the rules and instructions issued to him, to be ineligible for allotment of residential accommodation for a period not exceeding three years.

S.R. 317-P-21 - Overstay in residence after cancellation of allotment - Where, after an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains or has remained in occupation of the officer to whom it was allotted or of any person claiming through him, such officer shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges, equal to the market rent as may be determined by Government from time to time; 116 Provided that an officer, in special cases, may be allowed by the Head of the Department to retain a residence on payment of twice the standard rent under F.R.45-A, or twice the pooled standard rent under F.R. 45-A, whichever is higher, for a period not exceeding six months beyond the period permitted under sub-rule (2) of S.R. 317-P-12.

S.R.317-P-22- Recovery of rent- The Head of the Departments / Heads of Officers shall ensure that recoveries on account of rent for Government residences are effected regularly from the emoluments of the Government servants concerned in accordance with the provisions of rule 45-A of the Fundamental Rules and the subsidiary rules made there under and the receipt credited to the appropriate revenue Head.

S.R.317-P-23- Continuance of allotments made prior to the issue of these rules – Any valid allotment of a residence which is subsisting immediately before the commencement of these rules under the rules then in force, shall be deemed to be an allotment duly made under these rules, notwithstanding that the officer to whom it has been made is not entitled to a residence of that class under S.R.317-P-3 and all the preceding provisions of these rules shall apply in relation to that allotment and that officer accordingly.

S.R.317-P-24- Delegation of powers – The Head of the Department may subject to such conditions as he may deem fit delegate to any officer under his control any of the powers or functions conferred upon him by these rules with the exception of those contained in sub-rule(2) of S.R.317 and provision to S.R.317-P-21.

S.R.317-P-25- Relaxation of Rules- The Government may, for reasons to be recorded in writing, relax all or any of the provisions of these rules in the case of any officer or residence or class of officers or class of residences.

S.R.317-P-26- Interpretation of rules – if any question arises as to the interpretation of these rules or any of the provisions thereof the decision of the Government shall be final.

S.R.317-P-27- The Department of Revenue Allotment Rules, 1958 are hereby repeated except as respects things done or omitted to be done there under.

Allottee

Non-Allottee

SCHEDULE 'A'
(Rule S.R.317-P-4)
GOVERNMENT OF INDIA

Office of the _____

Form of application for officers of I.T./Customs/Central Excise etc, for allotment of residences for the year 19 _____

- (a) Name Shri/Smt./Kumari _____
(IN BLOCK LETTERS)
- (b) Present Designation _____
- (c) Particulars of permanent/quasi-permanent post held. _____
2. (a) Emoluments as on the 1st of January, 19 _____

Pay	Special Pay	Dearness Pay	Deputation (Duty) Allowance	Pension in addition to pay, if any.	Total

- (b) Date since when the emoluments in (a) above are Being drawn. _____
- (c) Indicate the source from which emoluments are Drawn if not from the Consolidated Funds of the Government of India. _____

3. Class to which entitled with seniority date _____ (Vide S.R.317-P-3)
Present Classification _____ Revised Classification _____

Class of accommodation	Seniority date	Class of accommodation	Seniority date
Appropriate class _____	_____	Appropriate class _____	_____
Next below class* _____	_____	Next below class _____	_____