

I/42546/2021

F-23014/66/2020-Coord  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources, RD & GR  
(Coordination Division)

Room No. 01, Ground Floor, B-Wing  
Shastri Bhawan, Dr. Rajendra Prasad Marg,  
New Delhi, the 06<sup>th</sup> January, 2021.

### Office Memorandum

**Subject: Recovery of dues/damages for overstay in the Government accommodation beyond the permissible period from the retired Government Servants - regarding.**

The undersigned is directed to send herewith a copy of Office Memorandum No. 18011/5/1990-Pol.III dated the 25th December, 2020 received from Directorate of Estates, Ministry of Housing and Urban Affairs on aforesaid subject enclosing copy of Office Memorandum No. 38/01(02)/2020-P&PW(A)(6790) dated the 24th November, 2020 of Department of Pension & Pensioners' Welfare for information and necessary action.

This. issues with the approval of Competent Authority.

Enclosure: As above

(Rajan Bhasin)  
Under Secretary to the Government of India  
Tel: 011-23074033  
Email: uscoord-mowr@nic.in

To

1. All the Heads of the Organisations under this Department.
2. All the SMDs/Branches/Divisions/Sections of this Department.
3. Deputy Secretary (Admin), Department of Water Resources, RD & GR.
4. Deputy Secretary (IFD), Department of Water Resources, RD & GR.

Copy to:

1. Section Officer (Cash Section), Department of Water Resources, RD & GR.
2. Section Officer (Admin), Department of Water Resources, RD & GR.

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Copy for information to:

1. Joint Secretary (RD&PP), Department of Water Resources, RD & GR.
2. NIC with request to upload this circular on intranet portal of the Department.

No.18011/5/1990-Pol.III  
 Government of India  
 Ministry of Housing and Urban Affairs  
 Directorate of Estates

Nirman Bhavan, New Delhi,  
 Dated: 25<sup>th</sup> December, 2020.

**OFFICE MEMORANDUM**

Sub.: Recovery of dues/damages from the retired Govt. Servants– reg.

The undersigned is directed to say that in view of the increase in overstay in the allotted Govt. accommodation and non-payment of the damages by the retired allottees, the matter regarding recovery of dues and damages from the retired allottees under CCS(Pension) Rules from Gratuity/Pension/Dearness Relief on Pension was taken up with the Department of Pension and Pensioners' Welfare.

2. Now, vide their OM No.38/01(02)/2020-P&PW(A)(6790) dated 24.11.2020 (copy enclosed) the Department of Pension & Pensioners' Welfare has *inter-alia* clarified that even in those cases where the Govt. Servant overstays beyond the permissible period of retention of the Govt. accommodation but no part of the gratuity was withheld at the time of retirement, the damages on this account can be recovered from the dearness relief on monthly pension without the consent of the pensioner, in accordance with Rule 72 (8) (of CCS (Pension) Rules), and no dearness relief shall be paid until full recovery of such dues has been made. However, no recovery in this respect can be made from the pension, other than dearness relief.

3. All Ministries/Departments are, therefore, requested to circulate this for information of their employees. Allotment Sections in this Directorate are directed to issue order for recovery of dues/damages unpaid by the retired allottees, if any, from the retired allottees from the Dearness Relief of their pension after vacation/eviction of their allotted accommodation. Orders may be issued for recovery from Dearness Relief in past cases also, if any, as per Rule 72(8) of CCS (Pension) Rules.

*M.C. Sonowal*  
 (M.C. Sonowal)

Deputy Director of Estates (Policy)  
 Tel. No. 23062505

Encl: 4/a

To,

1. All Ministries/Department of Govt. of India.
2. The Central Pension Accounting Office, Ministry of Finance, Trikoot-II, Complex, Bhikaji Cama Place, R.K. Puram, New Delhi -110066.

**675640(3)/2021/CR Section**

3. Under Secretary, Pension and Pensioners Welfare, Lok Nayak Bhavan, Khan Market, New Delhi - w.r.t. their OM dated 24.11.2020 mentioned above.
4. All Officers/Sections in the Directorate of Estates, Nirman Bhavan, New Delhi.
5. The Deputy Secretary, DOP&T, North Block, New Delhi - with the request to upload on their website for information of employees
6. TD, NIC, Directorate of Estates, Nirman Bhavan, New Delhi.
7. Hindi Section - for Hindi version.

Copy for information to:

1. PS to HUAM
2. PSO to Secretary
3. PPS to JS(L&E)
4. PPS to DE-1/PS to DE-2

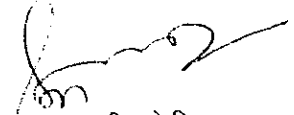


662195/2020/AD(POL-III)

**dearness relief on monthly pension without the consent of the pensioner, in accordance with Rule 72(8), and no dearness relief shall be paid until full recovery of such dues has been made.** However, no recovery in this respect can be made from the pension, other than dearness relief.

5. As regards the suggestion of Ministry of Housing and Urban Affairs to make submission of No Demand Certificate (NDC) issued by Directorate of Estates mandatory along with submission of the Life Certificate, it was mentioned in the above meeting that the pensioners who availed the Government accommodation during service and those who overstay beyond the permissible period, form a very small part of the overall strength of the pensioners. Therefore, all pensioners can not be required to submit the NDC along with Life Certificate. Further, it is the endeavour of the Government to simplify the process of submission of life certificate by the pensioners and submission of a NDC from Directorate of Estates along with life certificate would make the process of submission of life certificate complicated. Therefore, this suggestion is not considered desirable/ practical.

6. This issues with the approval of the competent authority in the Department.



(आर. सी. सेठी)

अवर सचिव, भारत सरकार

Tel : 24644634

Email : sethi.rc@nic.in

✓ Ministry of Housing and Urban Affairs  
(Attn.: Ms. Ritu Sain, Director of Estates)  
Nirman Bhavan, New Delhi.

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