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**NAVODAYA VIDYALAYA SAMITI**  
(An Autonomous Organization under Ministry of Human Resource  
Development, Department of School Education & Literacy) Govt. of India  
**A-28, Kailash Colony,  
New Delhi-110 048**

**F.No. 10-72/2011-NVS(SA)**

**May 13, 2011**

Jawahar Navodaya Vidyalayas are fully residential and co-educational Vidyalayas where all staff is required to stay in the Vidyalaya campus. No detailed instructions have been issued by the Samiti with regard to criteria for allotment of residences to various categories of employees and for charging of licence fee for different types of accommodation. This is resulting in complaints from the employees besides inquiries under RTI and some court cases.

To resolve these issues in a uniform and transparent manner, draft Rules for allotment of Residents quarters for the staff in the Samiti have been prepared. A copy of the draft is enclosed.

All are advised to carefully consider the proposed draft Rules and submit their suggestions if any to the undersigned latest by 27<sup>th</sup> May, 2011 before finalization of these Rules.

**(M. S. Khanna)**  
**Joint Commissioner (Pers.)**

**Copy to:-**

- **All Officers at NVS, HQrs.**
- **Deputy Commissioner of all Regional Offices.**
- **Principal of all Jawahar Navodaya Vidyalayas.**
- **Webmaster, NVS, HQrs for placing on NVS website.**

**NAVODAYA VIDYALAYA SAMITI (ALLOTMENT OF RESIDENCE)  
RULES, 2011**

**1. Short Title and Commencement**

- (1) These rules may be called the Navodaya Vidyalaya Samiti Allotment of Residence Rules, 2011.
- (2) They shall come into force from the date of their notification.

**2. Application**

- (1) These Rules shall apply to the employees working in Jawahar Navodaya Vidyalayas, Regional Offices and Navodaya Leadership Institutes or any other establishment under the administrative control of the Navodaya Vidyalaya Samiti.
- (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 1 st April or such other period as may be notified by the NVS Hqrs.

- (3) 'Allotting Authority' means-
- (i) Deputy Commissioner of the Regional Office concerned in respect of the residences under the administrative control of the Regional Office;
  - (ii) Principal of the Jawahar Navodaya Vidyalaya concerned in respect of the residences in JNV campus placed under his control for allotment;
  - (iii) Director, NLI in respect of the residences under the control of the concerned NLI;
  - (iv) Any other authority declared by the Commissioner of the Samiti as allotting authority in respect of residence under the control of any other establishment under the Samiti.
- (4) 'Emoluments' means the emolument as defined in SR 317-B-2 (1) and the orders issued by the Government or the Samiti there under from time to time.
- (5) 'Employee' means a person in the regular employment of a Jawahar Navodaya Vidyalaya, Regional Office, NLI or the Headquarters office or any other establishment of the Navodaya Vidyalaya Samiti and includes officers working on deputation in the Samiti 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 working at a station on a particular type of post under the Navodaya Vidyalaya Samiti except for periods of leave.
- (10) 'Residence' means any building under the control of the Jawahar Navodaya Vidyalaya, Regional Office(s), NLI and Headquarters office of the Navodaya Vidyalaya Samiti, and authorized to be used as residence.
- (11) 'Samiti' means Navodaya Vidyalaya Samiti including its Headquarters office, Regional Offices, Jawahar Navodaya 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 family members 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 Samiti includes 'She' and 'Spouse' includes 'Wife'/ 'Husband' as the case may be.

#### 4. **Allotment to Husband and Wife**

- (1) Where both husband and wife are employed under the Samiti the title of each of them to allotment of residence under these rules shall be considered independently.
- (2) No employee shall be allotted a residence if his/her spouse has already been allotted a residence at the same station by the Samiti unless such residence is surrendered;
- (3) Where two employees in occupation of separate residence by the Samiti at the same station, marry each other they shall within one month of their marriage surrender one residence allotted by the Samiti. If residence in such a case is not surrendered, the allotment of the residence of the lower type by the Samiti shall be deemed to have been cancelled on the expiry of such period.
- (4) Where both husband and wife are employees of the Samiti residing in the same residence allotted by the Samiti and the employee to whom the residence is allotted is transferred or promoted and posted out of station or otherwise relinquishes the change of his post in the Samiti due to retirement, resignation, death, dismissal/removal etc., the existing residence may be allowed to be retained by his spouse till alternative accommodation as per entitlement of the spouse is made available on payment of normal licence fee provided:-

- a) The spouse should have been residing with the employee continuously and should not have drawn HRA for that period
- b) A written request for the said purpose is submitted within 30 days of the relief of the allottee.

This will, however, not apply to other family members.

### **5. Earmarking of Residences.**

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

### **6. Classification of Residence, Eligibility and Payment of Licence Fee**

- (1) All employees of JNV will have to stay in the Vidyalaya campus in the Vidyalaya quarters allotted to them.
- (2) Save as otherwise provided by these rules the employees will be eligible for allotment of a residence of the type on payment of standard Licence Fee as shown in the table below:-

| <b>Post</b>                        | <b>Grade Pay</b> | <b>Entitled Type</b> | <b>License Fee</b> |
|------------------------------------|------------------|----------------------|--------------------|
| Principal                          | 7600             | IV                   | Rs. 526/-          |
| Vice-Principal                     | 5400             | III                  | Rs. 268/-          |
| PGTs                               | 4800             | III                  | Rs. 268/-          |
| TGTs and equivalent teaching staff | 4600             | III                  | Rs. 268/-          |
| Staff Nurse                        | 4600             | III                  | Rs. 268/-          |
| Office Superintendent              | 4200             | III                  | Rs. 268/-          |
| UDC                                | 2400             | III                  | Rs. 219/-          |
| Catering Assistant                 | 2400             | III                  | Rs. 219/-          |
| LDC, Cook, Driver, ECP             | 2000             | II                   | Rs. 185            |
| Group 'D' staff                    | 1400-1900        | I                    | Rs. 144/-          |

(NVS has converted S.P.Sheds to staff quarters of Type-I, II & III in many of the Vidyalayas. In some JNVs where Type-I 12 quarters have been constructed in place of six Type-I & six Type-II. The entitlement in the type mentioned above may be considered accordingly w.r.t. total plinth area subject to availability of entitled quarter).

- (3) All teaching staff and Staff Nurse will be allotted rent free residential accommodation in the Vidyalaya campus subject to conditions set forth herein after. In case of other non-teaching staff, license fee will be collected on rates as mentioned in (1) above. The rates of standard Licence fee may be modified as notified by Govt. of India from time to time.
- (4) When an allotment of Staff quarters is made, liability for License Fee will commence from the date of occupation or the fifth day from the date of allotment whichever is earlier. The allottee will not be entitled to HRA from this date.
- (5) 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 Samiti from time to time, for the period during which the allotment subsists.
- (6) In addition to the licence fee, the allottee will bear the expenditure on consumption of water and electricity in respect of the residence.
- (7) 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, or otherwise as applicable.

## 7. Basis of Allotment

- (1) Staff quarters will be allotted to regular staff in JNVs as per their entitlement and availability in the following order of priority subject to other provisions of these Rules:-
- a) Principal
  - b) Vice-Principal
  - c) All House Masters/Mistresses
  - d) Other essential staff viz.
    - Staff Nurse
    - Catering Assistant
    - Cook
    - Electrician-cum-plumber
    - Driver (if Vidyalaya vehicle is running).
  - e) PGTs
  - f) TGTs/ Miscellaneous Teachers
  - g) Non-Teaching Staff
- (2) Within same priority category, station seniority will be the basis for allotment. Station seniority will be determined on the basis of date of the joining in concerned JNV/RO/NLI.

Provided that when the priority date of two or more officers is the same i.e. they join the same station, on the same date and in the same cadre, their inter-se seniority will be determined on the basis of their date of joining the respective cadre and in case that is also same then by total length of service in NVS.

- (3) In case of residences at ROs and NLIs, seniority among employees shall be determined on the basis of the scale of pay plus G.P. of the officer, the officer working in a post having higher scale of pay plus G.P. taking precedence over the officer in receipt of lower scale of



pay plus G.P. Where the scale of pay plus G.P. is the same, 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, the date of birth will be the criterion (older in age getting preference).

- (4) Allotment of the residences earmarked for a specific employee or classes of employees shall be made only to that specific employee or those classes of employees in whose favour the residence has been earmarked.
- (5) Accommodation Earmarked for the House Master shall be allotted to House Master only. As and when, the House Master is relieved from House Mastership, the individual should vacate the House Masters' quarter (earmarked for House Master) immediately and allotting authority shall ensure allotting such earmarked quarter to the newly appointed House Master.
- (6) Save as otherwise provided in these Rules, a residence falling vacant will be allotted preferably to an eligible 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.
- (7) Separate seniority list will be prepared showing the order in which the allotment is to be made, for each type of residence.
- (8) All applications for allotment shall be considered by the Allotment Committee constituted separately for each Jawahar Navodya Vidyalaya, Regional Office, the NLI office or any other establishment of the Samiti consisting of such members as may be prescribed by the NVS Hqrs. Constitution of allotment Committee is given in Annexure – 'A'.

- (9) 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.
- (10) 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 (9) 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.
- (11) 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 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. Vacating the quarters also will be done by issue of an office order.
- (12) A staff member with family, or employees suffering from T.B., Cancer or physically handicapped employees may be given priority in allotment. Bachelors/Spinsters may be accommodated in shared accommodation as per their cadre in case of shortage of accommodation in the campus.
- (13) If an employee wishes to occupy the accommodation lower than his entitled class he may be permitted on submission of a written application provided functioning of the Vidyalaya is not affected.
- (14) Residences shall be allotted strictly according to the entitlement as per pay range specified above. There should not be any cases where staff not entitled for higher category of accommodation is

occupying such residence and staff entitled for higher category is staying in lower type of residence. Re-shuffling may be made wherever and whenever required by the allotting authority through constituted Allotment Committee.

- (15) The employees transferred and posted in North East Region A& N Islands and Lakshadweep will not be eligible to retain the residence allotted under these Rules as double HRA is admissible as applicable at the previous station.

### **8. 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/NLI office of the Samiti 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.

### **9. Personal Liability of the Employee for Payment of Licence Fee**

- (1) 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 Samiti employee he shall give a written undertaking that accommodation will be vacated as and when an eligible employee joins. He shall also execute a security bond with a surety who shall be a permanent employee of the Samiti 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 Samiti 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.

#### **10. 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 may grow trees, plants etc. according to the instructions issued by the authorities. He shall not 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 alternations 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 carry out any commercial activity from the said premises and 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 14 of these Rules.
- (3) Occupation of unauthorized person and subletting shall be strictly prohibited.
- (4) Inventory of furnitures, fixtures & fittings etc. shall be noted at the time of handing over and taking over of quarters. Recovery of book value of articles shall be made in case of missing/fully damage/breakage from the occupant.
- (5) M&R work as and when required in the staff residence will be attended by Vidyalaya/RO/NLI for which a complaint register shall be maintained at Vidyalaya level/RO/NLI.
- (6) Wastage disposal system shall be the responsibility of the JNV. However, each of the occupants of the residences shall put the wastages and garbage etc. in the designated bins kept for the purpose. No occupant of the residence will be entitled to throw the dust and wastages at any place other than the one designated.

**11. 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 Samiti;

- (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) Where a residence is retained under item (v) of the Table below clause 5, 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 Samiti.

Where an employee is on medical leave without pay and allowances, he may retain his residence by virtue of the concession under item (x) of the Table below Clause-5.

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.

- (3) An employee who has retained the residence by virtue of the concession under item (ii) of the Table below clause (5) shall, on re-employment in the Samiti, 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.

- (4) Notwithstanding anything contained in clause (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 Samiti 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 (5) as he may specify.

**(5) CONCESSIONAL PERIOD OF RETENTION:-**

**a) Retention of accommodation where Licence fee is payable**

Employees/families may be permitted to retain the residence for the period noted against the events in the table below, on payment of license fee as specified:

| <b>Sl.No.</b> | <b>Events</b>   | <b>Permissible period for retention of the residence</b>  |
|---------------|---|---|
| i)            | Resignation, dismissal, removal or termination of service | One month with normal licence fee.  |
| ii)           | Retirement  | <ul style="list-style-type: none"> <li>• Two months on normal license fee; and another two months on double the normal license fee.</li> <li>• On medical/ education grounds:- <ul style="list-style-type: none"> <li>• Further retention 2 months on four times the normal licence fee.</li> <li>• Subsequent two months on six times the normal licence fee.</li> </ul> </li> </ul> |
| iii)          | Death of the allottee                                     | Family may retain the residence for a period of six months from the date of the officer's death, on payment of normal licence fee.  |

|       |  |  |
|-------|--|--|
| iv)   | Transfer to a place outside the station            | Two months   |
| v)    | On proceeding on foreign service in India          | Two months   |
| vi)   | Temporary transfer in India                        | Upto six months  |
| vii)  | Leave (other than leave preparatory to retirement) | 4 months   |
| viii) | Maternity Leave                                    | For the entire period of maternity leave plus the leave granted in continuation subject to a maximum of 12 months. |
| ix)   | Leave preparatory to retirement                    | For the full period of leave on full pay subject to a maximum of 180 days.   |
| x)    | Leave on medical grounds                           | For the full period of medical leave if supported by Medical Certificate.  |
| xi)   | On proceeding on training                          | For the full period of Training.   |

**b) Retention of rent-free accommodation**

|      |   |  |
|------|---|--|
| i)   | On resignation, dismissal, removal or termination of services | Rent-free concession ceases from the date of resignation, dismissal, removal or termination.   |
| ii)  | On retirement   | No rent-free concession; but can be retained for a period of one month on payment of rent under FR 45-A.   |
| iii) | On death of the allottee                                      | Family may retain the residence free of rent for a period of one month from the date of the officer's death, and thereafter for a further period of 3 months on payment of rent under FR 45-A. |
| iv)  | On transfer to a place outside the station                    | First 15 days free of rent and thereafter on payment of rent under FR 45-A for a period not exceeding one month from the date of handing over charge.  |
| v)   | On proceeding on foreign service in India                     | Two months   |



|       |                                   |  |
|-------|-----------------------------------|--|
| vi)   | Temporary transfer in India       | Upto six months provided residence is not allotted at temporary duty station.  |
| vii)  | leave                             | Upto a maximum period of two months free of rent subject to the condition that he is likely to return to the same post and same station from which he proceeds on leave.   |
| viii) | Female officer on maternity leave | During the entire period of maternity leave free of rent, provided that the accommodation is not required for the substitute, if any, engaged during the absence of leave of the officer concerned and she is likely to return to the same post and same station from where she proceeds on leave; |
| ix)   | Leave on medical grounds          | For the full period of leave   |
| x)    | On proceeding on training         | For the full period of training.   |

## **12. 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 residence 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 Samiti 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.

## **13. Consequences of Breach of Rules and Conditions**

If an employee to whom a residence has been allotted

- a) Shares his residence or sublets it; or

- b) Erects unauthorized structure or uses it for a purpose other than that for which it is intended; or
- c) Tempers with the electric or water connection; or
- d) Commits any other breach of the rules in this behalf or of the terms and conditions of the allotment; or
- e) Uses the residence or the premises or permits or suffers the residence or premises to be used for any purpose which the allotting authority considers to be improper; or
- f) Conducts himself in a manner which is prejudicial to the maintenance of the harmonious relations with his neighbours

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 –**

- 1) 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) Principal and/or Deputy Commissioner as the case may be will be authorized to initiate disciplinary action in case the allottee does not vacate the staff quarters, or violates any of the condition of allotment, and to initiate action for recovery of Rent at Market value/penal charges etc. in case the occupant does not vacate the quarters despite of issuing of order for vacating the quarters and during the period pending disciplinary action.

**14. 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.

**15. Relaxation of Rules**

The Commissioner of the Samiti 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.

**16. Interpretation of Rules**

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