

PERSONNEL AND ADMINISTRATIVE REFORMS SECRETARIAT
NOTIFICATION
NO. DPAR 2 GAQ 2012 BANGALORE

Whereas the draft of the Karnataka Government (Allotment of Government quarters to Officers and staff of the Office of the Hospitality Organisation and of the Resident Commissioner, Karnataka Bhavan, New Delhi) Rules, 2010, was published as required by clause (a) of sub-section (2) of section 3 of the Karnataka State Civil Services Act, 1978 (Karnataka Act No. 14 of 1998) in notification No. DPAR 9 SHINIHAM 2009, dated 29.12.2011 in part IV-A of the Karnataka Gazette dated 29-12-2011 inviting objections and suggestions from all persons likely to be affected thereby within fifteen days from the date of its publication in Official Gazette.

And whereas the said Gazette was made available to public on 29.12.2011.

And Whereas the objections and suggestions have been considered by the Government.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 read with section 8 of the Karnataka State Civil Services Act, 1978 (Karnataka Act 14 of 1990) the Government of Karnataka hereby makes the following rules namely:-

RULES

1. Title, commencement and application: (1) These rules may be called the Karnataka Government (Allotment of Government Quarters to officers and staff of the office of the Hospitality Organisation and of the Resident Commissioner, Karnataka Bhavan, New Delhi) Rules, 2012.

(2) They shall come into force from the date of their publication in the Official Gazette.

(3) These rules applies to allotment of the Government quarters specified in clause (h) of rule 2 to Government servants as defined in clause (i) of rule 2.

2. Definitions: (1) In these rules, unless the context otherwise requires:-

(a) "Allotment" means the allotment of the Government Quarters to a Government Servant for residential purpose on payment of licence fee;

(b) "Allotment Committee" means the Allotment Committee constituted under rule 6;

(c) "Academic year" means 1st June to 31st May of the following year;

(d) "Allottee" means a Government Servant to whom a Quarters is allotted under these rules;

(e) "Family" means a Government Servant's wife or husband, legitimate children and step-children residing with parent and wholly dependent on the Government Servant;

(f) "Form" means a form appended to these rules;

(g) "Government" means the Government of Karnataka;

(h) "Government Quarters" means the residential quarters under the control of Resident Commissioner, Karnataka Bhavan, New Delhi, at the following addresses, namely:-

(i) 10 numbers of officers' quarters in Rama Krishna Puram, Phase - I;

- (ii) One number of transit accommodation in Rama Krishna Puram Phase - I;
- (iii) 32 numbers of staff quarters in Rama Krishna Puram, Phase - I;
- (iv) 48 numbers of staff quarters in Rama Krishna Puram, Phase - II;
- (v) 50 numbers of staff quarters in Nasirpur;
- (vi) 07 numbers of staff quarters behind Karnataka Bhavan-II, Sardar Patel Marg;
- (vii) One number of officer's quarters attached to Karnataka Bhavan-III, Andrews Ganj; and
- (viii) at such other places as may be notified by the Resident Commissioner."
- (i) "Government Servant" means Government servant belonging to Group 'A', 'B', 'C', and 'D' serving under the State Government whose service conditions are governed by the Karnataka Civil Service Rules and the Officers belonging to All India Services whose service conditions are governed by the Indian Administrative Services, Indian Forest Services and Indian Police Services Regulations as the case may be, who are posted in New Delhi but does not include officers and the officials of the State Government who are on deputation to the Government of India and persons appointed on contract basis;
- (j) "Licence fee" means the licence fee or the rent as specified in rule 8;
- (k) "Member-Secretary" means the Member-Secretary of the Allotment Committee referred to under rule 6;
- (2) All other words and expressions used herein and not defined shall have the meaning respectively assigned to them in the Karnataka Civil Services Rules and the Karnataka Civil Services (General Recruitment) Rules, 1977.

3. Entitlement for allotment: The Government Quarters in New Delhi specified in column (3) of the Table below shall be allotted to the class of Government servants belonging to the Hospitality Organization of Government of Karnataka – Karnataka Bhavan at New Delhi and to the Office of the Resident Commissioner, Government of Karnataka, New Delhi, and the Officers of the All India Service on deputation to Govt. of India, corresponding to the category specified in column (2) thereof,-

TABLE

| SI.No. | Class of Government servants entitled | Place of Government quarters |
|---------------|---|--|
| (1) | (2) | (3) |
| (a) | All Group 'A' Officers of the Hospitality Organisation and the Office of the Resident Commissioner and officers of the All India Services borne on the Karnataka Cadre. | (1) Duplex, Double or Single house at R.K. Puram Phase-I. (2) Single house behind Karnataka Bhavan-3. |

| | | |
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| (b) | All India Service Officers on deputation to Government of India offices for transitory accommodation not exceeding three months. | Transit Accommodation (Duplex house combining quarters No. 10 and 12) at R.K. Puram Phase-I. |
| (c) | Group 'B' Officers | Single house in R.K. Puram Phase-I or Phase-II or Nasirpur or Karnataka Bhavan-2. |
| (d) | Group 'C' and 'D' Officials (irrespective of their pay) | Single house in R.K. Puram, Phase-I or Phase-II or Nasirpur or Karnataka Bhavan-2. |

4. Eligibility for allotment:- (1) The Government servant in service at Delhi as defined in clause (i) of rule 2, who do not own a house in his name or in the name of any member of his family at Delhi shall be eligible for allotment of Government Quarters:

Provided that an applicant who wishes to avail the official accommodation inspite of having his own residence, such applicant may be considered at the sole discretion of the Allotment Committee subject to payment of the rent which he would get from such own residence to Government as 'house rent' for his official accommodation.

Provided further that if the rent he is getting from his own residence is less than the house rent allowance admissible to him, then the house rent allowance admissible to him shall be deduced as 'licence fee' for the official accommodation.

(2) All India Service Officers who are on deputation to Government of India are eligible for one transit accommodation only, for a period not exceeding three months from the date of allotment.

(3) The Government servants working on deputation in Delhi other- than those referred to in sub-rule (1) may also be considered for allotment of quarters, provided that there are no requests from officers and officials working in State Hospitality Organisation and the office of the Resident Commissioner.

5. Manner of allotment of Government Quarters etc:- The manner of allotment of Government Quarters shall be as follows, namely:-

(1) Every Government servant willing to get allotment of Government quarters shall make an application for allotment of Government quarters in Form I to the Member-Secretary along with an affidavit in Form II by the applicant.

(2) The names of eligible applicants shall be entered in a register on the basis of the date of application as seniority maintained for the purpose by the Member-Secretary after verification of all details in the application and the affidavit.

(3) There shall be no differentiation between RK Puram Phase I and RK Puram Phase II quarters while allotting quarters.

(4) All fresh allottees, except Group A and B officers shall always be first considered for allotment at Nasirpur quarters. Subject to availability of quarters and based on the seniority of application and seniority of stay at Nasirpur quarters, an allottee who wishes to shift from Nasirpur to other places, shall be given preference.

(5) Requests for inter-floor changes may be considered based on seniority of such requests.

(6) Every allottee other than transit accommodation allottee, on deputation or transfer to Government of India offices, either in New Delhi or outside or on deputation or transfer to other Government of Karnataka offices in or outside New Delhi, shall subject to the provision contained in rule 12(1)(c), vacate the quarters within thirty days from the date of such transfer.

(7) A Government servant who is already in occupation of a Government Quarters allotted to him under the Government Quarters (Dwelling Units) at Karnataka Bhavan, New Delhi, Allotment Rules, 1990, serving in Hospitality Organisation or in the Office of the Resident Commissioner, Karnataka Bhavan, New Delhi, continuously and who do not own a house either in his own name or in the name of any member of his family at New Delhi shall be permitted to be in occupation of such Government quarters.

6. Allotment Committee:- (1) Allotment of Government Quarters in New Delhi shall be made by the Committee consisting of,-

- | | | |
|-------|--|---------------------|
| (i) | The Resident Commissioner/ Additional Resident Commissioner, Karnataka Bhavan, New Delhi. | - Chairman |
| (ii) | The Deputy Resident Commissioner (HK), Karnataka Bhavan, New Delhi. | - Member |
| (iii) | The Deputy Resident Commissioner (PR), Karnataka Bhavan, New Delhi. | - Member |
| (iv) | The Assistant Executive Engineer/Assistant Engineer in charge of maintenance, Karnataka Bhavan, New Delhi. | - Member- Secretary |

(2) The allotment of Government Quarters shall be made strictly on the basis of the seniority. The seniority shall be determined on the basis of the date on which an officer/official files his application for allotment of Government quarters and becomes eligible for the allotment of Government Quarters by virtue of his seniority as reflected in the register maintained for the purpose by the Member-Secretary.

(3) The allotment order shall stand cancelled in the event of the allottee,-

- (a) failing to pay the deposit amount under rule 8 within fifteen days of allotment order; or
- (b) failing to occupy the quarters allotted to him within fifteen days from the date of the allotment order.

(4) While issuing orders regarding allotment of quarters as above, the authorities concerned shall also send a copy to the Accounts Officer, Office of

the Resident Commissioner, Karnataka Bhavan, to enable receipt of deposit amount, deduction of rent from the salary of the allottee every month or collection of penal rent etc.,

(5) The allottee shall, at the beginning of every financial year, furnish a declaration to the effect that he has not acquired any house in Delhi.

7. Provision of reservation of Government Quarters:- There shall be reserved, under each category of Government Quarters upto,-

(i) twenty percent for allotment to the officers and officials belonging to the Scheduled Castes and Scheduled Tribes; and

(ii) two percent for allotment to the officers and officials who are persons with disabilities;

Explanation: "persons with disabilities" shall have the same meaning as defined in the Karnataka Civil Services (General Recruitment) Rules, 1977.

(iii) an official posted on deputation against the posts created under the State Hospitality Organisation and/ or the office of the Resident Commissioner shall be eligible for allotment of quarters as if he belong to the respective cadres only on the condition that on repatriation he shall vacate those houses;

(iv) the Allotment Committee shall have the discretion to reserve houses for 'Essential Staff' of the office of the State Hospitality Organisation, Karnataka Bhavan and the office of the Resident Commissioner, New Delhi.

Explanation: For the purpose of this clause 'Essential Staff' means cook, kitchen-mates, plumber and electrician.

8. Rate and payment of licence fee:- (1) Every allottees of Government quarters shall be liable to pay licence fee equal to the house rent allowance drawn by the Government servant. The same shall be deducted from out of the salary payable to the Government servant every month.

(2) The licence fee shall be charged from the date of occupation or the fifteenth day after the receipt of intimation of allotment by the Accounts Officer, whichever is earlier.

(3) The allottee shall credit an initial deposit with the Accounts Officer, office of the Resident Commissioner, before occupying the allotted house, at the following rates, namely:-

| | | |
|----------------------|---|-------------|
| (a) Group A officers | - | Rs. 5,000/- |
| (b) Group B officers | - | Rs. 3,000/- |
| (b) Group C official | - | Rs. 2,000/- |
| (b) Group D official | - | Rs. 1,000/- |

(4) This deposit amount shall be refunded to the allottee within fifteen days from the date the Government servant vacates his/her quarters on furnishing "No Due Certificate" from the concerned authorities including Water Supply and Sewerage Board and Electricity Board charges, otherwise the deposit shall be adjusted towards any amount due by the Government servant.

9. Responsibility of Drawing Officers and allottees regarding licence

fee:- (1) It shall be the responsibility of the Drawing Officer to intimate promptly to the Accounts-Officer the names of the allottees who have been transferred or deputed out of the establishments, namely, the Hospitality Organisation and the office of the Resident Commissioner, Karnataka Bhavan, New Delhi or who has retired or resigned or ceased to be eligible for allotment or to hold the Government quarters or ceases to be in Government Service for any reason, immediately.

(2) The allottee shall submit a certificate to the Accounts Officer in the beginning of every Academic Year specifically indicating that the Licence fee for the preceding months in respect of the quarters occupied by him has been regularly deducted or remitted through his salary which is duly endorsed by the Drawing Officer concerned.

(3) The Drawing Officer shall regularly send monthly recovery statement of Licence fee of the Quarters in Form KFC No.7 (Art.41) and Water Supply charges to the Accounts Officer on or before the 15th of every month.

10. Upkeep of the quarters:- (1) The allottee shall be responsible for the proper upkeep and maintenance of the quarters and is liable for damages caused by him to the building.

(2) The allottee shall ensure that all the statutory payments and other service charges in respect of Government quarters allotted to him are remitted by him every month.

(3) The allottee is required to hand over the keys of the Government quarters to the Member-Secretary on expiry of the allotment made to him.

11. Maintenance of the buildings:- (1) The Assistant Executive Engineer / Assistant Engineer, Karnataka Bhavan, New Delhi, shall be in charge of maintenance of these buildings and is empowered to take action as per these rules in respect of maintenance, recovery of licence fee, penalty, recovery of money against statutory bills or other service charges, eviction proceedings etc.,

(2) The Assistant Executive Engineer/Assistant Engineer, Karnataka Bhavan, New Delhi, is empowered to take the assistance of Police to give effect to these rules in times of need.

(3) The Assistant Executive Engineer / Assistant Engineer, Karnataka Bhavan,- New Delhi, shall submit quarterly report to the Allotment Committee of the action taken and send a monthly vacancy report.

12. Termination of allotment:- (1) The allotment shall be deemed to have been terminated when the allottee,-

(a) retires from Government service or dies while in service:

Provided that in case of death of an allottee while in service, his family may be permitted to continue for a period of 3 months or till the end of the academic year whichever is later on the normal licence fee subject to other conditions also.

(b) resigns or ceases to be in Government service for any other reason;

Provided that an allottee under clause (b) of sub-rule (1) may be allowed to stay in the quarters for a period not exceeding thirty days after termination

of allotment and shall be liable to vacate and deliver vacant possession thereof to the Government immediately thereafter.

(c) sublets or allows other unauthorized persons to reside in the Quarters allotted to him;

(d) for non-payment of licence fee for more than three consecutive months;

(e) contravenes the provisions of these rules;

(f) commits any nuisance or allows the commission of nuisance in the Government quarters allotted to him or in the premises of the Government quarters, he is also liable for eviction after giving notice to him;

Note: 'Nuisance' includes,-

(i) engaging the premises for any purpose other than the one for which it is allotted;

(ii) creating disturbance to peaceful life of the neighbours by creating objectionable noise and indulging in any undesirable activities;

(h) The Government servant who owns or acquires a house or other accommodation for residence for himself or for any member of his family in Delhi, or proceeds abroad for a period of one year or more unless his family is left behind.

(2) An allottee who overstays, in contravention of these rules shall be liable to be evicted summarily and shall also be liable for disciplinary action according to rules treating such overstay as an act of misconduct.

(3) The Government servant who is responsible for sub-letting or allowing unauthorized occupation, apart from taking disciplinary action shall also be levied a penal Licence fee of 8 times the rent payable throughout the period of unauthorized occupation, and shall be barred from future allotment.

13. Penal rate of licence fee:- The Government servant who continues to be in occupation of the Government quarters in contravention of these rules shall be liable to pay a penal rate of licence fee other than that provided under rule 12(3). The penal rent so payable is as follows:-

(a) For the first month of violation The usual HRA the official is drawing

(b) For the period upto three months Two times of the HRA drawn by the official

(c) For the period of three to six months Five times the HRA drawn by the official.

(d) For the period beyond six months Eight times the HRA drawn by the official.

14. Procedure to vacate the Quarters:- (1) When an allotment is terminated, he shall immediately intimate the Chairman and Member-Secretary of the Allotment Committee about termination and also the date by which he is likely to vacate the quarters.

(2) The allottee after the allotment is terminated under these rules, shall hand over the keys of the premises to the Assistant Executive Engineer concerned or to the engineer in-charge of the building.

(3) In case the allottee fails to vacate the Government quarters within three months from the date of termination of allotment, he shall be evicted after following summary procedure for eviction and after providing an opportunity of being heard.

15. Repeal and savings:- The Government Quarters (Dwelling Units) at Karnataka Bhavan, New Delhi - Allotment Rules issued in Government Order NO.DPAR 29 HMB 89 dated 7th November 1990 is hereby repealed:

Provided that such repeal shall not affect,-

- (a) the previous operation of the said rules or anything duly done or action taken thereunder;
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under the said rules.

FORM-I

{{See rule 5(1)}

Application for allotment of Government quarters by a Government servant

| | | |
|-----|--|--|
| 1. | Name of the applicant with Surname, if any | |
| 2. | Name of Father / Husband (in case of married women employee) | |
| 3. | Date of Birth and age: | |
| 4. | Date of entry into service: | |
| 5. | Post held (Designation): Date from which holding the said post: | |
| 6. | Please mention whether employed under: (a) Hospitality organization (b) Resident Commissioner Office (c) Deputation from Karnataka State Govt. (d) Whether is in need of transitory accommodation? | |
| 7. | Please furnish present official address with phone No. if any | |
| 8. | Whether the applicant belongs to Group A/B/C/D/ | |
| 9. | Date of taking charge reporting for duty at Delhi | |
| 10. | The scale of pay of the post held by the applicant | |
| 11. | Basic pay as on the date of Application | |
| 12. | Whether the applicant owns any dwelling house either in his/her name or in the name of any member of his/her family? If so, the reason for not occupying the same by self. | |
| 13. | Whether an Affidavit in Form-II enclosed | |
| 14. | Whether the applicant belongs to SC/ST? If so furnish certificate issued by the Competent Authority | |
| 15. | Whether the applicant is a person with disability? If so furnish certificate from the Competent Authority | |
| 16. | Whether the applicant is unmarried / widow Government servant | |

| | | |
|-----|---|--|
| 17. | Any other particulars which the applicant wishes to mention | |
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DECLARATION

I do hereby declare that the particulars furnished by me in this application are true and correct to the best of my knowledge and belief. I have read the rules regarding the allotment of Government Quarters at Delhi and shall abide by the terms and conditions of Allotment, if I am allotted a Government Quarters.

Place:

Date:

Signature of Applicant

FORM-II
{{(See rule 5(1))}
AFFIDAVIT

I SON / DAUGHTER /WIFE OF
.....AGED
..... YEARS WORKING AS IN OFFICE OF THE
RESIDENT COMMISSIONER / KARNATAKA BHAVAN I / II / III DO SOLEMLY
AFFIRM AND DECLARE THAT I DO NOT OWN A HOUSE EITHER IN MY NAME
OR IN THE NAME OF ANY OF MY FAMILY MEMBERS IN AND AROUND
DELHI. DEPONENT

SIGNED AT THIS DAY OF

VERIFICATION

I DEPONENT, DO HEREBY VERIFY ON
OATH THAT THE CONTENTS OF MY ABOVE AFFIDAVIT IS TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND NOTHING
HAS BEEN CONCEALED OR FALSELY STATED THEREIN.

VERIFIED ATTHIS DAY OF DEPONENT

S.NAGARAJAPPA
Under Secretary to Government-2
DPAR (Protocol)