

**KANDLA PORT EMPLOYEES (ALLOTMENT OF RESIDENCE),
REGULATIONS, 1964.**

G.S.R. 300- In exercise of the powers conferred under section 126, read with section 28, of the Major Port Trusts Act, 1963 (38 of 1963), the Central Government hereby makes the following regulations namely:-

1. **Short title and Commencement.**- (1) These regulations may be called the Kandla Port Employees (Allotment of Residence) Regulations, 1964.
(2) They shall come into force on the 29th February, 1964.
2. **Application.**- These regulations shall apply to the allotment of residences to all persons who are employed to the service of the Board, herein after referred to as employees.
3. **Interpretation.**- In these regulations, unless the context otherwise requires
 - (a) 'allotment' means the grant of a licence to occupy a residence in accordance with the provisions of these regulations;
 - (b) 'allotment year' means the year beginning on 1st January or such other period as may be notified by the Board;
 - (c) "Board", "Chairman", "Deputy Chairman", "Head of Department" shall have the meaning assigned to them in the Major Port Trusts Act, 1963;
 - (d) "eligible office" means an office under the Board which has been declared by the Board as eligible for accommodation under these regulations;
 - (e) 'emoluments' means the emoluments as defined in Fundamental Rule 45-C but does not include compensatory allowance;
Provided that in the case of an employee who is under suspension the emoluments 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 the allotment year, the emoluments drawn by him immediately before that date shall be taken as his emoluments;
 - (f) 'Estate Manager' means the Estate Manager appointed by the Board and includes an Additional, Deputy and Assistant Estate Manager;
 - (g) "family" means the wife or husband, as the case may be, and children legally adopted children, parents, brothers or sisters as ordinarily reside with and are dependent on the employees;
 - (h) "Government" means the Central Government;
 - (i) "Port" means the Port of Kandla;
 - (j) "Priority date" of an employee in relation to a type of residence to which he is eligible under regulation 6 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 Board except for periods of leave;

Provided that in the case of an employee who, before the 1st day of July, 1959, had drawn less than Rs. 110 per mensem as emoluments in a Class III post, the period during which he drew such emoluments shall also be counted towards his priority date for a Type II residence;

Provided further that in the case of an employee who is on deputation to any foreign service, the period of foreign service shall on his reposting in an eligible office under the Board, be included for the purpose of determination of his priority date;

Provided further that where the priority date of two or more employees is the same, seniority among them shall be determined (i) by the amount of emoluments drawn by each such employee, the employee in receipt of higher emoluments taking precedence over the employee in receipt of lower emoluments; and (ii) where the emoluments are equal, by the length of service under the Board;

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(k) "rent" means the sum of money payable monthly in accordance with the provisions of the Fundamental Rules in respect of a residence allotted under these regulations;

(l) "residence" means any residence for the time being, under the administrative control of the Estate Manager or any other Officer appointed for the purpose;

(m) "sub-letting" includes sharing of accommodation by an allottee with another person with or without payment of rent by such other person;

Explanation :- Any sharing of accommodation by an allottee with close relations shall not be deemed to be "sub-letting";

(n) "temporary transfer" means a transfer which involves an absence for a period not exceeding four months;

(o) "transfer" means a transfer from the service of the Board to any other post;

(p) "type" in relation to an employee means the type of residence to which he is eligible under regulation 6

4. Ineligibility of Officers owning Houses for Allotment under these Regulations, -

(1)(a) Those Employees of the Board, who build Houses in future at the place of their posting within the limits of any local or adjoining municipality, whether with or without Board's assistance, or who become owners of houses in future, either in their own names or in the names of any members of their families, shall be required to vacate Board's accommodation in their occupation from the date their own houses are fit for occupation.

(b) Those employees of the Board, who have already built houses at the place of their posting within the limits of any local or adjoining municipality, whether with or without Board's assistance, or who own houses either in their own names or in the names of any members of their families, shall be required to vacate the Board's accommodation allotted to them within three months. If they do not vacate Board's accommodation after that period they would be charged licence fee at market rate.

(c) No Board's accommodation shall be allotted to an employee owning a house at the place of his posting within the limits of any local or adjoining municipality. A certificate shall be obtained from a prospective allottee that he has no house at the Station of his posting within the limits of any local or adjoining municipality, either in his own name or in the name of any member of his family.

(d) The provisions of such regulations (a), (b) & (c) will not apply to those employees to whom Official residence or rent-free accommodation is made available under the terms of their employment.

(e) For the purpose of this regulation; 'house' in relation to an employee or member or of his family, means a residential house or part thereof (including inherited house situated within the limits of any local or adjoining municipality) and having accommodation comparable to his entitlement under the Allotment Regulations. If the house has less accommodation than his entitlement, then the employee would be entitled to Board's accommodation on payment of normal licence fee only if he is prepared to lease his house to the Board at rent to be fixed by the Board in accordance with the prescribed norms. 'Member of family' in relation to an employee means the wife or husband or a dependent child of the employee.

NOTE : For the purpose of this regulation-Gandhidham Municipality will be treated as adjoining municipality in respect of the employees whose place of posting is Kandla.

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- (2) Any employee who on any date (hereafter in these regulations referred to as the relevant date) subsequent to the date of his making application for allotment of the Board's accommodation becomes ineligible for such allotment under clause (a) or clause (b) or clause (c) of sub-regulation (1) shall notify the fact to the Estate Manager or the officer appointed by the Chairman for this purpose, within a period of 7 days of the relevant date. In the event of the employee's failure to so notify him; the Estate Manager, or the officer appointed by the Chairman for this purpose, may reject the application for allotment or, if an allotment has already been sanctioned, cancel such allotment with effect from the relevant date and require the employee to vacate the Board's accommodation forthwith.
- (3) Notwithstanding anything contained in sub-regulations (1) and (2), the Board may allot or reallocate accommodation to an 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; or,
- (b) it is proved to the satisfaction of the Board that such house was given out on lease;
- (i) before the posting of the employee for service under the Board, or
- (ii) before the acquisition of such house by him, his wife, any dependent child, or by his father, mother or any other dependent relation, and the Board is satisfied that it is not possible for the lessor for reason beyond his control to obtain vacant possession of the house.
- (4) Where Board's accommodation has been allotted or re-allotted to an employee under sub regulation (3), the employee shall be liable, with effect from the date specified in the year of allotment or re-allotment, to pay standard rent under Fundamental Rule 45-B or standard rent under fundamental Rule 45 - A plus 33 1/3 per cent there of or pooled standard rent under Fundamental Rule 45-A plus 33 1/3 per cent thereof where the rents have been pooled or 10 per cent, of his emoluments, whichever is highest, for so long as he or his wife or any dependent child or his father or mother or any other dependent relation, as the case may be, is unable to obtain, vacant possession of the house.
- (5) If at any time it appears to the Board that no efforts have been made to obtain vacant possession of the house, it shall be open to the Board to give suitable directions as to the steps to be taken to obtain vacant possession of the house and if such directions are not complied with, to cancel the allotment and to require the allottee to vacate the Board's accommodation forthwith or to charge rent for the Board's accommodation under the Government of India decision (2) below Fundamental Rule 45-B or twice the standard rent under Fundamental Rule 45-A or twice the pooled standard rent under Fundamental Rule 45-A where rents have been pooled or 15 per cent of his emoluments, whichever is the highest.
- (6) The allotment of an employee to whom the provision of clauses (a) or (b) or (c) of sub-regulation :
- (1) apply shall be cancelled with effect from the date specified in the order of cancellation. It shall, however, be open to the Board to allot or reallocate accommodation to the employee on payment of rent under Government of India decision.
- (2) below Fundamental Rule 45-B or twice the standard rent under Fundamental Rule 45-A or twice the pooled standard rent under Fundamental Rule 45-A where the rents have been pooled or 15 per cent of his emoluments, whichever is the highest.
5. **Allotment to Husband and Wife : Eligibility in cases of Officers who are married to each other :-**
- (1) No employee shall be allotted a residence under these regulations if the wife or the husband, as the case may be, of the employee has already been allotted a residence unless such residence is surrendered :

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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 any court.

(2) Where two employees in occupation of separate residences allotted under these regulations marry each other, they shall, within one month of the marriage, surrender one of the residences.

(3) If a residence is not surrendered as required by clause (2) above, the allotment of the residence of the lower type shall be deemed to have been cancelled on the expiry of such period and if the residences are of the same type, the allotment of such one of them as the Estate Manager or the officer appointed by the Chairman for the purpose may decide shall be deemed to have been cancelled on the expiry of such period.

(4) Where both husband and wife are employed under the Board, the title of each of them to allotment of a residence under these regulations shall be considered independently.

6. Classification of Residences :- Save as otherwise provided by these regulations, an employee shall be eligible for allotment of a residence of the type shown in the table below :

(1) Substitute the following table as Table No. 1 in place of the existing table under Regulation 6 of the Kandla Port Employees (Allotment of Residence) Regulations, 1964 :-

Type of residence	Entitlement of employees to the type of residence at Kandla/Gandhidham drawing monthly emoluments in the range given below :
Type I(F) Upto Rs. 2560/-	
Type II(E) From Rs. 2561 to Rs. 3600/-	
Type III(D) From Rs. 3601 to Rs. 4349/-	
Type IV(C) From Rs. 4350 to Rs. 6499/-	
Type V(B) Class-I & Class-II Officers drawing basic pay from Rs. 6500/- to Rs. 8249/-	
Type VI(A) Dy.Chairman and Heads of Department or Officer Drawing Rs. 8250/- and above.	

Table No. 1 will take effect from 1st Januray, 1974.

(2) Insert the following as Table No. II under Regulation 6 of the Kandla Port Employees (Allotment of Residence) Regulations, 1964.

TABLE-II

Type of residence	Entitlement of employees to the type of residence at Vadinar drawing monthly emoluments in the range given below :
"A" Type	Employees drawing basic pay upto Rs. 2800/-
"B" Type	Employees drawing basic pay from Rs. 2801/- to Rs. 4000/-
"C" Type	Employees drawing basic pay from Rs. 4001/- to Rs. 6500/-
"D" Type	Employees drawing basic pay of Rs. 6501/- and above.

Table No. II will take effect from 1st October, 1978.

7. Application for Allotment :- (1) An employee who seeks allotment of residence or the continuance of allotment of a residence which has been allotted to him, may apply at any time, and shall if directed to do so, to the Estate Manager or the officer appointed by the Chairman for this purpose in such form and in such manner and by such date as may be prescribed by the Estate Manager or the officer appointed by the Chairman for the purpose.

(2) All applications received otherwise than in pursuance of a direction issued under clause (1), shall be considered for allotment in the succeeding month of such application has been received before the 20th day of a calendar month.

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8. **Allotment of Residence and Offers :-** (1) Save as provided in these regulations, a residence on falling vacant will be allotted by the Estate Manager or any officer appointed by the Chairman for this purpose to an applicant having the earliest priority date for that type of residence subject to the following conditions :-
- (i) The Estate Manager or any officer appointed for this purpose by the Chairman, shall not allot a residence of a type higher than that to what the applicant is eligible under regulation 6, unless specially approved by the Chairman.
 - (ii) The Estate Manager or any officer appointed for this purpose by the Chairman shall not compel any applicant to accept a residence of a lower type than that to what he is eligible under regulation 6.
 - (iii) The Estate Manager or any officer appointed for this purpose by the Chairman on request from an applicant for allotment of a lower category of residence might allot to him a residence next below the type for which the applicant is eligible under regulation 6 on the basis of his priority date for the same.
- (2) The Estate Manager, or any officer appointed for this purpose by the Chairman, may cancel the existing allotment of an employee and allot him an alternative residence of more or less of the same class to which he may be entitled in accordance with the scales of accommodation in force, or in emergent circumstances an alternative residence of the type next below the type of residence to which he is entitled, if the residence in occupation of the officer is required to be taken.
- (3) A vacant residence may, in addition to allotment to an employee under clause (1) above, be offered simultaneously to other eligible employees in order of their priority dates.
9. **Maintenance of separate Pools for certain categories of employees :-** (1) Notwithstanding anything contained in these regulations, the following pools shall be maintained, namely :-
- (i) Residence for the Chairman
 - (ii) Pool of residences for Deputy Chairman, if any, and Heads of Departments.
- (2) The number and the type of residences to be placed in these pools shall be determined by the Board from time to time.
- (3) Inter-se seniority of the employees eligible for allotment of residences under these regulations shall be determined in accordance with the dates of their appointment to the posts which entitle them for consideration of allotment of residences included in the pool.
- (4) 5% quarters in type 'C' and type 'D' and 10% in type 'E' and 'F' at Gandhidham-Kandla and 5% of quarters in type 'D' and 'C' and 10% in type 'B' and 'A' at OOT Vadinar will be reserved for Scheduled Caste/Scheduled Tribe employees subject to following conditions :-
1. The officers/employees should be entitled for allotment in their entitled type and in their turn from the separate waiting list to be maintained for the purpose.
 2. Vacancies available in the quota for the purpose would be allotted in the ratio of 2:1 to the Scheduled Caste/Scheduled Tribe employees respectively. In case, however, there is no Scheduled Tribe employee available, the quota reserved would be allotted to Scheduled Caste employees.
 3. Scheduled Caste/Scheduled Tribe employees who are already in occupation of general pool accommodation will not be entitled to be considered for allotment of higher types from the reserved quota.
10. **Out of turn Allotments :-** (1) Notwithstanding the provisions of regulation 6 allotment of a residence may be made by the Estate Manager or the officer appointed by the Chairman for this purpose on out-of-turn basis to an employee on grounds of serious illness of self or a member of his family in consultation, if considered necessary, with the prescribed medical authority. All cases for out of-turn allotment shall be subject to the approval of the Board in respect of employees eligible for accommodation of type V or type VI and of the Chairman in all other cases. The priority for allotment in such cases will be the date on which the application of the employee for out-of-turn allotment is received by the Estate Manager or the officer appointed by the Chairman for this purpose.
- (2) The Board, in respect of type V and type VI accommodation and the Chairman in respect of all other cases, may allot a residence out-of-turn in special cases considering the nature of duties, condition of deputation, etc.
11. **Non-acceptance of Allotment of offer or failure to accept the allotted residence after acceptance :-** (1) If an employee fails to accept the allotment of a residence within 5 days or fails to take possession of that residence after acceptance within 8 days from the date of receipt of the letter of allotment, he shall not be eligible for another allotment for a period of one year from the date of one allotment letter.

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1. (a) "If after applying for allotment of residence an employee withdraws his application before allotment is made in his favour, he shall not be eligible for allotment for a period of six months from the date from which a residence would have been allotted in his favour had he not withdrawn his application."
 2. (i) It is incumbent upon an employee already in occupation of a residence, to make an application for allotment of a higher type of residence as soon as he becomes entitled to it. If he fails to make such an application, it will be deemed that the application was made and that the higher type of residence was offered to him at the time when his turn for that type would have come.
 - (ii) If an employee occupying a lower type of residence is offered allotment of a residence of the higher type for which he has become entitled, but declines the same and continues to occupy the lower type of residence.
 - (a) He shall be liable to pay licence fee at $7\frac{1}{2}$ per cent or 10 per cent, as the case may be, of his basic pay, and,
 - (b) that such an employee shall not be eligible for another allotment for a period of six months from the date of offer of allotment of the higher class of accommodation.
12. Period for which allotment subsists and the Concessional period for further retention - (1) An allotment shall be effective from the date on which it is accepted by the employee and shall continue in force until.
- (a) the expiry of the concessional period permissible under sub-regulation.
 - (2) below after the employee ceases to be on duty in an eligible office under the Board;
 - (b) It is cancelled by the Estate Manager or the officer appointed for this purpose by the Chairman or is deemed to have been cancelled under any provisions in these regulations;
 - (c) it is surrendered by the employee, or
 - (d) the employee ceases to occupy the residence.
- (2) A residence allotted to an employee may, Subject to sub-regulation (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 employee or members of his family

TABLE

Events	Permissible period for retention of the residence
(i) Resignation, dismissal, removal or termination of service.	1 month
(ii) Retirement or terminal leave	2 months
(iii) Death of the allottee	4 months
(iv) Transfer to a place outside the port.	2 months
(v) On proceeding on foreign service in India.	2 months
(vi) Temporary transfer in India or deputation to a place outside India.	4 months
(vii) Leave (other than leave preparatory to retirement, refused leave, terminal leave, medical leave or Study leave).	For the period of leave but not exceeding 4 months.
(viii) Leave preparatory to retirement or refused leave granted under Fundamental Rule 86.	For the full period of leave on full average pay subject to a maximum of 4 months inclusive of the period permissible in the case of retirement.
(ix) Study leave or deputation outside India.	For the period of leave but not exceeding 6 months.
(x) Study leave in India.	For the period of leave but not exceeding 6 months.

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| [xi] Leave on medical grounds [other than T.B. leave.] | For the period of leave but not exceeding 8 months. |
| [xi] Medical leave on grounds of T.B. | For the full period of leave. |
| [xiii] On proceeding on training. | For the full period of training. |

Explanation. — The period permissible on transfer mentioned against items (iv), (v) and [vi] shall count from the date of relinquishing charge plus the period of leave, if any, sanctioned to and availed of by the employee before joining duty at the new office.

- (3) Where a residence is retained under sub-regulation(2) above, 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 an eligible office under the Board.
- (4) An employee who has retained the residence by virtue of the concession under item (i) or item (ii) of the table below sub regulation (2) shall, on the re-employment in an eligible office under the Board 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.

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 allowed a lower type of residence on the occurrence of a vacancy.

13. **Provisions relating to rent :-** (1) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for rent, shall commence from the date of occupation or the eight day from the date of receipt of the allotment, whichever is earlier.
- (2) An employee who, after acceptance, fails to take possession of that accommodation within 8 days from the date of receipt of the allotment letter, shall be charged rent from such date upto a period of one month or upto the date of re-allotment of that particular accommodation which is earlier.
- (3) Where an employee, who is in occupation of a residence is allotted another residence and he occupies the new residence, the allotment or the former residence shall be deemed to be cancelled from the date of occupation of the new residence. He may, however retain the former residence without payment of rent that day and the subsequent day for shifting.

14. **Personal liability of the Employee for Payment of rent till the residence is vacated and furnishing of surety by temporary employees.-** (The employee to whom a residence has been allotted shall be personally liable for the rent thereof and for any damage beyond fair wear and tear caused thereto or to the furniture, fixtures or fittings or services provided therein by the Board 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 regulations, until the residence along with the out houses appurtenant thereto have been vacated and full vacant possession thereof has been restored to the Board.

- (2) Where the employee to whom a residence has been allotted is not a permanent employee of the Board, he shall execute a security be a permanent employee of the Board, for due payment of rent 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 the service of the Board or becomes insolvent or withdraws his guarantee or ceases to be available for any other reasons, the employee shall furnish a fresh bond executed by another surety; and if he fails to do so, the allotment of the residence to him shall, unless otherwise decided by the Chairman or the Board, as the case may be, be deemed to have been cancelled with effect from the date of that event.

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- (4) Without prejudice to any action that may be taken under section 130 and 131 of the Major Port Trusts Act, 1963 (38 of 1963), an employee shall also render himself liable disciplinary action and to such punishment as may be decided upon by the Board in the case of any breach of this regulation.
15. **Surrender of an allotment and Period of notice.** :-An employee may at any time surrender an allotment by giving intimation so as to reach the Estate Manager or the officer appointed by the Chairman for this purpose at least 10 days before the date of vacation of the residence. The allotment of the residence shall be deemed to be cancelled with effect from the 11th day after the day on which the letter is received by the Estate Manager or the officer appointed by the Chairman for this purpose or the date specified in the letter, whichever is later. If he fails to give due notice, he shall be responsible for payment of rent for 10 days or the number of days by which the notice given by him falls short of 10 days, provided that the Estate Manager appointed by the Chairman for this purpose may accept a notice for a shorter period.
16. **Change of Residence** :- (1) An employee to whom a residence has been allotted under these regulations may apply for a change of residence within the same type. Not more than one change shall be allowed in respect of one type of residence allotted to the employee.
 (2) Changes shall be offered in the order of receipt of applications for the same in the office of the Estate Manager or the officer appointed by the Chairman for this purpose.
 (3) If an employee fails to accept a change of residence offered to him within 5 days of the receipt of such offer for allotment, he shall not be considered again for a change of allotment of that type.
17. **Change of residence in the event of death of a member of the family.** :-An employee may be allowed a change of residence on the death of any member of his family if he applies for a change within three months of such occurrence; provided that the change will be given in the same type residence as already allotted to the employee.
18. **Mutual exchange of residence.** Employees to whom residence of the same type have been allotted under these regulations may apply for permission to mutually exchange their residences. Permission for mutual exchanges may be granted if both the employees are reasonably expected to be on duty under the Board and to reside in their mutually exchanged residences for at least six months from the date of such exchange.
19. **Maintenance of residence** :- The employee to whom a residence has been allotted shall maintain the residence and premises in a clean condition to the satisfaction of the Board. Such employee shall not grow any tree, shrubs or plants contrary to the instructions issued by the Estate Manager or the officer appointed by the Chairman for this purpose not cut or lop off any existing tree or shrub in any garden, courtyard or compound attached to the residence save with the prior permission in writing of the Estate Manager or the officer appointed by the Chairman for this purpose. Trees, plantation or vegetation grown in contravention of this regulation may be caused to be removed by the Estate Manager or the officer appointed by the Chairman for this purpose at the risk and cost of the employee concerned.
20. **Subletting and sharing of residences.** :- (1) (a) No employee shall share the residences allotted to him or any of the out-houses, garages and stables appurtenant thereto except with;
 (i) The employees of the Board eligible for allotment of residences under these regulations;
 (ii) The employees of Dock Labour Board, Food Corporation of India, Customs Department and other Government organisations functioning in the Kandla-Gandhidham area; and
 (iii) Married sons, daughters, brothers and sisters.

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(b) The servant's quarters, out-houses, garages and stables may be used only for the bonafied purposes, including residence of the servants of the allottee, or for such other purposes as may be permitted by the Board.

- (2) No employee shall sublet the whole of his residence;

Provided that an employee proceeding on leave may accommodation in the residence any other employee eligible for allotment of the Board's accommodation, as a caretaker for a period not exceeding six months with the permission of the Board.

- (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 rent payable in respect of the residence and for any damage caused to the residence or its precincts or grounds or services provided therein by the Board beyond fair, wear and tear.

20. A. "When permission is granted to share the residence with employees of other organisations as per regulation 20 (1) (a) (ii) above, an amount equal to 50 percent of the licence fee payable on the pay of highest pay from among those occupying the quarter, shall be payable to the Board by the person drawing the allottee in addition to the licence fee payable by him under the rules of the Board."

21. Consequences of breach of rules of conditions. :- (1) Without prejudice to any action that may be taken under sections 130 and 131 of the Major Port Trust Act, 1963 (38 of 1963), the following penalties may, in addition, for good and sufficient reasons, be imposed by the Board.

If an employee to whom a residence has been allotted unauthorisedly sublets the residence or charges from the sharer at a rate which the Estate Manager or the officer appointed by the Chairman for this purpose considers excessive, or erects any unauthorised structure in any part of the residence, or uses the residence or any portion thereof for any purposes other than that for which it is meant, or tampers with the electric or water connection, or commits any other breach of the regulations, or the terms and conditions of the allotment, or uses the residence or premises or permits or offers the residence or premises to be used for any purpose which the Estate Manager or the officer appointed by the Chairman for this purpose considers to be improper, or conducts himself in a manner which, in his opinion, is prejudicial to the maintenance of harmonious relations with his neighbours or has knowingly furnished incorrect information on any application or written statement, with a view to securing the allotment the Estate Manager or the officer appointed by the Chairman for this purpose may 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 the employee has in any application or statement suppressed any material fact, the Estate Manager or the officer appointed by the Chairman for this purpose may cancel the allotment with effect from the date he became ineligible for allotment of the Board's accommodation.
- (3) If an employee sublets a residence allotted to him or any portion thereof or any of the outhouses, garages or stables appurtenant thereto, in contravention of these regulations, he may, without prejudice to any other action that may be taken against him, be charged enhanced rent not exceeding 4 times the standard rent under Fundamental Rule 45-A. The quantum of rent to be recovered and the period for which the same may be recovered in each case will be decided by the Chairman/Board, as the case may be, on merits. In addition, the employee may be debarred from sharing the residence for a specified period in future as may be decided by the Chairman or the Board, as the case may be.

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- (4) Where action to cancel the allotment is taken on account of unauthorised sub-letting of the premises by the allottee a period of sixty days shall be allowed to the allottee and any other persons residing with him therein to vacate that premises. The allotment shall be cancelled with effect from the date of the vacation of the premises or expiry of the period of sixty days from the date of the orders for the cancellation of the allotment, whichever is earlier.
 - (5) Where the allotment of a residence is cancelled for conduct prejudicial to the maintenance of harmonious relations with neighbours, the employee at the discretion of Chairman or the Board, as the case may be, may be allotted another residence in the same class at any other place.
 - (6) The Estate Manager or the officer appointed by the Chairman for this purpose shall be competent to take all or any of the actions under sub-regulations (1) to (5) of this regulation and also to declare the employee, who commits a breach of these regulations and instructions issued to him, to be ineligible for allotment of residential accommodation for a period not exceeding three years. Where the case relates to a Class I employee, the approval of the Board should be taken.
 - "6. A. Notwithstanding anything contained in the foregoing sub-clauses, an employee shall also render himself liable to be in-eligible for allotment of residential accommodation for a period upto seven years in case he unauthorisedly sublets the port quarter to an outsider"
 - (7) Before a penal order is passed under any of the above sub-regulations, a reasonable opportunity of being heard shall be given to the employee.
22. **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 regulations, the residence remains or has remained in occupation of the employee to whom it was allotted or of any person claiming through him, such employee shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges, equal to the market rent as may be determined by the Board from time to time.
- Provided that an employee, in special cases, may be allowed by the Estate Manager or the officer appointed by the Chairman for this purpose to retain a residence on payment of twice the standard rent under Fundamental Rule 45-A or twice the pooled standard rent under Fundamental Rule 45-A whichever is higher, for a period not exceeding six months.
23. **Continuance of allotments made prior to the issue of these regulations.** :- Any valid allotment of residence which is subsisting immediately before the commencement of these regulations under the rules then in force shall be deemed to be an allotment duly made under these regulations notwithstanding that the employee to whom it has been made is not entitled to a residence of that type under regulation 6 and all the preceding provisions of these regulations shall apply in relation to that allotment and that employee accordingly.
24. **Interpretation.** :- If any question arises relating to the interpretation of these regulations, it shall be referred to the Central Government who shall decide the same.
25. **Relaxation of regulations.** :- The Chairman or the Board, as the case may be, may for reasons to be recorded in writing relax all or any of the provisions of the regulations in the case of any employee or residence or class of employees or type of residences.
26. **Delegation of power of functions.** :- The Chairman or the Board may delegate any or all the powers conferred upon him or it by these regulations to an officer under his or its control subject to such conditions as he or it may deem fit to impose.