



No.12031/1/2013-Pol.II
Government of India
Ministry of Urban Development
Directorate of Estates

Nirman Bhavan,
New Delhi – 110 108.

Dated the 18th February, 2014

OFFICE MEMORANDUM

Subject: Review of guidelines on regularization / allotment of alternate accommodation in the name of the eligible spouse / ward of the allottee in the event of death/retirement/transfer of the allottee.

Several instructions have been issued from time to time by this Directorate regarding regularization/ allotment of alternate accommodation in the name of eligible spouse/ward of an allottee in the event of death/retirement/transfer of the allottee. It has been observed that some of the provisions contained in these instructions are inconsistent. Further, the rationale behind providing the facility of regularization/allotment of alternate accommodation in the name of the spouse/ward of the deceased/retired/transferred allottee is to avoid dislocation and hardships to the family of the allottee due to such an event. It is, however, felt that imposition of conditions like 'date of priority should be covered' for providing such a facility undermines the very motive behind such a provision and causes undue hardships to the family of the allottee.

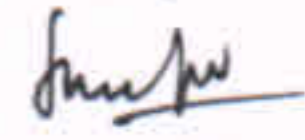
2. In view of above, the matter has been reviewed and, in supersession of all previous Orders/OMs issued by this Directorate on the subject, it has now been decided with the approval of the competent authority to consolidate the several instructions issued from time to time in this regard by harmonizing and modifying them as under:

- (i) In the event of **death** of the allottee, the same accommodation may be regularized in the name of the eligible spouse/ward of the deceased allottee if he/she is entitled for it and, if not, an alternate accommodation of entitled lower type may be allotted to him/her on payment of normal licence fee irrespective of the fact whether the eligible spouse/ward had been residing with the allottee prior to the death of the allottee, subject to fulfillment of the following conditions:-
- a) In case the spouse/ward had been residing with the deceased allottee prior to the death of the allottee, he/she has not drawn house rent allowance for this period;
 - b) Request for regularization/allotment of alternate accommodation may be considered in case the spouse/ward gets employment in an eligible office even after the death of the allottee, provided the appointment is secured within a period of two years after the death of the allottee and the accommodation in occupation has not been vacated;

- c) In case of compassionate appointment, where appointment has been approved by the concerned Department and the name of spouse/ward has been under consideration for three years for offering appointment due to non-availability of a clear vacancy and the prescribed Committee has reviewed and certified his/her penurious condition at the end of the first and the second year, the accommodation may be regularized/allotted in the name of such a spouse/ward provided the appointment is secured within a period of three years after the death of the allottee and the accommodation in occupation has not been vacated; and
 - d) A daughter-in-law, working in an eligible office, will also be eligible for regularization/allotment of alternate accommodation.
- (ii) In the event of **retirement** of the allottee, the same accommodation may be regularized in the name of the eligible spouse/ward of the retiring allottee if he/she is entitled for it and, if not, an alternate accommodation of entitled lower type may be allotted to him/her on payment of normal licence fee irrespective of the fact whether the eligible spouse/ward had been residing with the allottee prior to the retirement of the allottee, subject to fulfillment of the following conditions:-
- a) In case the spouse/ward has been residing continuously with the retiring allottee, he/she has not drawn house rent allowance for this period;
 - b) Request for regularization/allotment of alternate accommodation may be considered in case the spouse/ward of the retiring allottee joins the Government service in an eligible office even after the date of retirement of the allottee, provided he/she joins the Government service within the permissible period of retention and the accommodation in occupation has not been vacated;
 - c) A married daughter, working in an eligible office, will be eligible for regularization/allotment of alternate accommodation irrespective of the fact that the retiring official is having a son and he is in a position to maintain the parents;
 - d) A daughter-in-law, working in an eligible office, will also be eligible for regularization/allotment of alternate accommodation; and
 - e) In case of more than one eligible ward, the retiring official will have option to exercise his/her choice in favour of his/her wards.
- (iii) In the event of **transfer** of the allottee to another station, the same accommodation may be regularized in the name of the eligible spouse of the transferred allottee if he/she is entitled for it and, if not, an alternate accommodation of entitled lower type may be allotted to him/her on payment of normal licence fee.
- (iv) Regularization/allotment of alternate accommodation in the event of death/retirement/transfer of the allottee shall also be subject to the following conditions:
- a) The facility of regularization/allotment of alternate accommodation shall be admissible in all the aforesaid cases irrespective of the facts whether the date of priority of the spouse/ward is covered on the date of death/retirement/transfer of the allottee;

- b) The application for regularization/allotment should be submitted within the permissible period of retention after the date of death/retirement/transfer of the allottee or, in case of death/retirement of the allottee, from the date of appointment of the spouse/ward in Government service, whichever is later;
- c) All the dues outstanding in respect of the accommodation occupied by the deceased/retired/transferred allottee must be cleared before submission of the application for regularization/ alternate allotment;
- d) The grade pay drawn by the spouse/ward on the date of death/retirement/transfer of the allottee will be taken into account for determining the entitled type of accommodation;
- e) In all the aforesaid cases, the regularization/alternate allotment in the name of the spouse/ward will be made, to the extent possible, in the same area, failing which in a nearby area; and
- f) The facility of regularization/allotment of alternate accommodation will not be admissible in following cases: -
- (i) where the allottee or any member of his/her family owns a house at the place of posting where regularization is being sought; and
- (ii) where the allottee has become ineligible for allotment of General Pool residential accommodation, due to any reason, on or before the date of his/her death/retirement/transfer.

3. This OM is applicable from the date of issue. The cases which have already been decided will not be reopened under any circumstances.



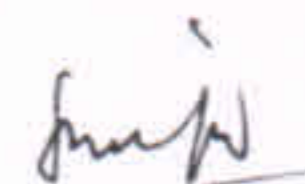
(S.K. Jain)
Deputy Director of Estates (Policy)
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To

1. All Ministries /Departments of the Government of India
2. DG, CPWD, Nirman Bhawan, New Delhi
3. Cabinet Secretariat (Kind Attn:Shri S.G.P.Verghese,Deputy Secretary), Rashtrapati Bhawan, New Delhi – 110 004
[w.r.t CCA Case No.26/1/2014-Item No.26 dated 3.2.2014]
4. All DDs/ADs/Sections of the Directorate of Estates
5. All Regional Offices of the Directorate of Estates/CPWD
6. Sr.Technical Director, NIC, Nirman Bhavan
- with the request to upload this OM on the website of DoE.
7. Official Language Section, DoE for Hindi translation.

Copy for information to:

PS to UDM/MOS(UD)/Secretary(UD)/JS(L&E)



(S.K. Jain)
Deputy Director of Estates (Policy)