

# IIT BHILAI (RESIDENCE ALLOTMENT) RULES, 2022

## 1. Short title and commencement

- 1.1 These rules shall be called as “IIT Bhilai (Residence Allotment) Rules, 2022”.
- 1.2 The Director, Indian Institute of Technology (IIT) Bhilai with the approval of the Board may, from time to time, revise/modify these rules which will be applicable from the date(s) from which the modification(s) is/are introduced by him/her or from the dates as may be specified in the notification to this effect.
- 1.3 These rules shall come into force from such date as may be notified by the Institute.

## 2. Definitions

For the purpose of IIT Bhilai (Residence Allotment) Rules 2022, the following terms shall mean as defined herein under.

- **“Allotment”** means the grant of a license to an employee of the Institute to occupy a house or a portion thereof, owned or leased by the Institute, for use as residence in accordance with the provisions of these rules.
- **“Allotment Year”** means the year of allotment beginning on the first January or such other period as may be notified by the Institute.
- **“Allottee”** means the person eligible and to whom residence is allotted under these rules.
- **“Academic Staff”** means the category of staff as specified in the Clause 16 (1)(i) of Statutes of IIT Bhilai.
- **“Authorities”** mean the authorities as defined by the Act and Statutes.
- **“Board”** means Board of Governors, Indian Institute of Technology Bhilai
- **“Director”** means Director, Indian Institute of Technology Bhilai, who shall be the “Competent Authority” for the purpose of these rules.
- **“Emoluments”** means the emoluments as defined in Fundamental Rule 9(21)(a)(i) and shall include stagnation increment, Special Pay, Deputation (Duty) Allowance and Non-practising Allowance (for medical practitioners only), 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 first day of the allotment year, the emoluments drawn by him immediately before suspension shall be taken as emoluments.
- **“Employee”** means whole time/regular and or any other employee of the Institute including those staff members visiting on deputation, FST terms who are eligible for residence on the campus in terms of these rules.
- **“Institute”** means Indian Institute of Technology Bhilai.

- **“Non-academic Staff”** means staff other than Academic Staff.
- **“Estate Officer”** means officer(s) assigned the role as such by the Competent Authority of the Institute.
- **“Family”** means employee's spouse, children, step-children, legally adopted children, parents, brothers and sisters, who ordinarily reside with the allottee.
- **“Licence Fee”** means the sum of money payable by allottee normally on monthly basis as compensation for occupation of a residential accommodation allotted under these rules. It includes flat license fee-cum-rent fixed by the Institute in respect of different types of accommodation based on the living area including all the cost.

**Explanation:** No House Rent Allowance (HRA) is admissible to the allottee occupying the residence provided by the Institute.

- **“Residence”** means any residence under the administrative control of the Institute.
- **“Seniority”** of an employee for the purpose of residential allotment which shall be determined on the basis Pay Level, Pay, Service at the Institute etc. as per the rules provided in IIT Bhilai (Residence Allotment) Rules 2022.
- **“Subletting”** of a residence 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 Institute. Further sharing of accommodation for visit by casual visitors – relatives or friends, for a short duration shall not be considered subletting.

- **“Type of residence”** in relation to an employee means the type of residence to which he is eligible under these rules.

### 3. Eligibility

3.1 The Institute residence shall be allotted on license only. Save as otherwise provided in these rules, following categories of employees shall be eligible for allotment of Institute residence subject of availability.

- The Academic and Non-Academic staff of IIT Bhilai appointed on regular basis against a permanent position.
- Visiting /Emeritus /Chair Professors and Re-employed/Contractual faculty members.
- Academic and Non-Academic Staff Members appointed on Deputation/Foreign Service Terms (FST).
- Persons eligible under terms and conditions of an MOU with the Institute.
- Any other category of Academic and Non-Academic staff not covered above and subsequently approved by the Director.

3.2 The eligibility shall end when the corresponding condition ceases to be valid.

3.3 If a person and his/ her spouse are both employees of the government or government organizations – within the municipal limits or within 8Km of radius from the institute, whichever is more, only one of them shall be eligible for the allotment of residence. If the person chooses to take the residence in the institute the spouse shall be required to provide a certificate that no residence is allocated by the other organization. This, however, shall not apply where the husband and wife are residing separately, in pursuance of a valid order of judicial separation made by a Court of Law.

**Explanation:** When both, husband and wife are in the employment of the institute, they shall be eligible for a single residence which shall be of the higher of the eligibility of husband and wife.

3.4 When two persons in occupation of residences allotted to them individually, marry each other and the conditions of rule 3.3 become applicable, they will be required to surrender one of the residences within one month from the date of marriage.

3.5 Only for the purpose of IIT Bhilai (Residence Allotment) Rules, 2022 Assistant Professors (Grade-II) appointed on contract basis against a permanent position shall be considered as if they are appointed on regular basis.

3.6 A person, who is having a period less than one year from the date of his superannuation as on the last date of application, shall not be eligible to apply for a residence if he/she is already holding a residence lower/equal to his/her eligibility.

#### 4. inter-se seniority of staff for residential accommodation

As per Statute 19(2) of the First Statutes of IIT Bhilai, 2017, it is stipulated that “For determining the inter-se seniority of employees of different categories for specific purposes such as for the membership of authorities and bodies, residential accommodation etc, the Board may approve the norms and guidelines from time to time.”

In view of the above provision, the inter-se seniority of Academic Staff and Non-academic Staff members, only for the purpose of Residential Accommodation, shall be determined as per the following.

4.1 Seniority of an employee shall be determined on the basis of the date from which the applicant has been continuously eligible for the type of residence as per the pay level of the applicant in the Pay Matrix. An employee drawing higher pay level shall be senior to the employee of lower pay level for a particular type of residence he/she is entitled for.

4.2 In the same Pay Level, seniority shall be determined by the present Basic Pay on the first day of the allotment year. The employee in receipt of higher Basic Pay shall take precedence over the employee in receipt of Lower Basic Pay.

4.3 Where the Pay Level and Basic Pay are equal, seniority will be determined by the length of service in the Institute i.e. an employee who joined the Institute on an earlier date, shall be senior than the employees who joins on a later date.

4.4 Where the pay level, Basic Pay and length of service are all equal, seniority will be determined by date of birth. Employee senior in age i.e. having earliest date of birth will be determined to be senior.

4.5 For any ambiguity that may arise in defining the seniority, the decision of the Director shall be used to resolve the issue.

## 5. Classification of residences and entitlement thereof

Type of Residence	Living Area	Pay Level for the entitlement
Alpha	75.84 Sq. Meter per unit	below Level 10
Beta	86.76 Sq. Meter per unit	Level 10 and above
Gamma	168 Sq. Meter per unit	Level 13A1 and above
Delta	268 Sq. Meter per unit	Level 13A2 and above

**NOTE:** (1) The Registrar of the institute shall be entitled for Type Delta residence irrespective of the Pay Level and Basic Pay. (2) Chief Medical Officer, Operations Manager, Superintending Engineer of the institute shall be entitled for at least Gamma type residence even when the pay level is below the pay level for its entitlement.

## 6. Allotment procedure

The residences shall be allotted upon the recommendation of a Residence Allotment Committee (RAC) of the institute constituted by the Director normally for a period of two years. The composition of the committee shall be the following.

1. Chairperson            A Faculty Member of appropriate rank
2. Member1                One faculty member of the Institute
3. Member2                One staff member from amongst Group A or Group B employees
4. Member Secretary      Estate Officer

### Functions of RAC

The Residence Allotment Committee shall

- i. Follow the IIT Bhilai (Residence Allotment) Rules.
- ii. Periodically float the available residences to eligible persons, take their choices and recommend the allocation.
- iii. Consider any other matter related to the residence allotment and referred to by the Director and give its recommendations to the Director, whose decision shall be final and binding.

## **Application for Allotment and Allotment of Residence**

- The Engineer of the institute authorized by the Director will inspect each vacant residence and will arrange for necessary repairs and white washing etc., if required. They will also certify that the vacant residence is safe, livable and fit for occupation. No Major work shall be carried out after the residence is allotted.
- Announcement of vacant residence shall be made periodically and applications shall be invited by RAC for allotment of residence. The employees and others eligible persons seeking allotment of residence shall provide their choices of vacant residence as per their eligibility in prescribed application form (attached in Annexure-I). The application, once made, may be withdrawn prior to allocation. Subsequent to allocation, the person shall deem to have been allocated the residence.
- The applications received by the prescribed date shall be scrutinized by RAC to determine eligibility of the applicants and recommendations for allocation shall be presented to the Competent Authority for approval.

The Director at his own discretion, may keep certain residences out of allocation or may allocate the same out of the seniority. However, such discretion shall be exercised rarely and the reasoning for exercising such discretionary power shall be well documented on each case to case basis.

- Save as otherwise provided in these rules, the residences shall be allotted by the Competent Authority or his authorised representative/office in accordance with the seniority lists. The senior most applicant will be allocated the residence from amongst the vacant and available residences as per the choice. The process will be repeated for all the applicants in the order of seniority as per their choices exercised and availability of the residence of the choice.
- On receipt of allotment order, Estate Officer shall hand over the key of the residence to the authorised allottee and the allottee shall return the key of the residence at the time of vacation of the residence.
- The allottee, at the time of taking possession of the accommodation, shall verify 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. The cost of damage, if any, as determined by the Estate Officer shall be payable by the allottee.
- 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 and no more applicants are there in the seniority list 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.
- 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 Director may, on request from an employee, allot a residence below the type to which he is otherwise entitled.

- The Director may 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.
- 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 considered as defined in this document.
- Save as otherwise provided in these rules an allottee desiring a change of residence within the entitled type shall be permitted only once in the entire service period. For the allocation, the same rules shall apply in terms of seniority based application.
- The allottee is a licensee under these rules and at no point of time can claim the tenancy right of the residence. The allottee shall not use the allotted residence for any purpose other than residential purpose.

### **Out of Turn Allotment**

Notwithstanding anything contained in these Rules, the Director, on the recommendations of RAC or of the concerned authority, if needed, may allot residence of entitled type or lower type on out of turn basis in the following cases.

- i. To a non-resident Indian of exceptionally brilliant professional career who is appointed as a faculty member at the Institute.
- ii. To Visiting faculty/Chair Professor
- iii. To Persons of Deputation/Foreign Service
- iv. To an employee who returns from a long leave or upon completion of deputation/foreign service, provided the employee had vacated and surrendered the residence allotted earlier when the employee proceeded to long leave/deputation/foreign service.
- v. To an employee whose spouse was in employment at the institute and ceases to be eligible for residence allotted to them due to superannuation of the spouse.
- vi. To Persons declared as belonging to essential services.
- vii. To a single women employee (facing extreme hardship).
- viii. To an employee on following medical grounds in consultation with appropriate medical advice of the CMO or equivalent.
  - a) major illness such as cancer, pulmonary tuberculosis etc. with risk to others.
  - b) severe physical defect or deformity which causes undue interference with the normal functioning of the bones, muscles and joints.
  - c) heart ailments having symptoms of Grade III and IV which include serious disability;
  - d) total absence of sight or Visual Acuity;

- e) orthopaedic deformity (with percentage of disability  $\geq 40\%$ ) which causes difficulty in moving freely.
- ix. In the event of death of an allottee, a member of the allottee's family maybe given out of turn allotment by the Director subject to the following conditions:
  - a) The deceased employee was residing in the Institute residence at the time of his/her death;
  - b) The family member (who does not own a residence within the municipal limits or within a radius of 8 Km from the institute, whichever is more) is an employee of IIT Bhilai or gets an employment at IIT Bhilai within 12 months after the death of the allottee and makes an application within one month of the death of the allottee.
  - c) All the dues outstanding in respect of the residence of the deceased allottee have been cleared.

**Explanation:** 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.

## 7. License fee and other charges

- 7.1 An employee of the Institute, who has been allotted house or apartment, shall be charged license fee at the rate approved by the Board including such other charges as may be decided by it from time to time. **(Clause 7 (3)(a) of of Schedule 'D' the Statutes of IIT Bhilai)**
- 7.2 In addition to the license fee, charges for water, electricity and any other service rendered shall be recovered from the employee at such rates as may be determined by the Board from time to time. **(Clause 7 (3)(b) of Schedule 'D' of the Statutes of IIT Bhilai)**
- 7.3 The License fee payable by the allottee for different type of residences will be as per notification/instruction issued by the Institute from time to time with the approval of the Board.
- 7.4 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 8<sup>th</sup> day of the date of the allotment letter, whichever is earlier.
- 7.5 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/she shall be charged licence fee from such date for 12 days and during this period of 12 days, he/she shall not be entitled for HRA.

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.

- 7.6 If on allotment of an alternative or entitled residence the former residence is not vacated by the prescribed date mentioned in these rules or as specified in the allotment order, 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/she takes possession of the newly allotted residence. In the cancellation letter the exact amount of damages which the unauthorized occupant will be required to pay for overstaying will be mentioned.

- 7.7 All the allottees have to pay the electricity charges and water charges for their respective residence as per the unit rates/slab fixed by the Estate Officer with the approval of the Director from time to time or as per the actual consumption based on meter reading, whichever is higher.
- 7.8 The license fee and other charges shall be deducted from the monthly salary of the allottee except in the event of retention of quarter. Non-payment of license fee and other charges for the accommodation shall constitute breach of these allotment rules. If the allottee fails to make payment of prescribed licence fee and other charges, the allotment shall be cancelled.
- 7.9 Charges for common services shall not be levied to the allottee. Common services may be, but not limited to, staircase light, common light of the floor/building, lift services at multi-storeyed buildings etc. However, the residents may join together and share the expenses for the maintenance of the common areas like cleaning, gardening etc.
- 7.10 When at the own request of an employee, a residence of higher than his entitled type is allotted, the employee concerned shall be charged three times the normal licence fee for such a residence.
- 7.11 The rate of Penal License Fee shall be as decided by the Board from time to time as per GOI instructions.
- 7.12 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 Institute during the period of occupation and until full vacant possession thereof have been restored to the Director.

## 8. License free residences

- 8.1 The Board may allot furnished or unfurnished accommodation without levying any license fee or levying such fee at concessional rates to any category of staff, if it considers it necessary to do so in the interest of the Institute **((Clause 7 (4) of Schedule 'D' of the Statutes of IIT Bhilai))**
- 8.2 The following authorities of the Institute shall be provided furnished accommodation without levying any license fee.
  - a) Deputy Director
  - b) Registrar
  - c) Superintending Engineer
  - d) Chief Medical Officer

8.3 The list may be revised, if considered necessary, by the Board from time to time on the recommendation of the Director.

## 9. Eligibility of employees owning house

9.1 An employee owning a house either in his/her own name or in the name of any member of the family at his place of duty or local municipality or within the 8Km of radius from the institute – whichever is higher, shall be eligible for allotment of residence on payment of license fee for the residence allotted to him at such rate as may be determined by the Institute from time to time.

9.2 If an employee had already been allotted a residence and he/she or any member of his/her family becomes owner of a house at his place of duty or local municipality or within the 8Km of radius from the institute – whichever is higher, such employee shall notify the fact to the Director within a period of one month from the date he/she/family member becomes the owner of the house.

9.3 Notwithstanding the provisions under (9.1) and (9.2), an employee shall become eligible for Institute residence on payment of normal licence fee, if the house owned by him/her or any member of the family ceases to be owned by way of sale.

9.4 If an employee decides to apply for or to retain the residence under sub-rules 9.1 and 9.2, he/she shall apply for retention or allotment of residence and if allowed to retain or allotted, he/she shall be liable to pay licence fee for the allotted residence as under.

Slab of income from his/her own House	Rates of license fees to be recovered
Income does not exceed Rs. 12000/- per month	Single license fee
Income exceeds Rs. 12000/- per month but less than Rs. 20000- per month	Twice the normal license fee
Income exceeds Rs. 20000/- per month	Thrice the normal license fee

9.5 Any of the above provisions (Sub-rules 9.1 to 9.4) of this rule shall not be applicable to the authorities/officers who are declared essential staff by the Director and are bound to reside inside the campus due to their essential nature of duty or otherwise.

## 10. Change of residence

10.1 An employee who has been allotted residence under these rules may apply for a change of residence within the entitled type.

10.2 Not more than one change shall be allowed within the entitled type in the entire service period of the employee irrespective of whether the change in allotment was accepted by the employee or not.

Provided that more than one change of residence within the entitled type may be allowed on medical grounds as mentioned in these rules.

- 10.3 For the purpose of these rules, change of residence shall be treated as allotment only and all such rules as applicable for the allotment, including time limits of occupying the residence, license fee, penalty etc. will be applicable. A change of residence shall not be permitted if an inquiry is in progress against an allottee about sub-letting of his residence.

## 11.Sub-letting and sharing of accommodation

- 11.1 The allottee shall not sublet part or whole of the residence allotted to him.
- 11.2 An allottee who sublets part or whole of the residence allotted to him/her shall render himself/herself liable to cancellation of the allotment and eviction from the allotted residence. He/she shall also, render himself/herself liable to disciplinary proceedings under the CCS (CCA) Rules as made applicable to the employees of IIT Bhilai.

## 12.Non-acceptance of allotment offer or failure to occupy allotted residence after acceptance

- 12.1 If any employee on receipt of an allotment order fails to accept the allotment of residence within five days or fails to 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 two years from the date of such cancellation.
- 12.2 If any employee, in occupation of a residence of a lower type than his/her entitlement applies for a residence of his/her entitled type and on allotment of such entitled type of residence fails to accept the allotment, he/she may be permitted to stay in the residence already in his occupation provided that he/she shall not be eligible for another allotment for the remaining period of the same and the next allotment year.

## 13.Retention of residence

- 13.1 An allotment shall be effective from the date it is accepted by the employee and shall continue to be in force until one of the following.
- a) expiry of the concessional period permissible under Rule 13.2
  - b) cancelled by the Director or deemed cancellation under any provision of these rules;
  - c) surrendered by the allottee; or
  - d) the allottee ceases to occupy the residence.
- 13.2 A residence allotted to any employee may be allowed to be retained based on his specific request on the occurrence of any of the events mentioned below for the period specified against each from the date of such occurrence and on

payment of license fees indicated against each of the event subject to the condition that the residence is required for the bonafide use of the employee or the members of his family.

Sr. No.	Events	Max permissible period for retention of residence	License fee payable
1.	Resignation, Compulsory retirement or dismissal or removal from service or termination of service, expiry of the re-employment /contract/deputation period	2 Months	Normal License Fee. After this, premise to be vacated.
2.	Retirement or terminal leave	6 Months	First 3 months: Normal License fees Next 3 months: Double License fee After this, premise to be vacated
3.	Death of Allottee	12 Months Provided the deceased employee or his/her dependent does not own a house at the place of duty of the deceased.	First 6 months: Normal License fees Next 6 months: Double License fee After this, premise to be vacated
4.	Staff Members proceeding on EOL/Lien/Leave on Foreign Service Terms (FST)/Deputation in India	2 Years	Normal License Fee extendable for another 12 months on convincing reasons to be recorded on payment of double licence fee  After this, vacation of the premises.

5.	Leave (other than leave preparatory to retirement, terminal leave, leave on medical grounds, sabbatical leave and study leave)	For the period of leave but not exceeding 6 months	Normal License fee
6.	Sabbatical Leave/Study Leave	Full period of leave	Normal License fee

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

13.4 Notwithstanding anything contained here, when an employee is dismissed or removed from service or his services have been terminated and the Director is satisfied that it is necessary or expedient in public interest to do so, he may cancel the allotment of residence of such employee either forthwith or with effect from such date prior to expiry of the concessional period referred to in Rule 13.2.

13.5 The Director may, for reasons to be recorded in writing, allow retention of residence for a period not exceeding four months beyond the maximum permissible period under Rule 13.2, 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.

13.6 The license fee for the period of retention mentioned in Rule 13.5 shall be as decided by the Director of the Institute.

13.7 After the maximum permissible period of retention indicated in Rule 13.2 and further period of retention, if any, allowed by the Director under Rule 13.5, the allotment of residence shall deem to be cancelled.

13.8 License fee for the period of retention of the residence shall be payable in advance on monthly basis. Water, Electricity and/or other charges shall be paid as per actuals within 7 days from the date of receipt of the bills raised by the Institute.

## 14. Overstayal in residence

14.1 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.

- a) 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. from the date of such cancellation or deemed cancellation.

- b) Disciplinary proceedings for violation of CCS (Conduct) Rules, 1964, and/or any other rules in this regard applicable to IIT Bhilai's employees.
- c) Any other proceedings that may be taken up at the discretion of the Director for getting the residence vacated including actions under Public Premises (Eviction of Unauthorised Occupants) Act, 1971 as amended from time to time.

## 15. Surrender of the residence

15.1 An allottee may at any time surrender the allotment by giving notice to the Competent Authority 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 8<sup>th</sup> day after the date on which the notice is received by the Competent Authority or the date specified in the notice, whichever is later. However, the Director may accept a notice for shorter period than 7 days.

15.2 An employee who surrenders the residence under Rule 15.1 shall not be considered again for allotment of residence at the Institute for a period of one year from the date of such surrender.

## 16. Undertaking by the allottee

16.1 Each allottee 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 Institute 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 Institute and all the dues relating to the residence have been settled, failing which the bank guarantee shall be invoked.

## 17. Temporary allotment of residence on account of marriage etc. in the family of allottee

On receipt of an application, the Director may make temporary allotment, not exceeding five days including the day of marriage etc., to an allottee if a vacant residence is available or likely to be available during the period for which allotment has been applied for.

## 18. Breach of rules and conditions

18.1 If an allottee sublets the residence OR charges licence fee from the sharer at a rate which the Director considers excessive OR erects any unauthorized 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 Director considers to be improper OR conducts himself in a manner which in the opinion of the Director is prejudicial to the maintenance of harmonious relations with his neighbors OR 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 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.

**18.2** 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 Director.

**18.3** 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.

**18.4** 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 Director may be allotted another residence of the same type at any other place.

**18.5** The Director, on the recommendation of RAC/Estate Officer 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.

## 19. Estate officer

**19.1** Normally, Superintending Engineer (SE) shall discharge the functions and responsibilities of the Estate Officer. In absence of a Superintending Engineer, the officer designated by Director shall discharge the functions of the Estate Officer.

## 20. Punitive actions

The administration or any other authorized office by the Director on conducting an enquiry can recommend suitable punitive action for unauthorized occupation/ violation of code of conduct/breach of rules etc. applicable to the allottee of institute residence under these rules or any law enacted by the Government of India from time to time.

**20.1** An unauthorized occupant will be liable to eviction by the competent authority under Public Premise (Eviction of unauthorised occupants) Act, 1971 as amended from time to time.

20.2 For the period of unauthorised occupation, a person shall be charged penal license fee as decided by the Institute from time to time.

Such penal license fee shall, for all purposes, be deemed to be a charge on salary or any amount due to the employee and the Institute shall be entitled to deduct or set-off such penal license fee from the amount due to him/her.

20.3 The Institute shall disconnect the electricity, water and/or institute telephone, if any at any time after the service of Fifteen days' notice to the concerned employee.

20.4 In addition to the provisions in these rules, the competent authority may take disciplinary action in accordance with the relevant rules/statutes/law as made applicable to the employee of IIT Bhilai.

## 21. Interpretation of rules and saving clause

21.1 If a question as to the interpretation of these rules arises, the Director shall be competent to decide the same.

21.2 If any matter/provision is not covered in these rules or wherever residence allotment rules are silent, the relevant provisions of Government of India shall be applicable.

## 22. Appeal

22.1 An employee aggrieved by the decision or order of the Director under these rules may appeal in writing to the Board within 21 days of receipt of such decision or order. However, the decision or order of the Director shall stand unless it is modified or rescinded as a result of such appeal of the employee.

## 23. Relaxation of rules

23.1 The Director 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 Board who shall have the power to relax.

## Annexure-I: Application for residence allotment

1. Name of the Applicant :
2. Employee ID Number :
3. Email ID :
4. Designation and Department :
5. Whether Person with Disability (YES/NO). :  
If yes, provide details thereof.
6. Present Residential Address :
7. Whether owns a house in own name or in :  
the name of his/her family. [Y/N]  
  
If Yes, give the full details like name of the :  
owner, relation with the applicant,  
location of the house, date of acquiring  
the ownership etc.  
  
Income from the house, if any :
8. First Choice of Residence :  
Second Choice of Residence :  
Third Choice of Residence :

Certified that the information furnished above are complete and correct to the best of my knowledge and I have not suppressed any relevant information. In the event of any change in the particulars given above which affect my eligibility, I undertake to intimate the same promptly. Further, I am aware that if at any stage the information/documents furnished above is found to be false, I am liable for disciplinary action.

Date:

Signature

***Office to record, Pay Level, Pay, Date of Joining the institute, Date of birth etc.***