

ANNEXURE – A

RU – 4 The Rules for Allotment of Residence (Amended)

1. These rules shall be called “The Rules of Allotment of Residence” in North Eastern Hill University, Shillong hereinafter to be referred to as the University.
2. These rules shall apply to all teachers and non-teaching employees for the University, excluding Officers of the University for whom designated residential accommodations are available.
3. Definition
 - (a) “Allotment” means grant of licence to an employee of the University to occupy a house owned/hired by the University or a portion thereof for use by the employee for his/her residence.
 - (b) “Residence” means the house owned/hired by the University or a portion thereof for use by the said employee as his/her residence with a certificate to be furnished to that effect by him/her when so allotted and occupied.
 - (i) Gardens, grounds, garages and out-houses, attached to such building(s);
 - (ii) Any furniture supplied by the University for use in such building(s); and
 - (iii) Any fittings affixed to such building(s).
 - (c) “Allotment year” means the year beginning 1st April or such other date as may be notified by the University from time to time.

(d) "Salary" for the purpose of determining eligibility for a type of residence shall be the Basic Pay.

(e) "Emoluments" for purpose of recovery of license fee shall include pay and such allowances as may be decided by the Govt. of India from time to time for the purpose. However, in the case of a University employee under suspension, who is in receipt of a subsistence allowance, the amount of the said allowance shall be considered as emolument.

Provided that if, such University employee is subsequently allowed to draw full pay for the period of suspension, the difference between the license fee(s) recovered on the basis of the subsistence allowance and the emoluments ultimately drawn shall be recovered from him/her upon revocation of such suspension order.

(f) "Family" means the wife or the husband, and children, step-children, legally adopted children, parents or parents-in-laws, and dependent brothers & sisters.

(g) "Allotment Seniority" of an employee means **station seniority** in relation to the type of residence to which he/she is eligible (at the beginning of an allotment year) by seniority in a particular place of continuous posting of the employee, employed on a regular basis.

Provided that where the date of seniority of two or more employees is the same, seniority amongst them shall be determined by the basic pay of the employees, i.e. employee in receipt of higher pay shall take precedence over the employee drawing lower pay. Where the pay is equal seniority amongst them for the purpose of allotment of residence shall be determined by seniority in age.

Provided further that an employee of higher entitlement for University residence (types) will have entitlement for immediate lower type also. But in case of opting on his or her own for such residence, he/she will be debarred for usual entitlement for two consecutive years.

- (h) "License Fee" shall mean the sum of money payable to the University, monthly on account of the residence allotted to the employee.
- (i) "Subletting" shall mean sharing of residence by the allottee with another employee of the University with or without payment of license fees by such other person. (Provided that any sharing of accommodation by an allottee with close-relations shall not deem to be sub-letting. Sub-letting in no case shall be on the basis of payment of rent).
- (j) "Temporary Transfer" shall mean a transfer, which involves absence from the University campus(es) for a period allowed by the University.
- (k) "Type" means a residence as defined by the University on the basis of size of plinth area, to which an employee is entitled.
- (l) Residence Allotment Committee' (RAC) shall mean a Committee to consider allotment of residence.
- (m) "Routine Maintenance" means such periodic maintenance like, whitewashing/painting, checking of water, electricity and sewage systems of the University residences as per Govt. of India norms, and verified by the Estate and representatives of NEHUTA and NEHUNSA, before allotment.

3. A. Residence Allotment Committee shall consist of the following:

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| (i) | A nominee of the Vice-Chancellor | Chairman |
| (ii) | Registrar | Member |
| (iii) | Adviser, Constructions/
Univ.Engineer/nominee | Member |
| (iv) | President, NEHUTA | Member |
| (v) | General Secretary, NEHUTA | Member |
| (vi) | President, NEHUNSA | Member |
| (vii) | General Secretary, NEHUNSA | Member |
| (viii) | Finance Officer/Nominee | Member |
| (ix) | DR/Asstt. Registrar (Estate) | (Convener) |

Note:

- (1) Four members shall constitute the quorum.
 - (2) The Committee shall meet as and when necessary.
- (i) Meeting of the R.A.C. shall be conducted as per provision of conducting other meetings in the University as per Regulation RA.3; provided further that clause RA 3.(8) shall not apply.
 - (ii) The convener of the committee shall notify the "allotment seniority" list of employees for purpose of house allotment in the various grades in April each year. He shall also maintain the record of vacant residences and convene the meeting of the RAC in consultation with the Chairman.
 - (iii) The Committee shall allot the vacant residences.

4. **CLASSIFICATION OF RESIDENCE:**

The University residences are classified into the following types for non-teaching staff.

i.	Type	Pay Range	Size of Residence
	I	2550-3049	50-59.9 2m
	II	3050-5499	60-69.9 2m
	III	5500-7999	70-99.92 2m
	IV	8000-11,999	100-134.9 2m
	V	12000-18,399	135-171.9 2m
	V(b)	18400	172 2m.+

ii. L Type for Lecturer P Type for Reader & Professor

Note: As per the existing policy of the University, eligibility of employees for University residences will be within the designated residences constructed for teachers (as defined in Statutes), ministerial staffs/officers and Statutory Officers of the University.

5. **APPLICATION FOR ALLOTMENT**

An employee whose turn for allotment of residence is due, shall be asked by the University to apply in the prescribed form as per (Appendix. I).

Unless otherwise provided in these rules, the allotment of residence falling vacant shall be made by the RAC at the earliest opportunity and after routine maintenance is completed.

6. **ALLOTMENT OF RESIDENCE:**

(i) Allotment shall be made strictly according to the "Allotment seniority" subject to reservation of 22.5%

of the available residences for allotment to SC/ST categories for which a roster system may be maintained for the purpose for different type of residences as per clause 5 of these Rules.

- (ii) No employee shall ordinarily be allotted a residence of higher entitlement. However, an employee may be considered for allotment of residence of the immediately lower type. If an employee, occupying a residence of lower type is allotted a residence of his/her entitlement and is unwilling to move to the residence of entitled class, for whatever reason, he/she will be required to intimate so in writing to the University and will remain ineligible for further allotment in entitled class for the next three(3) years.
- (iii) An employee, who is on an approved leave of absence may authorize a member of his family or another-employee, whose name shall be communicated to the administration before the allotment, to comply with the time limit prescribed for acceptance of allotment etc.
- (iv) If any employee fails to accept the allotment of residence within fifteen days or fails to take possession of the residence after acceptance within one month from the date of receipt of the letter of allotment, the allotment shall stand automatically cancelled and shall be deemed to have been forfeited by the allottee.
- (v) Once allotted a residence, if the employee declines the offer, the concerned employee can seek fresh allotment after lapse of one year from the date of declining the allotment and shall appear in allotment seniority for entitled class after such time-bar upon applying a fresh to the University.

7. SPECIAL CATEGORY/OUT TURN ALLOTMENT:

Allotment of “out of turn” residences on priority basis can be made to such employees whose presence in the University Campus is considered essential for management and supervision of University work and building, maintenance of essential facilities, of employees advised on medical ground not to commute from the city, chairs which may fall under the following categories:

- (a) Specified member of the administrative and ministerial staff;
- (b) Specified members of health, sanitation and maintenance services;
- (c) Specified members of engineering, electricity and water services etc.;
- (d) Specified staffs for the maintenance of telephones, laboratories, library and halls of residences for students (hostels);
- (e) Categories of staff/teachers under medical advice as per GOI rules for the purpose:
- (f) Visiting Professors/Scholars; and
- (g) Incumbents of designated Chairs with obligations to provide residences by the University.

The University may frame specific policy on out of turn allotment of residences of various type and categories, either by numbers or percentage of upper limit of such allotments, except for 7(e), subject to availability of residences. In the event of out of turn allotment, the entitled class residence being not available, the allottee can be offered the lower type who may be allotted the entitled type of residence as and when the regular turn of the said employee comes. The Visiting Professor/Scholars may be accommodated in the designated residences under direct dispensation of the Vice-Chancellor, for which appropriate

Licence Fee etc may be decided by the Executive Council. Suitable residences can be ear-marked for category 7(g) of the allottees.

8. ELIGIBILITY OF HUSBAND AND WIFE

- (a) No employee shall be allotted a residence under these rules if the wife or husband of the employee, as the case may be, has already been allotted a residence. A fresh allotment can arise when the residence is surrendered simultaneously, provided that this sub-rule shall not apply where the husband and wife are residing in judicial separation in pursuance of an order of the Court.
- (b) Where two employees in occupation of separate residence allotted under these rules marry each other, they shall within one month of the marriage surrender one of the residences, by exercise of a choice in writing. Continued occupation of residence will result in automatic cancellation of the allotment of one of the residences. Otherwise, the married employees will be liable to pay rent for one of the residences at the penal rate as specified by the GOI from time to time for the residence after the lapse of the grace period of one month.
Further, in the event of husband and wife both being public servants (one in NEHU, e.g.), one has to opt out of public housing allotment unless the place of work is than 8 Km. from the other's and appropriate GOI rules will apply.
- (c) Where both husband and wife are employed in the University the entitlement of either of them to allotment of residence under these rules shall be considered independently provided the house surrendered by either of the spouses may be retained by the other in case both of them are in the same grade of eligibility (CL.4).

9. PERIOD FOR WHICH ALLOTMENT SUBSISTS AND THE CONCESSIONAL PERIOD FOR FURTHER RETENTION OF RESIDENCE

(i) An allotment shall be effective from the date on which an allotment is accepted and shall continue in force, until an employee ceases to be in the service of the University or unless otherwise provided.+

(ii) A residence allotted to an employee may be retained as specified in Col. (i) of the table below for the period specified in the corresponding entry in Col.(2) thereof and payment of normal license fee in the event of any one of the following, provided that the residence is required for bonafide member of his/her family.

EVENTS	PERMISSIBLE PERIOD FOR RETENTION OF THE RESIDENCE
(a) Removal or retirement from service or death of the allottee*	3 (three months) and thereafter, at the penal rate as specified by the GOI from time to time.
(b) On leave i.e., Study Leave/Sabbatical leave/ leave on medical ground	Period of Leave sanctioned but for use of the member(s) his/her family only
(c) EOL/Lien/Deputation/ foreign employment	12 months exceeding which the allottee shall have to pay an amount equivalent to 2 times the HRA admissible for the month preceding the actual period of EOL/Lien/ Deputation.
(d) Re-employment	The period of re-employment.

*On premature death of an allottee (in service), the retention of the allotted residence, on written request by the spouse or children of the deceased could be considered by RAC up to a maximum of normal retention period on sympathetic grounds as per GOI provisions on the matter. However, the spouse or close relations as specified in 3(f) will be required to pay monthly license fee for the residence.

NOTE (i) Where a residence is retained under sub-rule (ii) allotment shall be deemed cancelled on the expiry of admissible concession period, unless the employee resumes duty at the end of the leave period/ further permission for retention obtained from appropriate authority of the University.

(ii) Where an employee is on leave on medical grounds, without pay and allowances, and is allowed to retain his/her residence by virtue of the concession under sub-rule (ii), he/she shall pay the license fee for such residence every month; and wherever he/she fails to pay such license fee for more than twelve months the allotment shall automatically stand cancelled.

(iii) Re-employed employees shall be allowed to retain the accommodation allotted to them on payment of normal license fee for the residence. They will not be eligible for allotment of a higher type of accommodation.

10. PROVISION RELATING TO LICENCE FEE

(i) Where an allotment of residence or alternative residence has been accepted, the liability for license fee shall commence from the date of occupation or the 31st day from the date of issue of the allotment order, whichever is earlier.

(ii) A quarterly list of allotment/occupation of residences may be furnished by the AR(Estate) to the NEHU Finance, for deduction of payment of house rent allowances plus license fee as

applicable, from the salary of the allottee in the subsequent month. The same may apply on houses vacated by employees (allottees) on retirement or otherwise, so that appropriate records are available with NEHU Finance.

(iii) Where an employee, who is in occupation of a residence, is allotted another residence, the allotment of the former residence shall be deemed to be cancelled from the date of occupation of the new residence. He/She may, however, retain the former residence without payment of license fee for that day and the subsequent day for the purposes of shifting of the personal effects.

(iv) The license fee payable for residences shall be as prescribed by the Govt. of India from time to time; provided that license fee shall not be payable by teachers and those employees exempted from payment by specific policy of the University or any special order(s) to that effect.

11. PERSONAL LIABILITY OF THE EMPLOYEE FOR PAYMENT OF LICENCE FEE TILL THE RESIDENCE IS VACATED

The employee to whom a residence has been allotted shall be personally liable for payment of the license fee; water, electricity, conservancy charges, or such other charges that may become necessary for any damage beyond fair wear and tear caused thereto or to the furniture, fixtures or fittings of services provided therein by the University during the period for which the residence has been and remains allotted to him or where the allotment has been cancelled under any of the provisions. In these rules, until the residence along with the out houses/garages attached thereto have been vacated and full vacant possession thereof has been resorted to the University, the employee is fully and wholly liable to pay the specified license fee for such residence.

12. SURRENDER OF AN ALLOTMENT AND PERIOD OF NOTICE

An allottee may at any time during his tenure to the residence allotted surrender the residence by giving one month's notice before the date of vacation of the residence. The allotment shall be deemed cancelled with effect from the date of expiry of notice. Such an allottee may become eligible for allotment of University residence on a fresh application after the lapse of one year bar (U/c 6(v)).

13. CHANGE OF RESIDENCE

(i) An employee to whom a residence has been allotted under these rules may apply for a change to another residence of the same type or a residence of the type to which he/she is eligible subject to Cl. 5.

(ii) If an allottee fails to accept a change of residence offered to him/her within ten days of such offer or allotment, his/her request for the change will lapse.

(iii) Such change of residence can be done only once for the same type of residence.

(iv) An employee who changes university residence to undertake a responsibility of the University requiring a stay in earmarked accommodation of the University shall be allotted an accommodation on a priority basis on relinquishing the responsibility.

14. MUTUAL EXCHANGE OF RESIDENCE

(Two) Employees to whom residences of the same type have been allotted under these rules may apply for permission to exchange the residences mutually, which may be granted by the RAC and the allotments are accordingly change.

15. MAINTENANCE OF RESIDENCE

(i)The allottee shall maintain the allotted residence and compound in a neat and clean condition.

(ii)The allottee shall not construct any unauthorized structure(s), in any part of the premises and not tamper with the existing structures or electricity and water connections or cut trees without permission of the University.

(iii)The allottee shall not use the residential quarters for purposes other than for which it is allotted nor use in any manner that may cause annoyance/nuisance to the neighbours. No poultry, piggery or cattle rearing are permitted in allotted University residences/premises.

(iv)The allottee on occupation/vacation of the residence should sign an inventory of furniture/fittings in the allotted residence provided by the University. The DR(Estate) will sign the inventory on behalf of the University and copy furnished to the allottee for future uses.

16. SUB-LETTING AND SHARING OF RESIDENCES

No employee shall share the residence allotted to him or any of the outhouse attached thereto except with the employees of the University eligible for allotment of residences under these Rules with prior permission of the University. A formal report shall be made to the University by the allottee giving particulars of sharing the accommodation. The servant quarters, outhouse and garages may be used for the bonafide purposes only.

17. CANCELLATION OF ALLOTMENT

(i)Any breach of the above rules will without prejudice to any disciplinary action, entail cancellation of allotment and in such case three months time will be given for vacating of the residence.

(ii)After an allotment has been cancelled but the residence remains in occupation of the employees such employee shall be liable to pay for use and occupation of the residence services, furniture, etc, as specified under GOI Rules from time to time. The decision of the University shall be final and binding.

18. UNAUTHORISED OCCUPATION OF UNIVERSITY RESIDENCE

Any employee who occupies any University Residence in violation of these Rules shall be promptly intimated to the Estate Officer for appropriate action.

19. For any matter not covered under these Rules, the provisions of GOI on such matters shall apply.

20. **Removal of Difficulties** : In the event of difficulties arising out of implementation of certain provisions of these Rules, the Vice-Chancellor may take such measures as may be necessary for removal of difficulties.

21. APPEAL AGAINST THE DECISION OF THE ALLOTMENT COMMITTEE

Any appeal against the decision of RAC shall, in the first instance be made to the RAC for a review of the case. If, however, the appellant is not satisfied with the decision of the committee and appeal will be made to the Executive Council and the decision of which shall be final. The first appeal should be made within the period of validity of the offer of allotment.

