

Kendriya Vidyalaya Sangathan  
18, Institutional Area,  
Shaheed Jeeb Singh Marg,  
New Delhi.

F.10-10/92-KVS(Admn.1)

Dated : 17.7.1998

The Assistant Commissioner,  
Kendriya Vidyalaya Sangathan  
All Regional Offices.

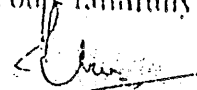
Sub : Kendriya Vidyalaya Sangathan (Allotment of Residences) Rules - Revision thereof - reg.

Sir/Madam,

Inviting your kind attention to the above subject, I am to say that the question regarding the revision of the existing Allotment of Residence Rules, which were framed in the year 1976, has been under consideration of the Sangathan for quite sometime past. The Chairman, Kendriya Vidyalaya Sangathan has since been pleased to approve the revised allotment rules which will be called "Kendriya Vidyalaya Sangathan (Allotment of Residence) Rules, 1998" and the same will come into force with immediate effect. A copy of these Rules is enclosed.

2. You are requested kindly to circulate these rules in your office and also among all the Kendriya Vidyalaya of your Region for information, guidance and compliance by all concerned. Also a confirmation to this effect be sent to this office by return of mail.
3. Hindi version will follow.

Yours faithfully,

  
(M. N. Sharma)  
Sr. Admn. Officer (Admn.)

Encls : as above.

Distribution :

1. All officers/ sections in the KVS (I. Qrs)
2. SAO (Estt.)/SO (Estt. I)/Cash Section
3. The President/General Secretary, All recognised Staff Associations.
4. Principal, Kendriya Vidyalayas, Kathmandu (Nepal)/Moscow (RUSSIA)

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KENDRIYA VIDYALAYA SANGATHAN  
(ALLOTMENT OF RESIDENCE) RULES, 1998

1. Short Title and Commencement.

- (1) These rules may be called the Kendriya Vidyalaya Sangathan Allotment of Residence Rules, 1998.
- (2) They shall come into force at once.

2. Application.

- (1) These Rules shall apply to the employees working in Kendriya Vidyalayas, Regional Offices and Hqrs office or any other establishment under the administrative control of the Kendriya Vidyalaya Sangathan.
- (2) Any valid allotment of a residence which is subsisting immediately before the commencement of these rules shall be deemed to be an allotment duly made under these rules and all the provisions of these rules shall apply in relation to that allotment and to that officer accordingly.

3. Definitions:

In these rules, unless the context otherwise requires -

- (1) 'Allotment' means the grant of a licence to occupy a residence in accordance with the provisions of these rules;
- (2) 'Allotment Year' means the year beginning on 1st April or such other period as may be notified by the KVS Hqrs.
- (3) 'Allotting Authority' means -
  - i) Joint Commissioner(Admn.) in respect of the residences under the control of the Headquarters office of the Sangathan;

- ii) Assistant Commissioner of the Regional Office concerned in respect of the residences under the administrative control of the Regional Office;
  - iii) Principal of the Kendriya Vidyalaya concerned in respect of the residences placed under his control for allotment;
  - iv) Assistant Commissioner of the Regional Office or any other authority specified by the Commissioner of the Sangathan in respect of the residences declared as Common Pool for allotment to the employees of two or more Kendriya Vidyalayas and/or Regional Offices; or
  - v) Any other authority declared by the Commissioner of the Sangathan as allotting authority in respect of residence under the control of any other establishment under the Sangathan.
- (4) "Emoluments" means the emolument as defined in SR 317-B-2 (D) and the orders issued by the Government or the Sangathan thereunder from time to time.
  - (5) 'Employee' means a person in the regular employment of a Kendriya Vidyalaya, Regional Office or the Headquarters office or any other establishment of the Kendriya Vidyalaya Sangathan and includes officers working on deputation in the Sangathan for the purpose of allotment under these rules.
  - (6) "Government" means the Central Government.
  - (7) 'Family' means the wife or husband as the case may be and children/step children legally adopted children, parents, brothers or sisters, who ordinarily reside with and/or are dependent on the employee.
  - (8) 'Licence Fee' means the sum of money payable monthly in accordance with these rules in respect of a residence allotted under these rules.
  - (9) 'Priority Date' of an officer in relation to a type of residence to which he is eligible under Rule 6 of these Rules, means the earliest date from which he has been continuously drawing

emoluments relevant to a particular type or a higher type in a post under the Kendriya Vidyalaya Sangathan or the Central Govt. or State Govt. or on foreign service except for periods of leave.

Provided that where the priority date of two or more officers is the same, seniority among them shall be determined by the emoluments, the officer in receipt of higher emoluments taking precedence over the officer in receipt of lower emoluments; where the emoluments are equal, by the length of service; and where both the emoluments and length of service are equal, on the basis of the scale of pay of the officer, the officer working in a post having higher scale of pay taking precedence over the officer in receipt of lower scale of pay.

- (10) 'Residence' means any building under the control of the Kendriya Vidyalaya, Regional Office(s) and Headquarters office of the Kendriya Vidyalaya Sangathan, and authorised to be used as residence, including residence belonging to the sponsoring agencies and handed over to the Sangathan for allotment to the employees of the Sangathan.
- (11) 'Sangathan' means Kendriya Vidyalaya Sangathan including its Headquarters office, Regional Offices, Kendriya Vidyalayas and any other establishment under it.
- (12) 'Subletting' 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 who do not contribute anything towards rent or Licence fee of the portion occupied by them shall not be deemed to be subletting.

Note - In these rules 'he' in relation to an employee of the Sangathan includes 'She' and 'Wife' includes 'Husband' as the case may be.

4. Ineligibility of Employees owning House(s).

(1) No employee of the Sangathan shall be eligible for allotment of residence if either he or any member of his family owns a house within 15 Kms (20 Kms for Delhi, Calcutta, Bombay and Chennai) from place of his posting.

(2) Notwithstanding anything contained in clause (1) of this rule, the Allotting Authority may allot or reallocate a residence to any employee if -

(a) The house owned by him, his wife, any dependent child or by his father/mother or any other dependent relation has been requisitioned by the Government/Local authority; or

(b) It is proved to the satisfaction of the Allotting Authority that such house has been given out on lease:

i) Before the posting of the employee to the Vidyalaya, Regional Office(s) and Headquarters office of the Sangathan; and

ii) The Allotting Authority is satisfied that it is not possible for the lessor, for reasons beyond his control, to obtain vacant possession of the house;

Provided that if at any time it appears to the Allotting Authority that no effort has been made to obtain vacant possession of the house, it shall be open to the Allotting Authority to cancel the allotment and require the allottee to vacate the residence forthwith and to recover the damages at the rates prescribed by Government of India or the Sangathan as damages from the date of such cancellation till the residence is vacated.

(3) When after a residence has been allotted to an employee, he or any member of his family becomes owner of a house within the limits mentioned in clause (1) of this rule, such employee shall notify the fact to the allotting authority and shall vacate the residence allotted to him by the Sangathan under these rules within a period of one month from the date the house is provided with electricity connection.

(4) The provisions of this rule will not apply where sufficient number of residences are available for allotment to all the applicant.

5. Allotment to Husband and Wife.

(1) No employee shall be allotted a residence if his/her spouse has already been allotted a residence at the same station either by the Sangathan or by the Central or State Govt. or UT Administration or a Public Sector Undertaking or an Autonomous Body mainly financed/controlled/managed by the Central/State Government or by his/her employer; unless such residence is surrendered;

Provided that this clause shall not apply where the husband and wife are residing separately in pursuance of an order of judicial separation made by a court.

(2) Where two employees in occupation of separate residence by any of the authorities or bodies mentioned above, marry each other they shall within one month of their marriage surrender the residence allotted by the other agency if the allotment made by the Sangathan is to be retained. If residence in such a case is not surrendered, the allotment of the residence (or if both residences have been allotted by the Sangathan the allotment of the residence of the lower type) by the Sangathan shall be deemed to have been cancelled on the expiry of such period.

(3) Where both husband and wife are employed under the Sangathan the title of each of them to allotment of residence under these rules shall be considered independently.

(4) Where both husband and wife are Sangathan employees residing in the same residence allotted by the Sangathan and the employee to whom the residence is allotted is transferred or promoted and posted out of station, the existing residence may be allowed to be retained by his spouse till alternative accommodation as per entitlement of the spouse is made available provided a written request for the said purpose is submitted within 30 days of the relief of the allottee. However, this will not apply to other family members.

6. Classification of residence and eligibility.

(1) Save as otherwise provided by these rules and employee will be eligible for allotment of a residence of the type shown in the table below:

Type of residence	Range of monthly emoluments on the first day of the allotment year concerned (Pre-revised)	
I	Upto Rs.949/-	upto 3049
II	Rs. 950 -1499/-	From 3050 - 5499
III	Rs.1500 - 2799/-	From 5500 - 8499
IV	Rs.2800 - 3599/-	From 8500 - 11999
V	Rs.3,600/- and above	

7. Application for allotment.

(1) Applications for allotment shall be invited by the Allotting Authority in such form and manner and before such date as may be specified by him.

(2) An employee joining duty on transfer or on first appointment may submit his application to the allotting authority within a month of his joining duty.

(3) Application received under clause (2) above on or before the 20th day of a calendar month shall alone be considered for allotment in the succeeding month.

8. Basis of allotment.

(1) Save as otherwise provided in these Rules, a residence falling vacant will be allotted preferably to an applicant desiring a change of accommodation in that type, and if not required for that purpose, to an applicant without accommodation in that type having the earliest priority date for that type of residence.

(2) Allotment of the residences earmarked for a specific employee or classes of employees shall be made only to that specific employee of those classes of employees in whose favour the residence has been earmarked.

- (3) Employees joining the Sangathan on deputation may be allotted residence of the eligible category or one category below on priority.
- (4) Separate seniority list will be prepared showing the order in which the allotment is to be made, for each type of residence.

9. Earmarking of residences.

Notwithstanding anything contained in these rules, any accommodation may be earmarked for allotment to such officer or officers of the Sangathan as may be specified by the Commissioner.

10. Allotment Committee.

(1) All applications for allotment shall be considered by the Allotment Committee constituted separately for each Kendriya Vidyalaya, Regional Office, the Headquarters office or any other establishment of the Sangathan consisting of such members as may be prescribed by the KVS Hqrs.

(2) The Committee shall draw up a list of applicants eligible for allotment in the order in which residence may be allotted during the allotment year. The list shall remain valid for one year. A fresh list will be prepared and approved by the Allotment Committee at the beginning of each allotment year.

Note :- The Allotment Committee may allot an appropriate place in the list to the employees joining during the middle of the year and apply for residence as mentioned in Rule 7.

(3) A residence falling vacant will be allotted by the allotting authority strictly in accordance with these rules after taking into account the list prepared by the allotment committee under clause (2) of this rule. In the event of difference of opinion between the allotting authority and allotment committee, the matter will be referred to the authority immediately higher than the allotting authority whose decision in the matter shall be final.



- (4) A letter of allotment shall be issued in duplicate to every employee to whom a residence is allotted and he shall be required to convey his acceptance or otherwise in writing (on one copy of the letter) of the terms of the allotment stipulated therein before actual possession of the residence is made over to him.
- (5) If an employee to whom a residence is allotted does not accept the allotment or take possession of the residence within a period not exceeding 8 continuous days, from the date of receipt of the letter of allotment, the allotment will be treated as cancelled and he/she shall not be eligible for another allotment for a period of one year from the date of the allotment letter.

11. Non-acceptance of Allotment or offer or failure to occupy the allotted residence after acceptance.

If any employee fails to accept the allotment of a residence within five days or fails to take possession of that residence after acceptance within eight days from the date of the receipt of the letter of the allotment, he/she shall not be eligible for another allotment letter. Such an employee will also not be eligible to the drawal of HRA for the period during which the allotted residence remains vacant or surplus.

12. Period for which allotment subsist and the concessional period for further retention.

- (1) An allotment shall be effective from the date on which it is accepted by the employee which should be communicated within 5 days from the date of its receipt and shall continue in force until:
- (i) the expiry of the concessional period permissible under clause (2) of this rule after the employee ceases to be on duty in the Sangathan;
  - (ii) it is cancelled by the Allotting Authority or is deemed to have been cancelled under any provisions of these rules;
  - (iii) it is surrendered by the employee; or
  - (iv) the employee ceases to occupy the residence.

(2) A residence allotted to an employee may 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 bonafied use of the employee or members of his family:-

<u>Events</u>	<u>Permissible period for retention of the Residence</u>
i) Resignation, dismissal removal from service termination of service or unauthorised absence without permission.	1 month
ii) Retirement or terminal leave.	4 months
iii) Death of the allottee.	6 months
iv) Transfer to another KV/RO/ Headquarters at the same or other Station in India.	2 months
v) Transfer to another establishment outside the Sangathan or on deputation/foreign service in India.	2 months
vi) Transfer to a KV outside India	4 months
vii) Leave (other than leave preparatory to retirement, maternity leave, medical leave, or study leave).	4 months
a) Maternity leave.	For the period of maternity leave plus leave granted in continuation subject to the maximum of five months.

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| Viii) | Leave Preparatory to retirement or earned leave granted to employees who retired under 56 (J). | For the full period of leave on full pay subject to maximum of 180 days in the case of leave preparatory to retirement and four months in other cases, inclusive of the period permissible in the case of retirement. |
| ix)   | Study leave in or outside India.   | For the period of study leave.  |
| x)    | Deputation outside India.  | For the period of deputation but not exceeding six months.  |
| Xi)   | Leave on medical ground.   | For the period of leave but not exceeding six months.   |
| Xii)  | On proceeding on training.   | For full period of training.  |

Explanation I - Where an employee on transfer is sanctioned leave and avails of it before joining duty at the new place of posting he may be permitted to retain the residence for the period mentioned against items (iv), (v), (vi), and (vii) mentioned in clause (2) of this rule or for the period of leave, whichever is more.

Explanation II - Where an order of transfer is issued to an Employee while he is already on leave, the period permissible under explanation I, shall count from the date of issue of such order.

- ③ Where a residence is retained under clause (2), the allotment shall be deemed to be cancelled on the expiry of the admissible concessional period unless immediately on the expiry thereof the employee resumes duty in the Sangathan.

- (4) Where an employee is on medical leave without pay and allowances, he may retain his residence by virtue of the concession under item (xi) of the Table below clause (2);

Provided he remits the licence fee for such residence in cash every month and where he fails to remit such licence fee for more than two months, the allotment shall stand cancelled.

- (5) An employee who has retained the residence by virtue of the concession under item (i) or item (ii) of the Table below clause (2) shall, on re-employment in the Sangathan, within the period specified in the said Table, be entitled to retain that residence and he shall also be eligible for any further allotment of residence under these rules;

Provided that if the emoluments of the employee on such re-employment do not entitle him to the type of residence occupied by him, he shall be allotted a lower type of residence.

- (6) Notwithstanding anything contained in clause (2), (3) or (5) of this rule when the employee is dismissed or removed from service or when his services have been terminated and the competent authority is satisfied that it is necessary or expedient in the public interest to do so the competent authority may cancel the allotment of the residence made to such Sangathan employee either forthwith or with effect from such date prior to the expiry of the period of one month referred to in item (i) of the Table below clause (2) as he may specify.

- (7) The employees transferred and posted in North Eastern Region, Andaman & Nicobar Islands will be eligible to retain the residence allotted under these rules for the period prescribed by the Government from time to time.

### 13. Maintenance of Residence.

- (1) An employee to whom a residence has been allotted shall maintain the residence and premises in a clean and hygienic condition to the satisfaction of the Allotting Authority and local authorities such as State Govt., Municipal Bodies etc. The employee shall not grow

trees, plants etc. contrary to the instructions issued by the authorities or cut or remove any existing tree or plants without prior permission of the Allotting Authority. The trees or plants belong to the Vidyalaya and not to the allottee. The employee shall not make any additions and alterations to the residence and shall not deface the glasspanes, walls, floors, etc. No inflammable article shall be stored in the residence.

- (2) No employee or his/her spouse or dependent(s) is permitted under any circumstances to keep animals like Cow, Buffalo, Goat, Horse etc. Violating this clause will be treated as misconduct on the part of the employee and the allotment of residence will be liable to be cancelled. In addition to this it will be treated as breach of these rules for which the same penalty or damages will be applicable as mentioned under Rule XIV sub rule (3) to (7).

#### 14. Personal Liability of the Employee for Payment of Licence Fee.

(i) The employee to whom a residence is allotted shall be personally liable for the licence fee thereof and for any damage beyond normal wear and tear caused thereto or to the furniture fixtures or fittings or services provided therein during the period for which the residence has been and remains allotted to him or where the allotment has been cancelled or is deemed to be cancelled under any of the provisions in these rules, until the residence alongwith the outhouses appurtenant thereto have been vacated and full vacant possession thereof has been restored to the allotting authority.

- (2) Where the employee to whom a residence has been allotted is not a permanent Sangathan employee he shall execute a security bond with a surety who shall be a permanent employee of the Sangathan of equal or higher status for due payment of licence fee and other charges due from him in respect of such residence and services and any other residence provided in lieu.
- (3) If the surety ceases to be in Sangathan service or becomes insolvent or withdraws his guarantee or ceases to be available for any other reasons, the employee shall furnish a bond executed by another surety within thirty days from the date of

his acquiring knowledge of such event or fact and if he fails to do so, the allotment of the residence to him shall unless otherwise decided by the allotting authority be deemed to have been cancelled from the date of that event.

15. Mutual Exchanges of Residence.

Employees to whom residence of the same type have been allotted under these rules may apply for permission to mutually exchange their residences. Permission for mutual exchange may be granted if both employees are working in the same Vidyalaya/Regional Office/Headquarters office of the Sangathan and if neither is likely to retire within 6 months and if neither is, as far as known to the Allotting Authority, likely to be transferred out within 6 months.

16. Sub-letting and sharing of residences.

(1) No employee shall share the residence allotted to him or any of the outhouses, garages and stables, appurtenant thereto except with the employee of the Sangathan eligible for allotment under these rules. The Servants' quarter, outhouses, garages and stables may be used only for the bonafide purposes including residence of the servants of the allottee.

(2) No employee shall sublet the whole or any part of his residence;

Provided that an employee proceeding on leave may accommodate, in the residence any other employee, as a caretaker, for a period not exceeding six months.

(3) Any employee who shares or sublets his residence shall do so at his own risk and responsibility and shall remain personally responsible for any licence fee payable in respect of the residence and for any damage caused to the residence or its precinct or grounds or services provided therein beyond fair wear and tear.

17. Consequences of breach of rules and conditions.

(1) If an employee to whom a residence has been allotted shares his residence or sublets it or erects unauthorised structure or uses it for a purpose other than that for which it is intended or tempers with the electric or water connection or commits any other breach of the rules in this behalf or of the terms and conditions of the allotment

or uses the residence or the premises or pursuits or suffers the residence or premises to be used for any purpose which the allotting authority considers to be improper or conducts himself in a manner which is prejudicial to the maintenance of the harmonious relations with his neighbours or has knowingly furnished incorrect information in any application or written statement with a view to securing the allotment, the Allotting Authority may without prejudice to any other disciplinary action or any other action specified hereunder that may be taken against the employee, cancel the allotment of the residence.

Explanation - In this clause the expression 'employee' includes, unless the context otherwise requires, a member of his family and any person claiming through the employee.

- (2) If an employee sublets a residence allotted to him or any portion thereof in contravention of these rules, he may without prejudice to any other action that may be taken against him, be charged damages at the rates that may be fixed by the Govt. of India or the Sangathan from time to time. The amount of damages to be recovered in each case will be decided by the allotting authority on merits.
- (3) Where action to cancel the allotment is taken on account of unauthorised subletting of the premises by the allottee, a period of 30 days shall be allowed to the allottee, and any other person residing with him therein to vacate the premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of 30 days from the date of the orders of the cancellation of the allotment, whichever is earlier.
- (4) Where the allotment of residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with neighbours, the employee at the discretion of the allotting authority may be allotted another residence at any other place.
- (5) The allotting authority shall be competent to take all or any of the actions under clauses (1) to (4) of this rule and also to declare the employee, who commits the breach of rules and instructions issued to him to be ineligible for allotment of residence for a period of 5 years and this period of ineligibility shall operate even if he is transferred to other Vidyalyaya/Office or Sangathan.

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- (6) An employee/allottee who unauthorisedly sublets the residence or commits any other breach of the rule(s) shall also render himself to disciplinary action.

#### 18. Recovery of Licence Fee.

(1) The House Rent Allowance if any admissible to the employee shall not be paid to the allottee of a residence and the allottee of the residence shall pay flat rate of licence fee as fixed for the residence by the Sangathan or the sponsoring authority from time to time, for the period during which the allotment subsists.

(2) In addition to the licence fee, the allottee will bear the expenditure on consumption of water and electricity in respect of the residence.

(3) The payment of water, electricity charges etc. will be made by the allottee direct to the authorities concerned. If no separate meters for consumption of water and electricity are available in residence, the share for each residence, as determined by the allotting authority will be payable and deducted from the pay bill alongwith the licence fee.

#### 19. Overstayal in Residence after Cancellation of Allotment.

Where, after an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residents remains or has remained in occupation of the employee to whom it was allotted or of any persons claiming through him, such employee shall be liable to pay damages for use and occupation of the residences, services, furniture and garden charges etc. as may be determined by the Govt. or the Sangathan from time to time. This is without prejudice to the right of the competent authority to evict him from the residence and the disciplinary action that may be initiated against such defaulting employee.

#### 20. Applicability of Rules framed by the Government.

The Allotment of Government Residences (General Pool in Delhi) Rules of the Government and the orders issued thereunder shall mutatis-mutandis apply in respect of the matters not provided under these rules as also in matters of reservation of residences for allotment to the SC/ST and other categories of employees.



21. **Applicability of the Rules of sponsoring agencies.**  
Notwithstanding anything contained in these rules, the orders and rules of the sponsoring agencies shall mutatis-mutandis apply where the terms and conditions of allotment so provide.

22. **Relaxation of Rules.**

The Commissioner of the Sangathan or any other officer designated by him for the purpose may for reasons to be recorded in writing relax all or any of the provisions of the rules in the case of any employee or residence or class of the employees or types of residences.

23. **Interpretation of Rules.**

If any question arises as to the interpretation of these rules, it shall be decided by the Commissioner of the Sangathan whose decision shall be final.