

CIRCULAR NO. 03 / 2019

RULES FOR ALLOTMENT OF RESIDENTIAL QUARTERS IN THE TOWNSHIP OF HEC IN RANCHI

1) Short Title, Extent and Commencement

- a) These Rules will be called "Rules for Allotment of Corporations' Quarters in the Township of HEC in Ranchi for residential purpose to regular employees of the Corporation".
- b) It extends to whole of Township owned by HEC Ltd. at Ranchi and applies to all regular employees of the HEC Ltd.
- c) These Rules shall come into force w.e.f. 01st April, 2019 in supersession to all the provisions regarding allotment of quarters to regular employees under the previous rules.

2) Definition

- a) "Chairman-cum-Managing Director" (CMD) means the Chairman-cum-Managing Director of HEC Limited.
- b) "Company/Corporation" means Heavy Engineering Corporation Limited.
- c) "Competent Authority" means Chairman-cum-Managing Director/Director (Personnel).
- d) "Employee" means a serving employee of the Corporation in the regular scales of pay of the Corporation including Trainees inducted with the condition of subsequent absorption in the regular scale of pay/post after successful completion of training period and persons on deputation to the Corporation from other Organization(s).
- e) "Family" means the employee's wife or husband (as the case may be), sons & daughters residing with him/her and wholly dependent upon him/ her. "Family" also includes his/ her parents, unmarried sister, minor brothers residing with and wholly dependent upon him/ her.
- f) "Quarter Allotment Committee" (QAC) means the committee duly constituted and approved by the Competent Authority for allotment of Quarters.
- g) "Standard Rent" means the rent as notified from time to time by the Corporation for a particular class of accommodation for the time being.
- h) "Market Rent" is the rent as notified from time to time by the Corporation.
- i) "Special License Fee" means 60% of the Market Rent.
- j) "Penal Rent" means the twice the market rent.

3) Entitlements & Rent

- a) The entitlement for allotment of quarters, for the time being will be as under:

Types of Quarters	F type	E Type	CD type	B type in Sector-3	All other types of Qrs.
Category of Employees	Grade E6 & above	Grade E4 & above	Grade E1 & above	First preference will be given to DROs. In case of unwillingness of DRO's preference will be given to Supervisors.	All employees

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For F Type, E Type, CD Type & B Type in Sector-3

- i) **Administrative Seniority/** Grade wise seniority will be drawn based on the length of service reckoned from the date of entry into the present grade of the entitled employee. Employees senior in the length of service in the present grade, will be reckoned senior.
- ii) Inter-se seniority of employees with same length of service in a particular grade, i.e. the same date of entry into that particular grade, will be reckoned on the basis of the length of service in the lower grades. Employees senior in the length of service in the lower grade(s), will be reckoned senior.
- iii) In case of the date of initial appointment in the Corporation, being the same, the senior in age will be reckoned senior.
- iv) The employee in a higher grade will be senior to an employee in a lower grade.

(b) For Quarters other than F Type, E Type, CD Type & B Type in Sector-3

Seniority will be drawn based on basic pay followed by Date of joining and Date of Birth of eligible employees.

- (c) For any dispute with regard to the determination of seniority of the employees, the decision of CMD/Director (Pers) will be final.

6) Preparation of Seniority List & Notification for inviting applications for allotment of Qtrs.

- a) A Seniority list as per the provisions of para 5 (a) and 5 (b) above for the purpose of allotment of Quarters under these Rules will be prepared every year in the month of April and will remain valid till March month of next year or till the preparation of next seniority list whichever is later.
- b) TA Divn. will initiate action in the month of April every year for preparation of the seniority list by inviting applications from all employees for allotment of Company's Quarter as per their entitlement.
- c) The applications received for enrollment in the Seniority List will be compiled and sent to P&A/Hqrs for preparation of seniority list and final seniority lists shall be published by the TA Division thereafter.
- d) **Mid term Inclusion in the Seniority List:**
 - i) The names of the employees who are appointed in the Corporation and apply for accommodation of entitled quarters after preparation of the Seniority list, their names may be included in the Seniority list. However, such cases will be placed at the bottom (below all listed employees) of the Seniority list in vogue except new appointee in E7 & above grade and female DROs (only for B Type Quarter in Sector-III).
 - ii) Such inclusion in the Seniority List for allotment of F Type, E Type, CD Type & B Type in Sector-3, will be made with the specific approval of Director (Personnel) and that of Chief of Admn. & Pers. in case of inclusion in the Seniority list for allotment of quarters other than F Type, E Type, CD Type & B Type in Sector-3.

7) Quarter Allotment Committee (QAC):

- a) There will be two Quarter Allotment Committees (QAC) for recommending allotment of quarters:
 - i) QAC-1 : For F Type, E Type, CD Type & B Type in Sector-3
 - ii) QAC-2 : For quarters other than F Type, E Type, CD Type & B Type in Sec.-3
- b) The QACs will be duly constituted with the approval of CMD/Dir (Pers.).

Each QAC will have at least five members including Chairman and Secretary. The Chairman and Secretary of both QACs will be Chief of Township (COT) and In-charge/Estate/TA Divn. respectively. One nominated representative of the Recognized Union will be included in the QAC-2 as a member. QAC-2 should have representation of Heads of Plant P&A and from P&A/Hqrs.

- d) The tenure of QACs will normally be for a period of two years or till constitution of new QACs, whichever is earlier.
- e) For other members of QAC -1, the Chief of Plants & Head of P&A/Hqrs. will nominate their representative not below the rank of SDGM.
- f) The meeting of the QACs will be held at least once every month. Substitution of any member of QAC on account of leave or absence of the concerned member on the date of meeting of QAC may be done with the approval of Director (Pers.).

8) Conduct of Meeting of QACs

- a) The meetings of QAC-I & QAC-II will be held on 10th and 11th day of the month respectively. If the same happens to be a holiday or Sunday, the meetings will be held on subsequent working day. If required, the meeting can be continued/adjourned for the subsequent working day.
- b) For the allotment of Quarters, the Incharge (Estate)/TA Division will prepare a list of quarters available after getting it physically verified that the said quarters are vacant and are available for allotment. The quarters, for which the employees are willing to surrender, will also be included in the said list with the remark "on vacation". This list will be prepared by 3rd day of the month.
- c) The list of quarters available for allotment (subject to clause 'g' below) and the list of eligible employees as per seniority list, in the ratio of 1:2 i.e., no. of quarters: no. of eligible employees from the seniority list will be published and displayed on the Notice Boards of Plants, HQ and TA Division at least 5 days prior to QAC meeting for allotment of these quarters. A copy of the notice will be sent to concerned HOD. The notice will also contain the schedule of QAC (date, time and venue).
- d) The said List of Quarters shall also include such quarters, which have been allotted but not occupied by the concerned allottee and the allotment orders have been cancelled.
- e) The List of Quarters available for allotment shall not include quarters, which are in dilapidated condition and require major repair and/or are under unauthorized occupation. This must be certified by Chairman of QAC before meeting of QAC.
- f) The quarters (F type) earmarked for Chairman cum Managing Director (CMD) & Directors & Chief Vigilance Officer (CVO) shall not be included in the List of Quarters available for allotment. Such cases of exclusion from the said List of Quarters, as mentioned above, will be decided with the approval of Chief of Township.
- g) Further, 10% of vacant quarters in each category shall be under the discretionary quota of management which shall be allowed by Chairman cum Managing Director (CMD) on the recommendation of Director (Personnel), in the interest of Corporation and it will be out of purview of the Quarter Allotment Committee (QAC).
- h) The Incharge, Estate/TA Division, who is the Secretary of QAC-I and QAC-II, both, will place the notice containing the list of quarters as well as list of eligible employees called twice in number than the number of listed quarters in the meeting of QACs.
- i) The Chairman, QAC will call the employees (as per the list), according to their seniority, one by one and will ask about their willingness to take the vacant quarters as per the availability. The signature of the concerned persons will be obtained by the QAC in token of their acceptance.
- j) The employees, who could not be called/covered in the meeting will be considered in the next meeting.

The quarters, which remain vacant, will be again listed in the next meeting.

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Approval of Proceedings of QAC / Allotment

- a) Proceeding of the QAC will be finalized and put up on the second working day from the date of QAC meeting to Director (Personnel) for approval of allotment of quarters below "F" type. Allotment of "F" Type quarters will be approved by CMD.
- b) Decision of QAC with due approval of Director (Personnel) or CMD, as the case may be, will be final. Order on final allotment order of quarters will be published by TA Divn. within two days of approval of Director (Personnel) or CMD, as the case may be and will be sent to the concerned employee within 3 days of approval.

10) Representation

- a) Decision of QAC will be final. However in case allottee is not satisfied with the decision of the QAC, he/she will be at liberty to file his/her objection to COT within three days of receipt of the Allotment Order. Late submission of objections will not be entertained. All efforts will be made to clear and reply in all such cases should be sent within seven days of filing of objection. The decision of COT shall be final and binding.

- b) In case any allottee does not accept the quarter within 10 (Ten) days from the date of issue of allotment order and also does not submit his/her objection as stipulated in paragraph (10)(a) above, he/she will be debarred for allotment of entitled type of quarter for one year from the date of issue of allotment order, provided his/her objection, if any, is found devoid of merit. TA Divn will examine objections received and make a reply on such objections. Order of debarment, if any, will be issued by TA Divn within seven days on expiry of 15 days from the date of issue of allotment order. In case the Allottee fails to accept the allotment on account of his/her being on leave/tour during the above period, the time period will be extended accordingly, before taking a decision on debarment.

However, his/her case shall be considered immediately after expiry of one year, considering his/her seniority position in the previous seniority list. A separate list of such employee shall be prepared separately by Incharge (Estate)/TA Division and placed before the QAC at appropriate time and allotment will be considered accordingly.

11) Allotment through Advertisement

Such Quarters which remained vacant under estate lock inspite of being offered for allotment for atleast 2 times to employees of the Corporation under the foregoing paragraphs, may be placed for allotment to entitled employees through open advertisement and based on seniority of employees who apply against the open Advertisement the quarter will be allotted. Such quarters will be allotted by QAC to the senior most among the list of employees opting for the same quarter as per seniority. If it is refused by that employee, the quarter will be offered and allotted to the next senior most willing employee opting for the same.

12) Change of Quarters

- a) Normally, no change of quarters will be permissible for the same type of accommodation. However, change of quarters may be allowed with approval of Director (Pers)/CMD mainly on medical ground/Maintenance ground unforeseen circumstances. Such exception will not be quoted as precedence & will be decided on individual case to case basis.
- b) Change of quarters of the same type from the Top floor/First floor to Ground floor may be allowed when the quarter is declared unfit for occupation by Maintenance Department or on specific recommendation of Medical Board in cases of medical ground.
- c) Change of quarters will not be allowed in respect of such employees who are allotted quarters on out of turn basis against Advertisement till the concerned employee has physically

occupied & lived in the allotted quarter at least for a period of two years, or till his/her seniority has matured for allotment in the normal course, whichever is later.

Allotment of quarters One Stage Below/Above Entitlement

Allotment of quarter one stage below than the entitled type of quarters will be made only on specific written request from the employee. Date of such applications will be considered the date of seniority for allotment of new type of quarters i.e. lower type.

Allotment of quarter one stage above shall be allowed as a very special case and on payment of 60% of market rent per month (Special license Fee), provided said quarter remain vacant under estate lock for more than one year and not taken by any employee through QAC procedure. Such allotment shall be allowed by Chairman cum Managing Director (CMD) on the recommendation of Director (Pers.)

14) Mutual change of Quarters

Mutual change of quarters may be allowed only for the same type of quarter on a joint application of the concerned person with the approval of Director (Pers.).

15) Reservation of quarters upto "B" type for employees for SC/ST category

There will be a 10% (Ten percent) reservation of all quarters below QD type for allotment to entitled employees of SC/ST category whose names figure in the Seniority List for the types of quarters mentioned above.

16) General Provision:

No one will be allotted a quarter of a type higher than that to what the employee is eligible and entitled to except with the approval of Director (Pers.)/CMD on special license fee. Similarly, no one will be allotted nor be compelled to accept a quarter of type lower than what an employee is entitled to, unless he/she expressly wishes so and his/her willingness to accept a lower type quarter has been made in writing and accepted by Competent Authority.

17) Regularization of the Quarter in the name of family members

The quarters occupied by the retiring employees may be regularized on Leave & License basis in his/her name only for two terms of eleven months each as per the terms and conditions of Inter Office Note Ref DP/TA/(Estate)/2013-115, 10.01.2014 and in case of death of employee his/her spouse's name only as per the terms and conditions of Memo vide no. Pol/A-14/74(Pt-2)-140, dtd 21st May, 2014. In case of death of employee, Standard Rent will be charged for the quarter allotted on compassionate grounds towards license fee for each month upto the initial two years only which will be excluding the period of retention of quarters beyond the permissible limit of the time, afterwards Market Rent notified from time to time shall be charged for the quarter allotted on compassionate grounds towards license fee for each month up to the vacation of the quarter or up to the date on which the deceased employee would have normally retired on achieving the age of superannuation, whichever is earlier.

18) Taking Over of the Accommodation

- The Allottee will be responsible for contacting the Town Administration Division for taking over the accommodation from the Estate Department. The handing/taking over shall be arranged within the working hours observed by the Estate Section on AS is where is basis.
- The handing/taking over shall be recorded in the prescribed form. A detailed list of fittings and fixtures shall be made out by the Town Administration Division and a copy given to the allottee for his/her record.
- Any shortage and essential repairs will be noted down in the said form and signed jointly both by the allottee and the representative of the Estate Section. The repairs will be attended to within a reasonable time (3 months) after the date of occupation.

Conditions governing the Occupancy of the Quarters

The allottee and his family shall occupy the accommodation subject to the conditions noted in succeeding sub paras:

- a) No accommodation allotted to an employee shall be used for any purpose other than residential purposes for the employee and his family. No part of the accommodation shall be hired or sublet or permitted to be used by any other person other than the allottee.
- b) No addition or alteration including extensions from/to electric and water services will be carried out without the prior written permission of the Competent Authority.

Exception: Permission for making any useful addition or alteration on own cost of the allottee, as decided by TA Divn, may be granted on such terms and conditions as may be decided by TA Divn.

- c) No cattle/hens/pigs shall be kept. If this provision is violated, the allottee will be liable to vacate the quarter and in the intervening period pay market rent.

d) Liabilities of the Allottee

- i) The employee's shall be liable to pay the prescribed rent as decided by the Corporation from time to time for the period of occupation. The period of occupation shall reckon from the date of taking over the accommodation till the date of vacation as per these rules.
- ii) The employees shall also be liable to pay other charges for water, conservancy, hire charges for furniture and special fittings, special amenities and other charges as levied by the corporation from time to time.
- iii) TA Division will raise the bills for such rent and charges on a regular basis but in no case later than three months from the date of consumption/use of the services and within 15 days of the vacation of the accommodation by an employee leaving the service of the Corporation. Such rent & charges shall be realized from the monthly salaries / any amount due to the allottee.
- iv) The allottee shall be responsible for any loss/damage caused to the accommodation, to fittings and fixtures, furniture (except for fair wear and tear, as decided by the Corporation) during the period of his occupation and shall be responsible for making good the loss/damage at his own cost to the satisfaction of the Corporation. In the event of any default to make good the losses/damages to the satisfaction of the Corporation, the employee shall be liable to pay the cost thereof as assessed by the Corporation. The Corporation shall have the right to realize this cost from any amount due to the employee/allottee or otherwise.

20)

Vacation

- a) An employee may vacate the accommodation, except F type, at any time with a surrender notice to be given in writing to the Corporation 15 days in advance. For vacation of 'F' type, approval of CMD shall be required.
- b) At the time of vacation, the house shall be handed over only to the representative of the TA Division with reference to the original handing/taking over report. The losses/ damages, if any, will be listed in sufficient details and signed by the employee and representative of the TA Division. The cost of such damages/losses shall be recoverable from salaries/ dues to the allottee.

21)

Improper use of Quarter

- a) If an employee uses the accommodation for purposes other than residential, or infringes any of the provisions contained in the rules, allotment shall be liable to be cancelled and the allottee may be evicted there from besides being levied with a penal/market rent depending on the facts of the case, for the period of occupation after the date of cancellation of allotment.

Such employee shall further be debarred for allotment of any accommodation for a period of one year.

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Surrender of old Accommodation

In the event an employee takes over the allotted accommodation but fails to vacate the old accommodation, he shall be liable to pay the following:-

- The prescribed rent for the accommodation in which he/she is actually residing determined by the Corporation, whose decision shall be final.
- Penal rent of the house which he/she is not vacating or relinquishing.

23) Sharing of Accommodation

- Sharing of accommodation will not be permissible. However, only in exceptional cases, the Corporation may accept employee's request for sharing of accommodation at its sole discretion on such terms and conditions as the Corporation may decide.
- Any sharing of accommodation without prior permission of the Corporation will amount to improper use of the accommodation.

24)

Retention of Accommodation under certain circumstances

- An employee or his family will be required to vacate the accommodation immediately after the employee concerned ceases to be in the service of the Corporation.

Sl	Eventualities	Permissible period for Retention
1	Superannuation / Voluntary Retirement	3 months
2	Resignation, Dismissal, Removal, Termination of service	3 months
3	Death of the Allottee (Employee)	6 months
4	Deputation to/or from other Organization	3 months
5	Study leave	For the period of leave, if employee resumes duty after availing study leave; If not resumed his/her duty, Market rent will be levied after initial three (03) months.

- In case of failure on vacation of quarters after expiry of the normal permissible period, TA Divn. will issue suitable notice to the occupants for vacation of quarters with copy to the concerned Estt. Section and take further necessary action for eviction of quarters.

c) Retention of Accommodation by Superannuated Employee

No retention of the Corporation's accommodation, beyond the normal permissible period of three months from the date of superannuation, will be allowed to employees. Retention of the quarters by superannuated employees after completion of normal permissible period of three months from the date of superannuation will be treated as unauthorized occupation and they will be liable to pay the market rent for the period of unauthorized occupation, besides facing eviction and non entitlement for medical facilities.

However, the retention of quarters by such superannuated employees whose services are engaged on fixed term contract basis will be regulated in terms of the relevant rules framed by the Corporation from time to time for this purpose.

25) Unauthorized Occupation/Subletting of Quarters, Land & other premises of the Corporation

The procedure to be adopted in connection with the unauthorized occupation of HEC quarters/ premises/land by the individual employee/various organizations, associations, etc is indicated below:-

a) Unauthorized Occupation of Quarters by HEC Employees

The employee(s) who occupy the HEC quarters unauthorisedly will be dealt with as mentioned below:

- i) He/She will be immediately suspended on report from the Estate Division regarding unauthorized occupation of quarters and a charge-sheet will be issued against concerned employee.
- ii) He/She would be charged the market rent from the date of verification report and will be charged penal rent from the date of cancellation of Allotment Order to till actual vacation of quarter.
- iii) During pendency of the disciplinary proceeding, vigilance clearance will be withheld.
- iv) Immediate action will be taken by Chief of Township (COT) to initiate action under PP Eviction Act.

b) Subletting of Quarters by HEC Employees

The employee(s) who sublets HEC quarters allotted to him/her will be dealt with as mentioned below:

- i) The Allotment Order of the qrs. will immediately be cancelled and the concerned employee shall immediately handover the quarters to Estate Wing, TA Divn.
- ii) Market Rent will be charged from such employees, w.e.f. the date of detection of subletting of the quarters to the effective date of cancellation of the allotment order or the date of vacation of the said quarters by the allottee, whichever is earlier.
- iii) Penal Rent will be charged from such employees, w.e.f. the date of cancellation of the allotment order till surrender of the said quarters by him to TA Divn.
- iv) If the employee fails to handover the qrs. to TA Divn. even after cancellation of the allotment order, action for eviction under PPE Act will also be initiated against him.
- v) In addition to above actions, on receipt of report of subletting, the concerned Plant/ Division will initiate disciplinary action against such employees as per rules.

26) Encroachment of Land, Unauthorized Cultivation/Construction in HEC Premises

The following actions will be taken:-

- a) Security Wing/TA Divn will be informed regarding the unauthorized construction/cultivation of HEC land. The Security Wing with the help of local police will get the unauthorized construction/cultivation vacated.
- b) Concurrently complaint will be lodged by the Revenue Section with the Estate Officer, PPE Act who is authority under the Public Premises Eviction Act and empowered to start the eviction proceedings. The Estate Officer, PPE Act will immediately take necessary action to pass the eviction order to the party for vacating the premises as per law. Simultaneously, disciplinary action will be initiated against such employee.
- c) In case the party does not vacate the land within the prescribed period, the Estate Officer, PPE Act, will requisition the Civil Force from the Resident Magistrate/Civil Authorities and carry out physical eviction with their help.

27) Inspection by HEC representative

Any authorized HEC representative(s) can visit any quarter/premises/land of HEC for inspection and other purposes like checking, subletting, unauthorized construction.

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Allotment under Previous Rules

- a) Allotment made under the previous rules shall be deemed to be valid unless otherwise cancelled or withdrawn.
- b) The continued validity of allotment shall not render any provision of this rules invalid or inapplicable to the occupants of such accommodation.

29) **Interpretation of Rules**

In case of any doubt/dispute arising out of the correct interpretation of the rule, the decision of the Director (P)/CMD, thereon shall be final.


30) **Power to Amend, Relax, Modify and Annul the Rules**

Notwithstanding anything contained in these rules, the CMD/HEC based on the recommendation of Director(Pers.) reserve its right to amend, relax, annul or modify any of the above rules without any notice and without ascribing any reason in the interest of the corporation and the same will be binding.

These rules will be reviewed & revised from time to time based on the change in conditions.

This issues with the approval of Competent Authority.

For and on behalf of
Heavy Engineering Corporation Limited


(Ashish Singh)
Dy. Manager (P)/Hqrs
23/03/19

Distribution

All Head of Plants/Divisions

cc: GS, HPWU (R)