

***Kerala Water Authority (Management and Allotment of Quarters and Buildings) Regulations, 1995**

In exercise of the powers conferred by clause (c) of sub-section (2) of section 65 read with sub-section (1) thereof of the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986) and with the previous approval of Government as required by sub-section (1) of the said section, conveyed in G.O.(P) No.94/95/ LAD dated 19-6-1995 the Kerala Water Authority hereby makes the following regulations, namely:-

Regulations

1. Short title, extent and commencement.—

- (1) These Regulations may be called the Kerala Water Authority (Management and allotment of Quarters and Buildings) Regulations, 1995.
- (2) They shall be applicable to all Quarters, Dormitories, Inspection Bungalows and Camp shed under the control of the Kerala Water Authority.
- (3) They shall come into force at once.

2. Definitions.—In these Regulations unless the context otherwise requires,-

- (a) 'Act' means the Kerala Water Supply and Sewerage Act, 1986 (14 of 1986).
- (b) 'allottee' in the case of quarters means an employee to whom quarters have been allotted by the Authority but not occupied and in the case of buildings means an employee or any other person to whom a room has been allotted but not occupied;
- (c) 'applicant' in the case of quarters means an employee of the Authority who is eligible for allotment of quarters and who submits an application for allotment of quarters and in the case of building means an employee or any other person who applies for allotment of room in a building;
- (d) 'Assistant Engineer' means the Assistant Engineer in charge of a section of the Authority having jurisdiction of the area where the quarters or the buildings are situated;
- (e) 'Assistant Executive Engineer' means the Assistant Executive Engineer in charge of a Sub-division of the Authority having jurisdiction over the area where the quarters or the buildings are situated;
- (f) 'Buildings' mean a Dormitory, Inspection Bungalow or Campshed constructed, leased or acquired by the Authority for being let out to the employees/of the Authority or to the public on payment of daily rent;
- (g) 'Controlling Authority' means the Managing Director of the Authority or any other Authority subordinate to him who is so authorised by the Authority.
- (h) 'day' means a whole day of twenty-four hours calculated from the hour of arrival of the occupant of the Buildings;

* Issued by G. O.(P) No.94/95/LAD dt.19-6-1995 pub. in K. G. Ex. No.602 dt.23-6-1995 as SRO 804/95

- (i) 'Executive Engineer' means the Executive Engineer in charge of a Division of the Authority having jurisdiction over the area where the quarters or the Buildings are situated or his subordinate officials who have been empowered to discharge his duties;
- (j) 'family' means the father/mother, wife/husband/children of the employee and includes the step children residing with him;
- (k) 'Government' means the Government of Kerala;
- (l) 'occupant' means an allottee who takes possession of the quarters or room in a building duly allotted to him after completing all formalities required by these Regulations;
- (m) 'officer-in-charge' means a steward a caretaker, or a watchman, as the case may be, who is authorised to be in charge of the buildings;
- (n) 'pay' means the pay as defined in item (23) of rule 12 of the Kerala Service Rules;
- (o) 'quarters' means buildings constructed, leased or acquired by the Authority for being let out to the employees for their residence on payment of rent;
- (p) 'rent' means the monthly rent payable by the occupants for the quarters or the daily rent payable by the occupants for rooms in the building;
- (q) 'Reserving Authority' means Executive Engineer having jurisdiction over the area or any other officer so empowered by an order of the Managing Director.

Quarters

3. Conditions for allotment of quarters.- Quarters may be allotted to the employees of the Authority who satisfy the following conditions, namely:-

- (1) Quarters shall be allotted only to those employees who do not have residential buildings within their Headquarters, Cities or Towns or within a radius of 15 (fifteen) kilometres from their offices, either in their own names or in the names of their wives/husbands or in the name of their unmarried sons or daughters whether inherited or purchased or obtained otherwise, including that under any hire purchase scheme;
- (2) Non-availability of own accommodation facilities shall be clearly and specifically stated in the relevant column in the application for allotment of quarters. In case it is subsequently detected that the statement in the application form in this regard is not true to facts, the allottee shall be liable to pay from the date of occupation of the quarters, penal rent at three times the rate of standard rent fixed for the quarters and also to eviction from the quarters forthwith and in addition the allottee shall also be liable for disciplinary action;
- (3) In case any allottee or occupant of quarters subsequently acquires or obtains any residential building in any manner the fact shall be forthwith intimated by the allottee/occupant to the Executive Engineer-concerned. On such

intimation the allotment shall stand cancelled. the occupant shall without fail vacate the quarters within one month from the date on which he/she acquires or obtains residential building;

- (4) Failure to give timely intimation as required in clause (3) shall make the allottee/occupant liable to pay penal rent, from the date of acquiring or obtaining such residential building till the date of vacating the quarters, at three times the rate of standard rent fixed for the quarters in addition to the other penalties including disciplinary action;
- (5) Unmarried employees are not eligible for quarters.

Note.- Married employees whose wife/husband is no more or is legally separated, but having dependant child/children are eligible to occupy quarters;

- (6) Employees who have been evicted from the quarters for violation of the provisions of these Regulations or on other grounds, are not eligible for allotment on a subsequent application;
- (7) Persons borne on daily wages/work charged/Contingent establishment are not eligible for quarters;
- (8) An employee whose wife/husband has already been allotted quarters elsewhere is not eligible for further allotment and occupation of quarters.

4. Type of quarters eligible for.- For the purpose of allotment, the quarters are classified into various types as given in Appendix. I

5. Allotment of quarters.-

- (1) All quarters except the quarters meant for the Executive Engineers, shall be allotted by the Executive Engineer in charge of the quarters. Sanction from the Superintending Engineer concerned shall be obtained for occupation of the quarters meant for Executive Engineers.
- (2) The application for allotment of quarters shall be made in the form in Appendix II to the Executive Engineer through the head of office who shall verify the correctness of the information furnished in the application and countersign it and forward it to the Executive Engineer, as early as possible. If the applicant himself is the head of office he may forward the application to his immediate superior officer who shall forward it to the Executive Engineer.
- (3) The Executive Engineer shall scrutinise the applications received by him. Defective applications, if any shall be rejected and the applicants informed accordingly, forthwith. If any application is found defective the applicant shall be given an opportunity to rectify it within seven days and if he complies with the directions, it should be considered as valid application. All the valid applications shall be registered in a register of applications. If more than one applications are received for specific type of quarters on the same day, priority shall be given to the applicant who has been working at the place for longer period and even that being equal in more than one case, to the applicant who is elder.

- (4) Separate registers or separate folios in a single book shall be maintained for each type of quarters. A separate register shall be maintained for registering the applications which have priority in allotment and such applications shall be registered in both the registers simultaneously.
- (5) An applicant or occupant who, due to promotion or otherwise, becomes eligible for a higher type of quarters, may submit a fresh application for that type of quarters and shall be eligible for allotment of that type of quarters in the normal course according to the seniority in that group. In the case of such an applicant, he shall have claim to get the original type of quarters applied for, when his turn comes in the normal course. In the case of an occupant, he shall be allowed to continue to occupy that quarters till he is allotted a higher type of quarters.
- (6) Quarters shall be allotted as soon as it falls vacant. In no case shall the allotment of a quarters be delayed for more than a week of its falling vacant.
- (7) The quarters shall be allotted strictly in accordance with the priority of applications in the respective group i.e., according to the priority of applications from the respective grades of officers for the type of quarters they are eligible for. In case a deviation from this provision is found absolutely indispensable to meet any extraordinary or exceptional circumstance which might justifiably warrant such a deviation, the Executive Engineer shall address the Authority pointing out the special circumstances of the case and shall obtain its prior orders in the matter.
- (8) The allotment orders shall be issued to the applicant through the head of office concerned and dated acknowledgement obtained. The Executive Engineer and the head of office shall see that there is no delay in despatching the allotment order to the concerned employee. The liability on the part of the allottee for payment of rent for the quarters commences after 7 days from the date of receipt of allotment order or from the date of occupation, whichever is earlier. If by any chance the allottee does not require the quarters allotted to him, he shall intimate the fact to the allotting authority within three days from the date of receipt of allotment order. If such intimation is delayed, the allottee shall be liable to pay the rent of the quarters upto the date on which such intimation is received by the Executive Engineer subject to a minimum of one month's rent.

Note.— An applicant shall intimate the Executive Engineer in writing, if his application is to be cancelled due to his transfer to another station or on promotion to a cadre making him not eligible for the quarters or, any other circumstances making him not in need of the quarters. All such intimations shall be routed through the head of office with copy direct to the Executive Engineer.

- (9) An employee to whom the quarters is allotted shall occupy the same within 10 days of the date of receipt of the allotment order failing which the allotment shall be cancelled and the quarters allotted to the next applicant without intimation to the original allottee. In that case the original allottee shall be liable to pay rent for a minimum period of one month.

- (10) Applicants who are on leave/under suspension/on deputation to service other than those under the State Government/on deputation for training at the time of issue of allotment orders, shall be permitted to prolong the actual occupation of the quarters for the period of one year or till they rejoin duty whichever is earlier, if they so request in writing to the Executive Engineer. The advance rent payable shall be remitted within the time fixed and their liability to pay the rent of the quarters shall commence one week after the receipt of allotment order.
 - (11) In cases where officers of the grade prescribed for a particular type of quarters are not available or where they do not require accommodation in quarters provided by the Authority, the fact being intimated to the allotting authority in writing, then such quarters may be allotted to other officers of a higher or lower grade, if any, who apply for such allotment, until an officer of the particular grade eligible for the particular type of quarters applies for allotment of that type of quarter. In the event of receiving such application, the allotting authority shall give notice to the then occupant of the quarters to vacate the quarters within one month of the receipt of such notice and the occupant shall vacate the quarters within the time limit without raising any objection, and the quarters shall then be allotted to such applicant or applicants on the basis of priority of applications. If such applicant happens to be one who on any previous occasion did not want accommodation the quarters and intimated the fact in writing to the allotting authority his application shall not be entertained and no re-allotment of quarters shall be made in his favour. If a lower type of quarters is allotted to a higher grade officer, the rent to be realised shall be 7.5% of the maximum of the scale of pay of the officer who is eligible for the lower type of quarters of 7.5% of the pay of the officer, whichever is lower. If a higher type of quarters is allotted to a lower grade officer, the rent to be realised shall be 7.5% of the pay of the officer from time to time or standard rent whichever is higher.
 - (12) If an occupant due to reversion or other reasons, becomes ineligible for the type of quarters allotted to him, but only to any of the lower type of quarters, he may submit a fresh application for the type of quarters for which he is eligible. He shall be permitted to continue to occupy the quarter, provided that he is willing to pay the standard rent or 7.5% of the pay calculated at the rate of pay he was drawing immediately before the reversion, whichever is higher. If he is not willing to this, he shall immediately vacate the quarters and wait for his turn for allotment of the quarters to which he is eligible for in the normal course.
- 6. Maintenance of register of allottees-** The Executive Engineer in charge of the building shall maintain a register of the allottees with details of the date of occupation, the date on which the building is vacated, rent collected, list of equipments fittings etc.

7. Priority for allotment.- Priority for allotment of quarters shall be available to the following category of employees,-

- (i) Employees who are wives of jawans serving in border areas or who were killed in action or reported missing. (To be certified by the proper military authority);
- (ii) Officers who are physically handicapped. (To be certified by a Medical Officer not below the rank of an Assistant Surgeon/Assistant Professor belonging to the particular speciality);
- (iii) Ten per cent of the quarters inclusive of special priorities mentioned in this regulation shall be reserved for allotment to members belonging to the Scheduled Castes and the Scheduled Tribes and a ratio of 1:1 shall be maintained between applicants belonging to the Scheduled Castes and the Scheduled Tribes;
- (iv) Employees of the Authority who have entered into intercaste marriage. (This should be certified by a Revenue Officer not below the rank of a Tahsildar or by Misravivaha Sangham);
- (v) Ex-servicemen. (To be proved by certificate from competent authority).

Note.- Priority for classes (i), (ii), (iii), (iv) and (v) shall be 1:1 with other non-priority applicants.

8. Execution of agreements.-

- (1) An agreement in the form in Appendix ITI shall be executed by the allottees of the quarters before the quarters are actually occupied by them.
- (2) The agreement to be executed shall be on stamp paper. The Assistant Engineer, in-charge of the quarters shall be competent to execute the agreement on behalf of the Authority and these agreements shall be recorded in his office, duly numbered and entered in a separate register of agreements.

Note.- If the Assistant Engineer himself is the allottee the agreement on behalf of the authority shall be executed by the Assistant Executive Engineer in-charge of the quarters.

- (3) After all the requirements of these Regulations for allotment of quarters are fulfilled by the allottee the key of the quarters shall be handed over to the allottee by the Assistant Engineer concerned.

9. Payment of electricity and water charges.-

- (1) Electric current charges and water charges where such amenities are available, shall be payable by the occupants direct to the Kerala State Electricity Board and the Kerala Water Authority respectively or other bodies maintaining such system. Other taxes such as property tax and building tax shall be paid by the Assistant Executive Engineer in charge of the quarters.

- (2) An allottee shall deposit one month's rent payable by him/ her under sub-regulation (1) of regulation (12) of these Regulations before the occupation of the quarters. This amount shall be returned to him/ her after deducting the dues to the Authority, if any, and on production of non-liability certificate from the Assistant Executive Engineer concerned when he/she vacates the quarters,

Note.- The meter reading as on the date of occupation will be noted, and the occupant shall be responsible for payment towards further consumption charges. If, in the first bill received, any charges pertaining to the period of occupancy of the previous occupant is seen included the Assistant Executive Engineer concerned shall collect the proportionate amount due from the present occupant and settle the bill, meeting the difference from Authority's funds. The amount so advanced shall be recovered from the previous occupant.

10. Furniture and other required materials.-

- (1) The occupants shall provide their own furniture, other required materials and electric bulbs.

Note.- Where any item of furniture is provided by the Authority, rent for the same as fixed by the Authority shall be payable by the occupant in addition to the rent of the quarters. In such cases no option shall be available to the occupant for non-payment of additional rent on the plea that such furniture is not used/required by the occupant.

- (2) An inventory of articles available in the quarters shall be prepared in duplicate by the Assistant Engineer concerned and signed by the occupant and the Assistant Engineer as soon as the allottee occupies the quarters. The original of the inventory shall be kept by the Assistant Engineer and the duplicate by the occupant. The occupant shall be responsible for all articles included in the inventory until they are handed over to the Assistant Engineer at the time of vacating the quarters and an acknowledgement obtained for the same.

Note.— If any articles are lost or damaged, while in the custody of the occupant, the cost thereof shall be recovered from the occupant, as if it is arrears of rent. The cost of articles shall be fixed by the Assistant Engineer, at book value or market value plus 10 percentage.

- 11. Inability to make good the damages.-** The occupant shall keep the quarters and premises neat and tidy and shall be liable to make good any damages to the building and its installations caused during his/her occupancy other than by normal wear and tear. Damages caused due to carelessness or inadvertence of the occupant shall be repaired departmentally and cost recovered from the occupant, as if it is arrears of rent.

12. Rent payable.-

- (1) Rent payable by the occupant of the quarters shall be 7.5% of his/her monthly emoluments or the standard rent whichever is lower or the amount fixed in accordance with the provisions in force from time to time. If both the husband and wife are employees of the Authority and are residing in the quarters, the allottee shall file an affidavit to the effect that both the husband and wife are employees of the Authority and that they are living together. In such cases the rent payable shall be calculated on the basis of the emoluments of the person drawing higher pay and allowances. However the rent shall be payable by the person in whose name the quarters are allotted. The allottee in such cases shall produce before the Executive Engineer the pay/income certificates of both the husband and wife. He/she shall intimate the Executive Engineer concerned the change in the rate of pay of himself/herself as well as his wife/her husband. Failure to give timely intimation shall make the allottee liable to pay penal rent from the date of change in pay till the date of intimation, at three times the normal rate of rent. Both the occupants shall be held jointly and severally liable for payment of rent and other requirements of these regulations.
- (2) House rent allowance shall be denied only to the allottee of the quarters, whether it is husband or the wife, as the case may be.
- (3) The standard rent shall be fixed at 8% (eight per cent) of the capital costs of the quarters.

Explanation.- For calculating the standard rent for the purpose of these Regulations, capital cost of the building shall be arrived at based on the rules followed in Public Works Department from time to time.

- (5) Payment of rent or arrears thereof shall be made by short-drawal in the salary bills of officers to whom quarters are allotted.
- (6) In the case of occupants who proceed on leave or, are placed under suspension or, are on deputation for training or higher studies, the rent payable shall be 7.5% of complete month's pay and allowances drawn by him immediately before he proceeds on leave or on deputation for training or higher studies or was placed under suspension, or standard rent, whichever is lower, and the amount shall be realised from his leave salary or subsistence allowance or deputation pay as the case may be.

13. Vacation of quarters on transfer or retirement.-

- (1) An employee occupying the quarters when transferred from the station shall vacate the quarters within a period of one month from the date of handing over charge of transfer. The allotting authority shall consider requests for grant of extension of time for occupation of the quarters on merits and may grant extension for a period not exceeding six months in all or, till the end of the academic year (30th of April), whichever is earlier on payment of rent at usual rates.

- (2) The occupant shall be evicted on the expiry of the extended period. If the officer is retransferred to the station within the permissible period he/she shall be allowed to continue without any fresh application.

Note.- This provision shall not apply if the quarters are occupied by husband and wife who are both employees of the Authority and if only one of them is transferred from the station. If the quarters is allotted in the name of the person transferred it shall be re-allotted in the name of the other person and rent recovery shall be effected based on the emoluments of the occupant in such cases. The formalities regarding registration of application and allotment as detailed in regulation 5 shall not be applicable in such cases of reallocation.

- (3) Employees of the Authority occupying the quarters who retire from service shall vacate the quarters on the date of retirement. If they wish to continue occupation on account of unavoidable circumstances, they shall apply to the allotting authority sufficiently early and in any case before fourteen days prior to the date of retirement. The allotting authority may consider the request for grant of extension for a period not exceeding six months in all or till the end of the academic year (30th April) whichever is earlier. No further extension shall on any score be allowed. Action shall be taken for eviction of the occupants after the extended period. If the request of the employee for continued occupation is granted he/she shall pay the standard rent in advance before 5th of every month and also give an undertaking in writing to the allotting authority agreeing that the dues to the Authority, if any, shall be recovered from his/her pensionary benefits, in case he/she fails to pay the dues. If the occupant continues occupation of the quarters unauthorisedly after the date of retirement, action shall be taken to evict him/her.
- (4) Where occupancy terminates due to retirement or otherwise the officer's last pay shall be disbursed only on receipt of the certificate of the Executive Engineer concerned that no rent is due from the officer. Receipt of this certificate shall be condition precedent for the issue of non-liability certificate to or on behalf of the employee and the final settlement of his/her retirement benefits or payment of gratuity /pension to the family.
- (5) In case an officer goes on long leave for more than six months, previous sanction of the Authority shall be obtained for the continued occupation of the quarters. In such cases, rent shall be calculated and realised at the rate prescribed in regulation 12. For the purpose of this regulation, the amount of pay drawn by the officer immediately before the commencement of the leave shall be the basis for determining the amount of rent to be realised from the officer.
- (6) In the event of the death of the occupant the maximum period of continued occupation by the husband or wife who is not an employee of the Authority, or very near relative, is fixed as six months in all or till the

end of the academic year, whichever is earlier from the date of death of the occupant. In such cases, rent shall be realised based on the last pay drawn by the occupant of the quarters.

Note.- The term "very near relative" means the mother, father, daughter/ daughters and son/sons who were wholly dependent on the deceased allottee at the time of his death.

- (7) The occupants of the quarters who proceed on deputation for training or higher studies for a period of more than one year shall be required to vacate the quarters allotted to them within one month from the date of commencement of such deputation. Such employees may on their return, get their applications re-registered for fresh allotment of residential quarters, if they so desire. In such cases priority shall be reckoned only from the date of receipt of the fresh application. Employees who apply for allotment of quarters before proceeding on such deputation but not allotted with quarters in their turn at the time of proceeding on such deputation, will be allotted quarters on their return, based on the priority originally assigned to them.
- (8) Any unauthorised occupant shall be evicted forthwith. For the period of unauthorised occupation, penal rent shall be levied at 3 times the normal rate.

14. Advance information for vacating the quarters.-

- (1) Wherever possible, the occupant shall give advance intimation to the Executive Engineer concerned about vacating of quarters. Normally this period shall be 30 days in advance of the proposed date of vacating. In any case, a minimum period of 7 days shall be insisted. If any occupant surrenders the key without any advance notice, he shall be liable to pay rent, for another 7 days also. The notice of vacating the quarters shall be sent simultaneously to the Executive Engineer and the Assistant Engineer concerned, specifying the date on which the quarters are proposed to be vacated.
- (2) The Assistant Engineer concerned shall arrange to verify the condition of the quarters and other amenities provided therein jointly with the occupant, with reference to the list prepared at the time of occupation. Proper charge papers shall be prepared in duplicate and signed by the occupant and the Assistant Engineer and one copy kept by each. If any damages or losses are noticed, the fact should be noted in the charge papers. These shall be assessed by the Assistant Engineer within one week and details intimated to the Executive Engineer for taking action for recovery from the occupant.
- (3) The occupant shall produce the latest bill and relative receipt in support of payment of electric current charges and water charges to the Assistant Engineer, at the time of vacating the quarters. The meter readings as on the date of vacating, shall then be taken by the

Assistant Engineer and the amount yet to be paid by the occupant worked out. The occupant shall pay such amount to the Assistant Engineer, at the time of surrendering the key and obtain proper receipt. This amount shall be credited to the Authority's fund in the accounts of the Executive Engineer and payment of electric current and water charges shall be made or arranged to be made by the Assistant Engineer when the bills are actually received by drawing from the said fund. Balance, if any, will be refunded to occupant after settling all liabilities. If the amount recovered is found inadequate, the difference shall be met from the advance rent available in deposit and if that too is insufficient the required amount shall be met by the Authority and subsequently recovered from the occupant, as provided in regulation 26.

15. Demand statement.-

- (1) The demand statement for recovery of rent should normally reach the head of office by the 18th of each month. If due to any reasons, the demand statement is not received in time, the head of office shall effect the recovery based on the previous month's demand statement and intimate the fact to the Executive Engineer if the occupant continues to occupy the quarters during that month also.
- (2) It shall be incumbent upon the head of office to recover the amount as shown in the demand statement. If there is any real error or mistake in the demand made, it may be pointed out after effecting the recovery and got adjusted in the subsequent demand.
- (3) The advance rent paid by the occupant shall not normally be adjusted towards rent due. It shall be refunded, only on the basis of a certificate from the Assistant Engineer concerned that no liabilities are due from the occupant, after the quarters are vacated and the key and other article handed over.

16. Cancellation of allotment on violation of the regulation or agreement.-

If any occupant contravenes any of the provisions of these Regulations or conditions in the agreement executed by him it shall be lawful for the Executive Engineer concerned to cancel the allotment of quarters in his favor. The Executive Engineer shall issue a memo to the occupant setting forth the irregularities noticed and get a statement from the occupant showing cause, if any, against the proposal to cancel the allotment. The occupant shall be bound to submit his reply within 7 days of receipt of the show cause notice. If the reply is found to be not satisfactory, the Executive Engineer shall serve a notice on the occupant through the Head of his office directing him to vacate the quarters within 30 days of the date of the notice.

Note.- For the period of stay in the quarters beyond the date permitted in this regulation, rent at five times the normal rate shall be recovered from the occupant.

17. Serving of the orders of eviction.-

(1) Whenever it becomes necessary to vacate an occupant, the Head of Office shall serve the orders of eviction to the occupant as early as possible and direct him to vacate the quarters within the prescribed time and to produce clearance certificate to that effect from the concerned Assistant Engineer. If the occupant fails to vacate the quarters and to produce the certificate within a week or after the expiry of 30 days fixed in the notice,, the Head of office shall issue orders placing the occupant under suspension with immediate effect. If the Head of Office himself is not competent to place the officer under suspension he shall immediately take action to get the orders of the officer competent to do so, and in any case the suspension orders shall take effect from the date after seven days on which the eviction orders are served on the occupant.

(2) The employees under suspension shall be reinstated in service only on receipt of a clearance certificate from the Assistant Engineer in charge of the quarters. He shall be deemed to have been reinstated in service the day following the day of production of certificate. The period of suspension may be regularized by the Authority competent as eligible leave, excepting casual leave.

18. Appeal against the order of eviction.- An appeal shall lie against the order of eviction, to the Authority. But filing of such an appeal shall not in any way entitle the occupant to continue to occupy the quarters. If the Authority after examining the facts of the case, set aside the order of eviction, the appellant shall be eligible for registration and shall be allotted a quarters next falling vacant in preference to all other registered applicants.

19. Disciplinary proceedings against the occupant.- If any occupant commits violation of any of the regulations and, the cancellation of allotment of eviction from quarters is not considered necessary, the Executive Engineer shall intimate the Head of Office about the violation of the provisions of the Regulations with a request to initiate departmental disciplinary proceedings against the occupant. Thereupon the Head of office shall initiate disciplinary proceedings, as per the rules in force and award appropriate punishments if the occupant is found guilty. The Head of office shall intimate the Executive Engineer about the outcome of the disciplinary proceedings and the final findings of the case. If the Executive Engineer himself is the Head of office the disciplinary action may be taken by him.

20. Sharing or sub-letting of quarters.-

(1) The quarters shall not on any account be sublet, nor shall it be shared with anybody without the written permission of the Executive Engineer concerned. Even in cases where such permission is granted the liability for payment of rent shall rest on the person to whom the quarters is allotted.

- (2) In the event of the death of either the husband or wife (allottee of the quarters) occupying the same quarters with the family i.e., husband and wife with children, the quarters shall be allotted to the surviving person (husband or wife) in case he/she is also an employee of the Authority.

21. Addition, alteration or repair not to be done by occupant.-

- (1) The occupants shall not make any additions, alterations or repairs to the quarters or any of the installations therein, even at their own cost. Repairs or replacements required shall immediately be brought to the notice of the Assistant Engineer concerned for further action. Electrical wiring, pipes laid, etc. shall not be interfered or tampered with.
- (2) Additional amenities like installation of telephones, ceiling fans etc. at the cost of the occupant can be provided only under the written permission of the Executive Engineer.

Note.- The occupants may put up at their cost temporary fence within the area of the compound, if any, set apart for the quarters, for protecting garden or other vegetable plantation from stray animals for which no special sanction is required. But this may be done in consultation with the Assistant Engineer concerned.

- (3) The occupant while living in quarters shall conduct himself/herself decently, without in any way causing inconvenience to the neighbours. Unnecessary quarrels, state of drunkenness or other undesirable behaviour shall be treated as misconduct, and such occupants shall be liable to be evicted on such grounds alone, without notice.

22. Special powers of the Authority.- Without prejudice to any of the provisions, contained in these Regulations, the Authority shall have the right to refuse to register any application or to terminate any allotment already made, without assigning any reasons and in the latter case, the occupant shall forthwith vacate the quarters and surrender possession as laid down in these Regulations. No appeal shall be entertained on such orders.

23. Promotion, transfer etc., to be intimated to the Executive Engineer.- The occupants shall keep the Executive Engineer concerned informed of their promotion, transfer and changes in pay, headquarters, address etc., during the period of their stay in the quarters.

Note.- When the occupant proceeds on leave, tour etc. for more than two weeks and leaves his headquarters with family, the fact shall be intimated to the Assistant Executive Engineer-in-charge, in writing.

24. Residing without family or locking up of quarters.- The occupant may reside in the quarters without his/her family or keep it locked up for a maximum period of 3 months for reasons like hospitalisation, confinement, vacation etc. This period may be extended upto six months in exceptional cases, with the permission of the Executive Engineer in writing. But if such period exceeds six months the quarters shall be vacated and the key and building properly handed over, as provided in these Regulations. Failure to do so shall entail eviction as well as departmental disciplinary proceedings and realisation of penal rent at 3 times.

- 25. Liability in excess of an advance.-** Liabilities, if any, against an occupant while vacating the quarters, shall be assessed and finalised within 14 days of the date of vacating. If the amount of liability is more than the advance rent available with the Executive Engineer, a special demand shall be issued to the head of office immediately. The amount as per the special demand shall be recovered in cash from the pay of the occupant. If the occupant has been transferred, the amount due shall be intimated to the new head of office in writing.
- 26. Recovery of arrears.-** Notwithstanding anything contained in these Regulations any amount due to the Authority from any occupant or persons occupant, shall also be recoverable from his/her properties movable or immovable under the Revenue Recovery Act, 1968, as amended from time to time, as if they are arrears of land revenue, or in any other manner as the Authority may deem fit.
- 27. All occupants to be governed by the Regulations.-**
- (1) All occupants including those who have been allotted quarters previously, shall be governed by these Regulations hereafter.
 - (2) Notwithstanding anything contained in these Regulations, the Authority may, in deserving cases, dispense with or relax the provisions of any regulation to such extent or subject to such conditions as it deems fit.

Buildings

- 28. Reservation of accommodation, period of occupation, procedure of allotment, etc.—**
- (1) Accommodation in the buildings may be reserved for a period of 3 days at a time for members of general public, and ten days for employees of the Authority and Government servants on official duty, on formal application affixing a court fee stamp for value of 50 paise to the reserving authority at least 7 days in advance. The reserving authority shall intimate the availability or otherwise of reservation to the applicant as well as the officer in charge of the building. Employees of the Authority, Central and State Government servants, Members of Parliament and Members of the Legislative Assembly of the State are exempted from payment of reservation fees. In the case of requests for reservation from outside the State and telegraphic request, intimation regarding the availability on reservation shall be given only if they are reply paid. In the case of persons applying for reservation from outside the State the reservation fee shall be sent by M.O. along with the application for reservation.
 - (2) The full amount of the occupation fees for the entire period of reservation shall be paid in advance to the officer in charge of the building before the room is occupied. In the case of extension of reservation, the full fee for the extended period of reservation shall be paid in advance before the commencement of the period of extension. No refund of the full or part of the fee paid shall be made except under clause (7) of this regulation or when for any reason not due to the fault of the occupant they are not allowed occupation, for the full period of reservation.

- (3) Reservation shall not ordinarily be made for more than three days at a stretch except in the case of Ministers, Members of the Authority, employees of the Authority and Government servants on official duty. In exceptional cases the reserving authorities are empowered to sanction reservation upto a maximum period of thirty days. Reservation of accommodation for periods over thirty days shall be sanctioned by the Managing Director.
- (4) The inspection bungalow and camp sheds are primarily intended for the use of the employees of the Authority travelling on official duty and shall have preferential claim for their occupation at all times and if needed, be reserved in advance. The ten days time limit for occupation of the rooms in buildings, provided under clause (1) above shall not be applicable to employees of the Authority occupying rooms in inspection bungalows or camp sheds on official duty.
- (5) Rooms in dormitories may be allotted on monthly basis to the employees of the Authority working at the same stations where the dormitories are situated. The monthly rent payable in such cases may be calculated on the basis of daily rent prescribed in regulation 29. The time limit prescribed under clause (1) above shall not be applicable in the case of employees availing accommodation in the dormitories on monthly basis.
- (6) The allotment shall be made in the order of priority of applications and the order of precedence. The reserving authority shall communicate the order of reservation to the applicant as well as to the Officer-in-charge of the building.
- (7) If it is not possible to reserve accommodation, the advance fee shall be refunded. If in any case the advance fee to be refunded has to be sent by Money Order, the Money Order charges shall be met from such advance fee and only the balance amount sent to the applicant. But the advance fee shall not be refunded if accommodation is reserved and paid for but, not utilised without prior intimation.
- (8) If the applicant does not require the accommodation for the entire period already reserved and, gives intimation to that effect to the reserving authority or the officer-in-charge of the building at least 24 hours in advance, rent shall be paid only for the actual period of occupation.
- (9) The reserving authority is competent to cancel the reservation once made, without assigning any reason whatsoever.
- (10) If the person who has reserved the room does not occupy the same within six hours on the first days of reservation to occupy the room, the officer-in-charge of the building may allot such room to others, according to priority of applications and the order of precedence.
- (11) A person who has not reserved accommodation may be allowed to occupy a room if it is available on his arrival if it is not reserved for anybody under proper authority. In such cases also the occupation fee in full for the period of occupation shall be paid in advance before commencement of occupation.

29. Rate of rent in buildings.- The rate of rent for occupation of a room in the buildings are as follows:-

A. Buildings other than camp shed at Sabarimala

- | | | |
|---------|--|---------------|
| (a) (i) | Chairman, Members of Kerala Water Authority, Ex-Chairman, Ex-members of Kerala Water Authority, Officers of Kerala Water Authority, retired officers of Kerala Water Authority/Public Health Engineering Department. | Rs. 5 per day |
| (ii) | For additional members. | Rs.3 do. |
| (b) (i) | Officers of Government Departments and other Public Undertakings. | Rs.10 do. |
| (ii) | For additional members. | Rs. 5 do. |
| (c) (i) | Others. | Rs.15 do. |
| (ii) | For additional members | Rs. 5 do. |

B. Camp shed at Sabarimala

- | | | |
|---------|---|-------------------------|
| (a) (i) | Chairman, Kerala Water Authority, Members, Kerala Water Authority, Ex-Chairman and Ex-members of Kerala Water Authority, Officers of Kerala Water Authority and retired Officers of Kerala Water Authority, Public Health Engineering Department. | Rs. 10 do. |
| (ii) | For additional members. | Rs. 5 per day per head |
| (b) (i) | Officers of the Government Department and other Public Undertakings. | Rs. 20 per day |
| (ii) | For additional members | Rs. 10 per day per head |
| (c) (i) | Others. | Rs. 60 per day |
| (ii) | For additional members. | Rs. 15 per day per head |

C. Dining hall and corridors

- | | |
|---|------------------------|
| Kerala Water Authority staff/Officers of Government Department. | Rs. 5 per day per head |
| Other Pilgrims. | Rs. 15 do. |

Note.- The number of additional members referred to above shall be limited to a maximum of 3 persons per suite or room. There shall be no charge for children below the age of 12 if no separate bed is used.

30. Safety of articles and installations in the building and penalty for damages caused.-

- (1) A list of articles available in each room showing the value of each article shall be kept in each room.

- (2) Persons occupying the rooms are expected to exercise due consideration and care for the rooms and furniture. Any defacing of the walls or willful damage to or spoiling of the furniture shall render the occupant liable to expulsion from the building besides payment of damages assessed by controlling authority. The officer-in-charge of the building shall bring to the notice of the controlling authority or any other authority who is authorised by the controlling authority in this behalf any damage for fixing the cost of the damage.
 - (3) The occupant shall bring to the notice of the officer-in-charge of the building any damage or fault noticed at the time of his occupation. Subsequent complaints regarding such damage or fault shall not be entertained.
 - (4) The full value of the articles damaged or broken by the occupant or his servant, shall be realised in cash from the occupant before vacating the room. The amount so paid shall be entered in the remarks column of the Register.
- 31. Payment of dues.-** The bills for the buildings, prepared and signed by the controlling authority, shall be paid in cash on presentation. Under no circumstances occupants may leave or cause their luggages removed from the buildings before all accounts are finally settled.
- 32. Electric light and fans.-** The occupants shall arrange to switch off the lights and fans in the room when not required or when absent from their rooms.
- 33. Electric gadgets or contrivances.-** No electric appliance other than those supplied such as table fans and table lamps shall be fitted for operation in the rooms without first informing the officer-in-charge of the building in writing and obtaining his written permission. Additional use of electric power shall be charged for as extra in accordance with the estimated consumption of electric energy.
- 34. Radios and Television.-** Radios and televisions or any other musical or noisy instruments shall not be played after 10 O'clock at night and even when played before that time shall not create disturbance to other occupants in the same building.
- 35. Infectious diseases.-** Visitors who are suffering from infectious diseases shall not be given accommodation or served meals in the building. If any resident gets an attack of any infectious disease, he shall inform the fact to the officer-in-charge of the building so that necessary steps for assistance may be taken immediately. In such cases the officer-in-charge of the building shall immediately render whatever help he can in the matter.
- 36. Safety of money and valuable articles.-** Occupants shall not keep any articles of value or money carelessly in their rooms but, keep all such articles under lock and key. The Authority shall not be responsible for any loss in case of theft or damage done to the occupant's property in case of accident or fire or through any other cause.

37. Maintenance of accounts, issue of receipt etc.- The officer-in-charge of the building shall keep the accounts of the incomes received by him from the buildings properly. The officer-in charge of the building shall issue proper printed receipt for each and every amount received by him. If there is any refund, the acknowledgment of the party and the amount refunded shall be got entered in the occupation register. Special fees payable if any, shall also be entered in the occupation register.

38. Rates for pitching tents, vehicles, etc.-

- (1) For pitching up tent in the premises of the building, the previous sanction of the controlling authority or his subordinate authorised for the purpose, shall be obtained. Charges at the rate of 5 Rupees per day per tent upto 300 sq.ft. ground coverage and 7 Rupees per day for bigger tents shall be realised.
- (2) Vehicle shall be accommodated in the building compound free of charge to the extent of one vehicle per occupant.
- (3) Any traveller occupying the building with commercial vehicles for sale, vehicles loaded with articles intended for sale or advertisement shall in addition to the occupation fee, pay for each such vehicle an amount equivalent to what he would have to pay for his occupation of the building.

39. General.-

- (1) Servants quarters shall be provided if available and their accommodation shall be charged at the rate of Rs.5 for each person per day.
- (2) Every occupier of a building on entry is required to write his full name and address in a register kept for the purpose in the building. He shall specify the number of persons occupying the room and their family relationship with the occupant. The date and time of arrival, time of departure, the total amount paid by him, etc., shall also be written. He shall also sign the register as an indication that he is willing to abide by these regulations.

Note.- The controlling authority shall maintain a register providing columns for the above purposes and for other items if any, in each building.

- (3) No articles shall be removed from the buildings except under the orders of the controlling authority nor shall the building be occupied by any person other than bona fide travellers.
- (4) The articles provided in a room shall not be removed to other rooms for the convenience of the occupants.
- (5) A suggestion book shall be maintained in each building for the occupants to write their complaints, if any, and suggestions and recommendations etc., for the better working of the Travellers' bungalow. The controlling authority shall arrange to have these Suggestions examined and important point brought to the notice of the Authority for orders, at least once in a year.

- (6) Authority employees attached to the buildings are forbidden from asking for tip from occupants. Visitors shall not pay any tip to the servants. Servants found soliciting for tips shall be liable for punishment. Any inconvenience or difficulty caused to the occupants by the act of the employees attached to the building should be brought to the notice of the controlling authority and remedy sought for.
 - (7) No requisition from the occupants or visitors for the re-arrangement of furniture, carpets etc, in the rooms shall be entertained.
 - (8) Holding of conferences, seminars, meetings etc., in the buildings shall not be permitted.
 - (9) A list showing the names and designation of the servants posted in the building shall be placed in a conspicuous place for the information of the occupants.
 - (10) The rooms of the buildings shall be numbered and the details regarding occupants in each room displayed in a convenient place for the information of the travellers. The details regarding the vacant rooms, if any, shall also be so displayed.
 - (11) No dealers or their representatives are allowed to peddle their way or enter any residential or public rooms in the buildings.
 - (12) The rate of rent and other charges applicable to the building shall be displayed in each building in a conspicuous place for the information of the travellers.
 - (13) A copy of these regulations shall be kept in each building for the information of the occupant.
- 40. Special powers of the reserving authority.-** Notwithstanding anything contained in these Regulations, the reserving authority shall have powers to reserve the building for any person, to cancel the reservation once made and to direct the occupant to vacate at any time without giving any reason whatsoever.
- 41. Catering charges.-** Charges for catering, if any, provided in the building and the share of the receipts creditable to the Authority shall be at the rates prescribed by the Authority from time to time. Bills shall be issued by the caretakers in the prescribed form.
- 42. Identification.-** The occupants/visitors on tour on official duty are expected to prove their identity on the request of the controlling authority of the building, presenting their identity card issued in the form given in 'Appendix IV.

Appendix I
Classification of Residential Quarters for Authority Employees

Type No.	Grade of Officers	Plinth area	No. of family per quarters/ flat	Remarks
(1)	(2)	(3)	(4)	(5)
I. Single storied quarters:				
I	Officers drawing pay upto Rs.900	37.42 M ²	families	Row type units
II	Officers coming under the pay scales of Rs. 901-to 1700	57.71 M ²	2 families	Duplex type
III	do. Rs. 1701-2500	84.10 M ²	do.	do.
IV	do. Rs. 2501-2700	109.43 M ²	do.	do.
V	do. Rs. 2701-3000	142.12 M ²	do.	do.
VI	Officers drawing pay upto Rs. 3000	233.01 M ²	1 family	Single unit two storied.

Approved design is inclusive of garage.

Appendix II
[Referred to at sub-regulation (2) of Regulation 5]

1. Name of applicant :
2. Office in which employed :
3. Pay & Scale of pay :
4. Date of birth :
5. Permanent Home address :
(with Village, Taluk & District)
6. Whether married and proposes to :
occupy quarters if allotted with family
7. Whether husband/wife is employed :
and if so particulars regarding place
of employment, pay and scale of pay
8. Whether owns a house within his/her :
headquarters, cities or Town or within
a radius of 15 (fifteen) kilometers
from his/her office either in his/her/

wife/husband as the case may, or in the names of their children, whether in-herited or purchased or obtained other-wise, including that under any hire purchase scheme

9. Type of building required I or II or III or IV. :

Declaration

I, (Name) (Designation) etc. have read and understood the provision of the regulation for the allotment and occupation of quarters, I hereby declare that I shall abide by the said provision and all other Rules, Authority may, from time to time, make in this regard. The information furnished by me above or all the particulars furnished are found to be incorrect or mala fide, I shall be liable for disciplinary action under the relevant Rules in force.

Place:

Signature :

Date:

Designation :

Countersigned by the Head of Office/Department
Name & Designation:

Appendix III

[Referred to at regulation 8]

This Lease Deed executed on this the.....day of one thousand nine hundred and between Sri/Smt Home Village Taluk District.....now employed asat(hereinafter called "the lessee") of the one part and the Kerala Water Authority (hereinafter called "the lessor") of the other part.

Witness as follows:-

In consideration of the rent herein reserved and the covenants on the part of the lessee hereinafter contained the lessor doth hereby demise unto the lessee the building No.....more particularly mentioned and described in the Schedule herein paying therefor a monthly rent of Rs.....subject to the terms and condition herein contained.

1. The lessee hereby covenants with the lessor as follows:-

- (i) An inventory of articles if any, entrusted to the lessee will be prepared and got signed by him as soon as he occupied the house.
- (ii) The lessee shall, during the continuance of the lease pay a monthly rent which will be the standard rent or 10% of the pay whichever is lower or the amount fixed in accordance with the rules from time to time. Provided that pay for the purpose of the calculation of rent, shall be that defined in rule 12 (23) Part 1 of Kerala Service Rules including dearness pay.

- (iii) The payment of rent or arrears thereof shall be made by deduction from the pay bills of the lessee every month. In case no rent is recovered from the pay, the lessee shall pay it to the Executive Engineer concerned before the 20th of the succeeding month failing which the lessee shall be liable to be evicted.
- (iv) In case both husband and wife occupying the quarters are employees of the Authority, rent will be calculated on the basis of the pay of the person drawing the higher rate of pay:
Provided the rent shall ordinarily be recovered only from the person in whose name the house stand allotted. Provided further that both shall be jointly liable for the payment of rent.
- (v) The lessee shall not sub-let the building. He shall also not accommodate persons other than bonafide dependents whom he is expected to maintain or share the building with other employees of the Authority without the written sanction of the concerned Executive Engineer. Provided however that even in such cases, the liability or payment of rent shall vest with lessee.
- (vi) The lessee shall keep the concerned Executive Engineer informed of all changes in his official address, promotion, transfer etc., during his stay in the quarters.
- (vii) The lessee when vacating the building shall hand over charge of the building to the concerned Assistant Engineer or to the officer authorised by him for the purpose, signing a statement in duplicate to the effect that the building and all other articles, entrusted to the lessee have been handed over to the Assistant Engineer or any other officer authorised by him for the purpose.
- (viii) The lessee when he/she retires from service shall vacate the quarters on the date of retirement unless previous sanction is obtained sufficiently early, before the fort-night proceeding the date of retirement. In case the Authority sanction the continued occupation, the lessee shall pay the rent in advance before the 5th of every month and shall be liable for the dues to the Authority and shall be recovered from his/ her pension in case he/she fails to pay the rent to the Authority. He/She shall be liable to be evicted for the unauthorised occupation after the expiry of the period allowed.
- (ix) The lessee who intends to vacate the quarters shall, except in case of sudden transfer or other unforeseen circumstances intimate the fact to the Executive Engineer in charge of the building at least one month before the date on which he intends to vacate the quarters failing which he/she shall be liable to pay rent for the period of one month from the date of vacating or till the date of occupation of the quarters by another person whichever is earlier.

- (x) The lessee when transferred shall vacate the quarters within one month of the date of transfer unless extended by the Executive Engineer for a further period not exceeding two months. In case the lessee fails to vacate the quarters after the prescribed period he/she shall be liable to pay rent at three times the usual rate paid by him;

Provided the above occupation shall be allowed only for a further period of three months after which he is liable to be vacated.

- (xi) The lessee shall pay all dues by way of water charges, current charges including hire for metres if any, and cleaning charges except property tax due to the local body concerned in time.
- (xii) The lessee shall keep the quarters in neat condition and shall be liable for any damage caused to the quarters and the installations therein and shall pay the cost incurred by the Authority for repairing all such damages.
- (xiii) In case the lessee commits breach of all or any of the terms and conditions herein contained, the lessee shall cease to have any right of occupation of the quarters and the lesser shall thereupon take possession of the quarters. The lessee shall be liable for disciplinary action also.
- (xiv) Notwithstanding anything herein contained, the lessor shall be competent to terminate the lease without assigning any reason whatsoever and lessee shall thereupon vacate the quarters within one month of the receipt of the notice of such termination.
- (xv) The lessee shall provide his own furniture, materials and electric bulbs.

2. The lessor hereby covenants with the lessee as follows:-

- (i) The lessee regularly paying the rent hereby reserve and agreed to be paid and on performing and observing all the covenants and stipulations herein contained to be observed on the leasehold quarters and premises attached thereto during the currency of the lease without any interruption by the lessor except as otherwise provided for herein.
- (ii) The lessee further agrees that all amounts due from him/her on account of damages caused to the quarters and installations during his/her stay or any other dues for which he/she becomes liable to the lessor under this deed shall be recovered by the lessor by deduction from the lessee's pay.
- (iii) Without prejudice to the rights of the Authority under the preceding clauses, all sums found due to Authority under or by virtue of this agreement shall be recovered from the lessee and his/her properties movable and immovable under the provisions of the Revenue Recovery Act for the time being in force as though they are arrears of land revenue or in the other manner as the authority may deem fit.
- (iv) The lessee further agrees to abide by the rules and conditions regarding the allotment and occupation of the quarters and also to such terms and conditions which the Authority may prescribe from time to time in this regard.

- (v) The lessor shall bear the stamp duty with which this document is chargeable.

In witness whereof Shri/Smt and
shri for and on behalf
of the Authority here unto set their hands the day and year first above written.

(Here enter Schedule)

In, the presence of witnesses:

- 1.
- 2.

Signed by the lessor Shri

In the presence of witnesses

- 1.
- 2.

Appedix IV Identity Card

Name :
Designation :
Official Address :
Monthly Salary :
(Office Seal)

Signature of Head of Office
Designation

Explanatory Note

(This does not form part of this notification, but is intended to achieve the above purpose.)

As per Section 65 of the Kerala Water Supply and Sewerage Act, 1986 (Act 14 of 1986) the Authority is permitted with the previous approval of the Government to make regulations not inconsistent with the Act and the Rules for the administration of the affairs of the Authority. Government are now issued necessary regulations for the allotment of quarters and building owned by the Authority.

This notification is intended to achieve the above objects.
