

## **Central Electricity Regulatory Commission (Leased Accommodation) Regulations, 2007**

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## **Central Electricity Regulatory Commission (Leased Accommodation) Regulations, 2007**

In exercise of powers conferred under Sec. 91 of the Electricity'Act, 2003 (36 of 2003), the Central Electricity Regulatory Commission (hereinafter called the Commission) hereby notifies the following regulations after obtaining approval of the Central Government and after previous publication, for providing leased accommodation to the staff of the Commission.

### **1. Short title and extent of application :-**

(1) These regulations may be called the Central Electricity Regulatory Commission (Leased Accommodation) Regulations, 2007.

(2) These regulations shall come into force on the date of notification.

(3) These regulations shall apply to the staff of the Commission on regular appointment, deputation on foreign service terms or short-term contract, permanent absorption.

### **2. Definition :-**

(1) "Near relatives" means his/her spouse, children, step-children, legally adopted children, parents, brothers, sisters and parents of his/her spouse.

(2) "Staff" includes both officers and employees of all categories appointed on regular basis or on deputation on foreign service terms or permanent absorption or on short-term contract basis.

(3) "Standard Rent" means an amount equivalent to "Licence Fee" for Government accommodation, as notified by the Ministry of Urban Development and as amended from time to time, and as applicable to officers/staff of equivalent level in Central Government, to be charged from the staff of the Commission availing leased accommodation.

### **3. Rental Limits :-**

(1) Rental ceiling for residential accommodation to be taken on lease by the Commission at Delhi/National Capital Region shall be limited to two times of the house rent allowance admissible to the respective staff.

(2) If both husband and wife are employed in the Commission, lease accommodation will be admissible only to one of them provided that both husband and wife have to forego their house rent allowance and the standard rent would be paid by the staff availing the leased

(3) Residential accommodation with monthly rental beyond the rental ceiling as provided in Regulations 1 and Regulation 2 as per the option of the concerned employees, may be at the sole discretion of the Commission subject to a maximum of 150% of the entitlement provided the employee himself bears the amount in excess of the ceiling.

(4) While working out ceiling rent:

(a) Where the Central Public Works Department operates, it shall invariably be consulted as to the reasonableness of the rent;

(b) Where the Central Public Works Department does not operate, the assistance of the appropriate Local Public Local Works Department or Rent Control Authority will be availed and a certificate of reasonableness of rent obtained from such local authorities.

### **4. Brokerage and advancement :-**

(1) Payment of brokerage and advance rent should be discouraged. However, if the payment of brokerage and advance rent are

inescapable, brokerage should not exceed 50% of the rental ceiling as provided in Rule 3.1 and in case of advance rent, it should not exceed 3 months rent subject to adjustments before last 3 months of expiry of the lease period.

#### **5. Maintenance :-**

(1) Employee who has been allowed the facility of leased accommodation may be reimbursed expenditure incurred by them on account of essential repairs, maintenance, minor alterations, periodical white washing, painting etc., towards such accommodation limited to two months entitled rental ceiling once in a block of two consecutive financial years in respect of claims in this behalf preferred by them subject to the following conditions:

(a) Reimbursement will be for essential repairs and maintenance, minor alteration etc. of the flat/house;

(b) Expenditure incurred on replacement of tube light, bulbs, tap etc. and grinding and polishing of floor will not be admissible; and

(c) No alteration shall be carried out in contravention of the provisions of the lease deed or without the written consent of the Lessor, wherever required under the terms of the lease deed.

#### **6. Payment of Municipal Taxes etc. :-**

(1) The lessor will be responsible for the payment of municipal, property and other taxes. The officer availing of the leasing facility will pay electricity and water charges for the period when the leased accommodation is in his possession.

#### **7. General Conditions :-**

(1) The model lease deed will be in the format as enclosed at Annexure A. Conditions incorporated in the said format deed, which will be deemed to form a part of these regulations.

(2) During the currency of a lease deed, no revision of rent would be permitted except where the lessor provides some additional facilities or accommodation.

(3) The Commission will have the right to inspect the premises to ensure the appropriate use of such accommodations and may terminated the lease without any notice to the concerned staff if it is satisfied that the accommodation in question has been put to unauthorized or inappropriate use, apart from the staff himself

being liable for disciplinary action.

(4) The leased accommodation allotted to an staff may be allowed to be retained by him subsequent to the happening of any of the events specified below for the period mention against each on payment of usual/normal rent provided that the accommodation is required for bonafide use of the staff or members of his family.

<b>Events</b>	<b>Permissible period for retention of accommodation</b>
Retirement	4 months
Death	4 months
Training	Full period of Training
Any kind of leave which qualifies for payment of house rent allowance in full	Full period of lease
Reversion of a deputationist to his parent office	2 months, if served for a minimum period of one year 1 month is served for a period of less than one year.

**8. Self Lease/Lease of house of near relatives :-**

(1) Self Lease/Lease of house of near relatives is not permitted.

**9. Interpretation :-**

(1) If any question arises relating to interpretation, relaxation and extension of any of the provisions of these regulations, it will be decided by the Commission after obtaining approval of the Central Government.