



GOVERNMENT OF BALOCHISTAN
SERVICES & GENERAL ADMN: DEPARTMENT
(CIVIL ESTATE OFFICE)

Dated: Quetta September 9, 2009

NOTIFICATION.

No.CEO(S&GAD)1-1/2009/4530-680 In exercise of the powers conferred by the Fundamental Rules, 45, the Government of Balochistan is pleased to make the following Rules for the allotment of residential accommodation to the Provincial Government Servants at Quetta, namely :-

1. SHORT TITLE, APPLICATION AND COMMENCEMENT.

- (1) These rules may be called the Residential Accommodation at Quetta (Procedure for Allotment) Rules, 2009.
- (2) They shall apply to Government Colonies and all the houses in the Civil Estate Office Pool.
- (3) They shall come into force at once.

2. DEFINITIONS.

In these rules, unless there is anything repugnant in subject or context :-

- (a) "Annexure" means an Annexure to these rules.
 - (b) "Allottee" means a Government Servant in whose favour a residential accommodation out of the Estate Office pool is allotted.
 - (c) "Accommodation" means residential accommodation owned or hired or requisitioned by Government and placed in the pool of Estate Office.
 - (d) "Committee" means The House Allotment Committee constituted by the Government under rule 5.
 - (e) "Chairman" means Chairman of the Committee as notified by the Government from time to time.
 - (f) "Estate Officer" means Civil Estate Officer appointed under rule 5.
 - (g) (i) "Emoluments" for the purpose of determining the entitlement of various classes of accommodation include pay, special pay, technical pay, deputation pay, expatriation allowance, non-practicing allowance, pension as defined under F.R 45-C, and any other pay or allowance which Government may decide for counting towards entitlement.
 - (ii) For the purpose of recovery of rent including pay, special pay, technical pay, deputations pay non-practicing allowance, expatriation allowance ad-hoc relief, special compensatory allowance for Quetta, pension as defined under F.R 45-C, and the other pay or allowance which Government may decide for counting towards realization of rent.
- "Family" as defined in supplementary Rule 2(8) existing definition of which is given in annexure "A".
- "Government" means Government of Balochistan.
- "Government Servant" means Provincial Government Servants eligible for accommodation out of the Estate Office pool.



3.

ELIGIBILITY.

- (1) A Government Servant, who is posted at Quetta and does not own house either in his name or in the names of his spouse or dependent children, shall be eligible for allotment of residential accommodation.
- (2) (a) In case both he and his spouse are in Government Service only one of them shall be eligible for allotment of residential accommodation.
- (b) A single Government Servant may be allotted accommodation according to the entitlement only where there is no Government Servant on the waiting list of that class.
- (c) In case both he and his spouse are in Government Service and a Government accommodation is allotted to either one of them, the other spouse will no longer be eligible for House Requisition Allowance.

set aside by
Federal Government
Ministry

4.

CLASSIFICATION AND ENTITLEMENT.

- (1) The limits of entitlement of Government Servants for allotment of accommodation in Quetta shall be as under :-

S.No	Type of Accommodation	Entitlement.
1. ✓	"A" Type Residences	Grade 20-22 and Additional Secretaries.
2.	"B" Type Residences	Grade 19- Dy: Secretaries
3.	"C" Type Houses / Flats.	Grade 17-18 Officers.
4.	"D" Type Quarters	Grade 16 Officers.
5.	"E" Type Quarters	Grade 11-15 Officials
6.	"F" Type Quarters	Grade 08 -10 Officials
7.	"G" Type Quarters	Grade 05- 07 Officials
8.	"H" Type Quarters	Grade 01-04 Officials.

- (2) A Government Servant shall be eligible to a residential accommodation of his status, as Government may from time to time reserve for different categories of Government servant provided that nothing contained in this rule shall debar a Government servant from the allotment of an accommodation inferior than to the one to which he is entitled if such Government Servant has no objection to allotment of such inferior accommodation.

ALLOTMENT COMMITTEE.

- (1) There shall be a House Allotment Committee constituted by the Government, consisting of a Chairman and three members.
- (2) The Government shall appoint a Civil Estate Officer in the Services & General Administration Department, who shall act as Secretary of the Committee and perform such functions as determined by the Committee.
- (3) The Committee shall meet at least once a month.

6.

ALLOTMENT.

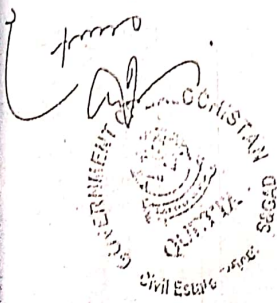
- (1) Subject to availability of accommodation, a Government Servant shall be allotted a residential accommodation in accordance with the provisions of these rules and in order of merit assigned to him under rule 7.
- (2) The allotment shall be made by the Estate Officer, under the order of the Chairman House Allotment Committee.

- (3) Approval of earmarking / cancellation of earmarking of an accommodation to a department / institution shall be granted by the Chief Minister.
- (4) Appeal against the order of the Chairman may be made to the House Allotment Committee which may, after due consideration, pass such order as it may deem fit.

7.

PROCEDURE FOR ALLOTMENT.

- (1) A Government Servant eligible for allotment of residential accommodation under these rules, if so desires, may make an application on prescribed form for the allotment of residential accommodation to the Estate Officer through his Administrative Department. No application received directly in the name of Chairman House Allotment Committee shall be entertained.
- (2) (a) Applications received under sub-rule 7(1) shall be entertained by the Estate Officer and the names of the applicants shall be entered in the appropriate waiting list, to be maintained for the purpose in the order in which the applications are received.
(b) Seniority of a Government Servant on the appropriate waiting list shall be determined from :-
 - (i) the date of entitlement to a type of accommodation, provided that the Government Servant applies to Estate Office within one month of his joining at Quetta or on his becoming entitled to a higher class of accommodation due to increase of his emoluments.
 - (ii) date of his application to Estate Officer in case he applies for higher type of accommodation after one month of joining/becoming entitled to higher class of accommodation.
 - (iii) if the date of entitlement of two or more Government Servants is same, the seniority will be awarded on the basis of emoluments counted towards entitlement.
 - (iv) in case the emoluments are also the same for two or more Government Servants, the seniority will be determined on the basis of the dates from which emoluments counting towards entitlement accrued.
 - (v) in case they have the same seniority, then the seniority shall be determined by the size of the family.
- c. Receipt of application form for accommodation shall be acknowledged by Estate Office with a printed receipt serially numbered in print, as and when it is received from the applicant. The form of receipt is given in Annexure "B".
- d. Allotment of Government residence will be made on the principle of first come first served. The priority will be based on the date of receipt of application in Estate office in the respective category. If the Government Servant becomes eligible in the higher category during the time he is on the waiting list, he will be given position on the list of requisite category on his application from the date of his eligibility as such.
- (3) Secretaries to Government, Member Board of Revenue, Judges of High Court, Chairman of Public Service Commission and Members of Secretariat staff and such other Government Servant as may be notified by the Provincial Government for the purpose, in the matter of allotment will have the first priority, within their respective categories. Heads of Attached Department, Superintendent Members and other officers/officials with said Departments and officer will have the second priority. The allotment of accommodation shall be made to the Secretariat and non Secretariat officers/officials on a cycle system in the fixed ratio of 2:1 i.e. out of three units available for allotment, first two will be allotted to the Secretariat Officials and the third one to the non Secretariat officials in order of their position



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in the respective waiting list. Category-wise breakup of respective share shall be administered according to the following schedule.

Secretariat		A		B to D		E to H
		66%		66%		66%
Non-Secretariat	Doctors	2%	34%	3%	34%	34%
	Educationists	2%		2%		
	Judiciary/Law	20%		7%		
	Police	2%		2%		
	Ministers	8%		-		
	Others	-		20%		

- (4) A field officer in grade-17 or above who has designated house outside Quetta should be provided accommodation at Quetta on preferential basis, if a house is available for a particular post. However preference may be given to officer transferred from out side the province.
- (5) A quota of 5% of vacant houses may be fixed for allotment to female Government servant.

8. OUT OF TURN ALLOTMENT

- (1) A Government Servant deserving out of turn allotment shall apply to the Estate Officer in the form given in Annexure 'C'.
- (2) The Estate Officer shall grant a receipt to the applicant.
- (3) The House Allotment Committee after consideration of the application may either reject the application or accept it.
- (4) The application may be accepted where lack of accommodation constitutes a serious threat to the life or is likely to lead to deterioration of the health of the applicant or a member of his family who should stay ordinarily with the applicant. The application may also be accepted in cases where no possible alternative accommodation is available for the family of the applicant any where in the Province / Pakistan.
- (5) The appeal against the decision of the House Allotment Committee may be made to the Chief Secretary, Government of Balochistan, who may pass such orders as he may deem fit.
- (6) The House Allotment Committee shall state reasons in writing for rejecting or accepting the applications.

9. OCCUPATION AND VACATION.

- (1) On receipt of the allotment order from the Estate Officer, an allottee shall take over possession of the accommodation from Assistant Civil Estate Officer, within 10 days of allotment and sign a receipt for all fixtures and fittings.
- (2) The Assistant Civil Estate Officer shall send the occupation report to the 'Estate Officer' within three days of occupation.
- (3) On vacation the allottee shall hand over possession of the house to the Assistant Civil Estate Officer and obtain a receipt thereof in duplicate which will include an inventory of the fixtures and fittings available



in the house. The allottee shall send one of the receipts to the Estate Officer for necessary action.

- (4) The allottee shall be liable to pay rent for the period upto the date of handing over possession to the Estate Office, and for any loss of fixtures and fittings and for any damage caused to the building beyond normal wear and tear the cost of which will be realized from him.
- (5) In case an allottee vacates the residential accommodation without giving its possession to the Civil Estate Office, the list of missing, damaged or destroyed fixtures and fittings prepared by the said office shall be final.

10.

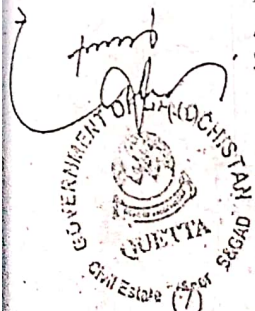
CANCELLATION

- (1) The allotment of an accommodation to a Government servant is not transferable. If an allottee or his family do not ordinarily reside in the accommodation allotted to him and allows other person to live in the house without permission of the Estate Officer, it may be deemed to have been transferred by the allottee and the allotment shall be liable to cancellation.
- (2) If at any stage, it comes to the notice of Estate Office that there is a personally owned accommodation in the name of an allottee or his/her spouse, the allotment shall stand cancelled.
- (3) The allottee shall pay rent at the prescribed rate regularly every month. If he does not pay the rent for three consecutive months, the allotment order shall stand cancelled.
- (4) Exchange of accommodation between two allottees can be made with the prior permission of the Estate Officer. If any exchange takes place without such permission the allotment shall be liable to cancellation.
- (5) Accommodation shall not be sublet by the allottee nor shall it be used for any business or profession. Provided that the Chairman House Allotment Committee may, on a request, permit a Government Servant or a member of his family to carry on medical practice.

An allottee may allow a relative to share accommodation with him without any monetary gain for a period of one month without the permission of the Estate Officer and with the permission of the Estate Officer for a period of six months. Any breach of this rule shall lead to cancellation of the allotment.

If it is proved that an allottee has sublet the accommodation, the Estate Office shall, with approval of the Chairman House Allotment Committee, cancel the allotment and report the matter to the head of allottee's department for disciplinary action against him under the Balochistan Province Removal from Service (special power) Ordinance 2002.

- (8) The Estate Office shall report to Government the names of the Government servant whose allotments have been cancelled in any one month for subletting by the first week of the following month.
- (9) If an allottee is found guilty of encroachment, the allotment shall be liable to cancellation.
- (10) An allottee found guilty of subletting shall be debarred from allotment of accommodation for 3 years. Same penalty shall be imposed on those who are found guilty of encroachments.
- (11) The first informant of sublettery case/retention of accommodation after ceasing of the entitlement shall be rewarded by allotment of that particular accommodation on vacation by the allottee.



RETENTION

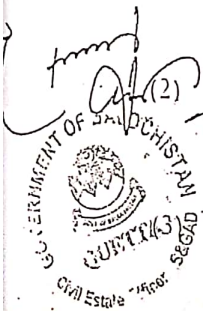
- (1) ✓ In the event of death of an allottee the accommodation shall be vacated by the widow of the allottee on the expiry of 'IDDAT' period i.e. four (04) months. In case there is no widow, the family of the deceased shall vacate the accommodation after expiry of two months.
- (2) ✓ In the event of dismissal, removal, resignation, transfer, deputation and retirement the accommodation shall be vacated within two months of the event.
- (3) If further retention of the accommodation is required for the completion of education of the children in the event of death, dismissal, removal/resignation, retirement or transfer of an allottee, permission may be granted to retain the accommodation in payment of normal rent for four months or till 31st December, whichever is earlier, at the discretion of house Allotment Committee.
- (4) ✓ Allotment of accommodation may be transferred to the father/mother/real brother/real sister/real son or wife/husband of the allottee, if he/she is eligible for the same or for a higher type of accommodation at the time of the event or becomes eligible within two months of the event and beneficiary had been ordinarily residing with the allottee. In case he/she is entitled to a lower class accommodation, he/she shall be allotted the first available quarter in that class. Till such time an alternative accommodation is made available, he/she may retain the accommodation in his/her occupation on payment of normal rent.
- (5) ✓ An allottee proceeding on leave preparatory to retirement may retain residential accommodation for the whole period of leave preparatory to retirement and two month beyond that.
- (6) ✓ An allottee, transferred to an area declared as non-family area by Government, he/she may be allowed to retain accommodation by paying normal rent.
- (7) When an allottee who is dismissed, removed or compulsorily/retired from service, files an appeal under the relevant rules to the competent authority against the orders of dismissal, removal or retirement; he may retain the accommodation on payment of normal rent as long as his appeal is not disposed off.
An allottee leaving his headquarters on extraordinary and earned leave (foreign or domestic) or training, and his family is residing in Government accommodation, he may retain the accommodation on payment of normal rent for entire period of leave / training.
- (9) ✓ If the allottee surrenders the accommodation, he may on return from leave or training, be provided with the same class of accommodation on a Top priority basis.
- (10) An allottee transferred to an Autonomous organization may be allowed to retain accommodation for a period of four months.
- (11) Benefit of sub-rule (4) will not accrue to the father/mother/real sister/real brother/real son etc. of the allottees mentioned in sub-rule (7) and (8) after the expiry of one year from the day the allottee is transferred to a Central Government Department / Autonomous and Senti-Government Organization.
- (12) A Government Servant who is allotted an accommodation, he and members of his family shall abstain from all actions which are likely to cause a nuisance. If his behavior or that of any person living with him causes a nuisance or trouble in the locality, the Estate Officer on receiving such information or complain, if the same is made bonafidely against the allottee by the inhabitants of the locality, may cancel his allotment or shift him elsewhere. Keeping of pets or cattle in the Government colonies may be treated as nuisance in terms of this rule if it causes some offence or harm to residents of the colony.
- (13) If an allottee while in occupation of allotted accommodation builds or acquires a house at the place of his/her posting, in the name of his/her



- wife/husband or any one of them, he/she may retain the accommodation for the period of one month from the date of its completion on payment of no rent. Allottee shall surrender accommodation as soon as that period expires.
- (14) In case an accommodation is occupied or retained unauthorizedly, disciplinary action may be taken against the defaulter under the Balochistan Province Removal from Service (special power) Ordinance 2002 and the Estate Officer shall charge and recover a penal rent as defined per rule 12(2) from occupants for the period of unauthorized occupation/retention and take steps to evict him expeditiously. In case the unauthorized occupant is a person other than a government employee, FIR shall be lodged against him on charges of illegal occupation.
- (15) In order to expedite his eviction, Estate Officer may also take following actions.
- Disconnect water, gas, electric supply, and telephone connection.
 - Disqualify him from allotment of Government accommodation for a specified period not exceeding two (02) Years.
 - Report to the Administrative head of officer/official to take Disciplinary action against him on the charge of "Misconduct" under intimation to S&GAD.
- (16) That persons who are transferred from Quetta and have children admitted to the Schools may be allowed to retain the house for four months or till 31st December, whichever is earlier, at the discretion of house allotment committee.
- (17) That an official who produces medical certificate from authorized medical attendant to the effect that any of his family members is sick may be allowed to retain the house for a maximum period six months.

12. RENT RATE & PROCEDURE FOR RECOVERY.

- (1) Unless entitled to a free accommodation, the rent of accommodation allotted to a Government servant shall be payable at 5% of his emoluments, as defined under rule 2(7)(i), or at such rate as Government may specify from time to time.
- (2) In case of unauthorized occupation/retention of Government accommodation, penal rent should be charged which may extend to ten times of the normal rent. Such occupant may also be ejected forcibly.
- (3) The Rent Branch of the Maintenance Division of Communication & Works Department shall send rent demand statements in duplicate to the department/officers concerned and one copy to the comptroller by the 15th of each month regarding rent to be recovered from the Gazetted and Non Gazetted servants.
- (4) It shall be the responsibility of the departments/offices concerned to recover rent as per the demand statement from the Non-Gazetted staff and the Accountant General will be responsible for the recovery of rent from the Gazetted Officers. Departments/Offices concerned shall report to the Estate Office as well as the Rent Branch of the Maintenance Division the factual position of the recovery by posting the amount recovered in the demands statement and return them to the Estate Office and Maintenance Division by the 15th of next month.
- (5) When an allottee is in heavy arrears of rent, the Estate Office shall refer the matter to the Accountant General for recovery of the amount under the rules who shall realizes the amount accordingly and shall not defer the realization on any appeal from the allottee concerned. If any appeal is made to the Accountant General, that office may refer the appeal to Estate Office for redress.
- (6) If a Government Servant for any reason does not receive pay for certain period or periods, the rent becoming due shall be deducted



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- from the pay bills of Government Servant concerned as and when he gets pay for the period or periods for which the rent has not been paid, or shall be recovered in such other manner as may be permissible under any law, rules, order, or instructions for the time being in force.
- (7) Other charges such as electricity, Sui Gas, Water conservancy etc. shall be paid directly by the allottee to the relevant Authorities.

13.

NO DEMAND CERTIFICATE.

- (1) The Rent Branch (Maintenance Division) Communication and Works Department shall issue a No Demand Certificate to every allottee of accommodation within two months of the expiry of each calendar year.
- (2) When a Government servant is transferred/retired/dismissed and vacates the accommodation allotted to him, Estate Office and Rent Branch of the Maintenance Division, Communication & Works Department shall issue the No Demand Certificate within two months of the demand for such a certificate by the allottee or from the date when the event comes to their notice.
- (3) The pension/commutation cases of a Government Servant retired from Government Service shall not be processed by Accountant General until and unless the retiree produces No Demand Certificate from Estate Office and C&W Department.
- (4) While allotting an accommodation to a Government servant, the Civil Estate Office shall ascertain from the Government servant about the accommodation he was occupying in his former post and if it is so happens that he occupied an accommodation previously, Estate Office shall ask him to file a "No Demand Certificate" in respect of previous accommodation. In case he is unable to do so, Estate Office shall make a reference to the Rent Branch (Maintenance Division) Communication & Works Department for the certificate. However, the allotment of accommodation shall not be held-up on this account.

14.

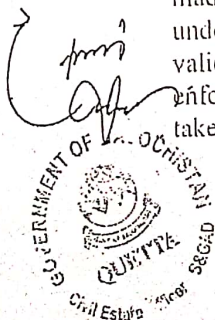
SAVINGS.

These rules shall be in addition to and not in derogation of any instructions or order issued by Government from time to time or which hereafter be issued.

15.

REPEAL.

- (1) The Residential Accommodation at Quetta (Procedure for Allotment) Rules, 1982 are hereby repealed.
- (2) Notwithstanding anything contained in these rules, all allotments made, orders passed, proceedings commenced and actions taken under the Rules repealed in sub-rule (1) shall be deemed to have been validly done, made, passed, commenced and taken, as if this rule was enforced on the day on which such thing, action or order was done, taken or made.



BY ORDER OF
GOVERNOR BALUCHISTAN

CHIEF SECRETARY


Dated: Quetta September 9, 2009.

NO.CEP(S&GAD)I-1/2009/4530-680

Copy forwarded for information to :-

1. The Senior Member, Board of Revenue, Government of Balochistan, Quetta.
2. The Additional Chief Secretary (Development) Government of Balochistan, Quetta.

3. All Administrative Secretaries, Government of Balochistan Quetta.
4. The Principal Secretary to Governor Balochistan, Quetta.
5. The Principal Secretary to Chief Minister Balochistan, Quetta.
6. All Heads of Attached Departments, Government of Balochistan.
7. District Coordination Officer Quetta.
8. The Registrar, High Court of Balochistan, Quetta.
9. The Secretary, Balochistan Provincial Assembly, Quetta.
10. The Secretary Balochistan Public Service Commission, Quetta.
11. The Secretary, Provincial Ombudsman, Quetta.
12. The Manager, Government Printing Press, Quetta. He is requested to publish the Notification as Extra Ordinary Gazette of Balochistan and supply 100 copies for use in this Department.


9/9/09
(HARIS REHMAN)
Civil Estate Officer
S&GAD