

**MADHYA PRADESH GRIHA NIRMAN MANDAL
REGULATIONS, 1998
Bhopal, 7th December, 1998**

No. F-13(6) 98/32-I -In exercise of the powers conferred by Section 103(3) and Section 17 of the Madhya Pradesh Griha Nirman Mandal Adhiniyam, 1972 (No.3 of 1973), the Madhya Pradesh Housing Board has made the following Regulations substituting the Madhya Pradesh Housing Board Regulations 1977 as amended from time to time the same having been approved and confirmed by the State Government, namely:

REGULATIONS

1. Short Title:- These Regulations may be called the Madhya Pradesh Griha Nirman Mandal Regulations, 1998 and shall substitute the M.P. Housing Board Regulations, 1977 as amended in 1986, 1990 and 1998. All rules, regulations, circulars, instructions and resolutions of the Board issued prior to the coming into force of these Regulations are hereby superseded in so far as they are inconsistent with the provisions of those Regulations.

2. Definitions: - In these regulations, unless the context otherwise requires, the Act means the Madhya Pradesh Griha Nirman Mandal Adhiniyam 1972 (No.3 of 1973). All definitions, unless the context otherwise requires, shall be construed as defined in Section 2 of the Act.

3. Application or certain rules to officers and servant of the Board: - In accordance with the provisions contained in Section 15(2) of the Act., the rules, orders and instructions applicable to the employees of the State Government in various grades (more particularly, the Madhya Pradesh Civil Services (Conduct) Rules, 1965, the Madhya Pradesh civil Services (Classification control and Appeal) Rules 1966, the M.J. Fundamental Rules, and the Madhya Pradesh Civil Services (Medical Attendance) Rules, 1958 shall be applicable to the officers and servants of the Board in corresponding grades, to the extent they are not inconsistent with the provisions of the Act and these Regulations and subject to other rules, regulations, modifications and resolutions made by the Board from time to time. For the purpose of applicability, the State Government, the Governor and the Head of Department shall be the Board, the Chairman and the Housing Commissioner respectively.

4. Appointment, Promotion, Grant or leave and Punishment of officers and servants of the Board

1. **Appointments and promotions:** The power of appointing or promoting any person on a Post under the Board:

- (a) Which carries the maximum scale of pay admissible for the post of Additional Housing Commissioner shall vest in the Board,
- (b) Which carries the maximum scale of pay admissible to the post of Deputy Housing Commissioner and below shall vest in the Housing Commissioner.

Proviso: provided that all such appointment and promotions shall be made after observing the procedure as applicable to the corresponding grade or post in the - State Government, as modified by the Board from time to time. Provided further that the Housing Commissioner shall have the power to constitute Junior DPCs/Selection Boards.

Explanation: All appointments and promotions made prior to the coming into force of these Regulations shall be deemed to have been made under these Regulations.

2. Grant of leave: All Heads of Offices shall be empowered to sanction leave (other than leave not due, extraordinary leave and study leave) to all Class II, III and IV officials/employees working under them. Leave not due and extraordinary leave shall be sanctioned by the authority next higher to the Head of Office, and where there is no such authority, the Housing Commissioner.

All kinds of leave (other than leave not due, extraordinary leave and study leave) to Executive Engineers I Estate Officers not posted in the Head Office shall be sanctioned by the Additional Housing Commissioner of the Zone concerned.

The power to sanction leave not due and extraordinary leave to all Class I officers shall be exercised by the Housing Commissioner.

In the Head Office, the powers to sanction all Kinds of leave other than study leave to Additional Housing Commissioners, Deputy Housing Commissioners and equivalent shall be exercised by Housing Commissioner and in other cases by the Chief Administrative Officer

Study leave to employees of all categories excepting the Housing Commissioner shall be sanctioned by the Board only.

All kinds of leave to the Housing Commissioner shall be sanctioned by the state Government.

The rules applicable to the State Government employees for regulating the grant of leave of absence leave allowances and acting allowances shall apply mutatis mutandi to the officers and servants of the Board, unless otherwise provided for by resolution of the Board.

3. Disciplinary authorities and Appellate authorities:- The disciplinary authority shall be the authority empowered to make appointment to the post as specified in Section 4 (1) above. Appeals shall be preferred with the Board against the orders of the Housing Commissioner or Chairman, and to the state Government against the orders of the Board.

All officials shall exercise supervision and control over the staff-working under them, and depict a true picture of their work and conduct in the Annual Confidential Reports.

5. Service Regulations:

- (a) Unless otherwise provided by any general or special order of the Board for a particular grade or category of allowance, the salary allowances of the regular officers and servants of the Board shall be the same as are admissible to the officials of corresponding grades under the State Government
- (b) The regular officers and servants of the Board shall have to subscribe to the General Provident Fund with effect from 1-7-1973 consequent upon the introduction of the pension scheme. The subscription to the GPF shall be regulated in accordance with the provisions of the M.P. General Provident Fund Rules.
- (c) The age of superannuation of the Class I,II and III officers and employees of the Board shall be fifty-eight years, whereas that of Class IV employees shall be sixty years.
- (d) Grant of Pension/family pension and death-cum-retirement benefits to the regular officers and employees of the Board with effect from 1-7-1973 shall be regulated in accordance with the M.P. Civil Service (Pension) Rules, 1976.
- (e) The M.P. Civil Service (Commutation of Pension) Rules shall not be applicable to the officers and servants of the Board.

6. Transfers and Postings- The Postings and transfers of all Addl. Housing Commissioners and equivalent shall be done by the Housing Commissioner with the approval of the Chairman.

The posting and transfers of all other class-I and Class-II officers of the Board and Class., III and Class-IV employees in the Head Office as well as all inter-zone transfers shall be done by the Housing Commissioner.

The transfers of Class-III and Class-IV employees from one Circle to another within the zone and within their own offices shall be ordered by the Addl. Housing Commissioner of the zone.

The transfers of Class-III and Class-IV employees from one Division to another within the Circle and within their own offices shall be ordered by the Dy. Housing Commissioner of the Circle.

The transfers of Class-III and Class-IV employees within the Division shall be ordered by the Executive Engineer of the Division, and within their area of jurisdiction by Estate Officers.

However, nothing in these regulations shall prevent the Housing Commissioner from revising or canceling the orders passed by the Addl. Housing Commissioner, Dy. Housing Commissioners, or other officers in this regard.

7. Communication of orders/decisions:- The Housing Commissioner, being the Chief Executive Officer and administrative head of the Board, shall have the power to communicate decisions and to issue orders on all matters on behalf of the Chairman and the Board, as the case may be, either himself or through his senior subordinates as he may consider appropriate.

8. Powers of Chairman, Housing Commissioner and other officers of the Board under specific sections of the Act-- The powers of the Chairman, Housing Commissioner and other officers of the Board.

- (i) to incur expenditure under section 24
- (ii) to approve estimates under Sec. 25 and
- (iii) to make and perform contracts under Sec. of the Act.

and to take decisions and incur other such expenditure as are necessary for the proper functioning and administration of the Board shall be as described in Annexure-I.

9. Fees payable for copies of documents, plans etc.-- Copies of documents, estimates, plans, not forming part of confidential records, may be supplied by the officer in whose custody such records are kept, on payment of fees and on application indicating the purpose for which the copy is needed.

Fees chargeable for various kinds of records will be as fixed by the Housing Commissioner from time to time.

10. Security to be furnished by officers and servants of the Board- The officers and servants of the Board handling cash and stores shall have to furnish the security as follows:

(1)	Cashier of EM Unit	Rs. 5000
(2)	Cashier of office	Rs. 3000
(3)	Rent Collector	Rs. 3000
(4)	Store Keeper/Clerk	Rs. 3000
(5)	Sub-Engineer	Rs. 5000
(6)	Assistant	Rs. 3000

The form of security and terms and conditions of its regulation are mentioned in Annexure II.

11. Appointment and functions of Committees

(1) A Committee appointed by the Board under Sec. 23 of the Act shall consist of at least 3 members with one President/Convener, one Member-Secretary and others as Members, and may include any member of the Board and other such persons whose assistance or advice or association may be considered advantageous to the board. If at any time, after its constitution, it is considered by the board that the existence of any committee is either not necessary or departmental to the interests of the Board, the Board may order dissolution of such a Committee.

(2) The term of the Committee shall be as specified in the order of its constitution; similarly, the term of appointment of a member shall be as specified in the order of his

nomination. No Committee or its member shall be eligible to work beyond the term so specified unless the term is extended by order of the Board.

(3) The members of the Committees shall be honorary and shall only be paid TA/DA as per rules applicable to the Members of the Board.

(4) The business of the Committee shall be conducted in accordance with the procedure laid down below :-

- (a) The date of every meeting shall be fixed by the President/Convener.
- (b) Notice of every meeting specifying the time and place thereof and the business to be transacted thereat shall be dispatched to every member at least three clear days before a meeting;
- (c) the president/Convener of the Committee may, whenever he thinks fit, call a special meeting and shall be bound to do so on receipt of written requisition signed by not less than two members;
- (d) every meeting of a Committee shall ordinarily be held at the Head Quarters of the Board. A meeting may, however, be held at any other place in the State with the approval of the Housing Commissioner;
- (e) no business shall be transacted at a meeting unless a quorum of half of the total number of members be present throughout the meeting;
- (f) Minutes of the proceedings at each meeting of a Committee shall be drawn up and recorded by the Member-Secretary and shall be signed by the President/ Convener of the Committee;
- (g) The minutes of the proceedings recorded under clause (j) shall include:
 - (i) the names of the members present;
 - (ii) the decision of the meeting on every question considered; and
 - (iii) when such decision is not unanimous, the number of votes and the names of members voting for and against such question and the names of those who have remained neutral.
 - (iv) all questions brought before any meeting of a Committee shall be decided by a majority of the votes of the members present, and in the case of an equality of votes the presiding authority at the meeting shall have a second or casting vote.

12. Welfare and Recreation or Staff- The constitution and functioning of the Welfare and Recreation Committee in the Board shall be governed by the following guidelines.

(1) **The Committees:** There shall be a Welfare and recreation Committee in the Board at the Head office, at zonal Offices, at Circle Offices and at every Divisional Office. The Committee shall consist of five members including the President, the Vice President, the Secretary and the Treasurer. The members of the Committee shall be elected from amongst themselves by the officers and employees of the Housing Board at Head Quarters, Zonal Offices, Circles Offices and Divisional Offices. They shall hold office for a period of one year with effect from the date of election. Two or more such units located at a single headquarter may, if they so wish merge and have 'a single Committee.

(2) **Functions of the Committee.** The committee shall provide for the welfare and recreational activities of the officers and employees, which shall include:

- (i) Games (indoor and outdoor), arranging of sports and competitions in furtherance of these activities.
- (ii) Opening of reading clubs, purchase of magazines, books, newspapers and

other periodicals; (Hi) Such other welfare and recreational activities as may be approved by the Board.

(3) **Funds of the Committee.** The Funds of the committee shall consist of subscriptions made by the Board, its officers and employees, and grants and donations from other sources.

(4) **Board's contribution:** The Board may on an application from the' Committee sanction an annual contribution not exceeding five thousand rupees to the Head Office Committee Three thousand rupees to each of the Zonal Committees, and one thousand rupees to each of the other Committees every year towards welfare and recreation activities of the staff, provided that at least fifty percent of the sanctioned amount had been contributed by the staff during the previous financial year. If the contribution of the staff falls short of fifty percent of the Board's contribution, the Board's contribution shall be reduced proportionately. In case two or more units at a single headquarter decide to merge, they will be entitled to receive funds calculated as though they were separate units.

(6) **Accounts:** The Committee shall maintain proper accounts and other relevant records and prepare an annual statement of receipts and expenditure. The accounts of the Committee shall be checked by the Chief Accounts Officer of the Board.

13. Formation of Unions: The Board reserves the right to accord recognition to one or more associations of the employees of the Board subject to the following conditions:

- (i) The said association shall be duly registered under the law relating to the registration of societies for the time being in force. .
- (ii) No person who is not an employee of the Board shall be a member or an office-bearer or a patron of such an association.
- (iii) The constitution of the association will be subject to the approval of the Board
- (iv) The accounts of the association shall be subject to such audit as the Housing Commissioner may prescribe from.
- (v) The activities of the association shall be in the interests of the Board.
- (vi) It shall be incumbent upon the association to strictly adhere to its constitution, particularly in matters relating to elections; and to strictly maintain transparency in expenditure and accounts.
- (vii) The Board shall have the right to withdraw the recognition of an association after giving the association a reasonable opportunity of being heard. The effect of such withdrawal shall be that the/association shall stand automatically dissolved.

14. Interpretation: In case there is a dispute in interpretation of these Regulations of its Annexures due to difference of opinion or discrepancy based on the Hindi translation of the English version, the English version shall be considered the authorized legal version.

ANNEXURE I

DELEGATION OF POWERS TO THE CHAIRMAN, HOUSING COMMISSIONER AND OTHER OFFICERS OF THE BOARD

1. Powers relating to estimates and tenders:

The power to accept tenders shall be delegated follows:

- (i) For Form A
Tenders above Rs 150 lakh : Board
Tenders above Rs 120 lakh and upto Rs.150 lakh : Chairman
Tenders above Rs 75 lakh and upto Rs. 120 lakh : Housing Commissioner
Tenders above Rs 40 lakh and upto Rs. 75 lakh : A.H.Cs. (Zone)

Tenders above Rs 20 lakh and upto Rs. 40 lakh : D.H.Cs (Circle)
Tenders upto 20 lakh : E.Es. (Division)

Provided that E.Es, D.H.C.s & A.H.C.s shall exercise the abovementioned powers subject to the tenders being a maximum of 20% above CSR. For tenders above this, the power shall be exercised by the authority next above the authority normally empowered to accept the tender in question.

Note: The above indicated limits are inclusive of the percentages above C. S.R.

(ii) For Forms B, C & F

Item Rate/Supply/Lumpsum tenders above Rs. 150 lakh : Board
Item Rate/Supply/Lumpsum tenders from Rs. 120 lakh to Rs 150 lakh : Chairman
Item Rate/Supply/Lumpsum tenders from Rs. 40 lakh to Rs 120 lakh : H.C.
Item Rate/Supply/Lumpsum tenders from Rs. 20 lakh to Rs 40 lakh : AHC-Zone
Item Rate/Supply/Lumpsum tenders Rs 20 lakh :DHC-Circle

Note: (a) The Board shall have the authority to constitute an Empowered Sub-Committee consisting of Chairman, Housing Commissioner, Director, Town & Country Planning (or representative not below the rank of Addl. Director) and Engineer-in-Chief, FWD (or representative not below the rank of Chief Engineer), which shall have the power to permit negotiation and accept/reject tenders on behalf of the Board. The acceptance/rejection of tenders by the Empowered Sub-Committee shall, however, be placed before the Board for information at the Board meeting immediately following such a decision.

(b) Permission to conduct negotiations shall be accorded by the authority next above the authority normally empowered to accept tender in question, and all negotiated tenders shall be accepted/rejected by the authority which permitted negotiations.

(c) Unless any deviations of general or particular nature are otherwise ordered/prescribed/resolved by the Board, the rules and procedure prescribed in M.P. Works Department Manual shall be followed by all officers of the Board authorized to execute contracts and agreements.

2. Powers to accord Administrative Approval including Revised Administrative Approval: The power to accord Administrative Approval/Revised Administrative Approval for works/projects/ schemes of the Board shall be as follows:

All cases above Rs. 100 lakh : Board
All cases upto Rs. 100 lakh : Housing Commissioner

Note :- (i) Technical sanction shall be accorded by the AHCs (Zonal)

(ii) Splitting of estimates shall be permitted by the authority which accorded Technical Sanction.

(iii) No separate A. A., other than the A.A. accorded by the State or Central Government Department/semi-Government Institution/Public Sector Undertaking for which the Deposit Work is being undertaken, would be necessary by the Board. In case of Deposit Works for non-Government related organizations, A.A. shall be required as for projects.

(iv) The power to accept Deposit Works from State or Central Government Department/semi Government Institution/Public Sector Undertaking shall be as follows:

Upto Rs. 20 lakh - E.E. (Division)
Upto Rs. 30 lakh - D.H.C. (Circle)

Upto Rs. 40 lakh - AH.C. (Zone)

provided that the supervision and contingency charges together are not less than the standard rates prescribed by the Housing Commissioner from time to time.

For all kinds of Deposit Works, including negotiated concessional rates of supervision charges, the powers shall be as follows: .

Upto Rs. 100 lakh - Housing Commissioner

Above Rs. 100 lakh - Board

4. Registration of Contractors:

The power to register contractor shall be as follows:

A-I to A-V - Housing Commissioner

A_I & A-II - AH.Cs (Zone)

B-Class - D.H.Cs (Circle)

C-Class and D Class - EEs (Division)

Note : (i) A-I and A-II Class contractors registered by zonal A.H.Cs shall be eligible to tender only within the Zone whereas those registered by the Housing Commissioner shall be eligible to tender in the whole State, B Class within the Circle and C & D Class only within the Division concerned.

(ii) The procedure for registration shall be as per Works Department Manual and changes if any, as ordered by the Board from time to time.

5. Other Powers

1.	Creation of Posts	Board	Full Powers
2.	Appointment of consultants	Board	Full Powers
3.	Appointment of officers on deputation from Central/ State Government	Housing Commissioner	Full powers subject to availability of post.
4.	Sanction of special pay for holding addl. Charge	Housing Commissioner	Full powers, as per rules applicable in State Govt.
5.	Sanction of honorarium for the work of occasional nature.	Housing Commissioner	For Class I & II officers and H O staff
		AHC	Rs. 3000 maximum in a financial year for Class III and IV employees in Zone.
		DHC	Rs. 2000 maximum in a financial year for Class III and IV employees in Circle.
6.	Sanction of stagnation increment	Annual increment sanctioning authority	Full Powers
7.	Sanction of withdrawals from GPF	Housing Commissioner	For AHC's
		C.Ad.O.	For rest of HO staff
		AHC	Full powers for staff of Zone
8.	Sanction of advance for purchase House/Motor Car/ Computers	Housing Commissioner	Full powers subject to budget allotment
9.	Sanction of advance for motor cycle/scooter/refrigerator/ washing machine/ cycle	AHC(Zone) C.Ad.o.(in HO)	Full powers subject to budget allotment

10.	Countersigning of T.A. Bills and Medical Bills (Local treatment) <i>Note:</i> Sanction of Board would be required for sanctioning expenditure for treatment outside the State	Chairman	Himself and his personal staff	
		C.Ad.O.	For rest of HO staff	
		A.H.Cs (Zone)	Office staff and DH.Cs	
		DHCs (Circle)	Office staff and EEs/EOs	
		EEs	Divisional staff	
		EOs	Ems and other staff	
11.	Allowing journey outside the State for official purpose	Chairman	Self, personal staff,	
		Housing Commissioner	Self, staff of HO & AHCs & DHCs	
		A.H.Cs	Staff of zone, other than DHC's	
12.	Grant of exemption from the rule limiting payment of daily - allowance for halt on tour to 10 days at a station in each case	Chairman	Upto 20 days for self and personal staff	
13.	Grant of concessions in Board's Guest House.	HC	Upto 20 days for self and others.	
14.	Sanction of expenditure on exhibitions and seminars	Housing Commissioner	Upto Rs 10,000 at one time and Rs 50,000 in a financial year	
15.	Sanction of grants to social, cultural and sports bodies on special occasions.	Chairman	Upto Rs 2,000 to a single society & Rs 20,000 total in a financial year.	
16.	Sanction of expenditure on entertainment in connection with the business of the Board.	Housing Commissioner	Rs 10,000 at a time and Rs 50,000 in a year.	
		AHC (Zones)	Rs 1,000 at a time and Rs 5,000 in a year.	
17.	Sanction of contingent expenditure	Housing Commissioner	Upto Rs 20,000 for single item of non-recurring nature and Rs 5,000 for item of recurring of nature.	
18.	Sanction of purchase of furniture	Housing Commissioner	Rs 50,000 in a year after observing store purchase rules	
		AH.Cs (Zone)	Rs. 25,000 in a year after observing store purchase rules.	
19.	Sanction of advertisement charges	Chairman	General Advertisement	Up to Rs 5,000 in a single case and total Rs 25,000 in a year.
		Housing Commissioner	Advt. for works and disposal of properties.	Full powers subject to for works budget allotment
			Other general advts.	Upto Rs. 5000 in a single case and total Rs 25,000 in a year.
20.	Sanction of demurrage/ wharfage, transport of records etc.	Housing Commissioner	Full powers	
		AHC (zone)	Rs 5,000 in year	
21.	Sanction of purchase of vehicles, computers and	Housing Commissioner	Full powers	

	telephone/fax/ internet installation.		
22.	To write off-unserviceable dead stock, machinery, equipment, vehicles, furniture etc which is beyond repair or surplus, and to prescribe its mode of disposal.	Housing Commissioner	Upto Rs 1 lakh per year
23.	Payment of fees to advocates, legal experts, Chartered Accountants etc.	Housing Commissioner	Full powers
24.	Creation, abolition, or change of headquarters of subordinate offices.	Board	For Zonal & Circle HQs
		Housing Commissioner	Full powers for divisional & sub divisional HQs.

Note 1: Powers not specifically delegated to the Chairman, Housing Commissioner or other officers of the Board, shall, be exercised by the Board.

Note 2 : The Housing Commissioner shall have full powers to incur and sanction expenditure on postage, purchase of forms, stationery, office consumables, printing, purchase of books, periodicals, Computer software, payment of electricity, water, telephone, POL and office refreshment bills, and all other such expenditures as are normally appurtenant to the smooth functioning and administration of the Board and its offices, subject to budget allotments, and after following the norms, procedures, rules, instructions and circulars issued by the Board from time to time, and to delegate such powers to his senior subordinate officers, in the Head-office and the field.

ANNEXURE-II

TERMS AND CONDITIONS RELATING TO SECURITY TO BE FURNISHED BY SERVANTS OF 'THE BOARD' .

(1) Forms of security - The security required under Regulation 10 shall be furnished in one of the following forms, namely :

(a) Cash

(b) Post Office Saving Bank Deposit

(c) Recurring Deposit Account in any of the Bank specified in column (2) of the First Schedule to the Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970 (No.5 of 1970)

Note: (i) A Post Office Saving Bank Deposit will be accepted as security, provided that the depositor has signed and delivered to the Postmaster a letter in the prescribed form.

(ii) Alternatively, security, in the form of cash may be offered with a request that it be deposited in the Post Office Saving Bank in the name of the pledgee. In the latter case, the pledgee shall send a letter through the person who has to furnish the security explaining the nature of security and requiring the Post Master to receive the deposit and issue the pass book in his (the pledgee's name). The person who IS to furnish the security shall present a letter at the Post Office with the requisite amount in cash and the Saving Bank index card in the prescribed form signed at the foot by the pledgee. The Post Master will

deliver the Saving Bank Passbook to the person pledging the security. The latter shall transmitted without delay to the pledgee.

(iii) A Pass Book for the deposit in any of the Banks specified in column (2) of the first schedule to the Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970 (No.5 of 1970) will be accepted as security, provided that the account is pledged to the Madhya Pradesh Housing Board.

(iv) The Housing Commissioner may, at the written request of the employee, change the manner of investment of the amount of security deposited and pledged by the employee provided that the investment shall be only in anyone of the forms mentioned above.

(2) Interest - An employee shall have the right to the annual interest on the securities other than those furnished in cash. Provided that in the event of any employee causing any loss to the Board, the interest due to him under this regulation shall be withheld, until the question of recovery or otherwise of such loss is settled.

(3) Period of retention - A security deposit shall be retained at least for six months from the date when he vacates his post, but the security bond shall be retained permanently or until it is certain that there is no further need for keeping it. While returning any security deposit, his acknowledgement shall be obtained duly signed and witnessed. When an interest bearing security is returned or retransferred the acknowledgment shall set forth full particulars of the security.

(4) Return of Security deposit and security bond when an employee is transferred - When an employee who has furnished security in one office is transferred to another office under the control of the Board, the security shall be retained by the first office until the period specified in the security bond has expired, so that any amount ordered to be recovered during that period in respect of his service in the first office may be recovered from him. On the expiry of the specified period the employee who took the security shall release it from the pledgee in his favour and pass it on to the Head of the Office to which the employee has been transferred, requesting him to return it to the pledger to get a fresh security bond executed by him and to have the security duly pledged in favour of the proper authority to the extent necessary.

The pledgers acknowledgment mentioned above shall however, invariably be obtained and sent to the head of the first office.

The Head of the Office to which the employee is transferred shall require him to furnish security at once for any amount by which the security required for the new post exceeds that furnished for the former post. Apart from that, he may, if he considers the original security sufficient, wait for it to be passed on and duly pledged again and need not require the employee to furnish fresh security. He shall ascertain from the Head of the Office from which the employee is transferred, what amount of security he furnished therefore before it is passed on, and shall then decide whether that security will be sufficient or whether the employee shall be required to furnish security for the whole or any part of the amount.

(5) Nomination - The employee may nominate a person to receive the security- deposit in the event of his death while in service or before the security is refunded.

Provided that where there is no nomination the Board shall pay the amount only to the person who produces the orders of a competent court entitling the said person or persons to receive the amount.

(6) Forfeiture - The amount of security deposit shall be forfeited in full or in part for lapses of duty as hereunder specified namely:

a) *Defalcation or misappropriation*: Forfeiture of the entire security even here the amount involved is less than the amount of security deposit.

b) *Negligence of duty resulting in loss to the Board:* Forfeiture of an amount equivalent to the loss involved.

c) *Loss caused by negligence or inefficiency.* Recovery of actual loss.

Note: Any action taken under this provision shall not prejudice the authority of the Board to impose any punishment upon the employee under the service regulations applicable to him.

(7) Form of agreement to be executed - Every employee offering security shall execute an agreement in the form appended to these regulations or in any other form deemed appropriate by the Housing Commissioner in each case. A reference to each such bond shall be recorded in the Register of Security Deposits.

(8) Manner of custody of security deposit and connected documents - The various documents connected with security deposits shall be kept in the safe custody of the Accounts Officer of the office concerned. All the Saving Bank Pass Books or bank Pass Books shall be sent to the Post Office or Bank as soon as possible after the 15th of June each year, so that necessary entries on account of interest may be made therein.

(9) Time limit for furnishing security by persons already in service - Persons in the service of the Board on the date of coming into force of these regulations shall furnish security within thirty days of the order requiring them to furnish security.

(10) Security to be furnished at the time of joining duty - When a person is required to furnish security as a condition precedent to his appointment, he shall furnish such security at the time of joining duty.

FORM OF INDENTURE

1. THIS INDENTURE is made the *(date, in figures & words)* _____
between Shri/ Sushri *(name & designation of the employee)* _____
residing at *(Address of the employee)* _____

(hereinafter called THE EMPLOYEE) of the ONE PART and THE MADHYA PRADESH HOUSING BOARD (hereinafter called THE BOARD) of the OTHER PART, which expressions, where the context so admits, shall include their heirs, successors and assigns.

2. WHEREAS the Employee was, in or about the month of 19 admitted in the office of the Board at a and has been since and is/still employed as such,

3. WHEREAS at the time of such admission the employee delivered to and deposited a sum of Rs *(figures & words)* ; as security {or the due and faithful performance by him/her of his/her public duties as aforesaid or any other duties which might at any time thereafter be entrusted to him by Board.

4. AND WHEREAS the employee has also read and signed a copy of the Board's regulations governing security deposits in acknowledgement of being bound by all the conditions of the clauses of the said regulations. .

5. NOW THIS INDENTURE WITNESSETH that the Employee shall and will from time to time at all times hereafter so long as he shall continue in the service of the Board, truly, diligently, faithfully, honestly, carefully and willingly serve the Board, and perform all such duties of the said office as he shall or may from time to time be directed to perform by the Housing Commissioner or such other officers of the Board as the Employee shall or may

from time to time placed under.

6. AND shall and will devote his whole time and attention to the business of the said Board and shall not be engaged in any other business or professional pursuit whatsoever either on his own account or as agent for any person or persons, whatsoever.

7. AND shall and will keep secret all the transactions of the said office (except when required by a Court of Law to disclose them) and keep informed the Housing Commissioner or such officers as aforesaid of all such occurrences, as shall from time to time come to his knowledge relating to the affairs and business of the said office.

8. AND shall not nor will cancel, waste, make away with obliterate, deface or in anywise injure, or permit any person or persons whomsoever so to do any of the bills, accounts, books, documents papers, memoranda or writings of whatsoever nature or kind belonging to the Board.

9. AND shall duly account for any pay and deliver to the Board and discharge himself of money, bullion, jewels, documents, securities for money, goods and either things which he shall or may hereinafter from time to time during service in the Board receive from the public, on the same day on which the same is received by him and shall also on demand deliver up to the Board, all bills, account, books, records or other papers of or belonging to the Board.

10. AND shall and will keep all such bills accounts, books documents, securities, paper, memorandum and writings relating to the affairs of the Board, as have hitherto or shall or may hereafter from time to time be entrusted to his charge in a proper and business like manner and make true entries therein of all such monies or goods, received by him and all payments made by him or their business transacted on behalf of the Board.

11. AND shall not leave the service of the Board without giving one month's; previous notice in writing of his intention to do so to the said Housing Commissioner.

12. AND THIS INDENTURE FURTHER WITNESSETH that, in consideration of the premise the Employee both hereby for himself, his executors, administrators, and legal-representatives covenant with the Board that, in case default be made at any time in the observance, performance and execution of the several covenants and things hereinbefore expressed to be observed, performed and done by the Employee, then in such case, it shall be lawful for the Board to apply the said security of Rs (*in figures & words*) towards the payment, satisfaction and discharge of all such sums on money, damages, solicitor's costs and other charges and expenses as by reason of such default shall or may be due and owing to or have been incurred by the Board. And the Employee both hereby further covenants for himself, is executors, administrators and representatives with the Board that he, the Employee will abide by the decision of the Housing Commissioner as to the amount of damages sustained by him by reason of any such default on his part as aforesaid and such decision shall be final and conclusive, and upon such decision the Housing Commissioner shall be entitled to deduct the amount from the amount deposited with Board as his security without making any written or formal award or demand for the amount so found due. The Employee both also hereby further covenants for himself, his executors, administrators, and representatives with the Board that upon conviction before any court upon any charge or charges of fraud, embezzlement breach of trust, misappropriation, cheating or other misconduct of the Employee in any other way connected with the public duties hereinbefore covenanted be observed and performed by the Employee, or connected with the receipt by the Employee of any monies, goods or things received by hi_ from the public as a servant of the Board, the said security given as aforesaid shall become absolutely forfeited to the Board and no action suit or other proceedings shall lie by the employee against the Board in respect thereof.

13. AND FURTHER IT SHALL BE LAWFUL FOR THE BOARD to recover the value of the actual loss incurred by the Board consequent on the negligence of duties hereinbefore specified or inefficiency or due to any other reasons whatsoever on the part of the Employee from the amount of security deposited by the Employee, and the Employee shall immediately when called upon to do so make good any deficiency in the deposit caused by such recovery.

14. AND FURTHER it shall be lawful for the Board to retain the said security, for a period of six calendar months from the date of the Employee either ceasing to be in the service of the Board or permanently transferred to a post in the Board where security is not stipulated, subject to such claim as shall or may arise thereupon for or by reason or on account such default, prosecution and conviction as aforesaid.

15. AND the Board do hereby by themselves covenant with the Employee, his executors, administrators and assigns that until default shall happen to be made in the performance, observance and execution of the several covenants and things hereinbefore expressed to be performed, observed and done by the Employee, the Board shall permit the Employee, his executors, administrators and assigns to receive such interest as may be realised.

IN WITNESS WHEREOF the Employee hereunto sets his hand, and the Common Seal of the Board has been hereunto affixed in the presence of the Housing Commissioner or his Representative. Signed and delivered by the above named Employee at *(place)*
. . . , on *(date)* in the presence of.....

Signature of Employee:

Seal of the Board & Signature of Housing Commissioner or his Representative:

Sd/
SATYANAND MISHRA,
Chairman,
M.P. Housing Board
By order & in the name of the Governor