

दक्षिण रेलवे Southern Railway
प्रधान मुख्य कार्मिक अधिकारी कार्यालय
Office of the Principal Chief Personnel Officer
मुख्य कार्यालय, कार्मिक विभाग, चेन्नै-600003
Headquarters, Personnel Department, Chennai-600003

सं/No: P(R) 436/ P/Vigilance ref

दिनांक/Dated: 08.11.2023

All PHODs/ DRMs/ CWMs/ CEWE/ CAO/ CPM/ PDA/ Dy.CPOs/ Sr.DPOs/ Secy to GM,
Chairman/RRB/MAS,TVC, Addl.Registrar/RCT/MAS, Secretary/RRT/MAS,
Principal MDZI/TPJ, SRCETC/TBM, ZETTC/AVD,
DPOs/SPOs/WPOs/APOs of HQ/Divisions /Workshops/Units.

विषय /Sub: System improvement – Subletting of Railway Quarters-reg

Ref: This office letter Nos

1. P(W)555/P/Vol.VI dated 23.02.1999 (PBC 160/99 dt 09.11.1999)
2. P(W)555/III/DAR dated 11.12.2020
3. P(W)555/Railway Qtrs/Policy dated 12.01.2022.

As a system improvement, the following instructions are consolidated and reiterated for strict compliance.

(A) No railway servant shall sub-let, lease or otherwise allow occupation by any other person of Govt. accommodation which has been allotted to him, and the Railway servant shall, after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority.

(Rule 15A of the Railway Services (Conduct) Rules- RBE 12/1997)

(B) Railways should also ensure that railway quarters/buildings or any part of a building or any premises as defined in the Public Premises (Eviction of unauthorized occupants) Act 1971 should not be occupied unauthorized /remain under unauthorized occupation. If any quarter/ building/ part of a building or any other premises be under unauthorized occupation, besides taking any administrative/disciplinary action against the unauthorized occupiers, eviction proceedings should be initiated immediately in the court of estate officer under the provisions of the said act, for removal of the encroachment and recovery of Railway's dues.

**(RB No. 86/W2(LM)/14/51dated 24.10.1986
& Para 11 of Master Circular 49: PBC 189/2019)**

(C) Allotment Authorities on the Railways should carry out checks/inspections atleast once in each half year to ensure that the allotted house are occupied bonafide by the allottee Railway servants and are not sublet to outsiders in contravention of the extant instructions.

(RB No.E(G)86 QR 1-6 dated 30.09.1986 – RBE 179/86)

(D) In order to tackle the problem of subletting in an effective manner, procedure for dealing cases of subletting was circulated vide this office letters cited below.

1. P(W)555/P/Vol.VI dated 23.02.1999 (PBC 160/99 dated 09.11.1999)
2. P(W)555/III/DAR dated 11.12.2020 (Copy enclosed)
3. P(W)555/Railway Qtrs/Policy dated 12.01.2022. (Copy enclosed)

(E) The following action recommended by Railway Board may be taken in case of subletting:

- i) Where a railway employee has sublet the quarter fully to an outsider, he should be taken up and eviction proceedings against the sub-lettee should be started to get the quarter vacated expeditiously:
- ii) Where a railway employee has sublet a portion of the accommodation to an outsider on consideration, the same should be got vacated and allotted to another railway employee; and
- iii) Where a part of the accommodation is shared by the allottee with another railway employee with due permission from the competent authority, no action need be taken.

Staff violating the above instructions, after warning, should be charged penal/market rent as the case may be – pending finalization of the DAR enquiry or eviction proceedings.

(RB No.E(G)79RN2-117 dated 09.04.1980)

(F) All DRMs to take immediate disciplinary action against those who have subletted their allocated quarter. DRMs should ensure all subletted quarters have been vacated in one months' time.

(RB No.E(G)2019 RN2-13 Pt dated 08.01.2020)

(G) As soon as the charge of subletting is established by the pool holder, the allotment of quarter will be cancelled and the disciplinary authority shall initiate disciplinary proceedings against the railway servant concerned. In such cases, the Competent Authority may consider placing the delinquent railway servant under suspension also. It may also please be ensured that charge-sheets are issued immediately in cases where employees are likely to retire shortly, or where they have already retired, since such cases are likely to become time barred for initiation of disciplinary proceedings by virtue of the misconduct being more than four years old.

(RB No.E(D&A)98 GS I-I, dated 19.06.1998; RBE 136/98- PBC 192/98)

(H) One set of post-retirement passes should be disallowed for every month on unauthorized retention of railway quarters by retired officers/staff. For example, if a retired officer/employee retains railway quarters un-authorized for six months, six sets of post-retirement passes should be disallowed. He/she will be eligible for post-retirement passes after expiry of 6, 3 or 2 years, as the case may be, depending upon his/her entitlement for post-retirement passes in a year. For the purpose of determining the number of passes to be disallowed, unauthorized retention for a part of a month exceeding 10 days in any calendar month should be taken as a full month.

(RB No.E(G)81 QR1-51 Pt dated 04.06.1983)

(I) When the Railway administration denies the issue of a post retirement pass applied for by a Railway employee on account of retention of railway accommodation by him beyond the period permissible under the rules, it is clarified that the show cause notice has to be issued as if it is a reply to the application made by an employee for issue of a post retirement railway pass.

(RB No.E(G)81 QR1-51 Pt dated 17.01.1985).

NOTE: While referring to this compilation, the original letters mentioned herein should be read for proper appreciation. This is only a consolidation of the existing instructions and should not be treated as a substitution to the original circulars. In case of doubt, the original circulars should be relied upon as Authority. If any circular on the subject, which has not been superseded, has not been taken into consideration in preparing this consolidated letter, the said circular, which has been missed through oversight, should be treated as valid and operative. Such a missing circular, if any, may be brought to the notice of this office.

Encl: 1.PCPO letter No.P(W)555/III/DAR dated 11.12.2020
2.PCPO letter No.P(W)555/Railway Qtrs/Policy dated 12.01.2022



(B.A.Aravind)

Deputy Chief Personnel Officer/ Co-ordn
for Principal Chief Personnel Officer

प्रतिलिपि/Copy to: The General Secretary/SRMU
The General Secretary/AISCTREA
The General Secretary/AIOBCREA
The General Secretary/NFIR
IT Section/PB/HQ - to upload in the SR website.



दक्षिण रेलवे / Southern Railway

पी/P(W)555/Railway Qtrs/Policy

प्रधान कार्यालय/ Headquarters Office,
कार्मिक शाखा/ Personnel Department,
चेन्नै/ Chennai – 600 003.
Date: 12.01.2022

DRM/MAS,TPJ, MDU , SA,PGT,TVC,
CWM/CW/&LW/PER,S&T/PTJ,GOC
Dy.CE/EWS/AJJ

विषय/Sub: Subletting of Railway Accommodation – reg.
संदर्भ:Ref: 1. PBC No.160/1999 dated 09.11.1999. (F/16)
2. This office letter of even no. dated 11.12.2020. (F/13)

The instructions relating to subletting of Railway Quarters issued vide this office letter dated 11.12.2020 (copy enclosed) are again reiterated for strict compliance, violation of the same will be viewed seriously and necessary action under D&A Rules,1968 will be initiated.

In addition to the instructions contained in letter dated 11.12.2020, the following guidelines are issued for strict compliance while allotting the Railway Accommodation.

- i. "No demand" should be certified by the pool holder of quarters
- ii. The plinth area of the said quarters and current rent should be specified in the allotment order to avoid excess/ short recovery of rent. Further the following conditions should be stipulated in the allotment order of Railway accommodation.
 - a. The allottee Railway Employee should occupy the quarters within 15 days or express his unwillingness within 15 days from the date of allotment order, if he fails to do so, rent will be recovered from the 16th day of allotment till the cancellation of allotment is made. Rent for the quarters will be recovered from the actual date of occupation or from the 16th day of allotment whichever is earlier.
 - b. The allottee should submit a declaration that the HRA is forfeited from the date of his occupation.

- c. A declaration while submitting request that ' the spouse is not in occupation of quarters in the same station ' should be obtained.
- d. The allottee Railway Servant should submit two copies of their family photo duly attested by the controlling officer. One should be held by the occupant at quarters and should be produced at the time of any inspection. Another copy should be pasted in quarters occupation Register.
- e. The allottee should not make any alternation in the structure of the building and he should not construct any portion in the vacant area available in the quarters. He should not use the premises/common area for warehouse storage/ commercial purpose.
- f. The allottee should not sublet in full or any portion of the allotted quarters to anyone including the relatives. When it comes to notice damage rent as prescribed by the Railway Board from time to time will be levied from the date of subletting and if the exact date of subletting cannot be established, then damage rent will be recovered from the date of original allotment apart from automatic cancellation of allotment without any notice and eviction proceedings will be initiated. Necessary action under D&A Rules will also be initiated against the allottee Railway Employee.

A special drive may be suitably conducted by all the quarters allotting authorities to obtain photos from all the existing occupants for record and necessary action as indicated at (d) above.

Encl: as above

Handwritten signature and date: 12/11/2022

Handwritten initials: o/c 12/11/2022

(MEENA BASKARAN)
Dy. Chief Personnel Officer/R&V
Principal Chief Personnel Officer

Copy to:
Sr.DPO/DPO-MAS,MDU,PGT,SA,TVC,TPJ
WPO/GOC,Dy.CPO/LW&CW/PER
APO/S&T/PTJ,APO/Stores

} for information and necessary action



SOUTHERN RAILWAY

General Manager's Office
Personnel Branch
Chennai - 600 003
Date:11.12.2020

P(W)555/III/DAR

DRM/MAS, TPJ, MDU, SA, PGT, TVC
CWM/LW/PER, CW/PER, S&T/PTJ, GOC

Sub: Subletting of Railway Accommodation - Reg.

Ref: Letter No.P (W) 555/Guide File/Vol.I dated 09.11.1999
(PBC No.160/1999)

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Further to letter cited the following system improvements are suggested to ensure that the Railway Accommodation is occupied by allottee Railway servant and not let out to other Railway servant/ public/ outsiders.

1. To tackle the problem of subletting of quarters, in an effective manner it is essential to make surprise checks in Railway Colonies by a committee of officials.

2. A Committee shall be constituted by the Estate Officer incharge of Divisions/ Units which may consist of the following officials to conduct surprise check in Railway Colonies with respect to subletting/unauthorised occupation of Railway Quarters

- i) SSE/Works (Convenor)
- ii) Supervisory Official of Personnel/ Engineering Electrical Departments
- iii) Inspector/Sub Inspector of RPF

Note:

Where the Committee does not have any female member, one female staff may accompany the committee during the surprise check.

3. In terms of RBE 179/1986 (para 7 of MC No.49) Inspections should be conducted every six months to ensure that houses are occupied by allottee Railway Servants only

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4. In addition discreet checks may also be conducted by supervisory official/officers while performing regular maintenance and repair work of Railway Quarters and during General Inspections

5. The following documents to be checked with the employee / allottee during check to establish the quarter No. and residence proof.

- i) Ration Card
- ii) Gas connection book
- iii) Voter ID
- iv) Aadhar card
- v) Telephone Bills/Mobile numbers of all incumbents in the house to verify the physical identification of available family members of the employee.

This should be verified with the documents already submitted within 3 months of occupation in each case.

6. The staff deputed to conduct checks should be nominated for examining the quarters which are nearer to their Headquarters in order to avoid unnecessary travel and related expenditure such as TA/DA.

7. Any unauthorised / subletting of quarters, if any, found during the check/inspection, necessary action for cancellation of the allotment made should be initiated. The order should contain a time limit of 15 days to vacate the quarters

8. Whether the employee vacates the quarters within 15 days, pending eviction due to any reason or whatsoever, penal rent should be recovered with immediate effect in terms of Para 6 of MC No 49.

9. Eviction proceedings should be initiated immediately after the expiry of 15 days' time limit under the provisions of Public Premises (Eviction and Unauthorised Occupants) Act, 1971.

10. It may be ensured that charge sheets are issued immediately in cases where employees are likely to retire shortly or where they have already retired, since such cases are likely to become time barred for initiation of disciplinary proceedings by virtue of the misconduct being more than four years old.

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11. In the case of subletting, if the unauthorised occupant happens to be Railway Servant he will also be taken up under D&AR for having violated Rule No.3(1)(i)&3(1)(ii) of Railway Services (Conduct) Rules, 1966 and if he is in receipt of HRA, the same should be disallowed from the date of detection of unauthorised occupation. If it is proved that he has been in unauthorised occupation from a prior date, HRA paid during the period should be recovered.

12. The committee should consolidate the biannual report and apprise the same to the Estate Officer with the following details for both previous inspection and current inspection.

- i) Total number of checks conducted.
- ii) Number of unauthorised occupation detected
- iii) Number of eviction made.
- iv) Eviction pending and reasons for the same.
- v) Number of D&AR action initiated
- vi) Number of D&AR action finalised
- vii) D&AR action pending and reasons.
- viii) No. of cases penal rent initiated

This issues with the approval of PCE and PCPO


(MEENA BASKARAN)

Dy. CPO/R&W

for Principal Chief Personnel Officer

Copy to:

Sr. DPO/DPO/MAS, MDU, EGT, LVC, TPJ, SA
WPO/LW/PER, CW/PER S&T/PTJ, GOC
SPO/EWS/AJJ, APO/Stores,
APO/Electrical Workshop/PER

for information and
necessary action.

SUBLETTING OF RAILWAY ACCOMMODATION

P. B. Circular No. 160/99

Ref: CPO/MAS Lt. No. P(W) 555/P/Vol. VI Dt. 23rd February 1999 (PB Circular No. 22/93)

It has come to the notice of the Headquarters that different Divisions are following different procedures for dealing with the cases of subletting of Railway accommodation. With a view to streamline the procedures, the following guide lines are issued for strict compliance in future. However, the past cases, which have been dealt differently need not be opened.

In order to tackle the problem of subletting in an effective manner, it is essential to take a surprise check in Railway colonies by a committee of officials. The committee may consist of the following officials.

- (i) Senior Section Engineer (Works) (Convenor of the Committee)
- (ii) Supervisory Official
- (iii) Inspector/Sub-Inspector of RPF (Wherever Feasible)
- (iv) One representative each from SRES, SRMU (not mandatory, wherever feasible they may be included)

Note.—Where the committee does not have any female member, one female staff may accompany the committee during the surprise check.

As far as divisions are concerned, the above committee shall be constituted by DRM, while the committee for extra divisional offices and workshops shall be constituted by the SAG officer in charge of such establishments.

On establishment of the fact of subletting of quarters by a Railway employee, the following actions are to be taken.

- (i) The Railway employees who was found guilty of subletting may be taken up under DAR for having violated Rule No 15-A of Railway Services (Conduct) Rules, 1966.
- (ii) Cancellation of allotment order of the quarters. This order should contain a time limit of 15 days to vacate the quarters.
- (iii) If the employee does not vacate the quarters within the time limit of 15 days, the continued occupation after the expiry of the time limit will be treated as unauthorised and damaged rate of rent should be recovered.
- (iv) Eviction proceedings should be initiated immediately after the expiry of 15 days time limit under the provisions of Public Premises (Eviction and Unauthorised Occupants) Act, 1971.
- (v) In the case of subletting, if the unauthorised occupant happens to be railway servant he will also be taken up under DAR for having violated Rule No. 3(1)(i)&3(1)(ii) of Railway Services (conduct) Rules 1966 and if he is in receipt of HRA, the same should be disallowed from the date of detection of unauthorised occupation. If it is proved that he has been in unauthorised occupation from a prior date, HRA paid during the period should be recovered.

This issues with the approval of competent authority.

(No.P/W/555 Guide file Vol. I dated 9th November 1999).