

No. Fin. E. I.C (3) 2/83
Govt. of Himachal Pradesh
Finance Department.

From

Financial Commissioner(Finance) to the
Govt. of Himachal Pradesh.

1. All the administrative Secretaries to the Govt. of Himachal Pradesh.
2. All the Heads of Department in Himachal Pradesh.
3. All the Deputy Commissioner in Himachal Pradesh.

Subject:- Assessment of rent by the Deputy Commissioner in respect of private Building to be taken on rent by Government.

Sir,

I am directed to inform you that the question of formulation of Policy with regard to hiring of private accommodation for housing Government offices / Corporations and assessment of rent in respect of such accommodation has been engaging the attention of government for some time past and it has now been decided that hence forth the following procedure shall adopted by all concerned in this behalf :-

1. That the requirements of private accommodation for 2000 sq.ft or above shall be advertised by the Department/Corporations/Govt. Undertakings for obtaining competitive rates from the owners who may be interested to let out their accommodation. After the tenders are received confidential reference should also be made to the D.C. for prevalent market rent. This information of D.C.'s should be strictly confidential for official use and should not be divulged to party concerned . After the receipt of offers of the land lord, the negotiation to be made with the party whose rates happen to be lowest and rent should be negotiated which should invariably be less than the market rent as per recommendations of the D.C.'s . The reasons for arriving at the negotiated rent should be recorded in detail justifying the negotiated rent . While negotiating rent the representatives of the Department concerned; PWD and F.D. should be present.
2. In smaller towns where accommodation required be less than 2000 sq.ft. the rent should be got assessed from PWD and in these cases also recourse should be had for negotiating rent with the party concerned but this negotiated rent in no case should be more than the assessment of PWD . Before hiring accommodation in those smaller towns publicity shall be given by District Authority in the area so that the interested owners of building could quote the minimum rent of the buildings

acceptable by them. In special cases however, the Government with the approval of F.D. may sanction a higher rent not exceeding 25% of the PWD assessed rent. In these cases also recorded in detail.

3. The Law Department is being requested to devise a suitable standard form of agreement. The same will be supplied to you direct by the Law Department in due course. In future agreement with the owners of the buildings may be entered in that form.

Yours faithfully,

Sd/-

Financial Commissioner(Fiancé) to the
Government of Himachal Pradesh.

No. fin. E. I.C (3) 2/83. Dated Shimla-2.the 12th August, 1983.

Copy is forwarded to the Secretary (Law) to the government of Himachal Pradesh, Shimla-2, for information and necessary action. It has been served that no standard form of lease/ deed is being adopted for by Govt. Departments/Corporations while hiring private accommodation and it seems that different departments have their different lease agreement form . Government feels that this is not very happy situation. It has therefore, been decided that Law department may draft as standard lease agreement for use by department . Departments/Corporations while hiring private accommodation .

It is requested necessary action in this behalf may kindly be taken at your earliest convenience and Standard lease agreement form may be circulated to all concerned.

Sd/-

Financial Commissioner(Finance) to the
Government of Himachal Pradesh.

No. fin. E. I.C (3) 2/83. Dated Shimla-2.the 12th August, 1983.

Copy is forwarded to:-

Registrars/ Secretary /M.D./Chairman etc. of Boards/ Corporations of Himachal Pradesh.

Sd/-

Financial Commissioner(Finance) to the
Government of Himachal Pradesh.

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Subject:- Assessment of rent by the Deputy Commissioner in respect of private Building to be taken on rent by Government.

Sir,

In continuation of this Department letter of even number dated the 12th August , 1983 on the subject cited above I am directed to say that since the issues of these instructions, clarification are being sought for on different issues . Accordingly all the points so for have been listed below and necessary clarification is given against such point for information and guidance :-

<u>POINT FOR CLARIFICATION</u>	<u>CLARIFICATION</u>
1. The defination of big and small Town in the State.	The District Headquarters shall be treated as big Town and all other places shall be treated as small towns.
2. The procedure required to be followed in bigger town for hiring accommodation less than 2000 sq. ft.	In Shimla town the same procedure may be followed as prescribed in para-I of the above referred letter. As regards other places i.e. in other Districts Headquarters of less than 2000 sq. ft. should be given by the District . Authorities in the area with a view to obtain competitive rates but in this cases rent should be got asserted from the PWD as well as by the D.C. of the place concerned confidentially and thereafter negotiation should be held with the party concerned but negotiated rent should no case be more than the assessment with only if the basis of mutual negotiation the landlord to letting cut the building on PWD rates/ assessment .
3. The procedure for assessment of rent required to be followed in outside town	The same procedure as prescribed in para-2 of the letter 12-8-1983 should be followed

areas.	in such cases.
4. Whether the old pending cases for assessment of rent lying with the Deputy Commissioner are to be processed according to the old procedure or are to be dealt with under the instructions contained in letter dated 12-8-38.	It is felt that where accommodation has been hired by the Department understanding to the owners that shall be paid on the basis of the assessment made by the D.C. and this understanding has been given after obtaining prior concurrence of the F.D. ,than such cases are required to be processed according to the old producer and rent as in assessed by the D.C. should be given but in cases where accommodation is hired after 12 th August 1983, i.e. after issue of the instruction and old cases where prior approval of F.D. has not been obtained, these cases are required to be processed according to the revised procedure.
5. What will be procedure for reassessment of rent.	Strictly speaking reassessment of rent cannot be allowed as a matter of . However this matter in separately under consideration.

Yours faithfully,
Sd/-

Financial Commissioner(Finance) to the
Government of Himachal Pradesh.

Fin.-E-I-C(3)-2/82

Dated Shimla-2, the 3-12-1983

Copy is forwarded for information and necessary action:-

1. The Registrar, High Court of Himachal Pradesh, Shimla-I
2. The secretary, H.P. State Electricity Board, Shimla.
3. The secretary, Board of School Education ,Dharmshala Kangra.
4. The Registrar, H.P. Agriculture University, Palampur, Kangra.
5. The Registrar, H.P.University, Shimla.
6. The managing Director ,H.P.Financial Corporation Ltd. Shimla-1.
7. The Managing Director ,H.P. Agro Industries Corporation Ltd. Shimla-1.
8. The Managing Director H.P. Worsted Mills Ltd. Nalagarh, Solan.
9. The Managing Eirector, Himachal Wool Processors Ltd. Nalagarh, Solan.