

**BOMBAY PORT TRUST
EMPLOYEES
(Allotment and Occupancy of Residences)
REGULATIONS, 1975**

Bombay Port Trust

Appendix to T.R. No.332 dated 24 June 1975
BOMBAY PORT TRUST EMPLOYEES
(Allotment and Occupancy of
Residences) REGULATIONS, 1975

(Sanctioned under T.R. No.340 dated 1977-11-08 and sanctioned by Government under Notification No.PEB-83/77 dated 1978-03-07 of the Ministry of Shipping & Transport, published in the Gazette of India, Part II, Section 3, (Sub-section (i) issue dated 1978-03-09 G.S.R. No.163(E) effective from 1975-03-09).

Appendix to T.R. No.332 dated 24 June 1975
BOMBAY PORT TRUST EMPLOYEES
(Allotment and Occupancy of
Residences) REGULATIONS, 1975.

1. Short title and commencement – (1) These regulations may be called the Mumbai Port Trust Employees (Allotment and Occupancy of Residences) Amendment Regulations, 2004.

(2) They shall come into force on 26.3.2004.
2. Application – These regulations shall apply to the allotment of residences to all employees in the Bombay Port Trust.
3. Definitions – In these regulations, unless the context otherwise requires –
 - (a) “Administrative Authority” in relation to a residence is such officer or officers as the Chairman may appoint from time to time for the administration of that residence.
 - (b) “Allotment” means the grant of a licence to occupy a residence in accordance with the provisions of these regulations.
 - (c) “Board”, “Chairman” and “Heads of Departments”, have the meanings respectively assigned to them in the Major Port Trusts Act, 1963.
 - (d) “Emoluments mean –
 - (A) in the case of an employee on a pay scale adopted in implementation of the recommendations of the Bombay Port Marine Service Enquiry Committee 1967, or the Major Ports (Class I and Class II Non Marine Services) Pay Committee, 1972

(Sanctioned under T.R. No.340 dated 1977-11-08 and sanctioned by Government under Notification No.PEB-83/77 dated 1978-03-07 of the Ministry of Shipping & Transport, published in the Gazette of India, Part II, Section 3, (Sub-section (i) issue dated 1978-03-09 G.S.R. No.163(E) effective from 1975-3-09).

- (2) compensatory allowances other than dearness allowances and mess allowance;
- (3) other payments exclusive of overtime allowance received in the shape of a fixed addition to the monthly pay and allowances as part of the authorised remuneration of a post;
- (4) pension other than extraordinary pension;
- (5) while under suspension and in receipt of a subsistence grant and compensatory allowance, if any, appropriate thereto, the amount of the subsistence grant and the compensatory allowance, if any provided that if the employee is subsequently allowed to draw pay for the period of the suspension, the pay so allowed and the compensatory allowance appropriate thereto and any other payments allowed in the shape of a fixed addition to such pay and allowances shall be taken as his emoluments for that period.

(B) In the case of an employee on an pay scale adopted in implementation of the recommendations of the wage Revision Committee for Port and Dock workers –

- (1) basic pay in the pay scale as aforesaid, but exclusive of personal pay, special pay, technical pay or any other emoluments classed as pay by the Board.
- (2) while under suspension and in receipt of a subsistence grant, the amount of the subsistence grant, provided that if the employee is subsequently allowed to draw pay for the period of the suspension the pay so allowed shall be taken as his emoluments for that period.

Explanation (i) The emoluments of an employee on leave mean the emoluments drawn by him for the last complete calendar month of duty performed by him prior to his departure on leave.

- (ii) The case of a suspended employee who is subsequently re-instated and whose period of suspension is treated as leave should be dealt with under Explanation (i) above.

- (e) “Family” means – (i) the wife or husband, as the case may be; (ii) parents, children and step-children; (iii) brothers and sisters provided they are dependent on the allottee; and ¹[(iv) near relatives of the allottee who have been specifically authorised by the Administrative Authority to reside in the residence.]
- * (f) (i) “Priority date” of an employee for initial allotments for class IV type residence on a pay scale adopted in implementation of the recommendations of the Wage Revision Committee for Port and Dock Workers in relation to a type of residence to which he is eligible under regulation 5 means the date from which he has been continuously in the service of the Bombay Port Trust provided that where the priority date of two or more employees is identical, the priority among them shall be determined by the amount of pay drawn by each such employee on the date on which the list, referred to in sub-regulations (1) and (4) of regulation 6 is finalised by the Administrative Authority, the employee in receipt of higher pay taking precedence over the employee in receipt of lower pay and where the priority date and the amount of pay drawn on the date on which the list, referred to in sub-regulations (1) and (4) of regulation 6 is finalised by the Administrative Authority of two or more employees are identical, the priority among them shall be determined by the date of birth of each such employee, the older employee taking precedence over the younger employee.
- (ii) “Priority date” of an employee for initial allotment of class III-C, III-B and III-A type residence and for migration to higher type of residence i.e. from class IV to class III-C, from class III-C to III-B & III-B to III-A means the date from which he became eligible for that type of residence provided that where the priority date of two or more employees is identical the priority among them shall be determined by the date from which he has been continuously in the service of the BPT. If these dates are identical, then other criteria mentioned in clause 3(f)(i) will be applied to determine the seniority.

*BPT Employees (Allotment and Occupancy of Residences) Regulations 1975 (Amended by TR No.249 of 28.4.1993 read with MOST sanction published as GSR 692(E) in Gazette of India dated 16.9.1994).

1.substituted by MOST letter No.H-11011/2194-P.E.I. dated 16.2.1999

- (g) ¹["rent" means the sum of money payable monthly in accordance with the provisions of regulations 11, 12 and 13 in respect of a residence allotted under these regulations.]
- (h) "residence" means any residence meant for occupation by employees and their families, if any, and exclude residence in a dormitory.

"Note-Where a garage is allotted to an employee in occupation of a residence, whether within or without the compound or premises, it shall be deemed to be a part of that residence".

(Sanctioned under T.R. No.340 dated 1977-11-08 and sanctioned by Government under Notification No.PEB-85/77 dated 1978-03-07 of Ministry of Shipping and Transport, published in the Gazette of India Part-II, Section 3, sub-section (i) issue dated 1978-03-09, G.S.R. No.163(E) effective from 1975-09-04).

- (i) "standard residence" means a residence other than that classed as sub-standard.
- (j) "sub-standard" residence means a residence which, having regard to the scale of accommodation, amenities provided, nature and condition, of the accommodation and such other factors, has been classed as sub-standard by the Board.
- (k) "sub-letting" includes sharing of accommodation by an allottee with another person with or without payment of rent by such other person.

Explanation – Any sharing of accommodation by an allottee with members of the family as defined in clause (e) shall not be deemed to be "sub-letting".

- (l) "type" in relation to an employee means the type of residence to which he is eligible under regulations.
- (m) "Welfare Superintendent" means an employee appointed to look after the residences.

1. Substituted by TR No.135 of 2003 (w.e.f.26.3.2004)

*4. (a) Eligibility for allotment :

The employees in whose case houses or flats have been acquired by themselves or their spouses in Greater Bombay and places upto Dahisar on Western Railway upto Vashi-New Bombay and upto Thane, with or without housing loan under BPT Employees' Housing Loan Regulations, they will be required to surrender their houses or flats to the Port Trust till such time and on such terms and conditions as may be approved by the Board of Trustees from time to time if they are to be eligible for allotment of BPT residence. The Chairman, BPT, at his discretion, may waive this criterion in respect of employees who are not able to comply with the requirement of surrender of his house or flat for valid reasons.

(b) Allotment to husband and wife – Eligibility in case of employees who are married to each other :

- (1) No employee shall be allotted a residence under these regulations if the wife or the husband as the case may be of the employee has already been allotted a residence unless such residence is surrendered;

Provided that these sub-regulations shall not apply where the husband and wife are residing separately in pursuance of an order of judicial separation made by any Court.

- (2) Where two or more employees in occupation of separate residences allotted under these regulations marry each other they shall, within one month of marriage surrender one of the residences;
- (3) If a residence is not surrendered as required under sub-regulation (2), the allotment of residence of the lower type shall be deemed to have been cancelled on the expiry of such period and if the residences are of the same type the allotment of such one of them as the Chairman or the Administrative Authority may decide shall be deemed to have been cancelled on the expiry of such period.

*BPT Employees (Allotment and Occupancy of Residences) Regulations 1975 (Amended by TR No.249 of 28.4.1993 read with MOST sanction published as GSR 692(E) in Gazette of India dated 16.9.1994).

5. Classification of Residences :

Save as otherwise provided by these regulations, an employee shall be eligible for allotment of a residence of the type shown in the table below :

Type of residence	Pay of the employee on the date on which allotment is made
1	2
Class IV	All Class IV employees irrespective of pay limits.
Class III-C	Class III employee drawing pay upto Rs.3020.
Class III-B	Class III employees drawing pay over Rs.3020 but not over Rs.3790.
Class III-A	Class III employees drawing pay over Rs.3790.

- Explanation (1) For the purpose of this regulation, pay means pay of an employee in the post held by him on a regular basis.
- (2) The pay limits shown in column (2) of the above table have been expressed in terms of the structure adopted on implementation of the Memorandum of Settlement with effect from 1.1.1993 sanctioned under TR No.678 of 22.12.1994 and will correspond to pay limits in future pay revisions on the same level as may be notified by the Chairman.
- (3) A list showing the existing residences, their number and type and other relevant information is set out in Annexure I to these regulations. Any addition to, or deletion therefrom, shall be made by such authority as the Chairman may decide from time to time.
- * (4) The type of residence will be decided by the Port Trust Chief Engineer with the approval of the Chairman taking into account the areas of the residences.
- (5) A class III employee eligible for Class III-C type quarter shall be initially allotted on the basis of his priority date Class III-C type unit of one room kitchen. Such employee shall be migrated to unit of two room plus kitchen on the basis of his priority date for the allotment of Class III-C type quarters subject to his/her willingness and further subject to the availability of such units.

*BPT Employees (Allotment and Occupancy of Residences) Regulations 1975 (Amended by TR No.249 of 28.4.1993 read with MOST sanction published as GSR 692(E) in Gazette of India dated 16.9.1994).

6. Allotment of residences of types IV, III-C, III-B and III-A –

- (1) The Administrative Authority shall maintain an upto date list of employees eligible for initial allotment of each type of residence, arranged in the order of their respective priority dates **[as mentioned in 3(f)(i) and 3(f)(ii) above] after obtaining the requisite information from the Heads of Departments.
- (2) The Administrative Authority shall sometime before the date on which residences are expected to fall vacant require such of the employees as are likely to be offered the allotment of those residences on the basis of their priority dates to intimate in writing within such time as that Authority may prescribe their willingness or otherwise to accept the allotment, if offered.
- (3) ¹[If any employee who is offered allotment of residence as provided in clauses(1) and (2) above, fails to accept the allotment within five days or fails to take possession of that residence within fifteen days from the date of receipt of the letter of allotment, he shall not be eligible for another allotment for a period of one year from the date of allotment letter.]
- ** (4) An employee who is already in occupation of a residence and who seeks allotment of a residence of a higher type to which he has become eligible under regulation 5 by virtue of an increase in his pay by promotion or otherwise may apply at any time to the Administrative Authority. The Administrative Authority shall, on the basis of the applications so received, maintain an up-to-date list of employees staying in BPT residences, who seek allotment of each higher type of residence, arranged in the order of seniority based on the dates on which they became eligible for higher type of residence. The initial allotment of class III-C, III-B and III-A type residences and migration from class IV to III-C from III-C to III-B and from III-B to III-A will be made according to priority date as defined in clause 3(f) (ii). In case these dates of two or more employees are identical, then the other criteria mentioned in clause 3(f)(i) will be applied to determine the seniority.

1.Substituted by MOST letter No.H-11011/94-P.E.I. dated 16.2.1999

**BPT Employees (Allotment and Occupancy of Residences) Regulations 1975 (Amended by TR No.249 of 28.4.1993 read with MOST sanction published as GSR 692(E) in Gazette of India dated 16.9.1994).

- ** (5) Save as provided in these regulations, an employee will be allotted a residence of type befitting his eligibility on the

basis of priority date as mentioned in clauses 6(1) and 6(4) above.

- (6) (a) Notwithstanding anything contained in clauses (1) to (5) above, a special pool of residences will be maintained to house the employees who have no fixed shift hours, or who work in sections where there are no round the clock shifts but who are liable to be called out outside their duty hours during emergencies or who are required to be housed in Port Trust residences in the exigencies of service or the interest of the Port Trust.
 - (b) The number, type and location of residence included in this pool and the categories eligible for allotment therefor will be as shown in Annexure II. Any additions to be made to this pool and/or deletions to be made there from will be determined by the Chairman from time to time.
 - (c) A residence included in the special pool on falling vacant shall be allotted by the Administrative Authority to an employee eligible therefor and recommended by the Head of the Department in which he is employed.
 - (d) If an employee in occupation of residence included in the special pool ceases, on account of his promotion or transfer to another category, to be eligible for its continued retention, he shall, within such period as the Administrative Authority may decide, surrender the residence in his occupation. Such an employee will, however, be allotted, as soon as possible and on a priority basis, a residence of the type he was in occupation of but not included in the special pool.
- (7) An employee under suspension will not be eligible for an allotment for the duration of his suspension.

**BPT Employees (Allotment and Occupancy of Residences) Regulations 1975 (Amended by TR No.249 of 28.4.1993 read with MOST sanction published as GSR 692(E) in Gazette of India dated 16.9.1994).

6 A. Notwithstanding anything contained in regulation 6, allotment of residences falling vacant upto the 31st December 1975 in building shown at Sr.Nos.1, 2, 4, 5, 7, 10 to 13 and 17 to 29 under type IV, 1 to 8 under type III-C, 1, 2, 3 (only old 402 units) and 5 to 12 under type III-B and 1 to 6 under type III-A in Annexure I will be made on the basis of the waiting registers maintained under the rules or orders in force prior to the issue of these regulations.

7. Allotment of residences of officer's type-A residence to which an employee on a pay scale adopted in implementation of the recommendations of the Bombay Port Marine Services Enquiry Committee, 1967, or the Major Ports (Class I and Class II Non-Marine Services) Pay Committee, 1972 is eligible under regulation 5, on falling vacant, shall be allotted by the Chairman or such other officer as may be nominated by him.

8. Out-of-turn allotments – (1) When an employee who has been allotted a residence dies while in service, his wife may be allotted a residence on out-of-turn basis provided that she is in the Port Trust service and has been sharing accommodation with the deceased employee for at least six months before the date of his death. If the wife is eligible for the type of residence allotted to the deceased employee, the same residence may be regularised in her name. Otherwise, a residence of her entitled type may be allotted to her as soon as possible.

(2) Notwithstanding anything contained in any other regulations, the Chairman may in special cases and for reasons to be recorded in writing allot any residence to any Port Trust employee on an out-of-turn basis.

9. Joint allotment – (1) More than one employee, all of whom are bachelors or whole families are not resident with them in Bombay may be allotted one residence subject to the following restrictions :-

In one-room residence	-	Not more than two employees
In two-room residence	-	Not more than three employees
In three-room residence	-	Not more than five employees

Allotment in such cases should be made jointly in the name of all such employees. All previous allotments being cancelled before this is done.

(2) No employee who has been allotted a residence jointly with another or others shall permit any member of his family to reside in such residence without the prior permission of the Administrative Authority.

10. Non-acceptance of Allotment or offer or failure to accept the allotted residence after acceptance –

- (1) An employee who is allotted any residence shall occupy it within fourteen days from the date of receipt by him of the authorisation failing which he is liable to lose his claim for the occupation thereof provided, however that it shall be permissible for the Administrative Authority to extend the above period in any particular case according to merits and the employee shall be entitled to occupy the residence within the period so extended.

Provided further that the employee who loses his claim for occupation of the residence under this clause shall not be eligible for another allotment for such period as the Chairman may by a general or special order decide.

- (2) An employee who refuses or fails to occupy the residence allotted to him will be charged rent at the same rate as he would have been liable for had he been in occupation of such residence from the day on while he was to have occupied the residence and for so long as the residence remains vacant but in any case not exceeding a period of one month provided that an employee who is unable to occupy a residence allotted to him on the ground of ill-health either of himself or a member of his family or on some other ground which is accepted by the Administrative Authority as good and sufficient will be exempted from the payment of such rent.

11. Provisions relating to rent :

- (1) When an allotment of accommodation has been accepted, the liability for rent shall commence from the date of occupation, or fourteen days from the date of receipt by him of the authorisation, or such extended period beyond fourteen days from the date of receipt by him of the authorisation, as the Administrative Authority may allow under regulation 10, whichever is earlier. The rent shall, wherever possible, be deducted from the paysheet of the allottee. In other cases, the rent shall be paid in cash by allottee(s) by a prescribed date and any one who is in arrears for more than one month shall lose his right to occupy the unit allotted to him.
- (2) Where an employee, who is in occupation of a residence is allotted another residence, the allotment of the former residence shall be deemed to be cancelled from the date of allotment of the new residence. He may, however, retain the former residence without payment of rent for that day and the subsequent two days for shifting.

- (3) The allottee(s) shall be responsible for loss or damage to the Board's property in their charge and shall pay to the Board such charges on this account as may in the opinion of the Administrative Authority be required to make good the loss or damage caused.

¹[12(1) All employees to whom residences are allotted shall pay rent as provided in sub regulations (2) and (3) below, when allotment has been made to an individual employee and the residences are not shared. Where a residence is shared or joint allotment is made, rent shall be recovered as provided in regulation 13. The employees shall also pay the cost of electricity consumed by their individual residence, but not the municipal and other taxes payable by the Board in respect of the residence or compensation in respect of other specific services such as water, conservancy, common lighting, energy consumed by electric lifts, etc., provided for the residence. Provided that such employees as are in occupation of residences on a rent free basis and the holders of posts to which rent free residences are attached as a condition of service shall continue to enjoy the concession so long as they continue to be in occupation of those residences and/or the relevant condition of service continues to be applicable.

- (2) All the employees of the Board, shall unless otherwise expressly provided in these regulations, pay standard rent for quarters which is equivalent to flat rate of licence fees on living areas basis as per Government instructions issued from time to time under FR 45A.
- (3) The recovery of rent for sub-standard residence shall be at such reduced or nominal rates as may be fixed by the Board having regard to the extent of sub-standardness of the residence depending on the scale of accommodation, amenities provided, nature and condition of the residence and such other factors.
- (4) The Board shall reserve the right to revise the rates of recovery of rent at any time.]

1. Substituted by TR No.135 of 2003 (w.e.f.26.3.2004)

¹[13. Rent shall be recovered as follows when residences are allowed to be shared or joint allotment is made by the Administrative Authority :-

- (1) When two or more employees are allowed to share the same residence, the allottee, unless he is entitled to rent free accommodation, shall pay as payable by him under sub regulations (2) and (3) of regulation 12 and it shall be for such allottee to make arrangements to recover proportionate rent from the sharer or sharers;
 - (2) When two or more employees are jointly allotted the same residence they shall between them pay proportionate rent as payable under sub regulations (2) and (3) of regulation 12.]
14. Occupants of rent free residences will not be entitled to the residences while on leave of any kind (except casual leave) but the Head of the Department concerned may at his discretion allow occupant to retain the residences during leave not exceeding four months provided the residences are not required for the substitute and that the working of the Department is not inconvenienced.
15. Occupants of residences are exempt from the payment of extra charges or rent for the maintenance of gardens attached to the residences.
- ¹[16. No house rent allowance shall be granted to –
 - (i) An employee to whom a residence is allotted;
 - (ii) An employee/s who is/are sharing the residence alongwith the allottee;
 - (iii) An employee whose spouse is an employee to whom a residence is allotted; and
 - (iv) Two or more employees when they are jointly allotted the same residence.]
17. Sub-letting and sharing of residences – No allottee shall sub-let or underlet any portion of his residence or take in lodgers, or allow any outsider other than a casual visitor to live in his quarters. The Administrative Authority may, however, permit an employee to whom a residence has been allotted to share it with another Port Trust employee for a specific period on such conditions and restrictions as that Authority may prescribe. The sharer shall

1. Substituted by TR No.135 of 2003 (w.e.f.26.3.2004)

vacate the residence on the expiry of the period for which permission has been granted and in any case, before the allottee vacate the residences.

18. Mutual exchange of residence – Employees to whom residence of the same type and area have been allotted under these regulations may with the prior permission of the Administrative Authority exchange their residences.
19. Surrender of allotment and period of notice – An employee may at any time surrender an allotment by giving intimation so as to reach the Administrative Authority or other officer or officers appointed by the Chairman for this purpose at least thirty days before the date of vacation of the residence. The allotment of the residence shall be deemed to have been cancelled with effect from the thirty-first day after the date on which the letter is received by the Administrative Authority or the other officer or officers concerned on the date specified in the letter, whichever is later. If the employee fails to give due notice, he shall be responsible for payment of rent for thirty days or the number of days by which the notice fails short of thirty days provided that the Administrative Authority or the other officer, or officers concerned may accept a notice for a shorter period.
20. Sanitation and maintenance –
 - (1) The employee to whom a residence has been allotted shall maintain it in a clean condition to the satisfaction of the Administrative Authority. No cowdung shall be smeared on the walls. No fixtures shall be attached to the wall or woodwork and no screens or shades shall be hung over windows or verandahs without prior permission. None of the existing fixtures shall be removed. The residence shall not be whitewashed or painted either internally or externally by the allottee without prior permission.
 - (2) No unauthorised structure appertaining to any residence or at any place within the premises shall be erected by the allottee.
 - (3) All refuse shall be placed in the dust bins or other receptacles provided for the purpose. If any refuse is found anywhere except in the receptacles provided, the allottee or allottees of the residence(s) nearest to which it is found will be held responsible.
 - (4) The surroundings of the buildings shall be kept clean and in a sanitary condition. The allottees of the nearest residence will be held responsible of this.

- (5) Allottees, their families and dependants shall ordinarily use the water taps and W.Cs. allotted to their respective residences.
- (6) Nahnis shall not be used as latrines or urinals. Allottees shall also see that their children do not commit any nuisance anywhere in the locality.
- (7) Spitting on the floors or walls of a residence as also within the precincts of the locality is prohibited.
- (8) Utensils shall be cleaned only in the built-up wash places or the nahnis provided. Digging of ditches and removal of earth for this or any other purpose is prohibited.
- (9) No water, refuse or other things whatsoever shall be thrown from the windows or verandahs.
- (10) The allottee shall not use the residence in such a manner as to be a nuisance or annoyance to the other residents or change the user of the residence in any way.
- (11) (a) No animal or bird or vehicle shall be kept in the residence or in its surroundings without the express permission of the Administrative Authority. Such permission will be liable to be withdrawn at any time, without notice if it is found that the animal or bird or vehicle in question is a nuisance to other residents or is likely to result in the surroundings being made unclean or insanitary.

(b) No animal shall be slaughtered or killed by any occupant within the premises in his occupation or on any adjoining Port Trust land without obtaining previous permission in writing from the Administrative Authority.

Note :This regulation is not intended to prohibit the killing of fowls and other birds in the residence.

- (12) The allottee shall at all times ensure that no damage is done to any part of the premises.
- (13) No part of the premises shall be used for distillation of alcoholic drinks or for gambling or for any immoral or unlawful act.

- (14) No dust bins, water tap, electric fittings, fixtures, water hydrants, fencings, shelves, clothes lines, pags, etc. or any other property of the Port Trust within or outside the residences or elsewhere in the locality shall be tampered with, damaged or removed.
- (15) No tenant shall tap electricity from the municipal or Port Trust water mains or connections or connect additional electrical appliances over and above the sanctioned load of the electrical installations provided in the residences without the prior permission of the Administrative Authority.
- (16) No opening, verandah or window shall be enclosed so as to prevent free access of light and air.
- (17) No radio or gramophone records shall be played in a loud tone, or any other instruments practised or any noise created so as to disturb neighbours.
- (18) No disturbance of any kind such as quarrels, physical fights etc. shall be created on any part of the premises or in the locality.
- (19) Open spaces shall not be used for private purposes such as for keeping cots or any other articles or for carrying on any trade or works.
- (20) No allottee shall introduce into his residence any person suffering from any infectious sickness or disease. Every case of sickness of over 5 days' duration and all cases of infectious diseases as also all deaths and births shall be reported at once to the Welfare Superintendent and all orders relating to health and sanitation that are issued by him and/or by the Medical Officer supervising the residences shall promptly be carried out.
- (21) No union or public meeting shall be held within the precincts of the locality without the written permission of the Administrative Authority which shall be obtained through the Welfare Superintendent at least 7 days before the date fixed therefor.
- (22) Music which is likely to disturb other residents shall not be played or caused to be played in and around the residences without the permission of the Administrative Authority which shall be obtained by the allottee sufficiently in advance. All such applications for permission should be made at least 7 days in advance to the Administrative Authority.

- (23) No allottee shall make any purchase from a hawker who has not been authorised to carry on his trade within the locality.
- (24) Beggars shall not be encouraged to enter the locality and seek alms.

21. Cancellation of Allotment –

- (a) The Board may at any time cancel the allotment of the residence if the employee thereof :-
 - (i) dies or retires or resigns from Port Trust service, or
 - (ii) is dismissed, discharged or retrenched from Port Trust service, or
 - (iii) proceeds on leave preparatory to retirement, or
 - (iv) keeps the residence unoccupied for a period of 30 days or more otherwise than during the period of authorised leave, if any, without the prior permission of the Administrative Authority, or
 - (v) sublet or underlet any portion of the residence, or
 - (vi) takes in lodgers, or
 - (vii) allows any outsider other than a casual visitor to live in the residence, or
 - (viii) introduces into the residence any person suffering from infectious sickness or disease, or
 - (ix) permits any member of his family to reside in the residence if the same are allotted to him jointly with one or more employees, or
 - (x) commits a breach of any of these regulations.

Note: Any order issued by the Board under clause (a) of this regulation will become effective –

- (i) in the case of an employee dying while in the service of the Board, on the expiry of six months from the date of death, and, in case the family of such an employee applies for extension, on the expiry of such period of extension, not exceeding six months as the Chairman may in his discretion grant in each case;

- (ii) in the case of an employee whose services are terminated by less than one month's notice or who is retrenched from service, on the expiry of one month from the date of the notice of discharge or three months from the date of retrenchment, as the case may be; and
- (iii) in the case of an employee whose allotment has been cancelled for other reasons, within such periods, not exceeding two months, as the Chairman may, by a general or special order, decide from time to time. During this interim period of six months, extension not exceeding six months, one month or three months, as the case may be, or such period not exceeding two months as the Chairman may decide, rent for the residence will be recoverable on the same scale as before except that where the allottee is entitled to rent-free residence, rent recoverable will be at the rate at which rent would have been recovered from him immediately before death, discharge, retrenchment or cessation of service, as the case may be had he been an employee not entitled to a rent-free residence.”

[Consequent to TR No.124 of 26.4.1982, the Transport Ministry suggested that amendment be framed to allow retention of quarters on pay of normal rent (licence fees) (i) upto first four months, (ii) another four months when required, and (iii) further extension of four months to be allowed by Chairman in his discretion on the family's request. In no case extension beyond one year should be allowed (Ministry's D.O. letter dated 7/10-9-1982). Accordingly, TR No.298 dated 11.10.1982 was passed amending relevant provision and Government sanction sought. But after exchange of correspondence the Ministry has requested to (i) close past case and (ii) expedite a revised proposal in accordance with instructions in Shri D.R. Bansal, Dy. Secretary's D.O. letter No.PW/PER-12/83 dated 19.5.1984 (Ministry's letters dated 27.12.1985 and 12.6.1986)].

- (b) The Board may at its discretion also cancel the allotment of any residence made to its employee in any case where, for any reason it deems it expedient or necessary to do so.
- (c) Upon receipt of the order of the Board cancelling the allotment of his residence, the allottee or any other person who may be in occupation of the whole or any part of the residence shall vacate them and deliver the same to the

Board or a person appointed by the Board in that behalf within such period as may be specified in the order failing which the Administrative Authority or such other officer, as may be authorised by the Board in that behalf may apply to any Presidency Magistrate on behalf of the Board for evicting the allottee from the residence with police assistance.

- (d) The order of the Board cancelling the allotment of his residence may be served –
 - (i) by delivering or tendering it to the allottee or any other person who may be in occupation of the whole or any part of the residence, or
 - (ii) if it cannot be so delivered or tendered, by affixing it on the outer door or some other conspicuous part of residence, or
 - (iii) by registered post.
- (e) The allottee who fails to deliver up vacant possession of the residence allotted to him upon cancellation of the allotment shall pay compensation for use and occupation of the residence from the date on which the cancellation becomes effective till the date of actual vacation by him at the rate fixed on the basis of standard rent of the residence.

Appeals –

- 22. Any employee, in respect of whom an order cancelling the allotment of his residence has been passed in pursuance of regulation 21 of these rules, shall have a right of appeal to the Board, subject to the condition that no appeal shall lie after the lapse of thirty days from the date of receipt of the order cancelling the allotment.
- 22A. An employee who is aggrieved by an order passed, in terms of sub-clause (iv) of clause (e) of regulation 3, by an Administrative Authority, refusing permission to a near relative of the employee to reside with him in the residence allotted to him, shall have a right of appeal to the Chairman whose decision in the matter shall be final.
- 23. No allottee shall keep his residence unoccupied for a period of 30 days or more excluding the period of authorised leave, if any, without the prior permission of the Administrative Authority.
- 24. An employee to whom any residence has been allotted on payment of rent shall for the purposes of these regulations be deemed to be in occupation thereof whether on duty or on leave until the residence is actually vacated.

General –

25. Neither the Board nor its employees shall be in any way responsible for any loss or damage to any property of any allottee or any member or members of his family or any person or persons permitted to live with him by theft, fire or any other cause whatsoever.
26. The allottee shall be solely responsible for the strict observance of these regulations and for any breach thereof, whether such breach be committed by himself or any member or members of his family or any other person permitted to live with him.
27. An employee whose allotment has been cancelled for the breach of these regulations shall be debarred from another allotment for such period as the Chairman may by a general or a special order decide, having regard to the nature of the breach of regulations.
28. The allottee shall permit the Administrative Authority and the Port Trust Chief Engineer or Chief Mechanical Engineer or any officer deputed by them to inspect the residence at any time except during the hours between 10 p.m. and 5 a.m. However, the residence may be inspected even during the hours between 10 p.m. and 5 a.m. after taking the prior permission of the Chairman.
29. Continuance of allotment made prior to the issue of these regulations – Any valid allotment of residence which is subsisting immediately before the commencement of these regulations under the rules or orders then in force shall be deemed to be an allotment duly made under these regulations.
30. Relaxation of regulations – The Chairman may for reasons to be recorded in writing relax all or any of the provisions of the regulations in the case of any employee or residence or class of employees or type of residences.
31. Delegation of powers – The Chairman may delegate all or any of the powers conferred upon him by these regulations to an officer under his control subject to such conditions as he may deem fit to impose.
32. Interpretation of regulations – If any question arises as to the interpretation of these regulations and in all matters relating to the allotment and occupancy of residences not here-in-above provided for, the decision of the Chairman shall be final.

ANNEXURE – I

List showing the residences,
their number and type, etc. as on 31st March 1998
[\[See Explanation \(3\) below Regulation 5\]](#)

Type – IV

<u>Sr. No.</u>	<u>Name of residence</u>	<u>No. of Units</u>	<u>Remarks</u>
1.	Peons' Quarters, Mahim (Sub-Std.)	2	
2.	Old 'M' Block, Nadkarni Park (Sub-Std.)	6	3 office of N.P., 3 office of the F.P.
3.	Quarters at Nadkarni Park	1552	
4.	Watchman Quarters, School Compound, Wadala (Sub-Std.)	1	
5.	Girinagar, Sewri Fort Road, Sewree	196	
6.	Old A.F.S. Quarters, Timber Pond, Sewree (Sub-Std.)	38	
7.	Kermani Building, Cotton Depot (Sub-Std.)	12	
8.	Rajas Nagar, Jackeria Bunder	120	
9.	Abhilasha Nagar, Panton Bunder	160	
10.	Sandesh, Nawab Tank Over Bridge, Mazgaon	40	
11.	Ekta Nagar, Wadi Bunder	400	
12.	Ekagra, P.D'Mello Road, Wadi Bunder, E.S.Q.	40	
13.	Sarathi, Carnac Bunder (Sub-Std.)	52	Converted into dormitory for Khalasis of Port Dept.
14.	Parichay, Carnac Bunder	90	
15.	Quarters on the ground floor of Railway Office Bldg. (Sub-Std.)	1	
16.	Kartavya Nagar, Military Timber Depot	720	
17.	Kushal Nagar, Brick Bunder	272	
18.	Elphinstone Bridge Quarters (Utkarsha Nagar)	110	
19.	Loco Shed Quarters, Sadbhavana Nagar	400	
20.	Pathik at Hay Bunder	48	
	Total No. of Cl. IV Type Quarters	4260	

**List showing the residences,
their number and type etc.
as on 31st March 1998.**

Type III - C

Sr. No.	Name of residence	No. of Units	Remarks
1.	Type III-C Quarters, Nadkarni Park	480	
2.	Type III-C Quarters, Nadkarni Park Extension	*616	*18 units in Bldg.No.8 used as non-residential
3.	Type III-C Quarters, Wadala	156 (148+8)	
4.	Old `C` Type Quarters, Jackeria Bunder	12	
5.	Rajas Nagar, Jackeria Bunder	280	
6.	Abhilasha Nagar, Panton Bunder	40	
7.	Raksha, Fire Service Quarters, Wadi Bunder	40	
8.	Namrata, B.P.T. Hospital, Wadala	40 (*24+@16)	* Residential @ Non-residential
9	Old Tank Bunder, Pravin Nagar	52	
10	Pratiksha at Reay Road	16	
	Total No. of Cl. III Quarters	1732	

**List showing the residences,
their number and type etc.
as on 31st March 1998**

Type - III B

Sr. No.	Name of Residence	No.of Units
1.	Port Trust Building No.236, Mahim	1
2.	Nadkarni Park Extension Quarters, Nadkarni Park	24
3.	Reynolds Road, Wadala (Tejas Nagar)	582
4.	Reay Road Quaters, Vineet Nagar	80
5.	Gatekeeper's Quarters, Workshops, Mazagaon	1
6	Light Keepers' Quarters, Sassoon Dock 159	2
7.	Port Trust Building No.316, Worli Bunder	1
8	Sagargeet Nagar, Worli	90
9	Shushrusha, Hospital Compound Wall, Wadala	52
10	Type III-B Quarters at Wadi Bunder	2
11	Bldg. on Plot 'A', Cotton Depot	2
12.	Port Trust Building No.160, Sassoon Dock	1
13.	Nadkarni Park 'M' Block (sub-std.)	2
	Total No. of III-B Type Quarters	840

**List showing the residences,
their number and type etc.
as on 31st March 1998**

Type III A - cum - Junior Officers' Quarters

Sr. No.	Name of residence	No. of Units	Remarks
1.	Sagargeet (Bldg.No. 4), Worli Bunder	20	
2.	Trishna I & II, Mazagaon	20	
3	Port Trust Building No.421, Dholkar Street, Mazagaon	2	1 Ground floor given to Mazgaon Officers' Club, 1 residential
4.	Port Trust Quarters, Dholkar Street, Mazagaon, P.T. Bldg. No. 50 B	1	(Used as Office of Safety Officer)
5.	Port Trust Building, No.161, Gate House, Sassoon Dock	2	
6.	Estate Inspector's Quarters, Sewri	1	
7.	Nadkarni Park 'M' Block (Sub-Std.)	2	
	Total No. of III - A - cum - Junior Officer's Quarters	48	

**List showing the residences,
their number and type etc.
as on 31st March 1998**

OFFICERS' QUARTERS

<u>Sr. No.</u>	<u>Name of residence</u>	<u>No. of Units</u>	<u>Remarks</u>
	<u>Group B</u>		
1.	Kolaba House, Colaba	16	
2.	Kennery House, Colaba	16	
3.	Karanja House, Colaba	16	
4.	Sagar Darshan, Mazagaon	35	(8 three bedroom flats)
5.	Sangopan at Cotton-Green	5	
6.	Kayakalpa (Above A.V. Dispensary)	12	
7.	Parikrama, Wadala (Tejas Nagar)	24	
8.	Charak (Hospital Compound)	14	
9.	Dhanvantari (Hospital Compound)	14	
10.	Sushrusha (Hospital Compound)	4	(8 Cl.III-B Nurses' Quarters converted into 4 Officer's Quarters)
	Total No. of Officers' Quarters in Gr. B	156	
	<u>Group A</u>		
11.	Dougall House, Colaba	3	
12.	Fosbery House, Merewether Road, Colaba	8	
13.	Jackson House, Colaba	8	
14.	Sangam, Dumayne Road, Colaba	20	
15.	Wilson House, Colaba	40	
16.	Building No.174, Sassoon Dock	2	
17.	Traffic Officers Quarters, Prince's Dock	4	2 residential, 2 D.M.S. Refund Section
18.	Anderson House, Mazagaon	16	
19.	Gate Side, Mazagaon	2	
20.	Sanjivani (Above Wadala Dispensary)	8	
21.	Sushrut (Hospital Compound)	14	
	Total No. of Officers' Quarters in Gr. A	125	

S U M M A R Y

<u>Type of Quarters</u>	<u>Total No. of Quarters</u>
Class IV	4260
Class III-C	1732
Class III-B	840
Class III-A cum Jr. Officers' Qrts.	48
Officers' Quarters (Group B)	156
(Group A)	125
Grand Total	7161

ANNEXURE – II

Particulars of residences included in the Special Pool and Categories of employees eligible for allotment therefor,

[see sub-clause (b) of clause (6) of regulation 6]

Sr. No.	Name of residence	Type	No.of units in the residence included in Special pool	Category eligible for allotment/ Section/ Department	Remarks
1.	Old 'M' Block, Nadkarni Park	III-A	1	Quarter Inspector, Labour Deptt.	
2.	Type III-A Quarters, near Anderson House, Mazagaon	III-A	1	Marine Surveyor, CE	
3.	Type III-A Quarters, near Anderson House, Mazagaon	III-A	3	Permanent Way Inspector, CE	
4	Type III-A Quarters, near Anderson House, Mazagaon	III-A	1	Asstt. Foreman, Carpenter shop, CME	
5.	Clerical Staff Quarters, Wadala	III-A	1	Asstt. Marine Surveyor, CE	
6.	Clerical Staff Quarters, Wadala	III-B	1	Quarters Inspector, Labour Department.	
7.	Clerical Staff Quarters, Wadala	III-B	1	Welfare Worker Labour Department.	
8	Clerical Staff Quarters, Reay Road	III-B	1	Asstt. Marine Surveyor, CE	
9	Gatekeeper's Quarters, Workshops, Mazgaon	III-B	1	Inspector, Watch & Ward, Workshop, CME	
10	Clerical Staff Quarters, Wadala	III-B	1	Inspector, Signal & Interlocking, CE	
11	Clerical Staff Quarters, Wadala	III-B	1	Quarter Inspector, Labour Deptt.	
12	Clerical Staff Quarters, Reay Road	III-B	1	Quarter Inspector, Labour Deptt.	
13	Type III-B Qrts., MBPT Hospital, Wadala, NP	III-B	60	Nursing Sisters, MBPT Hospital, Medical Department	
14	Wadi Bunder Quarters	III-B	2	Quarter Inspector,	

				Labour Deptt.	
15.	Type III-C Quarters, Nadkarni Park	III-C	1	Chargeman, Signal & Interlocking, CE	
16.	Type III-C Quarters, Nadkarni Park	III-C	1	Permanent Way Maistry, CE	
17.	Type III-C Quarters, Nadkarni Park	III-C	1	Welfare Worker, Labour Deptt.	
18.	Type III-C Quarters, Hospital Compound, Wadala	III-C	76	Hospital Staff, Medical Department	
19.	Type III-C Quarters, Nadkarni Park Extension	III-C	1	Quarters Inspector, Labour Deptt.	
20.	Type III-C Quarters, Jackeria Bunder	III-C	1	Motor Car/Van Driver, Accounts Department.	
21.	Type III-C Quarters, Jackeria Bunder	III-C	1	Motor Car Driver, Legal Department	
22.	Type III-C Quarters, Panton Bunder	III-C	2	Delivery Van Drivers, Canteen Section, Labour Dept.	
23.	Type III-C Quarters, Panton Bunder	III-C	1	Motor Car Driver, Stores Department	
24.	Type III-C Quarters, Panton Bunder	III-C	1	Jeep Driver (C & D machinery), Indira Dock, CME	
25.	Type III-C Quarters, Panton Bunder	III-C	2	Chargemen, Signal & Interlocking, CE	
26.	Type III-C Quarters, Panton Bunder	III-C	2	Permanent Way Maistry, CE	
27.	Type III-C Quarters, Panton Bunder	III-C	1	Asstt. Marine Surveyor, CE	
28.	Fire Service Quarters, Wadi Bunder	III-C	30	Firemen, Fire Service, Port Deptt.	4 units viz. 3,10,32 & 38 deleted and brought on general pool vide Chairman's orders dt. 2.10.97.
29.	Fire Service Quarters, Wadi Bunder	III-C	10	Sub-section Leader, Fire Service, Port Department	

30	Type III-C Quarters, Nadkarni Park	III-C	14	Zonal Officers, Secretary Department	
31	Type III-C Quarters, Nadkarni Park	III-C	4	Hospital Staff, Medical Department	
32	Type III-C Quarters, Panton Bunder, Jackeria Bunder	III-C	2	Cash Van Drivers, Accounts Department	
33	Type III-C Quarters, Panton Bunder	III-C	1	Motor Car Driver, Docks Department	
34	Type III-C Quarters, Jackeria Bunder	III-C	* 4	Motor Car Drivers, Secretary Department	* 3 Panton Bunder, 1 Nadkarni Park (Manager's No. Secy/E/GMQS/332 dated 10.6.92 CLO's orders dt. 16.6.92)
35	Type III-C Quarters, Panton Bunder	III-C	2	Motor Car Drivers, CME	
36	Type III-C Quarters, Nadkarni Park	III-C	2	Ambulance Drivers, Medical Department	
37	Type III-C Quarters, Reynolds Road, Wadala	III-C	2	Motor Car Drivers, Railway Department	
38	Type III-C Quarters, Panton Bunder	III-C	1	Motor Car Driver, Engg. Dept., (The M.C. Driver at H.O. Garage may be provided with with arts. only if his post is not transferable. If it is transferable, the issue should be re-examined.)	
39	Type III-C Quarters, Panton Bunder	III-C	2	Light House Mechanics, CME	
40	Type III-C Quarters, Jackeria Bunder	III-C	1	Welfare Worker, Labour Department	
41.	Type IV Quarters, Nadkarni Park	IV	2	Fitter, Railway Engineering Section, CE	

42.	Type IV Quarters, Nadkarni Park	IV	1	Permanent Way Muccadam, CE	
43.	Type IV Quarters, Nadkarni Park	IV	12	Trolleyman, Railway Engineering Section, CE	
44.	Type IV Quarters, Nadkarni Park	IV	15	Gangman, CE	
45.	Type IV Quarters, Nadkarni Park	IV	2	Mazdoor, Signal & Interlocking, CE	
46.	Type IV Quarters, Panton Bunder	IV	4	Fitter, Railway Engineering Section, CE	
47.	Type IV Quarters, Panton Bunder	IV	12	Gangman, CE	
48.	Type IV Quarters, Panton Bunder	IV	4	Mazdoor, Signal & Interlocking, CE	
49.	Type IV Quarters, Panton Bunder	IV	1	Launch Guide, CE	
50.	Type IV Quarters, Panton Bunder	IV	1	Tindel, Marine, Survey Branch, CE	
51.	Type IV Quarters, Nawab Tank Overbridge, Mazagaon	IV	2	Permanent Way Muccadam, CE	
52.	Type IV Quarters, Nawab Tank Overbridge, Mazagaon	IV	14	Gangman, CE	
53.	Type IV Quarters, Wadi Bunder	IV	6	Jolly Boat Tindel, Marine Survey Branch, CE	
54.	Type IV Quarters, Wadi Bunder	IV	14	Lascar, Marine Survey Branch, CE	
55.	Type IV Quarters, P.D'Mello Road, Wadi Bunder	IV	1	Lascar, Marine Survey Branch, CE	
56.	Type IV Quarters, Wadi Bunder	IV	2	1 Launch Guide, 1 Tindel, Marine Survey Br., CE	
57.	Type IV Quarters, Carnac Bunder	IV	10	Fireman, Fire Service, Port Department	

58	Type IV Quarters, Prince's Dock Dispensary Quarters, Wadi Bunder	IV	3	Medical Department	
59	Type Iv Quarters, Nadkarni Park	IV	86	Hospital Staff, Medical Department	
60	Type IV Quarters, Wadi Bunder	IV	4	2 Drivers, 2 Linemen, Salvage Section, CE	
61	Type IV Quarters, Carnac Bunder	IV	1	Delivery Van Drivers, Canteen Section, Labour Department	

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