

हिमाचल प्रदेश सरकार

Government of Himachal Pradesh

सामान्य प्रशासन विभाग

General Administration Department

हिमाचल प्रदेश सरकारी आवास आबंटन (सामान्य पूल) नियम, 1994

**HIMACHAL PRADESH ALLOTMENT OF  
GOVERNMENT RESIDENCES  
(GENERAL POOL)  
RULES, 1994**

## AUTHORITATIVE ENGLISH TEXT

### HIMACHAL PRADESH ALLOTMENT OF GOVERNMENT RESIDENCES (GENERAL POOL) RULES,1994

1. Short title, commencement and applications.---
  - (1) These rules may be called the Himachal Pradesh Allotment of Government Residences(General Pool) Rules,1994.
  - (2) These shall apply to the whole of State of Himachal Pradesh.
  - (3) These rules shall come into force from the date of their publication in the Rajpatra, Himachal Pradesh.
2. Definition.—In these rules, unless the subject of context otherwise requires:-
  - (a) 'allotment' means the grant of license to occupy a residence in accordance with provisions of these rules;
  - (b) 'allotment year' means the year beginning on 1st January or such other period as may be notified by the Government;
  - (c) 'date of priority' of an officer/official shall in relation to type-IV and above residences shall be the date from which he has been continuously drawing the emoluments relevant to a particular type or a higher type in a post under the State Government or on foreign service/deputation:

Provided that allotment of lower category residence may be made to an applicant at his request if considered necessary subject to the condition that the Gazetted Officers entitled to type-IV and above accommodation will not be allotted house meant for non-gazetted officials:

Provided further that in respect to type-I, type-II and type-III residences, the date from the officer/official has been continuously in service under the State Government including the period of foreign services/deputation shall be his date of priority for that type:

Provided further that where the date of priority of two or more officers/officials is the same, seniority amongst them shall be determined by the emoluments, the officer/official in receipt of higher emoluments taking precedence over the officer/official in receipt of lower emoluments and where the emoluments are equal, by the length of service; and where both the emoluments and length of service are equal, seniority among them shall be determined by taking into consideration the date of their births and the applicant senior in age will be senior for the purpose of allotment of accommodation;

- (d) 'Director' means Director of Estates, Himachal Pradesh and shall include Estate Officer posted in the Directorate of Estates authorized by him in this behalf;
- (e) 'Estate Officer' means Estate Officers appointed by the State Government at the District Headquarters;
- (f) "eligible office" means a Himachal Pradesh Government Office, the state of which has been declared by the Himachal Pradesh Government as eligible for accommodation under these rules;
- (g) 'emoluments' means the basic pay only as defined under F.R.9(21)(a)(i);
- (h) 'family' means the wife or husband, as the case may be and children, step children, legally adopted children, parents, brothers and sisters as ordinarily reside with and are dependent on the office/ official;
- (i) 'house allotment committee' means a committee constituted by the Himachal Pradesh Government from time to time to carry out the functions assigned to it in these rules;
- (j) 'Government' means the Himachal Pradesh Government unless the context otherwise requires;
- (k) 'license fee' means a sum payable monthly as fixed by the Government from time to time in respect of residence allotted by the Government under these rules;
- (l) 'residence' means any residence included for the time being in the general pool of residences earmarked by the Government for the purpose of allotment.
- (m) 'subletting' means sharing a residence by an allottee with another person with or without payment of rent:

Provided that an officer/official of the Government eligible for allotment of Government residence can share the accommodation with the permission of the Director who shall permit such officer/official sharing of accommodation on his surrendering his house rent allowance payable to him, but in no case such sharing shall entitle the sharer to claim any right over the residence;

- (n) 'temporary transfer' means a transfer of an officer/official which involves an absence of a period not exceeding four months;
- (o) 'type' in relation to an officer means the type of residence to which he is eligible under rule 5.

3. Allotment to house owing officers/officials.—

- (1) Officer/Official owing a house in his own name or in the name of any member of his family shall be eligible for allotment of Government accommodation.
- (2) When after a Government residence has been allotted to an officer/ official, he or any member of his family becomes owner of a house at or near the place of his duty, such officer/official shall notify the fact to the Director of Estates/Estate Officer within a period of one month from the date the house is let out or occupied, or the date of occupied, whichever is earlier.
- (3) An officer/official who owns a house either in his own name or in the name of any member of his family member at or near the place of his duty and allotted a Government accommodation shall be liable to pay the license fee in accordance with the provisions of rule45-A of Fundamental Rules and orders/instructions issued by the Central Government thereunder from time to time.

Explanation.—For the purpose of this rule member of family means the wife or husband as the case may be or a dependent child of the officer/official.

4. Allotment to husband and wife eligibility in case of officers who are married to each other.—

- (1) No officer/official shall be allotted a residence under these rule if the wife or the husband as the case may be, of the officer/official has already been allotted a residence unless such residence is surrendered; provided that this sub-rule shall not apply where the husband and wife are residing separatively in pursuance of an order of judicial separation made by a Court.
- (2) Where two officers/officials in occupation of separate residences allotted under these rules marry each other, they shall within one month of marriage surrender one of the residence.
- (3) If a residence is not surrendered as required by sub-rule(2), 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 residence are of the same type, the allotment of such one of them as the Director, after giving reasonable opportunity to exercise option, 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 Himachal Pradesh Government, the title of each of them to allotment of a residence under these rules shall be considered independently.

(5) Notwithstanding anything contained in sub-rule(1) to (4) above:-

(a) If a wife or husband, as the case may be, who is an allottee of a residence under these rules, is subsequently allotted a residential accommodation at the same station from a pool to which these rules do not apply, he or she, as the case may be, shall surrender any one of the residence within one month of such allotment:

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.

(b) Where two officers, in occupation of separate residences at the same station, one allotted under these rules and another from a pool to which these rules do not apply, marry each other, any one of them shall surrender any one of the residences within one month of such marriage.

(c) If a residence is not surrendered as required under clause(a) or (b), the allotment of the residence in the general pool shall be deemed to have been cancelled on the expiry of such period.

5. **Classification of Residences.**--Save as otherwise provided by these rules officers/officials will be eligible for allotment of a residence of the type shown in the table below:-

Type of residence	Category of officer/official or monthly emoluments drawn by the officer/official
I	Less than ₹.950/-
II	Less than ₹.1800/- but not less than ₹.950/-
III	Less than ₹.3000/- but not less than ₹.1800/-
IV	Less than ₹.4500/- but not less than ₹.3000/-
V	Less than ₹.5900/- but not less than ₹.4500/-
VI	₹.5900/- and above.

6. Application for allotment.—

(1) An officer/official who seek an allotment of residence and for the continuance of accommodation which has been allotted to him shall apply in that behalf to the Director/Estate Officer in a form as may be prescribed by the Director from time to time.

(2) The seniority list for each category of accommodation will be drawn on 1st January of each allotment year shall be updated quarterly. The applications received upto 15<sup>th</sup> of the month preceding the month when the seniority lists are drawn up will be valid till the next list is out.

(3) An officer/official who becomes eligible for higher type of accommodation may apply for the same within fourteen days from the date of such eligibility.

7. Allotment of residence.--

(1) Save as otherwise provided in these rules, a residence, falling vacant, will be allotted by the Director preferably to an applicant desiring a change of accommodation in that type, under the provisions of sub-rule(1) of rule 13 and if not required for that purpose to an applicant without accommodation in that type of residence having the earliest date of priority for that type of residence subject to the following conditions:--

(i) The Director shall not allot a residence of a type higher than to what the applicant is eligible under rule 5.

(ii) The Director shall not compel any applicant to accept a residence of a lower type than to what he is eligible under rule 5.

(iii) The Director, on request from an applicant for allotment of a lower category residence may allot to him a residence of one type below for which the applicant eligible under rule 5 on the basis of his priority date for the same.

(2) The Director may cancel the existing allotment of an officer/official and allot to him an alternative residence of the same type or in emergent circumstances an alternative residence of type next below the type of residence in occupation of the officer/official if the residence in occupation of the officer is required to be vacated in public interest.

(3) A vacant residence may, in addition to allotment to an officer/official under sub-rule(1), be offered simultaneously to other eligible officers/officials in the order of their priority dates.

8. **Adhoc allotment on out of turn basis.**—Notwithstanding the provisions of rule-7, adhoc allotment on out of turn basis may be made by the House Allotment Committee to an officer/official on the following grounds:-

(1) on the following types:-

(i) Physically handicapped Government employees in the following cases:

(a) The Blind i.e those who suffer from either of the following conditions:

(i) Total absence of sight.

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- (ii) Visual Acuity not exceeding 6/60 or 20/200 (snell) in the better eye with correcting lenses.
- (iii) Impression of the field of the vision subtending an angle of 20 degrees or worse.

(b) The Deaf—Those in whom the sense of hearing non functional for ordinary purposes of life. They do not hear, understand sounds at all even with amplified speech. The cases include in that category will be those having hearing loss more than 90 decibels in the better ear(profound impairment) or total loss of hearing in both ears.

(c) The orthopaedically handicapped, that is, those who as a result of their orthopaedic deformity find it very difficult to move freely; or

- (ii) Heart ailment for self only (heart ailment having symptoms of Grade-III and IV which includes serious disabilities like Angina Grade-III and IV or congested cardial failure Grade-III and IV or Malignant Hypertension with symptoms of Grade-III and IV); or
- (iii) Tuberculosis (Pulmonary tuber- culosis in active phase with risk to other) and Cancer of self, spouse and dependent children.

(2) In the event of death or retirement of a Government servant, to the wife/husband or son or un-married daughter, provided that the retired or the deceased Government servant was in occupation of Government accommodation at the time of retirement or death. Such allotment shall not be made in a category higher than a category to which the ward of the deceased or retired Government servant is entitled:

(3) In the event of transfer, deputation on foreign services sponsored by the Government and study leave of more than one year of an allottee, to the spouse of such employee according to his/her entitlement in case the spouse is in Government service and posted at the same station.

(4) In the event of officer occupying an earmarked house and is transferred to another post at the same station or to another station.

(5) An officer/official who after completing of their full tenure in the Districts of Lahaul and Spiti, Kinnaur and Pangi Tehsil of Chamba district are transferred.

- (6) Personal staff i.e. one out of the Personal Assistant/Private Secretaries etc. of the ministers.
- (7) Where exigencies or services so warrant.
- (8) Notwithstanding anything contained in sub-rules(1) to (7), an officer/official who owns a house either in his own name or in the name of any member of his family at or near the station of his/her posting, shall not be eligible for adhoc allotment on out of turn basis.
- (9)(i) State Level Correspondent of National Dailies, State Level Press Correspondents of other daily newspapers for whom shall take into consideration the circulation and other factors justifying the allotment of Government accommodation, and who are accredited to Himachal State and whose cases has been recommended by the Director of Public Relation Himachal Pradesh may be considered for allotment of one category below house, and in any case not above type-IV, to which entitled according to basic pay only i.e. excluding the element of D.A. at Shimla only. Such allotment shall only made to the correspondents who do not own a house in his name or any member of his family:

Provided that in case of correspondent who has already been allotted Government residential accommodation acquires a house of his own at the place shall have to surrender the allotted accommodation immediately and in case he or any member of his family acquires or inherits or constructs any house or part of the house, he shall have to surrender the allotted accommodation immediately thereafter and an affidavit to this effect shall be obtained at the time of allotment from such correspondent:

Provided further that an allottee of accommodation under sub-clause shall pay the license fee as per provisions of these rules and shall also pay the house rent allowance paid to them by the Newspaper or News Agency in which he/she is employed.

- (ii) Priority for allotment shall be from the date of receipt of application for the allotment of accommodation:
- (iii) Only one house shall be allotted to one News Agency or Newspaper:

Provided that adhoc allotment on out of turn basis under these rules shall not exceed 50% of the houses available in each category. Type-IV and above houses will be bracketed together for determining the percentage and allotment made under sub-rule(2),(3) and (9) of this rule shall not form part of the percentage of allotments made under this rules.

9. Non-acceptance of allotment or failure to occupy the allotted residence after acceptance.--

- (1) If an officer/official fails to accept the allotment of residence of the type to which he is entitled within five days or fails to take the possession of that residence after allotment within eight days from the date of receipt of letter of allotment, he shall not be eligible for another allotment for a period of one year from the date of allotment letter.
- (2) If an officer/official occupying a residence of a type lower than the one to which he is eligible is allotted residence of the type for which he is eligible under rules, he may, on refusal of the said allotment or offer of allotment be permitted to continue in the previously allotted residence on the following conditions, namely:-
  - (a) That such an officer/official shall not be eligible for another allotment for a period of one year from the date of allotment letter for the higher type of accommodation;
  - (b) While retaining the existing residence he shall be charged the same license fee which he would have had to pay under F.R.45-A in respect of the residence so allotted or offered or the license fee payable in respect of the residence already in his occupation, whichever is higher for a period he/she has been debarred for higher type of accommodation.
- (3)(a) An officer/official may at any time surrender an allotment by giving intimation so as to reach the Director 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 eleventh day after the day on which the letter is received by the Director or the date specified in the letter whichever is later. If he fails to give due notice, he shall be responsible for payment of license fee for ten days or the number of days by which the notice given by him falls short of ten days:

Provided that the Director may accept the notice for a shorter period.

- (b) An officer/official who surrenders the residence under clause(a) of sub-rule(3) shall not be considered again for allotment of Government accommodation at the same station for a period of one year from the date of such surrender.

A surrender notice is not necessary in the following types of cases:-

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- (i) When an officer/official in occupation of a lower type of residence than his entitlement is allotted a residence of the type to which he/she is entitled.
- (ii) When an officer/official on his re-employment is found to be entitled to a lower type of accommodation.
- (iii) When an officer/official is given change of residence to another in the same type.
- (iv) When the residence in occupation of an officer/ official is required for a public purpose, repairs or for demolition.
- (v) When the allotment of the residence in occupation is cancelled/deemed to be cancelled under the provisions of the allotment rules.
- (vi) When the son/daughter etc. of retiring/deceased allottee gets alternative accommodation.

10. Period for which allotment subsists and the concessional period for further retention.--

- (1) All allotment shall be effective from the date on which the house is occupied or five days from the date of allotment letter which is earlier and shall continue in force till:-
  - (a) The expiry of the concessional period permissible under sub-rule(2) after the officer ceases to be on duty in an eligible office in Himachal Pradesh.
  - (b) It is cancelled by the Government or it is deemed to have been cancelled under provision of these rules.
  - (c) It is surrendered by the officer, or,
- (2) A residence allotted to an officer may, subject to sub-rule(3) be retained on the happening of one of the event 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 officer or members of his family:-

Event	Permissible period of retention of the residence
(i) Resignation,dismissal,removal or termination of services or unauthorized absence without permission.	4 months

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(ii)	Retirement or terminal leave	4 months
(iii)	Transfer outside the station	2 months or upto the date of allotment at new place of posting whichever is earlier.
(iv)	Death of the allottee	1 year
(v)	On proceedings on foreign service in India.	2 months
(vi)	Temporary transfer in India or transfer to a place outside India	6 months
(vii)	Transfer of an officer occupying house.	1 month from the date of handing over charge.
(viii)	Leave(other than leave preparatory refused leave, terminal Leave,medical leave)	For a period of leave, not to exceed four months.
(ix)	Leave preparatory to retirement or	For the full period leave refused leave subject to maximum of four months inclusive of the permissible at the time of retirement.
(x)	Deputation outside India	For the full period of deputation but not exceeding one year.
(xi)	Study leave in India or abroad	For the period of leave but not exceeding six months.
(xii)	On proceeding on training	For the full period of training.
(xiii)	Maternity leave	For a period of maternity Leave plus the leave granted in continuation subject to maximum of five months.
(xiv)	Leave on medical grounds, requiring hospitalization beyond four months	Full period leave.

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Explanation 1.—The period permissible on transfer mentioned against items (iii),(vi) and (vii) shall count from the date of relinquishing charge plus the period of leave if any sanctioned to and availed of by the officer/ official before joining duty in new office.

Explanation 2.—Where an officer/official is on medical leave without pay and allowances he may retain his residence by virtue of the concession under item(xiv) of the table below sub-rule(2), provided he remits the license fee for such residence in cash every month and where he fails to remit such license fee more than two months, the allotment shall stand cancelled.

Explanation 3.—Where a residence is retained under sub-rule(2) the allotment shall be deemed to be cancelled on the expiry of the admissible concessional periods.

Explanation 4.—An officer who has retained the residence by virtue of the concession under items(i) and (ii) of the above below sub-rule(2) shall, on re-employment in a eligible office within a period specified in the said table be entitled to retain that residence under these rules, provided if the emoluments of the officer on such re-employment do not entitled him to the type of residence occupied by him, he may be allotted a residence of the type to which he is entitled:

Provided that an officer/official in special cases may be allowed by the Secretary, Department in G.A.D. to retain a residence on payment of twice the pooled standard license fee for a period not exceeding six months beyond the permissible period under sub-rule(2) above.

Provided further that in the cases of extreme compassionate grounds, an officer/official may be allowed further period of retention by the Chief Secretary, Himachal Pradesh Government:

Provided further that if any allottee is transferred or retires in the mid-academic session and his/her children are receiving education in School/College or University, as the case may be, at the place of his/her present posting, the allottee may be allowed by the Department in G.A.D. on the basis of merits of each case to retain the accommodation till that current academic year is completed subject to production of certificate from the concerned institution to this effect. License fee chargeable in such case will be two times of the pooled standard license fee for the period beyond the concessional period permitted under the rules in cases of retirement and transfer, as the case may be:

Provided further that in case of officer/official who proceeds on foreign service abroad and on deputation out side India, study leave in India and abroad, the department concerned of any officer/official are required to make the provision in the terms and conditions of such orders with prior approval of the Government in General Administration Department that he/she can retain the Government residential accommodation, if any allotted only of the bonafide purpose of his/her family as per provisions of the rules:

Provided further that officers/officials in the events mentioned above shall furnish and affidavit that the Government accommodation allotted to him/her shall be used only for the bonafide purpose of his/her family and in case it is found at any time that the accommodation is not used for the bonafide purpose of his/her family, the Government may without prejudice to any other disciplinary action that may be taken against him/her, cancel the allotment of residence.

- (3) If immediately after retirement the officer/official of the Himachal Pradesh Government has not availed the permissible period of retention, he may be allowed the concessional period of retention as provided in sub-rule(2) after the completion of re-employment. In the case of the officer/official has been allowed part of the permissible period of retention before re-employment, he may be allowed the remaining part of the permissible period of retention after termination of the re-employment.
- (4) The officer/official who are appointed by the Himachal Pradesh Government on a tenure post shall not be eligible for concession allowed under sub-rule(2) and such officer/official shall vacate the accommodation allotted to him within a period of 15 days after the tenure of his post is over.

**11. Payment of license fee.—**

- (1) Where an allotment of accommodation or alternative accommodation has been accepted, the liability for license fee shall commence from the date of occupation or the eight days from the date of receipt of the allotment, whichever is earlier.
- (2) An officer/official who, after acceptance fails to take possession of the accommodation within eight days from the date of receipt of the allotment letter shall be charged license fee from such date upto a period of twelve days or upto the date on which he withdraws his acceptance, whichever is later.
- (3) Where an officer/official who is in occupation of a residence is allotted another residence and he occupies the new residence, the allotment of 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 license fee for two days after occupation of the new house.

**12. Personal liability of the officer/official for payment of license fee till the residence is vacated and furnishing of surety by temporary officers/ officials.—**

- (1) The officer/official to whom a residence has been allotted shall be personally liable for the license fee 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 Government during the period for which the residence has remained under his occupation.

- (2) Where the officer/official to whom a residence has been allotted is neither a permanent nor a quasi-permanent Government servant, he shall execute a surety bond in the form prescribed in this behalf by the Himachal Pradesh Government with a surety who shall be a permanent Government servant serving under Himachal Pradesh Government for payment of license fee and 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 Government service, withdraws his guarantee or ceases to be available for any other reasons, the officer shall furnish a fresh bond executed by another surety within thirty days from the date of his acquiring knowledge of such event and if he fails to do so, the allotment of the residence to him shall, unless otherwise decided by the Government be deemed to have been cancelled with effect from the date of the event.

13. **Change of Residence.—**

- (1) An officer/official to whom a residence has been allotted under these rules, 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 a residence during his stay at a station:

Provided that no change of residence shall be allowed during a period of six months immediately preceding the date of superannuation.

- (2) Changes shall be offered in the order of receipt of applications for the same in the office of Director of Estates/Estate Officers.
- (3) If an officer/official fails to accept a change of residence offered to him within eight days of the receipt of such order/offer or allotment, he shall not be considered again for a change of allotment of that type.
- (4) A second change may be allowed for exceptional reasons by the House Allotment Committee.

14. **Change of residence in the event of death of member of the family.—**  
Notwithstanding anything contained in rule 13, an officer/official may be allowed a change of residence on the death of any member of the family if he applied for a change within three months of such occurrence; provided that the change will be given in the same type of residence already allotted to the officer/official

15. **Mutual exchange of residence.**—Officer/official to whom a residences of the same types have been allotted under these rules may apply for permission to mutually exchange their residences. Permission for mutual exchanges may be granted if both the officers/officials are reasonably expected to be on duty at the same station and to reside in their mutually exchanged residences for atleast six months from the date of approval of such exchange.
16. **Transfer to non-family station.**—If an officer/official is transferred where he is not permitted or advised by the Government to take his family with him and the residence allotted to him under these rules, is required by the family for bonafide use, he may be allowed, on request, to retain the residence on payment of normal license fee.
17. Sharing of accommodation.--
  - (1) No officer/official shall share the residence allotted to him including any of the out houses, garages and stables apartment thereto unless authorized to do so by the Government.
  - (2) Any sharing of accommodation with close relative shall not be treated as subletting/sharing. The following relations will be treated as close relations viz. father, mother, brothers, sisters, grand father, grand mother, grand sons, grand daughter, uncles, aunts, first cousins, nephews, nieces directly related by blood to allottees, father-in- law, mother-in-law, sister-in-law, son-in-law, daughter-in-law and other relationship established by legal adoption.
18. Power to cancel allotment.—
  - (1) If any officer/official to whom a residence has been allotted sublets the residence or erects any unauthorized structure in any part of the residence or uses the residence or any portion thereof for any purpose other than that for which it is meant or tampers with the electric or water connections or commits any other breach of rules or of the terms and conditions of the allotment or uses the residence or premises for any purposes which the Government considers to be improper or conducts himself in a manner which in the opinion of the Government is prejudicial to the maintenance of harmonious relations with his neighbors or has knowingly furnished incorrect information in any application or written statement, with a view to securing a allotment, the Government may without prejudice to any other disciplinary action that may be taken against him cancel the allotment of the residence.

**Explanation.**—In this sub-rule the expression ‘officer/official’ include unless the context otherwise require, a member of his family and any other person claiming through the officer/official.

- (2) If the officer/official has failed to notify the information to the

Director/Estate Officer as provided under rule 3 or while so notifying the information has in any application or statement suppressed any material fact, the Director may cancel the allotment.

- (3) If any officer/official sublets a residence allotted to him or any portion thereof in contravention of these rules, he may without prejudice to any other action that may be taken against him, be charged damages.
- (4) Where action to cancel the allotment is taken on account of subletting of the premises by the allottee, a period of 7 days shall be allowed to the allottee or any other person residing with him therein to vacate the premises. The allotment shall be cancelled with effect from the date of vacation of the premises or expiry of the period of 7 days from the date of order 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 the neighbours, the officer at the discretion of the Government may be allotted another residence, in the same type at any other place.

**18A. Charging of damages from un-authorized occupants of general pool- residential accommodation and recovery of license fee.--**

- (1) Whereafter an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains, in occupation of the officer/official to whom it was allotted or a person claiming through him, such officer shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges calculated at the rate of ₹4.00 per sq. foot.

Explanation.—‘services’ include conservancy, common light and common water facility.

- (2) In the case of retiring officers/officials the leave encashment benefits will be released only if they have vacated the Government accommodation allotted to them while in service, the amount of leave salary shall be drawn by the Drawing and Disbursing Officer immediately on retirement and the same shall be put in F.D.R. for four months in the name of retiree, pledged with the Drawing and Disbursing Officer as security for damages under sub-rule(1).

**19. Maintenance of separate pools for certain categories.--**

- (1) Notwithstanding anything contained in these rules the following separate pools shall be maintained,namely:-
  - (i) Lady Officer's/official's pool.

- (ii) Transit pool.
- (ii) Tenure Officer's/Official's pool.

(2) The number and types of residences to be placed in these pools shall be determined by the Government from time to time.

(3) The inter-se-seniority of the officers/officials eligible for the allotment of residences under this sub rule shall be determined in the following manner,namely:-

- (a) In the Lady Officer's/official's pool, the Lady officers/ officials entitled to allotment of accommodation in the type next below the type to which they are entitled under the provision of rule 5, on the basis of the priority date on which each such officer/official become eligible for the type of residence in that pool.
- (b) In the Tenure Officer/Official Pool, on the basis of the date from which each such officer/official began to draw emoluments pertaining to the type to which he is to be considered for allotment.
- (c) In the Transit Pool, the officer's/official's,(i) who join their station of new posting or transfer from another station,(ii) who is victim of natural calamities like heavy rains, heavy snow fall,wind and storms, earthquakes and fire accidents etc.,(iii) who has been evicted from private house and whose private house has been acquired by the Government in the public interest,(iv) whose house has been collapsed or gutted in fire, and (v) persons in whose cases there are compassionate circumstances of an extreme nature, shall be entitled to transit pool accommodation, on the basis of seniority from the date of receipt of his/her application. An application for transit pool accommodation shall, however, remain valid for six months only.

(4)(a) In the Lady officer's/official's pool all Lady Officers and Officials eligible for the allotment from the general pool under the rules, are eligible for allotment from Lady Officers/Officials pool.

(b) In the Transit Pool, all officers/officials who are eligible for allotment from general pool under the rules, are eligible for allotment from transit pool on the grounds mentioned in clause(c) of sub-rule above.

(c) In the Tenure Pool, all officers/officials on return from deputation from Government of India, officers posted outside State Headquarters for a particular tenure such as D.Cs. Sessions Judges, Sub-Divisional Officer(Civil) etc. on transfer back to State Headquarters are eligible for allotment from the Tenure Pool.

(5)(a) The allotment in the Lady officer's/Official's Pool and Tenure Officer's Pool shall remain valid for the period they remain posted at the station.

(b) The allotment of Transit Pool Accommodation shall be valid for one year and further can be extended for another six months; provided the Officer/Official remain posted at the same station.

(6)(a) The license fee in respect of Lady Officer's/Official's Pool and Tenure Officer's Pool shall be recovered under the provisions of the F.R.45-A chargeable in respect of general pool accommodation.

(b) The license fee of Transit Pool Accommodation shall be charged as under:-

- (i) Single room accommodation with common .. ₹.20/-PM  
Latrines(for Class IV employees).
- (ii) Single room accommodation with separate .. ₹.35/-PM  
latrines(for Class III and IV employees).
- (iii) Double room accommodation (for class III .. ₹.65/-PM  
Employees).
- (iv) Double room accommodation for class I .. ₹.100/-PM  
And II Officers).

**Note.—**Any other facility provided in the accommodation such as Geyser and furniture etc., the charges thereof shall be charged extra. The allottee shall be personally responsible for the payment of water and electricity charges direct to the concerned Department/Corporation.

20. **Continuation of allotment made prior to the issue of these rules.**—Any valid allotment of residence which is in force immediately before the commencement of these rules, under the rules then in force, shall be deemed to be allotment duly made, under these rules notwithstanding the fact that the official to whom it has been made is not entitled to a residence to that type under the relevant rules and all the preceding provisions of these rules shall apply in relation to that allotment and that officer accordingly.

21. **Interpretation of rules.**—If any question arises as to interpretation of these rules, the decision of the Government shall be final.

22. **Delegation of powers or functions.**—

(1) The Government may delegate any or all the powers conferred upon it except the power to make or amend the rules, by the rules to any officer under its control, subject to the conditions as it may deem fit to impose.

(2) The Director may further delegate all or any of the power exercisable by him to the various Estate Officers of the respective Districts:

Provided that the powers under rule 24 of these rules shall not be delegated to any officer.

23. **Allotment to Officer/Official entitled to rent free and Departmental Pool Accommodation:**--Officers/Officials who are entitled to rent free accommodation and officers/officials whose Department has their own departmental pool accommodation shall not be eligible for allotment from the general pool accommodation:

Provided that at the stations where the Departmental pool accommodation for the officers/officials does not exist he will be considered alongwith other employees at that station for the allotment of accommodation from the general pool. Officer/Official entitled to rent free accommodation will be considered for allotment from general pool subject to the condition that if they are allotted accommodation, the license fee will have to be paid by the concerned department.

24. Relaxation of rules.—Government may, reasons to be recorded in writing, relax all or any of the provisions of these rules in the public interest or in cases of extreme compassion.

25. Repeal and Savings.—

(1) The Allotment of Government Residences(General Pool) in Himachal Pradesh Rules,1986 are hereby repealed.

(2) Notwithstanding any such repeal, any order or allotment made, any action taken or thing done shall be deemed to have been taken or done, under corresponding provisions of these rules.

.....

Authoritative English text of Government Notification No.GAD-7(G)1-12/81, dated the 28<sup>th</sup> July,1995 as required under clause(3) of article 348 of the Constitution of India.

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Government of Himachal Pradesh  
General Administration Department  
(D-Section)

No.GAD-7(G)1-12/81, dated Shimla-2, the

28-7-1995.

**NOTIFICATION**

In pursuance of rule-45 of the Fundamental Rules and other powers enabling him in this behalf, the Governor of Himachal Pradesh, is please to make the following rules, further to amend the Himachal Pradesh Allotment of Government Residences(General Pool) Rules,1994, which were notified vide this Department Notification of even No., dated the 1<sup>st</sup> June,1994 and were published in Rajpatra,Himachal Pradesh(Extra-ordinary) on 18<sup>th</sup> July,1994, namely:-

Short title	1. These rules may be called the Himachal Pradesh Allotment of Government Residences(General Pool)(Amendment) Rules,1995.
Amendment of rule-8	2. After clause(iii) of sub-rule(9) of rule-8 of the Himachal Pradesh Allotment of Government Residences(General Pool) Rules,1994, the following clause shall be inserted , namely:- “(iv)Nothing contained in clause(i) of this sub-rule shall apply to a correspondent who has already been allotted Government residential accommodation before the commencement of these rules and the said allotment shall continue to be regulated by the same terms and conditions subject to which the said allotment has been made.”

By order  
S.S.Negi  
Commissioner-cum-Secretary(GAD) to the Govt.  
of Himachal Pradesh.

No.GAD-7(G)1-12/81,Dated Shimla-2, the  
Copy forwarded to:-

28-7-1995

1. All Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries to the Govt. of Himachal Pradesh.
2. All Heads of Departments in Himachal Pradesh.

: 2 :

3. All Chairmen/Managing Directors of Boards/Corporations in H.P.
4. All the Deputy Commissioners in Himachal Pradesh.
5. The Director of Estates in H.P.Shimla(with 50 spare copies).
6. All the Estates Officers(A.Cs to D.Cs) in H.P.
7. The Controller,Prininting & Stationery,H.P.Shimla-5.He is requested to kindly arrange publication of the above notification in the Rajpatra(Extra-ordinary) at an early date.
8. The Under Secretary(Law) to the Govt. of H.P.,Shimla-2.
9. A.L.D(Hindi),Law Depttt.,H.P.Sectt.,Shimla-2.

Sd/-

Joint Secretary(GAD) to the  
Govt. of Himachal Pradesh.

(Authoritative English test of this Department's notification No.GAD-D-7(G)1-12/81-I, dated the 7<sup>th</sup> April,2008 as required under Clause(3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-I,Dated Shimla-2,the

7<sup>th</sup> April,2008.

### NOTIFICATION

In exercise of the powers conferred under rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules,1994, notified vide this Department notification No.GAD-7(G)1-12/81, dated the 1st June,1994 and published in Rajpatra, Himachal Pradesh (Extra Ordinary) on 18<sup>th</sup> July,1994,namely:-

**Short title and commencement**      1.      (1)      These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) Second Amendment Rules,2008.

**Amendment of Rule 10**      2.      (2)      These rules shall come into force with immediate effect.  
      (a)      In rule-10 of the Himachal Pradesh Allotment of Government Residences(General Pool) Rules,1994 (hereinafter, referred to as the said rules) in sub-rule(2), in Explanation-4,- for the first proviso, the following shall be substituted, namely:-

“Provided that an officer/official in special cases may be allowed by the Secretary, General Administration Department to retain a residence on payment of double the pooled license fee for a period not exceeding three months. However, Secretary(GAD) may allow further retention for a period not exceeding three months on payment of four times of the pooled license fee beyond the permissible period under sub-rule(2):

: 2 :

Provided further that the applicant deposits the rent in advance with Director of Estates alongwith application for the period he/she wants to retain the Govt. accommodation”;

(b) for the second proviso, the following shall be substituted, namely:-

“Provided further that in cases of extreme compassionate grounds, an officer/official may be allowed further period of retention for a period not exceeding six months on payment of eight times of the pooled license fee by the Chief Secretary, Himachal Pradesh Government:

Provided further that the applicant deposits the rent in advance with Director of Estates alongwith application for the period he/she wants to retain the Govt. accommodation. However, Chief Secretary may allow further retention on payment of rent as per following chart:-

1.	Type-I	₹.3000/-PM
2.	Type-II	₹.6000/-PM
3.	Type-III	₹.9000/-PM
4.	Type-IV	₹.12,000/-PM
5.	Type-V	₹.15,000/-PM
6.	Type-VI	₹.20,000/-PM
7.	Type-VII	₹.30,000/- & above

Provided further that the applicant deposits the rent in advance with the Director of Estates alongwith application for the period he/she wants to retain the Govt. accommodation. In case of failure to deposit this rent, eviction proceedings shall be initiated immediately which shall be completed within 3 months”.

: 3 :

Amendment of

3. In rule 18A of the said rules, for sub-rule(2), the following rule 18A shall be substituted, namely:-

“(2) In the case of retiring officers/officials the leave encashment benefits will be released only if they have vacated the Government accommodation allotted to them. The amount of leave salary shall be drawn by the Drawing and Disbursing Officer immediately on retirement and the same shall be put in F.D.R. in the name of retiree pledged with the Drawing and Disbursing Officer for the period till he/she vacates the Government accommodation, as a security for rent under sub-rule(1)”.

By Order

Secretary(GAD) to the  
Government of Himachal Pradesh

7<sup>th</sup> April,2008.

No.GAD-7(G)1-12/81-I,Dated Shimla-2,the

Copy forwarded to:-

1. All the Secretaries/Joint Secretaries/ Deputy Secretaries/Under Secretaries to the Government of Himachal Pradesh.
2. The Registrar General,High court of Himachal Pradesh,Shimla-1.
3. All Heads of Departments in Himachal Pradesh.
4. All the District & Session Judges in Himachal Pradesh.
5. All the Chairmen/Managing Directors of Corporations/Boards in H.P.
6. All the Deputy Commissioners in Himachal Pradesh.
7. The Principal, Indira Gandhi Medical College,Shimla-1.
8. The Registrar,H.P.University,Shimla-5/ Hort.University,Solan/ Agr. University, Palampur (Kangra),Himachal Pradesh.
9. The Director of Estates,H.P.,Shimla-2 with 50 spare copies.
10. All the Estates Officer(ACs to DCs) in Himachal Pradesh.
11. All Treasury Officers/Sub-Treasury Officers/Assistant Treasury Officers in H.P.
12. The Accountant General(Audit),H.P.,Shimla-3.
13. The Sr.Deputy AG(A&E),H.P.,Shimla-3.
14. The FC-cum-Secretary(Finance) to the Govt. of Himachal Pradesh.
15. The Controller,Printing & Stationery,H.P.,Shimla-5. He is requested to kindly arrange to publish the above notification in the Rajpatra(Extra-Ordinary) at an early date.
16. The Deputy Secretary(Law) to the Govt. of Himachal Pradesh w.r.t. his Diary No.461, dated the 4<sup>th</sup> April,2008.
16. The Under Secretary(Law) to the Govt. of Himachal Pradesh.

Sd/-  
Under Secretary(GAD) to the  
Govt. of Himachal Pradesh.

.....

(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-I, dated the 11-03-2010 as required under Clause(3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-I, Dated Shimla-2, the

11<sup>th</sup> March,2010.

### **NOTIFICATION**

In exercise of the powers conferred under rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules,1994, notified vide this Department's notification No.GAD-7(G)1-12/81, dated the 1st June,1994 and published in Rajpatra,Himachal Pradesh (Extra Ordinary) on 18<sup>th</sup> July,1994 namely:-

**Short title and Commencement.** 1. (1) These rules may be called the Himachal Pradesh Allotment of Government Residences(General Pool) Amendment Rules,2010.

(2) These rules shall come into force with immediate effect.

**Amendment of Rule-2** 2. In Rule-2 of the Himachal Pradesh Allotment of Government Residences(General Pool) Rules,1994(hereinafter, referred to as the said rules), after clause(k), the following new clause(L) shall be inserted:-

“(L)”Secretary” means Secretary(GAD) to the Government of Himachal Pradesh”.

**NOTE:** The existing sub-clauses l,m,n & o shall be re-numbered as ‘m’, ‘n’, ‘o’ & ‘p’.

**Amendment of  
Rule-3**

3. In Rule-3 of the said rules,in sub rule(3),after Explanation, following provisos shall be added:-

“Provided that the officers/officials who owns a house either in his name or in the name of any member of his family after the allotment of Government accommodation shall have to notify the fact to the Director of Estates/Estate Officer every year in the month of January in the shape of declaration prescribed failing which it will be presumed that they have their own house and the enhanced license fee of last category in accordance with the provisions of Rule-45 of the Fundamental Rules shall be charged:

Provided further that, in case, any false information is supplied by any individual allottee, disciplinary action will be taken against him and simultaneously such allotment will be cancelled:

Provided further that the Director of Estates/Estate Officers shall not issue any allotment orders to the officers/officials who have been allotted accommodation on seniority or on out of turn basis unless they submit a declaration regarding their own house on the prescribed proforma in the shape of an affidavit.”

**Amendment of**

4. In Rule-6 of the said rules, below sub-rule(3), following **Rule-6** proviso shall be added:-

“Provided that the applications for allotment of Govt. residential accommodation will be valid for one allotment year only.”

**Amendment of  
Rule-7**

5. In Rule-7 of the said rules, the word ‘Director’ wherever appearing, shall be substituted by “Secretary” (GAD) to the Govt. of Himachal Pradesh”.

**Amendment of**

**Rule-8**

6. In Rule-8 of the said rules-

(a) below sub-rule(2), the following proviso's shall be added; namely:-

“Provided that such wife/ husband/ son or unmarried daughter was serving the H.P.Government at the time of retirement or death of the Govt. servant and residing with him/her and not claiming HRA for the last 3 years or since the date of appointment/transfer in the station whichever is relevant:

Provided further that in case of death, the spouse/ward may be allotted accommodation if he is appointed to Govt. service within the permissible period of one year from the date of death of the allottee.

Provided further that the spouse/ward of the retired/deceased allottee shall clear all the outstanding dues in respect of premises occupied by the retiree or deceased.

Provided further that the application in prescribed proforma for allotment of accommodation on out of turn basis will be submitted alongwith the supporting documents and such application shall be valid for that allotment year only.

(b) In sub rule-9(i), for proviso-2, the following proviso shall be substituted as under:-

“Provided further that an allottee of accommodation under sub-clause(i) shall pay the license fee as per provisions of these rules and shall also pay the house rent allowance paid to him/her by the Newspaper or News Agency in which he/she is employed. No exemption in this regard shall be permissible;”

- (c) In proviso below clause (iii) of sub-rule(9) after the words “each category” but, before the word, sign and roman figure “Type-IV”, the words “during the given allotment year” shall be inserted.
- (d) In sub rule-(9), after proviso below clause(iii), following new proviso’s shall be added; namely:-

“Provided further that there will be a separate pool for Press Correspondents having 20 residences upto Type-IV only:

Provided further that allotment of Govt. accommodation shall be valid only for the period of accreditation.

**Amendment of  
Rule-10**

- 7 Below Explanation-4 under sub-rule (2) of Rule-10, for the existing proviso’s, the following new provisos shall be substituted; namely:-

“Provided further that the Secretary(GAD) to the Govt. of Himachal Pradesh may allow further retention in a special case beyond the permissible period under sub-rule(2), for a period not exceeding 3 months on payment of four times of the pooled license fee:

Provided further that the Chief Secretary, Himachal Pradesh Government may allow further retention on extreme compassionate grounds for a period not exceeding 3 months on payment of 8 times of the pooled license fee. However, Chief Secretary may allow further retention for a period not exceeding 6 months on payment

of rent as per following chart:-

1.	Type-I	Rs.3,000/-PM
2.	Type-II	Rs.6,000/-PM
3.	Type-III	Rs.9,000/-PM
4.	Type-IV	Rs.12,000/-PM
5.	Type-V	Rs.15,000/-PM
6.	Type-VI	Rs.18,000/-PM
7.	Type-VII & above	Rs.30,000/-PM

Provided further that the application for extension shall be given one month before the expiry of the authorized period:

Provided further that the extension letter shall be issued only after receipt of total rent in advance. In case of failure to deposit the total rent, eviction proceedings shall be initiated immediately which shall be completed within three months:

Provided further that if any allottee is transferred or retires in the mid-academic session and his/ her children are receiving education in School/College or University, as the case may be, at the place of his/her present posting, the allottee may be allowed by the Department in G.A.D. on the basis of merits of each case to retain the accommodation till that current academic year is completed subject to production of certificate from the concerned institution to this effect. License fee chargeable in such case will be four times of the pooled standard license fee for the period beyond the concessional period permitted under the rules in cases of retirement or transfer, as the case may be:

: 6 :

Provided further that in case of officer/official who proceeds on foreign service abroad and on deputation out side India, study leave in India and abroad, the department concerned of any officer/official are required to make the provision in terms and conditions of such orders with prior approval of the Government in General Administration Department that he/she can retain the Government residential accommodation, if any allotted only for the bonafide purpose of his/her family as per provisions of the rules:

Provided further that officers/officials in the events mentioned above shall furnish an affidavit that the Government accommodation allotted to him/her shall be used only for the bonafide purpose of his/her family and in case it is found at any time that the accommodation is not used for the bonafide purpose of his/her family, the Government may without prejudice to any other disciplinary action that may be taken against him/her, cancel the allotment of residence.”

**Amendment of  
Rule-15**

8. Rule-15 shall be deleted.

**Amendment of  
Rule-18A**

9. In Rule-18A of the said rules, for sub rule(1), the following shall be substituted,namely:-

“Whereafter an allotment has been cancelled or is deemed to be cancelled under any provision contained in these rules, the residence remains, in occupation of the officer/official to whom it was allotted or a person claiming through him, such officer/official shall be liable to pay damages for use and occupation of the residence, services, furniture and garden charges calculated at the rate of Rs.18/- per sq. foot.”

**Amendment of  
Rule-19**

10. In Rule-19 of the said rules,

(a) in sub rule(1),after clause (iii),following clause shall be inserted, namely:-

“(iv) Servant Quarter Pool

(v) Garage Pool”;

(b) In sub rule 3, after clause(c), following clause shall be inserted,namely:-

(d) “The officers entitled for type-IV and above accommodation shall be eligible for the allotment of a servant quarter and garage. The allotment under Rule-19 shall be made by the Secretary(GAD) to the Govt. of H.P”; and

(c) In sub-rule-6, for clause(b), the following shall be substituted, namely:-

“The license fee of Transit Accommodation shall be charged as under:-

(i) Single room accommodation with common latrines( for Class-IV employees) Rs.80/-P.M.

(ii) Single room accommodation with separate latrines(for Class-III & IV employees) Rs.140/-P.M.

(iii) Double room accommodation(for Class-III employees) Rs.260/-P.M.

(iv) Double room accommodation(for Class-I & II Officers) Rs.400/-P.M.

(v) Servant Quarter Rs.80/-P.M.

(vi) Garage Rs.80/-P.M”.

By Order

Secretary(GAD) to the  
Government of Himachal Pradesh  
....8/-

No.GAD-D-7(G)1-12/81-I,Dated Shimla-2,the  
Copy forwarded to:-

11<sup>th</sup> March,2010.

1. All Secretaries/Special Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries to the Government of Himachal Pradesh.
2. The Registrar General,High Court of Himachal Pradesh,Shimla-2.
3. All Heads of Departments in Himachal Pradesh.
4. All District & Session Judges in Himachal Pradesh.
5. All Chairmen/Managing Directors of Boards/Corporations in H.P.
6. All the Deputy Commissioners in Himachal Pradesh.
7. The Principal, Indira Gandhi Medical College,Shimla-1.
8. The Registrar,H.P.University,Shimla-5/Horticulture University,Nauni,Distt.Solan/CSKKVV Agr.University,Palampur,Distt.Kangra.
9. The Principal Secretary(Finance) to the Govt. of Himachal Pradesh.
10. The Director of Estates,Himachal Pradesh,Shimla-2.
11. All the Estates Officer(ACs to DCs) in Himachal Pradesh.
12. All the Treasury Officers/Sub-Treasury Officers/Assistant Treasury Officers in HP
13. The Accountant General(Audit),H.P.,Shimla-3.
14. The Sr.Deputy AG(A&E),H.P.,Shimla-3.
15. The Controller(P&S),H.P.Shimla-5.He is requested to kindly arrange to publish the above notification in the Rajpatra(Extra-Ordinary) at an early date.
16. The Deputy Secretary(Law) to the Govt. of H.P.
17. The ALR-cum-Under Secretary(Law) to the Govt. of H.P.
18. The Under Secretary(Finance) to the Govt. of H.P. w.r.t. his UO No.Fin(C)A(3)9/98(51330203), dated the 8<sup>th</sup> March,2010 for information.

Sd/-  
Special Secretary(GAD) to the  
Government of Himachal Pradesh.

.....

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-3(C) 14-2/97,Dated Shimla-2,the

21<sup>st</sup> September,2010.

**OFFICE MEMORANDUM**

Subject:- Fixation of monthly pooled standard license fee of Government residential accommodation.

.....

In continuation to this Department's office memorandum of even number, dated the 21<sup>st</sup> May,2005 on the above noted subject , the Government of Himachal Pradesh has decided to revise the pooled standard license fee for the Government residential accommodation for officers/officials with immediate effect as per details given below:-

<b><u>Type of</u></b>	<b><u>Present monthly pooled standard license fee</u></b>	<b><u>Revised monthly pooled accommodation standard license fee.</u></b>
Type-I	Rs.53/- per month	Rs.106/- per month
Type-II	Rs.114/- per month	Rs.228/- per month
Type-III	Rs.194/- per month	Rs.388/- per month
Type-IV	Rs.449/- per month	Rs.898/- per month
Type-V	Rs.616/- per month	Rs.1232/- per month
Type-VI	Rs.642/- per month	Rs.1284/- per month
Type-VII	Rs.1289/- per month	Rs.2578/- per month
Type-VIII	Rs.1417/- per month	Rs.2834/- per month

2. You are accordingly requested to take further necessary action in the matter at once.

Sd/-

Under Secretary(GAD) to the  
Government of Himachal Pradesh.

To

All Principal Secretaries/Secretaries to the  
Government of Himachal Pradesh.

: 2 :

Endst. No.GAD-D-3(C) 14-2/97,Dated Shimla-2,the 21<sup>st</sup> September,2010.

Copy is forwarded to the following for information and similar necessary action:-

1. The Principal Secretary(Finance) to the Govt. of H.P.
2. All Heads of Departments in Himachal Pradesh.
3. The Registrar General,High Court of Himachal Pradesh,Shimla-1.
4. All the Deputy Commissioners in Himachal Pradesh.
5. All the Estates Officers in the O/O all Deputy Commissioners in Himachal Pradesh.
6. All the District & Session Judges in Himachal Pradesh.
7. The Registrar,H.P.University/H.P.Agriculture University,Palampur/ Horticulture University,Nauni,Solan,Himachal Pradesh.
8. All Managing Director/Chairmen of Boards/Corporations in H.P.
9. The Director of Estates,Himachal Pradesh,Shimla-2.
10. All the Treasury Officers/Sub-Treasury Officers/Assistant Treasury Officers in Himachal Pradesh.
11. The Accountant General(Audit), Himachal Pradesh,Shimla-3.
12. The Senior Deputy Advocate General(A&E),H.P.,Shimla-3.

Sd/-

Under Secretary(GAD) to the  
Government of Himachal Pradesh.

.....

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-3(C) 14-2/97,Dated Shimla-2,the

21<sup>st</sup> September,2010.

**OFFICE MEMORANDUM**

Subject:- Officers/officials owning houses at or near stations of the their posting-allotment of Government residential accommodation.

.....

Kindly refer to Office Memorandum No.11-2/73-Fin(Reg.), dated the 17<sup>th</sup> August,1987 on the above noted subject from Commissioner-cum-Secretary(Finance) to the Government of Himachal Pradesh wherein rental liability of those officers/officials owning houses at or near the place/station of their postings which they have rented out but, themselves are residing in Govt. accommodation was notified, which is as under:-

**RENTAL LIABILITY OF HOUSE OWNING OFFICERS/ OFFICIALS AT OR NEAR THE STATION OF THEIR POSTINGS**

i)	Income from own house does not exceed Rs.3,000/-PM	Normal license fee.
ii)	Income from own house exceeds Rs.3000/-PM but,does not exceed Rs.5000/- PM.	Twice the normal license fee.
iii)	Income from own house exceeds Rs.5000/-PM	Thrice the normal license fee.

2. The above rental liability prescribed in FR-45A has now further been revised by the Government of India vide their G.I.M.U.D., O.M.No.12035/11/99-Pol.II, dated the 24<sup>th</sup> July,2003 which is as under:-

**RENTAL LIABILITY OF HOUSE OWNING OFFICERS/ OFFICIALS AT OR NEAR THE STATION OF THEIR POSTINGS**

i)	If income from own house does not exceed Rs.12,000/-PM	Normal license fee.
----	--	---------------------

: 2 :

ii)	Income from own house exceeds Rs.12,000/-PM but, doe not exceed Rs.20,000/- PM.	Twice the normal license fee.
iii)	Income from own house exceeds Rs.20,000/-PM	Thrice the normal license fee.

3. Henceforth, the above rates of license fee are to be charged accordingly from those officers/ officials who are owing private houses at their place of postings and receiving income from their own houses but, at the same time, have been allotted Govt. accommodation.

Sd/-

Under Secretary(GAD) to the  
Govt. of Himachal Pradesh.

To

All Principal Secretary/Secretaries to the  
Government of Himachal Pradesh.

Endst.No.As above, Dated Shimla-2,the

21<sup>st</sup> September,2010.

Copy is forwarded to the following for information and similar necessary action:-

1. The Principal Secretary(Finance) to the Govt. of H.P.
2. All Heads of Departments in Himachal Pradesh.
3. The Registrar General,High Court of Himachal Pradesh,Shimla-1.
4. All the District & Session Judges in Himachal Pradesh.
5. All the Deputy Commissioners in Himachal Pradesh.
6. All the Estates Officers in the o/o all Deputy Commissioners in Himachal Pradesh.
7. The Registrar,H.P.University/H.P.Agriculture University,Palampur/ Horticulture University,Nauni,Solan,Himachal Pradesh.
8. The Director of Estates,Himachal Pradesh,Shimla-2.
9. All Managing Directors/Chairmen of Boards/Corporations in H.P.
10. All the Treasury Officers/Sub-Treasury Officers/Assistant Treasury Officers in Himachal Pradesh.
11. The Accountant General(Audit), Himachal Pradesh,Shimla-3.
12. The Senior Deputy Advocate General(A&E),H.P.,Shimla-3.

Sd/-

Under Secretary(GAD) to the  
Govt. of Himachal Pradesh.

.....

No.GAD-D-7(G)1-23/2009  
Government of Himachal Pradesh  
General Administration Department  
(Section-D)

From

The Secretary(GAD) to the  
Government of Himachal Pradesh.

To

1. The Director of Estates,  
Himachal Pradesh, Shimla-2.
2. All the District Estates Officers  
O/O Deputy Commissioners, H.P.

Dated Shimla-2, the

31<sup>st</sup> December, 2010.

Subject:-

H.P. Allotment of Govt. Residences(General Pool) Rules, 1994-  
Instructions thereunder.

.....

Sir,

I am directed to invite your kind attention to this Department's letter of even number, dated the 2<sup>nd</sup> January, 2010 on the above noted subject whereby entitlements for allotment of various types of Govt. accommodation have been revised on the basis of basic pay i.e. Grade Pay+Pay Band. However, with the revision of pay scales, the classification of types of residences has become impractical to an extent. After revision of Pay Scales, Government of India has also based the classification of entitlements for allotment of residential accommodation on the basis of the Grade Pay. Hence, the issue of re-fixation of entitlements on the basis of "Grade Pay" for allotment of various types of houses on the pattern of Government of India has been attracting the attention of the State Government. Therefore, it has now been decided that the revised entitlements for different types of residences on the basis of Grade Pay/Basic Pay shall be as under:-

<u>Type of Residence</u>	<u>Revised Entitlement (Grade Pay only)</u>
I	Rs.1300/- to Rs.1650/-
II	Rs.1900/- to Rs.3600/-
III	Rs.3800/- to Rs.5000/-
IV	Rs.5400/- to Rs.8400/-

: 2 :

V	Rs.8600/- to Rs.9000/-
VI	Rs.10000/- & above
<b><u>(Basic Pay only)</u></b>	
VII	Rs.67000/- to Rs.79999/-
VIII	Rs.80000/- & above.

### Explanation:-

For the removal of doubts it is hereby clarified that:-

- (a) The eligibility of an employee for Govt. accommodation shall be determined as per the Grade Pay of the employee in his/her present post held in the State Government.
- (b) The date of priority in respect of lower type of houses i.e. from Type-I to Type-III shall be the date of joining in the services under State Government. If the date of joining is the same then the priority will be determined as under:-
  - (i) The official having higher pay shall be senior.
  - (ii) If the pay is the same, the official retiring earlier will be accorded higher priority.
- (c) The inter-se-seniority for the higher type i.e. Type-IV onwards shall be considered on the basis of following factors:-
  - (i) The Grade pay of the officer.
  - (ii) The priority date of an applicant, within the same Grade Pay, shall be the date from which the applicant is continuously drawing his such grade pay.

3/-

**: 3 :**

- (iii) Where the priority date of two or more officers is the same, the inter se-seniority of the officers shall be determined on the basis of the basic pay i.e. the officers who have a higher pay shall be senior in the waiting list.
- (iv) Where the priority date and the basic pay of two or more officers are the same, the earlier date of joining in the service of State Government shall be next determining principle of inter-se-seniority.
- (v) Where the priority date, basic pay and date of joining in the service of the State Government of two or more officers are the same, the officers retiring earlier may be accorded higher priority over the officers retiring later.
- (d) Officers entitled for Type-IV and above houses shall also be eligible to apply for accommodation below their entitlement subject to the condition that such accommodation shall not be below Type-IV.
- (e) No junior batch employee of the same service shall get priority over the senior batch officer of same service.

2. This revised classification of entitlement for allotment of houses shall be applicable w.e.f. 1-1-2011.

**: 4 :**

3. A specimen of revised application for allotment of residential accommodation on seniority basis is enclosed herewith. Henceforth applications will be received only on revised format. The new applications for the allotment year 2011 will be received upto 31<sup>st</sup> January,2011 based on which the seniority list will be drawn for fresh allotments thereafter. You are accordingly requested to bring these instructions to the notice of all concerned.

Yours faithfully,

Sd/-

Under Secretary(GAD) to the  
Govt. of Himachal Pradesh

Endst.No.As above, Dated Shimla-2,the

31<sup>st</sup> December,2010.

Copy for information and necessary action is forwarded to:-

1. All the Principal Secretaries/Secretaries/Special Secretaries/ Additional Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries to the Govt. of Himachal Pradesh.
2. The Registrar General, High Court of Himachal Pradesh, Shimla-1.
3. All Heads of Departments in Himachal Pradesh.
4. All Deputy Commissioners in Himachal Pradesh.
5. All Chairmen/Managing Directors of Boards/Corporations in Himachal Pradesh.
6. The Registrar, H.P. University, Shimla-5/H.P. Agriculture University, Palampur, Distt. Kangra/ Dr. Y.S. Parmar University of Horticulture and Forestry, Nauni, Solan.

Sd/-

Under Secretary(GAD) to the  
Government of Himachal Pradesh

.....

No.GAD-D-7(G)1-23/2009  
Government of Himachal Pradesh  
General Administration Department  
(Section-D)

From

The Secretary(GAD) to the  
Government of Himachal Pradesh.

To

1. All the Additional Chief Secretaries/Principal Secretaries/Secretaries to the Government of Himachal Pradesh.
2. All Heads of Departments in Himachal Pradesh.
3. All the Deputy Commissioners in H.P.
4. The Director of Estates,  
Himachal Pradesh, Shimla-2.

Dated Shimla-2, the

13<sup>th</sup> June, 2011.

Subject:- Grant of extension to retain the Govt. accommodation of Departmental Pool beyond the permissible period.

.....

Sir,

In supersession to this Department's letter No.GAD-D-7(G)1-7/83, dated the 27<sup>th</sup> April, 1998 on the above noted subject, I am directed to say that the provisions regulating the extension in retention of Govt. accommodation beyond permissible period have now been amended. Further there is need to strictly enforce the provisions of this Rule in allowing extension for retention beyond permissible period so that awaiting applicants can avail their due in time.

2. Therefore, it has been decided that hereinafter uniform pattern will be ensured in this regard and the Departmental Secretary may grant extension in retention of government accommodation only if the allottee is transferred or retires in 'mid- academic sessions' of his/her children as studying in Schools and Colleges for the period of current academic year/semester in accordance with the Rules on payment of four times of the normal license fee.

3. You are requested to kindly consider the cases of Departmental Pool Accommodation accordingly.

Yours faithfully,  
Sd/-  
Under Secretary(GAD) to the  
Government of Himachal Pradesh.

(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-II, dated the 30<sup>th</sup> August,2011 as required under Clause(3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2,the

30<sup>th</sup> August,2011.

### **NOTIFICATION**

In exercise of the powers conferred under rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules,1994, notified vide this Department's notification No.GAD-7(G)1-12/81, dated the 1st June,1994 and published in Rajpatra, Himachal Pradesh (Extra Ordinary) dated 18<sup>th</sup> July,1994, namely:-

**Short title and Commencement.** 1. (1) These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) Amendment Rules, 2011.

(2) These rules shall come into force with immediate effect.

**Amendment of Rule 2.** 2. In rule 2 of the Himachal Pradesh Allotment of Government Residences(General Pool) Rules,1994(hereinafter referred to as the 'said rules'),-

(a) for sub-rule(c) the following shall be substituted, namely:-  
“(c)'date of priority' of an officer/official in relation to type-IV and above residences shall be the date from which he has been continuously drawing the Grade Pay or Basic Pay, whichever is applicable, to a particular type or a higher type in a post under the State Government or on foreign service/deputation:

Provided that the date of priority in respect of type-I to type-III residences shall be the date of joining in the services under State Government. If the date of joining is the same then the priority will be determined as under:-

- (i) The officer/official having higher grade pay shall be senior; and
- (ii) If the pay is the same, the official retiring earlier shall be accorded higher priority:

Provided further that the inter-se-seniority for type-IV and above residences shall be considered on the basis of following factors, namely:-

- (i) the Grade pay of the officer;
- (ii) The priority date of an applicant, within the same Grade Pay, shall be the date from which the applicant is continuously drawing his such grade pay;
- (iii) Where the priority date of two or more officers is the same, the inter se-seniority of the officers shall be determined on the basis of the basic pay i.e. the officer who has a higher pay shall be senior in the waiting list:

Provided that where the priority date and the basic pay of two or more officers are the same, the earlier date of joining in the service of the State Government shall be next determining criteria of inter-se-seniority:

Provided further that where the priority date, basic pay and date of joining in the service of the State Government of two or more officers are the same, the officers retiring earlier may be accorded higher priority over the officers retiring later:

: 3 :

Provided further that the Officers entitled for type-IV and above residences shall also be eligible to apply for accommodation below their entitlements subject to the condition that such accommodation shall not be below type-IV.

Provided further that no junior batch officer of the same service shall be given priority over the senior batch officer of same service:

Provided further that for the purpose of counting of broken periods of service for priority date for allotment of residential accommodation from the general pool, the past service shall be counted if they have been given any benefit of the past service for any of the purposes of confirmation, quasi- permanency or pension. They shall, however, not be allowed to count their past service in case they are given any terminal benefits (like civil/military pension/gratuity) other than leave for their past service. If any officer had more than one break in his service, the above benefit will be admissible only in respect of continuous service rendered prior to the last break.

(b) for clause(f),the following shall be substituted, namely:-

“(f) Permanent, quasi-permanent and temporary Government servants of Himachal Pradesh Government offices whose services are likely to be made regular,are eligible for the allotment of Government residential accommodation from the general Pool:

Provided that the Government servants of those category or class for whom departmental accommodation exist at the station of their posting shall not be eligible for allotment on seniority from the general pool at that station;.

(c) clause(g) shall be deleted.

**Substitution of Rule 5**

**3. For rule 5 of the said rules, the following shall be substituted, namely:-**

**“5. Classification of Residence.-**

“Save as otherwise provided by these rules, the officers/official shall be eligible for allotment of different types of residences on the basis of Grade Pay or Basic Pay, whichever is applicable, shown in the table below:

<u>Type of residence</u>	<u>TABLE-I</u> <u>Category of officer/official or monthly emoluments drawn by the officers/official(Grade Pay only)</u>
I	₹.1300/- to ₹.1650/-
II	₹.1900/- to ₹.3600/-
III	₹.3800/- to ₹.5000/-
IV	₹.5400/- to ₹.8400/-
V	₹.8600/- to ₹.9000/-
VI	₹.10,000/- and above

Explanation:- In case of officers who is under, suspension, the emoluments (Grade Pay only) 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 allotment year, the grade pay drawn by him immediately before that date shall be taken as emoluments. Allotment of residential accommodation to the officers/officials under suspension shall be made under rule-7 as if the suspension has not taken place.

**TABLE-II**

<u>Type of residence</u>	<u>Category of officer/official or monthly emoluments drawn by the officers/official(Basic Pay only)</u>
--------------------------	--

VII	₹.67,000/- to ₹.79,999/-
VIII	₹.80,000/- and above”.

**Amendment of**

**4. In rule 7 of the said rules, for sub-rule(1) the following rule 7. shall be substituted,namely:-**

“(1) Save as otherwise provided in these rules, a residence, falling vacant, may be allotted by the Secretary(GAD) to the Govt. of Himachal Pradesh to an applicant desiring a change of accommodation in that type in genuine cases under the provisions of rule 13 or to an applicant without accommodation in that type of residence having the earliest date of priority for that type of residence, subject to the following conditions,namely:-

- (i) the Secretary shall not allot a residence of a type higher than to what the applicant is eligible under rule5;
- (ii) the Secretary shall not compel any applicant to accept a residence of a lower type than to what he is eligible under rule 5; and
- (iii) the Secretary, on request from an applicant for allotment of a lower category residence may allot to him a residence of one type below for which the applicant is eligible under rule 5 on the basis of his priority date for the same”.

**Substitution of rule 8**

**5. for rule 8 of the said rules, the following shall be substituted, namely:-**

**“8. Adhoc allotment on out of turn basis.**—Notwithstanding the provisions of rule-7, adhoc allotment on out of turn basis may be made by the House Allotment Committee to an officer/official on the following grounds:-

(1) on the following types of illness:-

- (i) Physically handicapped Government employees in the following cases:
  - (a) The blind i.e those who suffer from either of the following conditions:
    - (i) Total absence of sight.
    - (ii) Visual Acuity not exceeding 6/60 or 20/200 (snell) in the better eye with correcting lenses.
    - (iii) Impression of the field of the vision subtending an angle of 20 degrees or worse.
  - (b) The Deaf—Those in whom the sense of hearing non functional for ordinary purposes of life. They do not hear, understand sounds at all even with amplified speech. The cases include in that category will be those having hearing loss more than 90 decibels in the better ear(profound impairment) or total loss of hearing in both ears.
  - (c) The orthopaedically handicapped, that is, those who as a result of their orthopaedic deformity find it very difficult to move freely; or
- (ii) Heart ailment for self only (heart ailment having symptoms of Grade-III and IV which includes serious disabilities like Angina Grade-III and IV or congested cardial failure Grade-III and IV or Malignant Hypertension with symptoms of Grade-III and IV); or

(iii) Tuberculosis (Pulmonary tuberculosis in active phase with risk to other) and Cancer of self, spouse and dependent children.

(2) In the event of death or retirement of a Government servant, to the wife/husband, provided that the retired or the deceased Government servant was in occupation of Government accommodation at the time of retirement or death, as the case may be. Such allotment shall not be made in a category higher than a category to which the spouse of the deceased or retired Government servant is entitled:

Provided that such wife/husband was serving the Himachal Pradesh Government at the time of the retirement or death of the Govt. servant and residing with him/her and was not claiming HRA for the last 3 years or since the date of appointment/transfer in the station whichever is relevant:

Provided further that in case of death, the spouse may be allotted accommodation if he/she is appointed to Govt. service within the permissible period of one year from the date of death of the allottee:

Provided further that the spouse of the retired/deceased allottee shall clear all the outstanding dues in respect of premises occupied by the retiree or deceased:

Provided further that the application in prescribed proforma for allotment of accommodation on out of turn basis shall be submitted alongwith the supporting documents and such application shall be valid for that allotment year only:

Provided further that for the adho allotment to the spouse in the event of death, retirement or transfer of Government servant, an affidavit may be obtained in non-judicial paper to the effect that he/she does not own a house at or near the

station of his/her posting.

- (3) In the event of transfer, deputation on foreign services sponsored by the Government and study leave of more than six months of an allottee, to the spouse of such employee according to his/her entitlement in case the spouse is in Government service and posted at the same station.
- (4) In the event of officer occupying an earmarked house and is transferred to another post at the same station or to another station. Those vacating earmarked accommodation related to law and orders administration shall get priority over others.
- (5) An officer/official who after completing of their full tenure in the Districts of Lahaul and Spiti, Kinnaur and Pangi Tehsil of Chamba district are transferred to the station.
- (6) Personal staff i.e. one out of the Personal Assistant/Private Secretaries etc. of the ministers.
- (7) Where exigencies or services so warrant.
- (8) Notwithstanding anything contained in sub-rules(1) to (7), an officer/official who owns a house either in his own name or in the name of any member of his family at or near the station of his/her posting, shall not be eligible for adhoc allotment on out of turn basis.
- (9)(i) Regular correspondents of daily newspapers published at National/Regional/State level and those of News Agencies or Electronic News channels broadcasted/telecasted at national level and who have State Level Accreditation accorded by the Government of Himachal Pradesh, shall be eligible for allotment of government accommodation at Shimla as per entitlement but not above type-IV house,

Taking into consideration the circulation/ viewership and on the recommendation of Director, Information and of Public Relation, H.P. Government in this regard provided that such correspondent does not own a house at Shimla in his own name or in the name of any member of his family:

Provided that in case of correspondent who has already been allotted Government residential accommodation acquires a house of his own at the place shall have to surrender the allotted accommodation immediately and in case he or any member of his family acquires or inherits or constructs any house or part of the house, he shall have to surrender the allotted accommodation immediately thereafter and an affidavit to this effect shall be obtained at the time of allotment from such correspondent:

Provided further that an allottee of accommodation under sub-clause(i) shall pay the license fee as per provisions of these rules and shall also pay the house rent allowance paid to them by the Newspaper or News Agency or Electronic News Agency/News Channel in which he/she is employed. No exemption in this regard shall be permissible;

(9)(ii) Priority for allotment shall be from the date of receipt of application for the allotment of accommodation;

(9)(iii) Only one house shall be allotted to one News Agency or Newspaper: Provided that adhoc allotment on out of turn basis under these rules shall not exceed 50% of the houses available in each category during the given allotment year. Type-IV and above houses will be bracketed together for determining the percentage and allotment under sub-rule(2),(3) and (9) of this rule shall not form part of the percentage of allotments made under this rules:

Provided further that there shall be a separate pool for Press Correspondents having 20 residences upto Type-IV only:

Provided further that allotment of the government accommodation shall be valid only for the period during which the allottee continuously works in the newspaper/ news agency/news channel for which he has been allotted the accommodation”.

**Amendment of  
rule 10**

**6. In rule 10 of the said rules,-**

**(a) for fifth proviso to explanation 4 under sub-rule(2), the  
Following shall be substituted, namely:-**

“Provided further that if any allottee is transferred or retires in the mid-academic session and his/her children are studying in School/College, as the case may be, at the place of present posting, the allottee may be allowed by the Secretary on the basis of merits of each case to retain the accommodation till that current academic year/semester is completed subject to production of certificate from the concerned institution to this effect. License fee chargeable in such case shall be four times of the pooled standard license fee for the period beyond the concessional period permitted under the rules in cases of retirement or transfer, as the case may be”.

**(b) for sub-rule(4), the following shall be substituted, namely:-**

“(4)The officer/official who are provided earmarked accommodation/rent free earmarked accommodation, the tenure post appointees and the Press Correspondents shall not be eligible for concession allowed under sub-rule(2) and such allottees shall vacate the accommodation allotted to him/her within a period of 30 days after transfer or withdrawal of accreditation”.

(c) after sub-rule(4), the following new sub-rule(5) shall be added, namely:-

“(5) The allottees of the Transit Pool Accommodation or servant quarter or garage, as the case may be, shall be governed by the similar provisions provided in this rule for retaining the same upto a period of six months beyond permissible period whereafter the damages as provided under Rule-18-A shall be charge”.

**Amendment of**

7. **In rule 13 of the said rules, for sub rule(2), the following rule 13. shall be substituted,namely:-**

“(2)Change of residence shall be allowed on the basis of receipt of applications in the office of Director of Estates/ Estate Officers and on the basis of merits/genuineness of each case:

Provided that if an officer/official submits a fresh application for change of residence, his previous application already registered in the Directorate of Estates/ Estates Officer, shall stand cancelled and his seniority shall be counted from the date of receipt of his fresh application”.

**Substitution of rule 16**

8. **For rule 16 of the said rules, the following shall be substituted,namely:-**

**“(16)Transfer to non-family station.—**

If an officer/official is transferred to Pangi, Lahaul & Spiti, Dodra Kwar and Hangrang Sub Tehsil of Pooh Sub Division in Kinnaur Distt and the residence allotted to him under these rules is required by the family for bonafide use, he may be allowed on merit of each case to retain the residence on payment of four times of license fee”.

**Amendment of**

9. In rule-19 of the said rules, clause(b)of sub rule(5) shall **rule 19.**  
be deleted.

By Order  
Secretary(GAD) to the  
Government of Himachal Pradesh.

No.GAD-D-7(G)1-12/81-II,Dated Shimla-2,the

30-8-2011.

Copy forwarded to:-

1. All Secretaries/Special Secretaries/Joint Secretaries/Deputy Secretaries/ Under Secretaries to the Government of Himachal Pradesh.
2. The Principal Resident Commissioner, Himachal Pradesh,27 Sikandra Road , New Delhi-110001.
3. The Registrar General,High Court of Himachal Pradesh,Shimla-2.
4. All Heads of Departments in Himachal Pradesh.
5. All District & Session Judges in Himachal Pradesh.
6. All Chairmen/Managing Directors of Boards/Corporations in H.P.
7. All the Deputy Commissioners in Himachal Pradesh.
8. The Principal, Indira Gandhi Medical College,Shimla-1.
9. The Registrar,H.P.University,Shimla-5/Horticulture University, Nauni, Distt. Solan/CSKKVV Agr.University, Palampur,Distt.Kangra.
10. The Principal Secretary (Finance) to the Govt. of Himachal Pradesh.
11. The Director of Estates, Himachal Pradesh,Shimla-2.
12. All the Estates Officer (ACs to DCs) in Himachal Pradesh.
13. All the Treasury Officers/Sub-Treasury Officers/Assistant Treasury Officers in HP
14. The Accountant General (Audit),H.P.,Shimla-3.
15. The Sr.Deputy AG(A&E),H.P.,Shimla-3.
16. The Controller (P&S), H.P.Shimla-5. He is requested to kindly arrange to publish the above notification in the Rajpatra (Extra-Ordinary) at an early date.
17. The Deputy Secretary (Law) to the Govt. of H.P.
18. The ALR-cum-Under Secretary (Law) to the Govt. of H.P.
19. The Deputy Secretary (Finance) to the Govt. of H.P. w.r.t. his UO No.51892875, dated the 5<sup>th</sup> August,2011.

Sd/-

Under Secretary (GAD) to the  
Government of Himachal Pradesh

.....

(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-II, dated the 26<sup>th</sup> April, 2012 as required under Clause(3) of Article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2, the

26-4-2012.

**NOTIFICATION**

In exercise of the powers conferred under rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994, notified vide this Department's notification No.GAD-7(G)1-12/81, dated the 1st June, 1994 and published in Rajpatra, Himachal Pradesh (Extra Ordinary) on 18<sup>th</sup> July, 1994, namely:-

Short title and Commencement. 1. (1) These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) Amendment Rules, 2012

(2) These rules shall come into force with immediate effect.

Amendment of rule-7 2. In rule 7 of the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994 (hereinafter referred to as the 'said rules'), after sub-rule(3), the following sub-rule(4) shall be added; namely:-

"(4)" The contract employees recruited through the prescribed recruiting agency may be considered for allotment of Government accommodation alongwith regular Government employees subject to the following terms and conditions:-

(i) A contract employee, by virtue of the corresponding post being held by him/her, shall be eligible for allotment of that type of Government accommodation for which a regular employee is entitled while posted initially on the same post which is being held by the contract employee, on payment of normal license fee; and

: 2 :

(ii) The Priority for allotment of Government accommodation to the contract employees, irrespective of the type of accommodation, shall be the date of joining in the service under the State Government but, shall be placed below the regular employees in that category/ type.

Amendment of  
rule-10

3. In rule 10 of the said rules, after sub-rule(5), the following sub-rule(6) shall be added, namely:-

“(6) The officers/officials who do not occupy the earmarked accommodation shall not be entitled for House Rent Allowance. However, such un-occupied earmarked accommodation may be allotted to the next eligible officer/official, in public interest, subject to the condition that he/she shall have to vacate that accommodation within 15 days from the date of joining of new entitled incumbent.”

By Order

Secretary (GAD) to the  
Government of Himachal Pradesh

No.GAD-D-7(G)1-12/81-II,Dated Shimla-2,the

26-4-2012.

Copy forwarded to:-

1. All Secretaries/Special Secretaries/Joint Secretaries/Deputy Secretaries/ Under Secretaries to the Government of Himachal Pradesh.
2. The Principal Resident Commissioner,Himachal Pradesh,27 Sikandra Road , New Delhi-110001.
3. The Registrar General,High Court of Himachal Pradesh,Shimla-2.
4. All Heads of Departments in Himachal Pradesh.
5. All District & Session Judges in Himachal Pradesh.
6. All Chairmen/Managing Directors of Boards/Corporations in H.P.
7. All the Deputy Commissioners in Himachal Pradesh.
8. The Principal, Indira Gandhi Medical College,Shimla-1.
9. The Registrar,H.P.University,Shimla-5/Horticulture University, Nauni, Distt. Solan/CSKKVV Agr.University, Palampur,Distt.Kangra.
10. The Principal Secretary (Finance) to the Govt. of Himachal Pradesh.
11. The Director of Estates, Himachal Pradesh,Shimla-2.
12. All the Estates Officer (ACs to DCs) in Himachal Pradesh.
13. All the Treasury Officers/Sub-Treasury Officers/Assistant Treasury Officers in HP
14. The Accountant General (Audit),H.P.,Shimla-3.
15. The Sr.Deputy AG(A&E),H.P.,Shimla-3.

: 3 :

16. The Controller (P&S), H.P.Shimla-5. He is requested to kindly arrange to publish the above notification in the Rajpatra (Extra-Ordinary) at an early date.
17. The Deputy Secretary (Law) to the Govt. of H.P.
18. The ALR-cum-Under Secretary (Law) to the Govt. of H.P.
19. The Under Secretary (Finance) to the Govt. of H.P. w.r.t. his UO No.52136517, dated the 2-4-2012 for information.

Sd/-

Deputy Secretary (GAD) to the  
Government of Himachal Pradesh

.....

No.GAD-D-7(G)1-12/81-II  
Government of Himachal Pradesh  
General Administration Department  
(Section-D)

From

The Secretary(GAD) to the  
Government of Himachal Pradesh.

To

1. The Director of Estates,  
Himachal Pradesh, Shimla-2.
2. All the District Estates Officers  
o/o all Deputy Commissioners in H.P.

Dated Shimla-171002, the 25<sup>th</sup> July, 2012.

Subject:- H.P. Allotment of Govt. Residences (General Pool) Rules, 1994-  
Instructions thereunder.

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Sir,

I am directed to invite your kind attention to this Department's letter No.GAD-D-7(G)1-23/2009, dated the 31<sup>st</sup> December, 2010 on the above noted subject whereby revised entitlements on the basis of "Grade Pay" for allotment of various types of houses on the pattern of Government of India have been fixed/revised. But, in the case of Judicial Officers, there is no grade pay indicated separately in their pay scales. In the absence of grade pay, it was difficult to work out the entitlements of the Judicial Officers for allotment of Government accommodation. Therefore, issue of re-fixation of entitlements for Judicial Officers for the purpose of allotment of Government accommodation has been engaging the attention of the Government for sometime past. Therefore, it has now been decided that the revised entitlements for different types of residences for the purpose of allotment of government accommodation to Judicial Officers shall be as under:-

<u>Type of Residence</u>	<u>Revised Entitlement (Basic Pay)</u>
IV	Post having starting pay scale of ₹.27700/- to ₹.51549.

.....2/-

: 2 :

V	Post having starting pay scale of ₹.51550/- to ₹.57699.
VI	Post having starting pay scale of ₹.57700/- to ₹.70289.
VII	Post having starting pay scale of ₹.70290 & above

2. You are accordingly requested to take further necessary action in the matter and bring these instructions to the notice of all concerned for strict compliance.

Yours faithfully,

Sd/-

Deputy Secretary(GAD) to the  
Government of Himachal Pradesh

Endst.No.As above, Dated Shimla-171002, the 25<sup>th</sup> July, 2012.

Copy for information and necessary action is forwarded to:

1. All the Principal Secretaries/Secretaries/Special Secretaries/ Additional Secretaries/Joint Secretaries/Deputy Secretaries/Under Secretaries to the Govt. of Himachal Pradesh.
2. The Principal Resident Commissioner, Himachal Bhawan, 27-Sikandra Road, New Delhi-110001.
3. The Registrar General, High Court of Himachal Pradesh, Shimla-1.
4. All Heads of Departments in Himachal Pradesh.
5. All Deputy Commissioners in Himachal Pradesh.
6. All Chairmen/Managing Directors of Boards/Corporations in Himachal Pradesh.
7. The Registrar, H.P. University, Shimla-5/H.P. Agriculture University, Palampur, Distt. Kangra/Dr. Y.S. Parmar University of Horticulture and Forestry, Nauni, Solan.
8. The Additional Secretary(GAD-C) for information with reference to the Cabinet Decision taken under Item No.17 by the Council of Ministers in its meeting held on 18-7-2012.
9. Copy to File No.GAD-D-7(G)1-23/2009.
10. 100 Spare Copies.

Sd/-

Deputy Secretary(GAD) to the  
Government of Himachal Pradesh

(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-II, dated the 21-02-2013 as required under Clause(3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2, the

21-02-2013

### **NOTIFICATION**

In exercise of the powers conferred under rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules,1994, notified vide this Department's notification No.GAD-D-7(G)1-12/81, dated the 1<sup>st</sup>.June,1994 and published in Rajpatra, Himachal Pradesh (Extra Ordinary) dated 18<sup>th</sup>.July,1994, namely:-

Short title and  
Commencement.

1. (1) These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) Amendment Rules, 2013.
- (2) These rules shall come into force with immediate effect.

Amendment of  
rule 8

2. For the second proviso to rule 8, sub-rule (9), clause (i) of the Himachal Pradesh Allotment of Government Residences (General Pool) Rules,1994, the following provisos shall be substituted, namely:-

“Provided further that an allottee of accommodation under clause (i) shall pay the license fee of the type of accommodation allotted to him/her as per provisions of these rules.”

By Order

Secretary (GAD) to the  
Government of Himachal Pradesh

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2, the  
Copy forwarded to:-

21-02-2013

1. All Secretaries/ Special Secretaries/ Joint Secretaries/ Deputy Secretaries/ Under Secretaries to the Government of H.P.
2. The Principal Resident Commissioner, Himachal Pradesh,27 Sikandra Road, New Delhi.
3. The Accountant General (Audit)H.P.,Shimla-3
4. The Sr. Deputy A.G(A&E)H.P.,Shimla-3
5. The Registrar General, High Court of Himachal Pradesh,Shimla-2.
6. All Heads of Departments in Himachal Pradesh.
7. The Director, I&PR, Shimla.
8. All District& Session Judges in Himachal Pradesh.
9. All Chairmen/Managing Directors of Board/Corporations in H.P.
10. All the Deputy Commissioners in Himachal Pradesh.
11. The Principal, Indira Gandhi Medical College,Shimla-1.
12. The Registrar, H.P. University, Shimla-5, Horticulture University, Nauni, District, Solan/CSKKVV Agr. University, Palampur, District Kangra.
13. The Director of Estates, Himachal Pradesh,Shimla-2
14. All the Estates Officers (ACs to DCs) in Himachal Pradesh
15. All the Treasury Officer/Sub-Treasury Officers/Assistant Treasury Officers in Himachal Pradesh.
16. The Deputy Secretary (Law) to the Government of Himachal Pradesh.
17. The ALR-cum-Under Secretary (Law) to the Govt. of H.P.
18. The Deputy Secretary (Finance) to the Government of H.P w.r.t. dairy No.52348233 dated 19-10-2012.
19. The Controller (P&S),H.P.,Shimla-5. He is requested to kindly to publish the above notification in the Rajpatra(extra-ordinary) at an early date.
20. Guard file with 10 spare copies.

Sd/-

Deputy Secretary (GAD) to the  
Government of Himachal Pradesh.

(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-II, dated the 19-08-2013 as required under Clause(3) of Article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2, the

19-08-2013.

### **NOTIFICATION**

In exercise of the powers conferred by rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules,1994, notified vide this Department's notification No.GAD-7(G)1-12/81, dated the 1st June,1994 and published in Rajpatra,Himachal Pradesh (Extra Ordinary) on 18<sup>th</sup> July,1994, namely:-

Short title and Commencement.	1. (1) These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) Amendment Rules,2013
Amendment of rule-8	(2) They shall come into force with immediate effect. In rule 8 of the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994 (hereinafter referred to as the 'said rules'),-- (a) for sub-rule(2), the following shall be substituted; namely:- “(2)In the event of death or retirement of a Government servant, to the wife/husband regular or contractual, provided that the retired or the deceased Government servant was in occupation of Government accommodation at the time of retirement or death, as the case may be. Such allotment shall not be made in a category higher than a category to which the spouse of the deceased or retired Government servant is entitled:

Provided that such wife/ husband was serving the Himachal Pradesh Government on regular or contract basis at the time of the retirement or death of the Government servant and residing with him/her and was not claiming

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House Rent Allowance for the last 3 years or since the date of appointment/ transfer in the station whichever is relevant:

Provided further that in case of death, the spouse may be allotted accommodation if she/he is appointed to Government service within the permissible period of one year from the date of death of the allottee:

Provided further that the spouse of the retired/deceased allottee shall clear all the outstanding dues in respect of premises occupied by the retiree or deceased:

Provided further that the application in prescribed proforma for allotment of accommodation on out of turn basis shall be submitted alongwith the supporting documents and such application shall be valid for that allotment year only:

Provided further that for the adhoc allotment to the spouse in the event of death, retirement or transfer of Government servant, an affidavit may be obtained in non-judicial paper to the effect that he/she does not own a house at or near the station of his/her posting”.

(b) For sub-rule(3), the following shall be substituted; namely:-

“(3)In the event of transfer, deputation on foreign services sponsored by the Government and study leave of more than six months of an allottee, to the spouse of such employee according to his/her entitlement in case the spouse is in Government service regular or contractual and posted at the same station.”

By Order

Secretary (GAD) to the  
Government of Himachal Pradesh

No.GAD-D-7(G)1-12/81-II,      Dated Shimla-2,the  
Copy forwarded to:-

19-08-2013.

1. All Secretaries/Special Secretaries/Joint Secretaries/Deputy Secretaries/ Under Secretaries to the Government of Himachal Pradesh.
2. The Principal Resident Commissioner, Himachal Pradesh,27 Sikandra Road , New Delhi-110001.
3. The Registrar General, High Court of Himachal Pradesh,Shimla-2.
4. All Heads of Departments in Himachal Pradesh.
5. All District & Session Judges in Himachal Pradesh.
6. All Chairmen/Managing Directors of Boards/Corporations in H.P.
7. All the Deputy Commissioners in Himachal Pradesh.
8. The Principal, Indira Gandhi Medical College,Shimla-1.
9. The Registrar,H.P.University,Shimla-5/Horticulture University, Nauni, Distt. Solan/CSKKVV Agr.University, Palampur,Distt.Kangra.
10. The Principal Secretary (Finance) to the Govt. of Himachal Pradesh.
11. The Director of Estates, Himachal Pradesh,Shimla-2.
12. All the Estates Officer (ACs to DCs) in Himachal Pradesh.
13. All the Treasury Officers/Sub-Treasury Officers/Asstt. Treasury Officers in HP
14. The Accountant General (Audit),H.P.,Shimla-3.
15. The Sr.Deputy AG(A&E),H.P.,Shimla-3.
16. The Controller (P&S), H.P.Shimla-5. He is requested to kindly arrange to publish the above notification in the Rajpatra (Extra-Ordinary) at an early date.
17. The Addl. Secy. (GAD) w.r.t. item No.23 of Cabinet meeting held on 23-7-2013.
18. The JLR-cum-Jt. Secretary (Law) to the Govt. of H.P.

Sd/-  
Deputy Secretary (GAD) to the  
Government of Himachal Pradesh

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(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-II, dated the 13-10-2014 as required under Clause(3) of article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2, the

13<sup>th</sup> Oct., 2014

**NOTIFICATION**

In exercise of the powers conferred by rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994, notified vide this Department's notification No.GAD-D-7(G)1-12/81, dated the 1<sup>st</sup> June,1994 and published in Rajpatra, Himachal Pradesh (Extra Ordinary) dated 18<sup>th</sup> July,1994, namely:-

Short title and 1.(1) These rules may be called the Himachal Pradesh Allotment of Government Commencement Residences (General Pool) Eighth Amendment Rules, 2014.

(2) They shall come into force from the date of publication in the Official Gazette (e-Gazette), Himachal Pradesh.

Amendment of Rule-8 2. In Rule 8 of the Himachal Pradesh Allotment of Government Residences (General Pool) Rule, 1994, for sub-rule(9),-

(a) in clause (iii), the third proviso shall be omitted; and

(b) after the existing clause (iii), the following new clause shall be inserted, namely:-

“(iv) The press correspondent shall vacate the Government accommodation allotted to him, on losing State Level Accreditation accorded by the State Government for working in the newspaper/news agency/news channel or on attaining the age of 65 years, which ever is earlier:

Provided that the correspondents who are in possession of Government accommodation on the date of publication of the Himachal Pradesh Allotment of Government Residences (General Pool) Eighth Amendment Rules, 2014, may continue in possession of such allotted accommodation even if they have crossed the age of sixty-five years and if they have accreditation and are in active journalism”.

By Order,

Secretary (GAD) to the  
Government of Himachal Pradesh

No.GAD-D-7(G)1-12/81-II, Dated Shimla-2, the  
Copy forwarded to:-

13-10-2014

1. All Secretaries/ Special Secretaries/ Joint Secretaries/ Deputy Secretaries/ Under Secretaries to the Government of H.P.
2. The Principal Resident Commissioner, H.P.,27 Sikandra Road, New Delhi.
3. The Accountant General (Audit)H.P.,Shimla-3
4. The Sr. Deputy A.G(A&E)H.P.,Shimla-3
5. The Registrar General, High Court of Himachal Pradesh,Shimla-2.
6. All Heads of Departments in Himachal Pradesh.
7. The Director, I&PR, Shimla.
8. All District& Session Judges in Himachal Pradesh.
9. All Chairmen/Managing Directors of Board/Corporations in H.P.
10. All the Deputy Commissioners in Himachal Pradesh.
11. The Principal, Indira Gandhi Medical College,Shimla-1.
12. The Registrar, H.P. University, Shimla-5, Horticulture University, Nauni, District, Solan/CSKKVV Agr. University, Palampur, District Kangra.
13. The Director of Estates, Himachal Pradesh,Shimla-2
14. All the Estates Officers (ACs to DCs) in Himachal Pradesh
15. All the Treasury Officer/Sub-Treasury Officers/Assistant Treasury Officers in Himachal Pradesh.
16. The Additional Secretary (GAD) to the Government of Himachal Pradesh w.r.t. item No.86 of Cabinet meeting held on 25-6-2014.
17. The ALR-cum-Under Secretary (Law) to the Govt. of H.P.
18. The Controller (P&S),H.P.,Shimla-5. He is requested to kindly to publish the above notification in the Rajpatra(extra-ordinary) at an early date.
19. Guard file with 10 spare copies.

(M.N. Thakur)  
Joint Secretary (GAD) to the  
Government of Himachal Pradesh.

(Authoritative English Text of this Department's Notification No.GAD-D-7(G)1-12/81-III, dated the 20-01-2015 as required under Clause(3) of Article 348 of the Constitution of India).

Government of Himachal Pradesh  
General Administration Department  
(Section-D)

No.GAD-D-7(G)1-12/81-III, Dated Shimla-2,the

20 -01-2015.

### **NOTIFICATION**

In exercise of the powers conferred by rule 45 of the Fundamental Rules, the Governor, Himachal Pradesh, is pleased to make the following rules further to amend the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994, notified vide this Department's notification No.GAD-7(G)1-12/81, dated the 1st June,1994 and published in Rajpatra,Himachal Pradesh (Extra Ordinary) on 18<sup>th</sup> July,1994, namely:-

Short title and commencement.	1. (1) These rules may be called the Himachal Pradesh Allotment of Government Residences (General Pool) Ninth Amendment Rules, 2015.  (2) They shall come into force from the date of their publication in the Official Gazette (e-Gazette), Himachal Pradesh.
Amendment of rule-8.	2. In rule 8 of the Himachal Pradesh Allotment of Government Residences (General Pool) Rules, 1994 (hereinafter referred to as the 'said rules'),-  <b>(a)</b> in sub-rule (2), after the words and sign "to the wife/husband regular or contractual", the words and signs, "or daily wager appointed on compassionate ground" shall be inserted; and  <b>(b)</b> in the first proviso to sub-rule (2), after the words "on regular or contract", the words "or daily wages" shall be inserted.

Substitution of rule, 16

3 For rule, 16 of the said rules, the following rule shall be substituted, namely:-

**“16 Transfer to non-family station.—**

If an officer/official is transferred to any Scheduled Area of Himachal Pradesh or Dodra Kawar of District Shimla and the residence allotted to him under these rules is required by the family for bonafide use, he may be allowed on merit of each case to retain the residence on payment of normal license fee”.

By Order

Secretary (GAD) to the  
Government of Himachal Pradesh

No.GAD-D-7(G)1-12/81-III,      Dated Shimla-2,the      20-01-2015.

Copy forwarded to:-

1. The Additional Chief Secretary (TD) to the Govt. of H.P. w.r.t. item No.58 of 44<sup>th</sup> TAC meeting.
2. All Secretaries/Spl. Secretaries/Jt. Secretaries/Dy. Secretaries/ Under Secretaries to the Government of Himachal Pradesh.
3. The Principal Secretary (Finance) to the Govt. of Himachal Pradesh.
4. The Principal Resident Commissioner, H.P.,27 Sikandra Road , New Delhi-110001.
5. The Registrar General, High Court of Himachal Pradesh,Shimla-2.
6. All Heads of Departments in Himachal Pradesh.
7. All District & Session Judges in Himachal Pradesh.
8. All Chairmen/Managing Directors of Boards/Corporations in H.P.
9. All the Deputy Commissioners in Himachal Pradesh.
10. The Principal, Indira Gandhi Medical College,Shimla-1.
11. The Registrar,H.P.University,Shimla-5/Horticulture University, Nauni, Distt. Solan/CSKKVV Agr.University, Palampur,Distt.Kangra.
12. The Director of Estates, Himachal Pradesh,Shimla-2.
13. All the Estates Officer (ACs to DCs) in Himachal Pradesh.
14. All the Treasury Officers/Sub-Treasury Officers/Asstt. Treasury Officers in HP
15. The Accountant General (Audit),H.P.,Shimla-3.
16. The Sr.Deputy AG(A&E),H.P.,Shimla-3.
17. The Controller (P&S), H.P.Shimla-5. He is requested to kindly arrange to publish the above notification in the Rajpatra (Extra-Ordinary) at an early date.
18. The Addl. Secy. (GAD) w.r.t. item No.29 of Cabinet meeting held on 28-10-2014.
19. The DLR-cum-Dy. Secretary (Law) to the Govt. of H.P.

(M.N. Thakur)  
Additional Secretary (GAD) to the  
Government of Himachal Pradesh

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