

(Authoritative English Text of this Department's notification No.GAD-D-7(G)1-12/81-IV dated 1.1.2021 as required under Clause(3) of article 348 of the Constitution of India).

**Government of Himachal Pradesh
General Administration Department
(Section -D)**

No. GAD-D-7(G)1-12/81-IV Dated Shimla-2,the

1.1.2021

NOTIFICATION

In exercise of the powers conferred under rule-45 of the Fundamental Rules, the Governor, Himachal Pradesh is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994, notified vide this Department notification No. GAD-7(G)1-12/81, dated 1st June, 1994 and published in Rajpatra, (Extra Ordinary) Himachal Pradesh on 18th July, 1994 namely:-

Short title and 1.
Commencement.

- (1) These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) 12th Amendment Rules, 2020.
- (2) They shall come into force from the date of their publication in the Rajpatra (e-Gazette), Himachal Pradesh.

Amendment of 2.
rule-5

For rule -5 of the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994 (hereinafter referred to as the said rules), the following shall be substituted, namely:-

“Classification of Residences:-

Save as otherwise provided in these rules, the officers/official shall be eligible for allotment of different types of residences on the basis of Grade Pay or Basic Pay or **level in the pay matrix**, whichever is applicable, shown in the tables below:

Table-I

<u>Sr. No.</u>	<u>Type of residence</u>	<u>Grade Pay drawn by the Officer or official</u>
1	I	₹ 1300/- ₹ 1650
2	II	₹ 1900/- ₹ 3600
3	III	₹ 3800/- ₹ 5000
4	IV	₹ 5400/- ₹ 8400
5	V	₹ 8600/- ₹ 9000/-
6	VI	₹ 10000/- and above

Explanation:- In case of officer who is under suspension the Grade Pay 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 allotment year, the grade pay drawn by him immediately before that shall be taken into consideration. Allotment of residential accommodation to the officers/officials under suspension shall be made under rule-7 as if the suspension has not taken place.

Table-II

Sr No.	Type of residence	Basic pay drawn by the Officer
1	VII	₹ 67,000/- to ₹ 79,000/-
2	VIII	₹ 80,000/- and above

Table-III

S. No.	Type of residence	Basic pay drawn by the Judicial Officers
1	IV	₹ 27700/- ₹ 51549
2	V	₹ 51550/- ₹ 57699
3	VI	₹ 57700/- ₹ 70289
4	VII	₹ 70290 & above.

Table-IV

Under these rules an applicant (AIS) shall be eligible for allotment of Government residential accommodation of the type as shown in the column (1) as per the level in the pay matrix specified in the corresponding column(3), in the table below:-

Type of residence	Pre-revised Grade pay	Level in the pay matrix in revised scale (w.e.f 1.1.2016)
1	2	3
IV	₹5400 ₹ 6600 ₹ 7600	<u>Level-10</u> ₹ 56100 to ₹ 177500 <u>Level-11</u> ₹ 67700 to ₹ 208700 <u>Level-12</u> ₹ 78800 to ₹ 209200
V	₹8700 ₹ 8900	<u>Level-13</u> ₹123100to ₹ 215900 <u>Level- 13A</u> ₹131100 to ₹216600
VI	₹10000	<u>Level-14</u> ₹144200 to ₹218200
VII	₹ 67000 to ₹ 79,000	<u>Level-15</u> ₹182200 to ₹224100 <u>Level-16</u> ₹205400 to ₹224400
VIII	₹ 80,000 and above	<u>Level-17</u> ₹225000

Explanation:- For the removal of doubts it is hereby clarified that:-

- (a) The eligibility of an employee for Govt. accommodation shall be determined as per the Grade Pay/ Basic pay/ level in pay matrix of the employee in his/her present post held in the State Government.
- (b) The date of priority in respect of houses from Type-I to Type-III shall be the date of joining in the services under State Government. If the date of joining is the same then the priority will be determined as under:-
 - (i) The official having higher pay shall be senior in the priority list.
 - (ii) If the pay is the same, the official retiring earlier will be accorded higher priority.
- (c) The inter-se-seniority for the houses Type-IV onwards shall be considered on the basis of the following factors:-
 - (i) The Grade pay/Basic pay /level in pay matrix of the officer.
 - (ii) The priority date of an applicant, within the same Grade Pay/Basic pay/level in pay matrix, shall be the date from which the applicant is continuously drawing his such grade pay/basic pay/level in pay matrix
 - (iii) Where the priority date of two or more officers is the same, the inter se-seniority of the officers shall be determined on the basis of the basic pay i.e. the officers who have a higher pay shall be senior in the waiting list.
 - (iv) Where the priority date and the basic pay of two or more officers are the same, the earlier date of joining in the service of State Government shall be next determining principle of inter-se-seniority.
 - (v) Where the priority date, basic pay and date of joining in the service of the State Government of two or more officers are the same, the officers retiring earlier may be accorded higher priority over the officers retiring later.
- (d) Officers entitled for Type-IV and above houses shall also be eligible to apply for accommodation below their entitlement subject to the condition that such accommodation shall not be below Type-IV
- (e) No junior batch employee of the same service shall get priority over the senior batch officer of same service".

Amendment of 3.
rule-6

For sub-rule (2) of rule -6 of the said rules, the following shall be substituted namely:-

"(2) The applications received during the calendar year shall be considered after receipt of the application form by Director of Estates, HP for that calendar year and shall be valid upto 31st December of that year.

The applicant shall make an application online or manually through his office to the Director of Estates in the prescribed form for allotment of accommodation on 'priority basis' and on 'out of turn basis' to which, he is eligible or entitled under these Rules. Applications not made on the prescribed form shall not be considered valid for any kind of allotment".

Amendment of 4.
rule-10

For sub-rule(2) of rule-10 of the said rules, the following shall be substituted namely:-

(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:-

S. No	Event	Permissible period of retention
(i)	Resignation, dismissal, removal or termination of services or unauthorized absence without permission.	4 months.
(ii)	Retirement or terminal leave.	4 months
(iii)	Transfer outside the station	2 months or upto 10 days after date of possession at new place, whichever is earlier.
(iv)	Death of the allottee.	One year.
(v)	On proceeding on foreign service in India.	2 months.
(vi)	Temporary transfer in India or transfer to a place outside India.	6 Months.
(vii)	Transfer of an officer occupying an earmarked house.	One month from the date of handing over charge.
(viii)	Leave (other than leave preparatory to retirement, refused leave, terminal leave, medical leave).	For the full period of leave subject to maximum of four months.
(ix)	Leave preparatory to retirement or refused leave.	For the full period of leave subject to maximum of four months inclusive of the leave permissible at the time of retirement.
(x)	Deputation outside India.	For the period of deputation not exceeding one year.

(xi)	Study leave in India or abroad.	For the study period of leave.
(xii)	On proceeding on training.	For the full period of training.
(xiii)	Maternity leave and Child care leave.	For a period of maternity /child care leave plus the leave granted in continuation.
(xiv)	Leave on medical grounds requiring hospitalization beyond four months	Full period of leave.

Explanation-1 - The period permissible on transfer mentioned against items(iii), (vi) and (vii) shall be counted from the date of relinquishing charge plus the period of leave if any sanctioned to and availed of by the officer/official before joining duty in new office.

Explanation-2- Where an officer/official is on medical leave without pay and allowances he may retain his residence by virtue of the concession under item(xiv)of the table below sub-rule(2), provided he remits the license fee for such residence in cash every month and where he fails to remit such license fee for more than two months, the allotment shall stand cancelled.

Explanation-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 periods.

Explanation-4- An officer who has retained the residence by virtue of the concession under items(i) and (ii) of the above below sub-rule(2)shall, on re-employment in an eligible office within a period specified in the said table be entitled to retain that residence under these rules, provided if the emoluments of the officer on such re-employment do not entitle him to the type of residence occupied by him, he may be allotted a residence of the type as per the terms and conditions of re-employment.

Provided further that the further retention in a special case beyond the permissible period under Sub-rule(2), may be allowed as under:-

(i)	Next 3 months with the approval of Secretary (GAD) to the Govt. of Himachal Pradesh.	On payment of six (6) times of the normal license fee.
(ii)	Next 3 months with the approval of Chief Secretary, Government of Himachal Pradesh.	On payment of twelve (12) times of the normal license fee.

(iii)	Next 6 months with the approval of Chief Secretary, Government of Himachal Pradesh.	On payment of twenty (20) times of the normal license fee.
(iv)	No further extension except with the approval of CMM.	On payment of twenty (20) times of normal license fee.

Provided further that the application for extension shall be given one month before the expiry of the authorized period:

Provided further that the extension letter shall be issued only after receipt of total rent in advance. **However, in case of grant of extension to a serving Government servant payment of rent shall be deducted from his salary.** In case of failure to deposit the total rent, eviction proceedings shall be initiated immediately which shall be completed within three months

Provided further that if any allottee is transferred or retires in the mid-academic session and his/her children are studying in School/College, as the case may be, at the place of present posting, the allottee may be allowed by the Secretary on the basis of merits of each case to retain the accommodation till that current academic year/semester is completed subject to production of certificate from the concerned institution to this effect. License fee chargeable in such case shall be Four times of the pooled standard license fee for the period beyond the concessional period permitted under the rules in cases of retirement or transfer, as the case may be.

Provided further that in case of officer/official who proceeds on foreign service abroad or on deputation out side India, study leave in India or abroad, the department concerned of any officer/official is required to make the provision in terms and conditions of such orders with prior approval of the Government in General Administration Department that he/she can retain the Government residential accommodation, if any allotted only for the bonafide purpose of his/her family as per provisions of the rules:

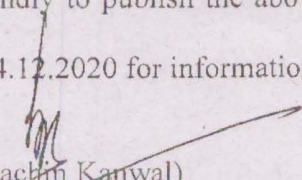
Provided further that officers/officials in the events mentioned above shall furnish an affidavit that the Government accommodation allotted to him/her shall be used only for the bonafide purpose of his/her family and in case it is found at any time that the accommodation is not used for the bonafide purpose of his/her family, the Government may, without prejudice to any other disciplinary action that may be taken against him/her, cancel the allotment of residence.

By Order

Devesh Kumar
Secretary (GAD) to the
Government of Himachal Pradesh.
1.1. 2021

No.GAD-D-7(G)1-12/81-IV, Dated Shimla-2, the
Copy forwarded to:-

1. All Secretaries/ Special Secretaries/ Joint Secretaries/ Deputy Secretaries/ Under Secretaries to the Government of H.P.
2. The Principal Secretary (Finance) to the Government of Himachal Pradesh.
3. The Registrar General, High Court of Himachal Pradesh, Shimla-2.
4. The Accountant General (Audit)H.P.,Shimla-3
5. All Heads of Departments in Himachal Pradesh.
6. All District & Session Judges in Himachal Pradesh.
7. All the Deputy Commissioners in Himachal Pradesh
8. All Chairmen/Managing Directors of Board/Corporations in H.P.
9. The Addl. DLR-cum-Addl. Secy. (Law) to the Government of H.P
10. The Principal, Indira Gandhi Medical College, Shimla-1.
11. The Registrar, H.P. University, Shimla-5, Horticulture University, Nauni, District, Solan/ CSKKVV Agr. University, Palampur, District Kangra.
12. The Director of Estates, Himachal Pradesh, Shimla-2
13. All the Estates Officers (ACs to DCs) in Himachal Pradesh
14. All the Treasury Officer/Sub-Treasury Officers/Assistant Treasury Officers in Himachal Pradesh.
15. The Deputy Secretary (Law) to the Government of Himachal Pradesh.
16. The Deputy Secretary (Finance) to the Government of H.P
17. The Controller (P&S),H.P.,Shimla-5. He is requested to kindly to publish the above notification in the Rajpatra(extra-ordinary) at an early date.
18. Deputy Secretary(GAD) w.r.t. item No.35 of the CMM on 14.12.2020 for information.


(Sachin Kanwal)
Joint Secretary (GAD) to the
Government of Himachal Pradesh.