

NATIONAL LAW UNIVERSITY OF MEGHALAYA

REGULATIONS FOR ALLOTMENT OF RESIDENCE 2022

1. Short title and application

- a. These Regulations may be called “ The Regulations for allotment of Residences in National Law University, Meghalaya”.
- b. These Regulations come into force on the date of their approval by the Executive Council

2. Definitions

i.“Allotment: means grant of a Licence to a University employee to occupy a house or a portion thereof, owned by the University for use as a residence, as per the terms of the licence.

ii.“Family” means the wife or husband, as the case may be, and children, stepchildren, legally adopted children, parents, brothers and sisters of the employee as ordinarily reside with, and are dependent on the employee.

iii. “University” means the National Law University, Meghalaya.

iv.“Priority date” of an employee in relation to a type of residence to which he is eligible means the earliest date from which the employee is continuously drawing Basic Pay/Grade Pay in the

N.L.U. Meghalaya relevant to particular type or higher type of residence.

Explanation:-

Whenever an employee of the University becomes entitled to a particular/higher type of house, he would have date of priority, the date of entry/joining in the Grade Pay as prescribed for eligibility for allotment of that type of house. However, the employee may be entitled to retain earlier date of priority, if any, for the lower type of house also.

Provided that where the priority date of two or more employees is the same, seniority amongst them shall be determined by the Grade Pay and age. Where the above factors are equal, seniority will be decided by draw of lots.

3. Guiding Principle for allotment

The Guiding principle for allotment of houses under the control of the University will be the Grade Pay for the type of houses and the seniority to be reckoned from the date of drawing that Grade Pay in the University.

4. Eligibility of Husband & Wife

- i. No employee shall be allotted a house under these Regulations if the wife or the husband, as the case may be, has already been allotted a house by the University, Govt./Semi-Govt. body, autonomous organization or any local body in Meghalaya unless such house is surrendered simultaneously ; provided that this sub-rule shall not apply where the husband and the wife are residing separately in pursuance of an order of judicial separation made by any Court of Law.
- ii. Where two employees in occupation of separate houses allotted under these Regulations marry each other, they shall within one month of the marriage surrender either of the house allotted to them. Failure to surrender the house within the prescribed time will result in automatic cancellation of allotment of either of the houses and charging of penal rent for that house at the rates prescribed in these Regulations for overstaying.
- iii. Where both husband and wife are employed in the University, the entitlement of each of them to allotment of a house under these Regulations shall be considered independently.

5. Classification of houses

Save as otherwise provided by these Regulations, an employee will be eligible for allotment of a house of the type shown in the table given below

<u>Type of Houses</u>	<u>Grade pay for eligibility</u>
Type-1 (One Bed Room+Hall+Kitchen)	Rs.1800/- and above

Type-II(Two Bed Room+Hall+Kitchen) Rs.2400/- and
above Type-III(Three Bed Room+Hall+Kitchen) Rs.5400/-
and above* Type-IV (Four Bed Room+Hall+Kitchen)
Rs.8700/- and above*

Earmarked residences will be available for allotment to the incumbent holding the relevant position.

Further, if provided in the terms and conditions of appointment, the house(s) may also be allotted to the persons appointed on consolidated salary. In other cases, transit accommodation may be provided to the employees working on consolidated salary.

The University may reserve certain houses for use as guest house, transit hostel or temporary office, as is considered necessary for furtherance of the objectives of the University.

6. House Allotment Committee

- i. The House allotment Committee will be constituted by the Vice-Chancellor consisting of minimum three members. One half of the total members will form the quorum
- ii. The House Allotment Committee shall examine and recommend the allotment of Houses to the University employees for approval of the Vice-Chancellor
- iii. The House Allotment Committee shall consider such other matters relating to the University houses as may be referred to it from time to time by the University authorities.
- iv. The term of the House Allotment Committee will be as notified with the approval of the Vice-Chancellor.

7. Allotment of House(s)

- i. House(s) will be allotted by the Vice-Chancellor on the recommendations of the House Allotment Committee. The Vice-Chancellor shall also be competent to allot house(s) without referring to the House Allotment Committee

- ii. Application for allotment/change of allotment shall be invited by the University from time-to-time and seniority list of house allotment shall be finalized as per category of houses. The University may also consider at its discretion, applications received subsequent to the specified dates

- iii. The House Allotment Committee shall prepare the priority list for house allotment and shall submit it to the Vice-Chancellor for approval.

- iv. A house made available for occupation or falling vacant shall be allotted to employees having the earliest priority date for that type of house in the priority list.

- v. No house of a higher type than entitlement shall be allotted to an employee. However, if the request for a type lower than entitlement is received he/she will be considered for allotment for that type.

Provided further that if the name does not figure in the priority list for the next lower type, the date of priority shall be deemed to be the same as for the type of house to which he is entitled.

- vi. The reservation of houses for SC/ST and handicapped employees shall be as per policy of the Govt. of India.

8. Allotment Procedure

- i. Applications for change of house type wise will be considered and allotment made to the extent of availability of vacant quarters in respective types.

- ii. Then fresh allotment will be considered type wise, and allotment will be made in each type in the order of priority date for that type

9. Out-of-turn allotment

The Vice-Chancellor may at his/her discretion allot houses upto 10% of the total houses in the relevant category of houses.

The Vice-Chancellor may also allot a house on priority basis to the essential category staff. The essential category staff shall be as approved by the Vice-Chancellor from time to time. The priority accommodation for essential category staff shall be provided so long as the person holds "the essential post" and makes himself/herself available for duty at any time of the day or night as may be necessary.

Normally the essential staff category shall be allotted quarters of their own entitlement.

Whenever any staff member belonging to essential staff category gets a house in his/her own turn, the essential category quota to that extent will be deemed to have been fulfilled.

In the event of retirement of a University employee who is an allottee of a house, his son, unmarried daughter or wife or husband, as the case may be, may be considered for allotment of a house on the merits of each case provided that the said relation is a University employee eligible for allotment of house and had been continuously residing with the retiring employee for at least three years immediately preceding the date of his retirement, He will be allotted house one type below his own entitlement and in no case a higher type of house than the one in occupation of the retiring employee.

10. Non-acceptance of offer of allotment or failure to occupy the allotted house after acceptance of offer.

- i. If any employee fails to accept the offer of allotment and take possession of a house within 10 days, the allotment shall stand cancelled and he/she shall not be eligible for another allotment for a period of one year from the date of allotment letter. The Vice-Chancellor may, however, extend the period in genuine cases.

Provided that nothing contained in this rule shall apply where the concerned office of the University certifies that the house was not ready for occupation and as a result thereof the employee could not occupy the same within the aforesaid period

- ii. If an employee occupying a lower type of house is allotted or offered a house of the type for which he/she is eligible, he/she may, on refusal of the said offer, be permitted to continue in the previous allotted house on the condition that such an employee shall not be eligible for another allotment for a period of one year from the date of the allotment letter for higher class accommodation.

11. Concessional period for retention

A house allotted to an employee may be retained on payment of normal licence fee on the happening of any of the events specified in Col. 1 of the table below for the period specified in the Col.2 thereof; provided that the house is required for the bonafide use of the employee or members of his family.

The permissible period of retention will also be applicable to the officers of the University who are entitled to rent-free accommodation under the Act/Statue/Ordinance of the University.

	Event	PERMISSIBLE PERIOD FOR RETENTION OF THE HOUSE
	Col. 1	Col. 2 (Proposed)
i)	Resignation, dismissal removal or termination of service or unauthorized absence without permission.	One month
ii)	Retirement or terminal leave, or repatriation to the parent organization on completion of tenure of appointment	One Month*
iii)	Death of the allottee	3 Months* Further 3 months on market rent with approval of the Vice-Chancellor
iv)	(a) Study Leave and/or sabbatical leave	Full period of sanctioned leave
	(b) Extraordinary leave on medical grounds / personal grounds but not for working in other organization or private enterprise	Full period of sanctioned leave
	(c) Deputation/lien/EOL to work in other organization within or outside India	Two months*
v)	On proceeding on training	For the full period of training

Re-employed employees will be allowed to retain the accommodation allotted to them. They will not be entitled for higher type of accommodation during re-employment.

In hard and deserving cases, the Vice-Chancellor, may allow retaining of the houses upto a period of four months beyond the permissible limit mentioned above on payment of normal licence fee.

Notwithstanding anything contained in these Regulations, when an employee is dismissed or removed from the service or when his/her services have been terminated and the University is satisfied and it is necessary or expedient in the interest of the University to do so, University may cancel the allotment of the house made to such employee either forthwith or with effect from such date prior to the expiry of the period of one month referred to above.

12. Licence Fee

The licence fee in respect of University Houses will be charged as under:-

TYPE OF HOUSE	*Licence fee per month
I	200
II	500
III	800
IV	100 0

Where an allotment of house or alternative house has been accepted, the liability for licence fee shall commence from the date of taking the possession.

Where an employee, who is in occupation of a house is allotted another house and occupies the new house, the allotment of the former house shall be deemed to be cancelled from the date of occupation of the new house. He/She may, however retain the former house without payment of licence fee for seven days for shifting. If any employee fails to hand over the possession of former house after the 7th day of the acceptance of the offer of allotment, penal rent at the rate of double the market rent will be charged for the former house. The Vice-Chancellor may allow extension in time in genuine cases.

13. Personal Liability of the Employee for payment of Licence Fee till the House is vacated.

The employee to whom a house has been allotted shall be personally liable for payment of the licence fee, conservancy, water, electricity, and other common charges if any.

14. Surrender of an Allotment.

An employee may at any time surrender an allotment by giving advance notice. The allotment shall be deemed to be cancelled from the day he/she hands over the possession of the house to the University.

An employee who surrenders the house shall not be considered again for allotment of University accommodation for a period of one year from the date of such surrender.

15. Change of House

- i. An employee to whom a house has been allotted and is in actual occupation of it under these Regulations, may apply for a change to another house of the same type or a house of the type to which he/she eligible whichever is lower. Not more than one change be allowed in respect of one type of house allotted to the employee. Change shall be offered in order of seniority determined in accordance with these Regulations from priority date and having regard to the employee's preference as far as possible.
- ii. If an employee fails to accept a change of house offered to him/her within seven days of the issue of such offer of allotment, he/she shall not be considered again for a change of house of that type for a period of one year.

16. Mutual Exchange of House

Employees to whom houses of the same type have been allotted under these Regulations may apply for permission to mutually exchange their houses. Permission for mutual exchange may be granted if both the employees are reasonably expected to be on duty and to reside in their mutually exchanged houses for at least six months from the date of approval of such exchange.

17. Proper Maintenance of House.

The employee to whom a house has been allotted shall:

- (a) maintain it to the satisfaction of the University;
- (b) keep it in such a manner that it does not become public nuisance;
- (c) not carry out any structural changes;
- (d) not grow any tree shrubs or plants contrary to the instructions issued by the University nor cut or chop 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 University; and tree, plantation or vegetation grown in contravention of this rule may be caused to be removed by the University at the risk and cost of the employee concerned;

- e. not use the premises for any purpose other than residence;
- f. not use the premises against any rules or bylaws of MCD, DDA or any other local authority whatsoever; and
- g. not make any additions or alternations in the premises allotted.

University shall have the right of entry into the premises at all reasonable times for purposes of inspection in respect of breach of contract etc., without prior notice. The allottees shall maintain the house in such a manner that it does not become a public nuisance.

18. Subletting /Sharing of House.

- i. Subletting of the University houses is strictly prohibited. In case any employee is found subletting the house, the allotment shall be cancelled with immediate effect besides taking other disciplinary action as per Regulations.
- ii. The Vice-Chancellor may allow sharing of the University house by the allottee with other University employee. In such cases, the House Rent Allowance will not be admissible to both the employees. However the licence fee will be paid by the original allottee.
- iii. The full particulars of the servants who are allowed to occupy the out houses and garages shall be communicated by the allottees to University. Any change in occupancy will also be communicated by them forthwith.

19. Consequences of Breach of Regulations and Conditions.

- i. If any employee, to whom a house has been allotted, unauthorisedly sublets the house or erects any unauthorized structure in any part of the house or uses the house or any portion thereof for any purposes other than that for which it is meant or tampers with the electric and water connection or commits any other breach of the Regulations in this regard or of the terms and conditions of the allotment or uses the house or premises or permits the house or premises to be used for any purpose which the University considers to be improper or conducts himself/herself in a manner which in its opinion is prejudicial to the maintenance of harmonious relations with his neighbour or has knowingly furnished incorrect information in any application or written statement with a view to securing the

allotment, the University, without prejudice to any other disciplinary action that may be taken against him/her, may cancel the allotment of the house by giving 30 days' notice. The allotment shall be deemed cancelled after expiry of 30 days notice period.

EXPLANATION: In this context the expression Employee includes, unless the context otherwise requires, members of his/her family.

- ii. Where the allotment of a house is cancelled for conduct prejudicial to the maintenance of harmonious relations with neighbours, the employee at the discretion of the University may be allotted another house in the same type at any other place.

20. Overstayal in house

- i. Where after an allotment has been cancelled or is deemed to have been cancelled under these Regulations or the permissible period of retention is over and the house remains in occupation of the employee to whom it was allotted, the penal rent at double rate of market rent will be charged from the allottee. The market rent will be the maximum market rent prevailing in the locality for similar accommodation.

ii. In addition appropriate charges towards furniture and garden will be recovered. Action will also be taken against the employee under the provisions of Public premises (Eviction of Unauthorized Occupants) Act, 1971.

- iii. The employee shall ensure that he/she signs an inventory of fixtures and fittings at the time of taking over possession of the house and shall also ensure its proper handing over to the University at the time of its "vacation".

21. Continuance of Allotment made prior to the issue of these Regulations.

All allotments of houses which have been made before the commencement of these Regulations shall be deemed to be the allotments duly made under these Regulations and all the provisions of these Regulations shall apply in relation to that allotment and that employee accordingly.

22. Interpretation of Regulations.

If any question arises as to the interpretation of these Regulations, it will be referred to the House Allotment Committee and on the recommendations of that Committee, the Vice-Chancellor shall take a decision which will be final.

Provided further that wherever Regulations for allotment of residences of the University are silent on any subject, the Vice-Chancellor shall finally decide the matter after taking into account all relevant factors.