

सं. : 'फूडकोर्प'
Gram : 'FOODCORP'
फैक्स नं. : एचएफसीआई एनडी
00899923893289
00899923893452

भारतीय
खाद्य
निगम
FOOD
CORPORATION
OF INDIA
ISO 9001 : 2000 Certified

मुख्यालय
नई दिल्ली
Headquarters
New Delhi

Fax No. : HFCI ND
00911123413241
00911123413162

95-20, बाराखम्बा लेन, नई दिल्ली-110009, दूरभाष : 43527697, 43527698
16-20, BARAKHAMBA LANE, NEW DELHI-110001, PHONE : 43527697, 43527698

No.B-4(26)/2014/E&P/2083

Dated:29.01.2018

CIRCULAR

Sub: Retention of FCI Accommodation by FCI employee's Post Retirement/transfer from/within the Corporation or by the Family in the event of Death of an employee while inservice.

Attention is invited to FCI Headquarters Circular No.B-4(26)/2014/E&P/654 dated 22.12.2014 vide which guidelines contained in the previous Circular No.B-4(5)/95-E.III/E&P dtd.12.11.2001 on the subject were revised in light of Central Government Rules. The said guidelines have been further examined and modified keeping in view the amended Central Government Rules and Legal opinion on relevant issues.

Accordingly, the modified instructions on retention of FCI accommodation on retirement, transfer, death etc. are stipulated as under:-

1. In case of Retired Employees:

1.1

(a) Retention of FCI accommodation by Corporation officers retired prior to issue of FCI, Hqrs. E&P Circular dated 22.12.2014:

Officers retired prior to issue of FCI, Hqrs.Circular dated 22.12.2014 are continued to be governed under FCI, Hqrs. Circular dated 12.11.2001. The provision for retention of accommodation for 4(four) months after retirement, stipulated vide Circular dated 12.11.2001 would be applicable and retention beyond 4 months from the date of superannuation would be treated as **unauthorized occupation**.

(b) Retention of FCI accommodation by Corporation officer retired after the issue of FCI Hqrs. Circular dated 22.12.2014:

(i) Accommodation allotted prior to 01/07/2013 but superannuated on or after 22.12.2014: Can retain FCI accommodation for first 2(two) months on normal licence fee, next 2(two) months on double the normal licence fee, next 2(two) months on four times the normal licence fee and next 2(two) months on six times the normal licence fee (total **eight months** retention allowed from date of superannuation).

(ii) Accommodation allotted on or after 01/07/2013 : Can retain FCI accommodation for first 2(two) months on normal licence fee, next 2(two) months on double the normal licence fee and next 2(two) months on four times the normal licence fee (total **six months** retention allowed from date of superannuation).

1.2 Further, the allotment of FCI accommodation, so occupied by the retiring/retired allottees shall be cancelled after allowing said maximum retention period of 8/6 months, as the case may be. However, the allottee shall have the option to vacate the accommodation any time during permissible retention period.

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- 1.3 The retiring allottee may request respective Drawing and Disbursing Officer (DDO) to deduct the standard rent equivalent to licence fee as stated above from their last pay bill or may deposit the same within one month after his/her date of retirement, failing which allotment of accommodation shall be cancelled.
- 1.4 In addition, the employee desirous of retaining accommodation after retirement shall deposit an amount equivalent to 10% of his/her gratuity towards security deposit(SD). Request for retention of accommodation will be considered only after deposit of SD. No gratuity shall be withheld for retention of FCI accommodation.
- 1.5 The said SD shall be refunded without any interest and after applicable deductions, if any, to the Ex-employee on vacation of FCI accommodation and on production of 'No Demand Certificate' from the concerned office.
- 1.6 The Corporation Employee must exercise his/her option for retention of FCI accommodation as early as possible, but not less than one month prior to his/ her superannuation from service, alongwith security deposit, as stated above.

2. In case of Transfer of Employee within the Corporation

- 2.1 **Retention of FCI accommodation at old station:** The maximum period of retention of FCI accommodation is **two months** in case of transfer to other stations within the Corporation/Expiry of the terms of re-employment/Repatriation to the parent department/Transfer to the Central/State Government with normal licence fee.
 - 2.1.1 However, in special cases, if an officer is transferred within the Corporation and wishes to retain the FCI accommodation beyond permissible period of 2(two) months, it can be allowed for a further period of maximum **4(four) months**, with the approval of the Competent Authority based on merit of each case.
 - 2.1.2 For this purpose, the Competent Authority, shall be the respective Zonal Head for the employee posted within the Zone and C&MD in all other cases.
 - 2.1.3 The licence fee in such cases i.e, beyond 2 months shall be double the normal rate applicable for that particular station.
 - 2.1.4 Retention beyond 6(six) months will be treated as unauthorized occupation of FCI accommodation and in such cases, the damages will be charged as per the instructions circulated vide FCI, Hqrs. letter No.B-4(26)/2014/E&P/1892 dated 04.08.2017.
 - 2.1.5 HRA shall not be payable till the officer retains the Corporations accommodation.
- 2.2 **Retention of FCI accommodation at old station beyond six months:**
 - 2.2.1 An employee may retain the FCI accommodation beyond 6(six) months on his/her transfer within the Corporation, provided additional vacant FCI accommodation are available in the same station/locality and there are no request from other officers for such accommodation.
 - 2.2.2 It can be allowed for further period of 6(six) months on each occasion and the sanctioning authority shall be the C&MD.
 - 2.2.3 Such requests shall be forwarded to the C&MD through proper channel at the earliest but not later than 30 days before lapse of eligible/approved retention period. This will not be a matter of right of the employee but at the sole discretion of the Competent Authority i.e. the C&MD.

2.2.4 However, the standard rent/licence fee in such cases will be double the normal rate applicable for that particular station.

2.2.5 Such employee shall not be entitled for HRA or accommodation at his/her new place of posting.

3. In case of Deceased Employee:

3.1 In the event of death of an employee while in service of the Corporation, the family of the deceased employee can be allowed to retain the accommodation for a period not exceeding 12(twelve) months from the date of death of the employee at the normal rate of licence fee, on the same terms and conditions which were applicable while the employee was in the service of the Corporation.

3.2 In all other cases like (deputation to other Department, study leave, foreign posting etc.), the retention will be governed by GOI's instructions/Circulars in vogue.

4. Eviction Proceedings against Unauthorized Occupation:

4.1 In case any employee or family of the deceased employee stays beyond the normal or extended permissible period, the office concerned of the Corporation which had allotted the accommodation shall immediately initiate eviction proceedings against the unauthorized occupants. The amount of damages/ market rent as provided under the FCI Headquarters Circular/ letter No.B-4(26)/2014/E&P/1892 dated 04.08.2017 shall also be recovered for the period of unauthorized occupation of the FCI accommodation.

These instructions shall come into force with effect from the date of issue of this Circular and should be adhered to strictly.

This issues with the approval of the Competent Authority.

Pursuant to above, FCI Headquarters Circulars No. B-4(5)/95/E.III/E&P dated 26.06.1996 and 12.11.2001 and No. B-4(26)/2014/E&P/654 dated 22.12.2014 are hereby superseded.


(B.S. Bhati)

Dy. Genl. Manager(Hqrs.)

Distribution:

- 1) PS to C&MD
- 2) PS to All EDs/CGMs in FCI Headquarters.
- 3) All GMs in FCI Headquarters.
- 4) All ED-Zones, FCI, Zonal Offices.
- 5) All GMs-Regions, FCI Regional Offices.
- 6) Director, IFS, Gurgaon.
- 7) AGMs-(Bills/E.I/EP/Pension/Coord Cell--FCI, Headquarters.
- 8) Guardfile.

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