

## **THE PUNJAB INDUSTRIAL HOUSING RULES, 1956 (3.7 - 3.20)**

No. 2361-Hg-58/19224, dated the 12<sup>th</sup>. July, 1958. – With reference to Punjab Government, Labour Department, Notification No. 15810-S-LP-56/80699, dated the 5<sup>th</sup>./13<sup>th</sup>. November, 1956, and in super session of the Punjab Government Notification No. 6285-S-Lab-57/55267, dated the 19<sup>th</sup>./24<sup>th</sup>. June, 1957, and in exercise of the powers conferred by section 24 of the Punjab Industrial Housing Act, 1956, the Governor of Punjab is pleased to make the following rules: -

1. **Short title.** -- These rules may be called the Punjab Industrial Housing Rules, 1956.
2. **Definitions.** -- In these rules, unless there is anything repugnant in the subject of context. –
  - (a) “Act” means the Punjab Industrial Housing Act, 1956.
  - (b) “Agreement” means an Agreement in Form ‘C’ appended to these rules.
  - (c) Words and expression used but not defined in these rules shall have the meaning assigned to in the Act.
3. **Functions and duties of the competent authority.** -- Subject to the control of the State Government, the competent authority shall be responsible for the maintenance and control of houses, the realization of rent, the eviction of persons occupying such houses, where necessary, and for all other matters incidental to the administration of houses, except their allotment, built under the Act. The competent Authority shall have powers: -
  - (a) to receive all payment of money under the Act;
  - (b) to re-enter, re-take or resume possession of any house required, or to order the removal of an unauthorized occupant of house;
  - (c) to issue notices to the occupants of houses for and in connection with the recovery of rent, electrical charges and other dues, for ejection, re-entry or re-taking possession of the tenements or for unauthorized additions and alternations there of and breach of any other terms and conditions of the agreement by the tenants or for any other purpose whatsoever for which notice may be required to be given by law or under an agreement;
  - (d) to issue notices to the employers of the tenants to deduct the rent of the houses from the salary or wages to such tenants;
  - (e) to order the recovery of arrears of rent and other dues as arrears of land revenue;
  - (f) to execute all documents as may be proper or necessary for the administration of the Act;
  - (g) to prescribe forms or registers and rent receipts and other records which he consider necessary for the proper administration of the Act.

<sup>1</sup>**4. Eligibility for allotment.** -- (1) Houses built by the State Government under the Integrated Subsidised Housing Scheme, for allotment on rental basis to Industrial Workers shall be allotted only to those workers whose income does not exceed Rs. 500 per month subject to the following conditions, namely. –

- (i) The houses will first be offered for allotment to those workers whose income does not exceed Rs. 350 per month shall be considered for allotment of houses only after meeting the requirement of those whose income is up to Rs. 350 per month;
- (ii) Workers whose income exceeds Rs. 350 per month, shall be liable to pay additional charges equivalent to 50 per cent of the interest payable on the subsidy for the house over and above the subsidised rent of the houses allotted to them; and
- (iii) Full economic rent will be recovered as soon as the income of an allottee crosses the limit of Rs. 500 per month until he is evicted.

## <sup>2</sup>**FOR PUNJAB**

Clauses (i), (ii) and (iii) are as under: -

- (i) has not been provided with a house by his employer or does not own a house within a distance of fifteen Kilometers from the place of his employment;
- (ii) does not get wages exceeding <sup>3</sup>two thousand and five hundred rupees per month;
- (iii) has been working in a factory continuously for a period of two years; and

(2) On retirement from service or death of an industrial worker who is an allottee of an industrial house built under the Scheme, his/her son or daughter, or wife or husband, or father or mother who –

- (a) was eligible industrial worker at the time of retirement/death of such an individual worker; and
- (b) has been sharing the accommodation with the retirement of deceased industrial worker for at least six months immediately preceding the date of his retirement/death may be allotted that house of another such industrial house out of turn, irrespective of his/her seniority : Provided all dues

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<sup>1</sup> Substituted vide Haryana Government Notification NO. G.S.R. 106/P.A.16/56/s-24/Amb(3)78, dated 6.10.1978.

<sup>2</sup> Vide GSR No. 13 dated 8.7.1988.

<sup>3</sup> Vide GSR No. 38 dated 7.7.1994.

outstanding in respect of the Industrial House in occupation of the retired/deceased industrial worker are paid by the person seeking allotment under this sub-rule.

(4) When an allottee dies while in service, the widow or widower as the case may be or son or daughter living with the allottee at the time of death shall be –

- (i) allowed to retain the house for a period of three months in case the widow or widower as the case may be, son or daughter, is not eligible for allotment of a house under these rules;
- (ii) allotted to retain the house for a period of three months in case the widow or widower as the case may be, son or daughter, is not eligible for allotment of a house under these rules;

Provided that the person by whom the house is retained or to whom the house is allotted shall give an undertaking to clear all outstanding dues in respect of the house in occupation of the deceased allottee.

**<sup>1</sup>5. Procedure of allotment.** – (1) Whenever houses constructed under the scheme are vacant and the Labour Commissioner is of the view that they should be let out, he shall issue a notice specifying therein the number of houses available for allotment, the monthly rent and other particulars thereof along with the terms and conditions of allotment. Copies of the notice shall be sent at least fifteen clear days in advance of the proposed allotment to the managements of all local factories governed by the Factories Act, 1948. Copies of the said notice shall also be posted at least fifteen clear days in advance of the proposed allotment at the following places, namely: --

- (i) office of the municipal committee, notified area committee or panchayat in the Jurisdiction of which the industrial concern is located;
- (ii) Govt. Hospital or dispensary situated within the jurisdiction of the said municipal committee, notified area committee or panchayat;
- (iii) Employees State Insurance Hospital or Dispensary, if any;
- (iv) houses to be allotted; and
- (v) office of the competent authority.

(2) Application for allotment of houses shall be submitted in Form 'A' appended to these rules.

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<sup>1</sup> Substituted vide Haryana Govt. Notification No. 409-2HG.(308)-74/512, dated 10.1.1975

<sup>1</sup>(3) The Labour Commissioner shall prepare separate lists of such workers whose wages do not exceed Two Hundred and Fifty Rupees per mensem. The Names of applicants shall be arranged in the order in which they submit their applications for allotment of houses.

(4) Allotments shall be made in the order of the date of submission of applications, preference being given to applicants who have not already been provided with suitable houses by the employers:

Provided that the Labour Commissioner may allot 10 per cent of the accommodation out of turn for reasons to be recorded in writing in each case.

<sup>2</sup>Provided further that the Labour Commissioner shall allot two percent of the accommodation out of ten percent provided in the first proviso to the handicapped workers except deaf persons, subject to the conditions and manner hereinafter provided, namely: -

- (i) In the case of blind Industrial workers, the request for out-of-turn allotment shall be entertained and examined on merits.
- (ii) In the case of orthopaedically handicapped workers, requests from only those, who as a result of their orthopaedic deformity find it very difficult to move freely, shall be entertained and considered on merits.
- (iii) All requests for out-of turn allotment of accommodation shall be accompanied by the following documents in original: -
  - (a) a medical certificate from doctor of a Government Hospital indicating the nature and extent of physical handicap; and
  - (b) a certificate from employer indicating whether the applicant was recruited through the employment exchange meant for handicapped persons.

(5) All allotments shall be shown in a register to be maintained for the purpose.

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(1) (i) All applications which are found to be in order, shall be entered in a separate register and from the applications so entered, a list of one and half times more than the number of houses available for allotment at a time to each category of Industrial workers shall be prepared separately on the basis of continuous service of the applicants for holding a draw of lots.

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<sup>1</sup> Sub-rule 3 and 4 amended vide Punjab Govt. Housing Deptt. No. 3058-HG-61/15512, dated 12.7.1961.

<sup>2</sup> Vide not. Dt. 5-9-80.

(ii) The applicants who are allotted houses in the draw of lots shall be issued allotment letters in Form 'B' and allotment so made shall be subject to the conditions specified therein.

(iii) The allotment of the remaining applicants who are not allotted houses in the first draw of lots shall be made in the subsequent draw of lots to be held on the basis of availability of houses and the process of making allotment through draw of lots shall continue of houses and the process of making allotment through draw of lots shall continue till all the names entered in the register are exhausted:

Provided that the Secretary to Government of Punjab, Department of Labour and Employment may, for reasons to be recorded in writing, allot to the Industrial workers out of turn five per cent of the houses available for allotment under sub-rule (1);

(6) The allotment orders shall be issued [words by the Labour Commissioner Omitted for Punjab by the Labour Commissioner in Form 'B' appended to these rules.

(7) (i) On receipt of allotment order by an allottee, a sum of two hundred rupees shall be deposited by him as security in the Local Treasury under the head "0230-Labour and Employment. 800-other receipts 03-Rent of Labour Quarter," before the possession of the house delivered to him by the competent authority under sub-rule (6)

(ii) When a house is surrendered or vacated by an allottee, he shall, within a period of sixty days from the date of surrender or vacation, as the case may be, make an application to the competent authority for the refund of security.

(iii) If the competent authority is satisfied that there is nothing due from the allottee on account of recovery of rent, electricity charges or any other dues, he shall direct the refund of the security:

Provided that if any amount is found recoverable from the allottee, the refund of security shall be made after deduction the amount due from him.

(8) The possession of the house shall be given to the allottee by the competent authority or any other person to whom such powers shall be delegated by the competent authority with the previous approval of the State Government. The conditions of occupation will be such prescribed in the agreement or may be prescribed from time to time by the State Government.

**6. Assessment and recovery of damage for unauthorized occupation.** -- (1) In assessing damages for unauthorized use and occupation of any premises, the competent authority or any other officer authorized by him in this regard, with the approval of the State Government, shall take into consideration the following matters: -

- (a) the purposes and period for which the premises were in unauthorized occupation;
- (b) the nature, size and standard of the accommodation available in such premises;
- (c) the rent that would have been realized if the premises had been let out on rent for the period of unauthorized occupation;
- (d) any damage done to the premises during the period of unauthorized occupation;
- (e) any other matter which, in the opinion of the Competent Authority is relevant for the purpose of assessing the damages;

(2) Before assessing the damages the Competent Authority shall give the person proceeded against an opportunity of being heard.

(3) No damages shall be recovered except with the prior approval of the Labour Commissioner.

<sup>1</sup>**16-A. Recovery of Rent and Issue of Notice.** -- The competent authority may require the employer, by a requisition in Form 'D' to deduct the amount of the rent due from the tenant from his salary or wages and pay the same to the person authorized by him in this behalf. Notices under sub-section (1) of section 19 and under sub-section (1) of Section 21 shall be in Forms 'E' and 'F', respectively. An order under sub-section (2) of Section 21 for recovery of the damages, if any, as arrears of land revenue shall be in form 'G'.

**7. Procedure for appeal.** -- Any person preferring an appeal under Section 20 of the Act, shall address the appeal to the Secretary to Government, Punjab Housing Department, in the form of a memorandum in duplicate, setting forth precisely the grounds of objection to the order appealed against accompanied by a typed attested copy of such order. The petition for appeal shall bear a court fee stamp of Rupee One.

<sup>2</sup>**8. Rent.** -- (1) The Rent for various types of houses built under the Act shall be as follows according to the ceiling cost as shown against each: -

S.No.	Type of house	Ceiling cost	Rent per mensem	Ceiling cost	Rent per mensem
1.	Single storeyed one roomed small two roomed.	37000.00	10.00	3300.00	12-1/2

<sup>1</sup> Housing Deptt. Notification No. GS-187/P.A.16/56/S.24/Amd.(2)/63, dated 18.7.1963

<sup>2</sup> Rule 8 amended vide Pb. Govt. housing Deptt. Notification No. 3058-2/HG-61/15512 dt. 12.6.61s

2.	Single storeyed regular two roomed	3340.00	10.00	3850.00	14-1/2
3.	Double storeyed and multi- storeyed one roomed	2700.00	10.00	3500.00	13-1/2
4.	Double storeyed & multi- storeyed two roomed.	3490.00	14.00	4200.00	16.00

(2) The rent shall be in the nature of damages for use and occupation and the occupants shall in all cases be licences.

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**FORM (A)**

**Application for allotment of House**

1. (a) First preference \_\_\_\_\_  
(b) Second Preference \_\_\_\_\_

2. APPLICANTS

- (a) Full Name (in block letters) \_\_\_\_\_  
(b) Present address \_\_\_\_\_  
(c) Permanent address \_\_\_\_\_

3. Was the applicant's present accommodation provided by his employer \_\_\_\_\_  
if so, why the applicant wants to shift from there? \_\_\_\_\_

4. Occupation of the applicant (with details and Ticket No., if any) \_\_\_\_\_  
if permanent, temporary, probationary or casual \_\_\_\_\_.

5. Initial pay, allowances and their total pay Rs. \_\_\_\_\_.

Allowance : Rs. \_\_\_\_\_  
Total : Rs. \_\_\_\_\_

6. Employer's—

- (a) Full name and address \_\_\_\_\_  
(b) Date of employment under the present employer \_\_\_\_\_

I hereby agree that in case house is allotted to me, Government may get the payable rent and other dues deducted from my pay or wages, as the case may be, through my employer every month. I declare that the above statement is correct and if any of the above statements is found incorrect I may be asked to vacate the house immediately.

\_\_\_\_\_  
Signature of the applicant

Dated \_\_\_\_\_

Certified that the applicant is an industrial worker according to Section 2(1) of the Factories Act, 1948, and the statement given by him above/overleaf is correct.

\_\_\_\_\_  
(Signature of the Labour  
Welfare Officer)

\_\_\_\_\_  
Signature of employer

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## FORM B

### Allotment Order

House No. \_\_\_\_\_ of Block No. \_\_\_\_\_ at \_\_\_\_\_ is Allotted to Shri \_\_\_\_\_ son of Shri \_\_\_\_\_ Ticket No. \_\_\_\_\_ an employee of M/s \_\_\_\_\_ on a monthly rent of Rs. \_\_\_\_\_ exclusive of electricity and other charges, on the conditions noted below: -

Labour Commissioner, <sup>1</sup>[Haryana]

Copy forwarded to the Executive Engineer, Public Works Department, Buildings and Roads Branch, for information and necessary action.

### CONDITIONS

1. The allottee shall pay the rent and other dues, for each month on or before the 15<sup>th</sup>. Of the following month, the person(s) authorized by the \*Competent Authority \_\_\_\_\_ to receive the same. \*[Housing Department Notification No. G.S.R. No. 243/P.A. 16/56/S.24/Amd./(1)/62, dated 1<sup>st</sup>. November, 1962].
2. The allottee shall not assign his right of tenancy and shall not sublet or otherwise transfer or part with possession of the house or any part thereof.
3. The house will be used and occupied for the purpose of residents only by the allottee and by the bonafide members of his family only and not otherwise.
4. If any damage is caused to the house or nay part thereof or to any fixtures, the allottee shall be liable to pay such compensation as may be determined by the competent authority.
5. The allottee shall keep the house I clean and sanitary condition.
6. The allottee shall not allow water from any tap to run waste.
7. The allottee shall not use the house in a manner as to cause any inconvenience or nuisance or annoyance to the adjoining houses or neighbors.
8. The allottee shall not make any addition or alteration in the house or any part thereof and shall not remove any existing fixtures.
9. The allottee shall abide by all the above conditions and any change in or addition to them of which due notice is given to him.

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<sup>1</sup> Substituted vide Haryana Govt. Notification No. 3353-IHG-(277)-68/2281, dated 20.1.1969.

10. As soon as the allottee ceased to be a worker as defined in the Factories Act, 1948, he shall send intimation of the same in writing to the Labour Commissioner and the Executive Engineer.

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**completed up to 3.15**  
**FORM (C)**

**(SEE RULE 7 'c')**

An agreement made on the \_\_\_\_\_ day of \_\_\_\_\_ between the Governor  
of