

Preliminary

Short title and commencement	1.	<p>(1) These bye-laws may be called Sahitya Akademi Service Bye-Laws, 1999.</p> <p>(2) They shall come into effect on the date appointed by the Executive Board.* (The Executive Board finally approved the Bye-Laws on 4 August, 2000</p>
Repeal and Savings	2.	<p>(1) The Service Bye-Laws in force till the date referred to in sub-rule (2) of rule 1 are hereby repealed.</p> <p>(2) Notwithstanding the repeal, any benefit availed of by any employee or any action taken in pursuance of the Bye-laws so repealed shall continue to have effect and shall not be invalidated on the ground of such repeal.</p>
Definitions	3.	<p>In these Bye-laws, unless the context otherwise requires –</p> <p>(a) ‘Akademi’ means the Sahitya Akademi;</p> <p>(b) ‘Appointing Authority’ in relation to any post under the Akademi means the authority competent to make the appointment under the Recruitment Rules approved by the Executive Board;</p> <p>(c) ‘Borrowed Employee’ means an employee of any other authority whose services are obtained by the Akademi on loan;</p> <p>(d) ‘Controlling Authority’ means,</p> <p style="padding-left: 20px;">(i) the Executive Board in relation to the post of Secretary;</p> <p style="padding-left: 20px;">(ii) the President in relation to posts of Deputy Secretaries and equivalent posts; and</p> <p style="padding-left: 20px;">(iii) the Secretary of the Sahitya Akademi in relation to posts in Groups ‘A’ (except the posts of Deputy Secretaries and equivalent posts) and ‘B’, ‘C’ and ‘D’.</p> <p>Note : The Controlling Authorities referred to in clauses (ii) and (iii) shall be subject to the general superintendence of the Executive Board.</p> <p>(e) ‘Employee’ means a person serving the Akademi in any post under the Akademi, having been appointed thereto either in pursuance of the Recruitment Rules or in</p>

		<p>pursuance of a contract;</p> <p>(f) 'Foreign Service' means service for which an employee receives, with the approval of the Controlling Authority, his pay from any source other than the funds of the Akademi;</p> <p>(g) 'Pay' means the pay admissible on the relevant date and includes special pay and personal pay but does not include any allowance, fee or honorarium;</p> <p>(h) 'President' means the President of the Sahitya Akademi and includes, when the office falls vacant for any reason whatsoever, the Vice-President of the Sahitya Akademi; and</p> <p>(i) 'Secretary' means the Secretary of the Sahitya Akademi.</p>
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Chapter - II

The Akademi's Establishment

Creation of posts, their classification and duties of incumbents	4.	<p>(1) The Akademi shall have such number of posts in such grades and in such scales of pay as may be sanctioned from time to time. The grade applicable to each post shall be mentioned in the Recruitment Rules.</p> <p>(2) The Executive Board may</p> <ul style="list-style-type: none"> (i) abolish any post or grade; (ii) transfer a post from one grade to another, create any post, or alter the pay scale of any post; and (iii) create, for such time as it deems fit, any post to be filled up on contract in the exigencies of work and determine the terms of the contract.
Method of recruitment	5.	<p>(1) Recruitment to every post shall be made in accordance with the Recruitment Rules approved by the Executive Board.</p> <p>(2) If, for any reason, a temporary vacancy arises in any post, the duties of that post may be assigned to another employee who is in the same scale of pay by the Secretary:</p> <p style="padding-left: 40px;">Provided that in the case of Deputy Secretary level officers, the Secretary shall seek the approval of the President.</p> <p>(3) Every appointment on contract shall be made for such period and on such terms as the Executive Board may decide.</p> <p>(4) Direct recruitment to any post, where</p>

		<p>required under the Recruitment Rules, shall be made</p> <p>(i) in respect of posts in Groups A, B & C from amongst candidates applying in response to advertisement; and</p> <p>(ii) in respect of posts in Group D from amongst candidates recommended by the Employment Exchange on requisition.</p> <p>(5) Whenever the Executive Board decides to appoint an employee of any other organization in a post under the Akademi, the appointment shall be made on the basis of the recommendation of a Selection Committee constituted by the Executive Board which shall also be competent to determine the period for which and the emoluments on which the borrowed employee shall be employed by the Akademi.</p> <p>(6) No person shall be appointed to any post by direct recruitment unless</p> <p>(a) he is declared medically fit by the medical authority approved by the Executive Board; and</p> <p>(b) the Appointing Authority is satisfied that he possesses good character and antecedents.</p>
Probation & Confirmation	6.	<p>(1) Every person appointed to a post under the Akademi shall be on probation for two years:</p> <p>Provided that, if in the opinion of the Controlling Authority, the employee's performance has not been wholly satisfactory during the probation but he is likely to overcome his shortcomings if he is allowed some more time, the Controlling Authority may extend the period of probation for such period as he deems fit:</p> <p>Provided further that any decision for extension of probation shall be taken ordinarily within eight weeks after the expiry of the previous probationary period and communicated in writing to the employee concerned together with the reason for so doing within the said period.</p> <p>(2) If an employee's performance during the period of probation has been unsatisfactory, his probation shall be terminated and, thereupon, the employee</p> <p>(a) if appointed through direct recruitment, shall cease to be an employee of the Akademi; and</p> <p>(b) if appointed by promotion, shall be</p>

		<p>reverted to the grade or post from which he was promoted.</p> <p>(3) On the satisfactory completion of probation, an employee shall be confirmed against the post to which he was appointed:</p> <p>Provided that no reason shall be appointed substantively to the post unless the post is included in the permanent establishment of the Akademi.</p>
Termination of service	7.	<p>(1) The services of an employee shall be terminated</p> <p>(a) if his appointment was made for a specific period, then on the expiry of such period; or</p> <p>(b) if his appointment was made against a temporary post, on the abolition of the post or on the expiry of the period for which the post was created.</p> <p>(2) The services of a permanent employee may be terminated by a notice of three months or on payment of pay and allowances for such period as the notice falls short of three months or without notice on payment of three months' pay and allowances if the post to which he was substantively appointed is abolished.</p> <p>(3) An employee who has been given notice of termination of service under sub-rule (2) may be granted, during the period of notice, such earned leave as may be admissible to him and, where the leave so admissible and granted exceeds three months, termination of his service shall take effect on the expiry of such leave.</p>
Retirement	8.	<p>(1) An employee shall retire from the service of the Akademi</p> <p>(a) on his attaining the age of superannuation applicable to employees of the Akademi in pursuance of orders of Government; or</p> <p>(b) on his being declared medically unfit for service by the Medical Authority constituted by the Executive Board in this behalf; or</p> <p>(c) on the imposition of the penalty of compulsory retirement.</p> <p>(2) Notwithstanding anything contained in the foregoing sub-rule, the Appointing Authority may require an employee to retire after he attains the age that falls short of the prescribed retirement age by two years. The employee may also, after attaining this age, voluntarily retire from service under the Akademi after</p>

		giving three months' notice to the Appointing Authority: Provided that the Controlling Authority may, in his discretion, accept a notice of a shorter period.
Resignation	9.	(1) An employee may, by notice of one month in writing addressed to the Appointing Authority, resign from the service of the Akademi. (2) The Appointing Authority may, in his discretion, permit an employee to resign from the service of the Akademi by notice of less than a month.

Chapter - III

Pay & Allowances

Scales of pay	10.	The scales of pay for the posts under the Akademi shall be as prescribed by the Government from time to time.
Initial pay & increment	11.	In the matter of fixation of pay on initial payment or promotion and regulation of increments, the employees of the Akademi shall be governed by the same rules as are applicable to Central Government employees.
Special pay, Personal pay etc.	12	The Executive Board may sanction to an employee in any special circumstances such special pay, personal pay or honorarium on such conditions as it deems fit.
Drawal of pay	13.	(1) An employee shall be entitled to the pay of the post to which he is appointed from the date on which he assumes charge of the post. Pay in respect of any month shall become payable on the last working day of the month. (2) An employee resigning from the service of the Akademi without the notice prescribed by rule 8(2) shall not, unless the Controlling Authority directs otherwise, be allowed to draw pay due but not drawn: Provided that the pay so disallowed shall not exceed the pay for one month.
Types of allowances	14.	(1) The following allowances shall be admissible to employees: (a) Dearness Allowance, (b) City Compensatory Allowance, (c) House Rent Allowance, (d) Leave Travel Concession, (e) Travelling Allowance, and

		<p>(f) such other allowances as may be sanctioned from time to time.</p> <p>(2) These allowances shall be drawn at such rates and subject to such conditions as may be laid down by the Government of India for its employees.</p> <p>(3) Travelling Allowance and Daily Allowance shall ordinarily be payable on the return of the employees to the Headquarters: Provided that the Secretary (the Regional Secretary in respect of employees under him) may sanction payment in advance of such sum as he considers necessary to be recouped from the amount payable to the employee by way of Travelling Allowance and Daily Allowance.</p>
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Chapter - IV

Conduct & Discipline

General	15.	<p>(1) Every employee shall at all times maintain absolute integrity and devotion to duty.</p> <p>(2) Every employee shall abide by and comply with the Rules and Bye-laws of the Akademi and all orders and directions of his superior authorities.</p> <p>(3) Every employee shall show utmost courtesy and attention to all persons with whom he has to deal in the course of his duties and refrain from conduct that is indecent or in bad taste.</p> <p>(4) Every employee shall endeavour to promote the interests of the Akademi and shall not act in any manner prejudicial thereto.</p>
Suspension	16.	<p>(1) The Appointing Authority or any other authority superior thereto may place an employee under suspension</p> <p>(a) where a disciplinary proceeding against him is contemplated or is pending, or</p> <p>(b) where a case against him in respect of any criminal offence is under investigation or trial.</p> <p>(2) An employee who is detained in custody, whether on a criminal charge or otherwise, for a period exceeding forty-eight hours shall be deemed to have been suspended with effect from the date of his detention by an order of the Appointing Authority and shall remain under suspension until further orders.</p> <p>(3) An order of suspension made or deemed to have been made under this rule may at any time</p>

		be revoked by the authority which made or is deemed to have made it or by any superior authority.
Penalties	17.	The following penalties may, for good and sufficient reasons and as hereinafter provided be imposed on any employee: (i) censure; (ii) withholding of increments or promotion; (iii) suspension; (iv) recovery of any pecuniary loss caused to the Akademi by negligence or breach of the rules or Bye-laws of the Akademi or orders or directions of superior authorities; (v) reduction to a lower grade or post or to a lower stage in a time-scale; (vi) compulsory retirement; and (vii) dismissal from service.
Authority competent to impose a penalty	18.	The Appointing Authority or any other authority superior to the Appointing Authority may impose on an employee any of the penalties specified in rule 17.
Procedure for imposing penalties	19.	(1) No order imposing any penalty on an employee shall be passed except after (a) the employee is informed in writing of the proposal to take action against him and of the allegations on which it is proposed to be taken and is given an opportunity to make any representation he may wish to make; and (b) such representation, if any, is taken into consideration by the authority imposing the penalty. (2) Any authority referred to in rule 18 may, after a communication of the nature referred to in clause (a) of the preceding sub-rule is issued, appoint an Enquiring Officer to enquire into the charges against the employee and report to him on the merits of the representation, if any, made by the employee concerned. (3) The Enquiring Officer shall be competent to examine all relevant records and documents and to record the evidence of witnesses, if any.
Special provision for borrowed employees	20.	(1) Where an order of suspension is made or a disciplinary proceeding is commenced against a borrowed employee, the Lending Authority shall forthwith be informed of the circumstances leading to the order of suspension or commencement of the disciplinary proceeding, as the case may be. (2) In the light of the finding in the disciplinary proceeding taken against such employees,

		<p>(i) if the authority imposing the penalty is of the opinion that any of the penalties specified in clauses (iv) to (vii) of rule 17 should be imposed on him, it shall replace his services at the disposal of the Lending Authority and transmit to it the proceedings of the enquiry for such action as it deems necessary; and</p> <p>(ii) if the authority imposing the penalty is of the opinion that any other penalty should be imposed on him it may, after consultation with the Lending Authority, pass such orders on the case as it deems necessary:</p> <p>Provided that in the event of a difference of opinion between the Lending Authority and the authority imposing the penalty, the services of the employee shall be replaced at the disposal of the Lending Authority.</p>
Explanation		The expression 'Lending Authority' in this rule means the authority which has placed the services of the borrowed employee at the disposal of the Akademi.
Appellate authorities	21.	<p>An appeal shall lie from any original order made</p> <p>(a) by the Secretary to the President, and</p> <p>(b) by the President to the Executive Board</p>
Period of limitation for appeals	22.	<p>No appeal shall be entertained unless it is submitted within a period of three months from the date on which the order appealed against is communicated to the person concerned:</p> <p>Provided that the Appellate Authority may entertain the appeal after the expiry of the said period if it is satisfied that the appellant had sufficient cause for not submitting the appeal in time.</p>
Form and contents and submission of appeals	23.	<p>(1) Every person submitting an appeal shall do so separately and in his own name.</p> <p>(2) The appeal shall be addressed to the Appellate Authority, shall contain all material statements and arguments on which the appellant relies, shall not contain any disrespectful or improper language and shall be complete in itself.</p> <p>(3) Every appeal shall be submitted to the Secretary who shall, unless he is himself the Appellate Authority, transmit it to the Appellate Authority.</p>
Consideration of appeals	24.	The Appellate Authority shall consider every appeal in such manner as it deems fit and pass such orders as it deems proper in the circumstances of the case:

		<p>Provided that no order imposing an enhanced penalty shall be passed unless the appellant is given an opportunity of making any representation which he may wish to make against such enhanced penalty.</p>
Review	25.	<p>The Executive Board may, on its own motion or otherwise, review any order made by any authority and pass such orders as it deems fit in the circumstances of the case:</p> <p>Provided that no order imposing an enhanced penalty shall be passed unless the person concerned has been given an opportunity of making any representation which he may wish to make against such enhanced penalty.</p>
Miscellaneous	26.	<p>(1) Where an employee who has been dismissed or suspended is reinstated, the Authority reinstating him shall make an order specifying</p> <p>(a) the pay and allowances, if any, the employee shall draw for the period of his absence from duty; and</p> <p>(b) whether such period may be treated as duty for all or any purposes.</p> <p>(2) Where a disciplinary proceeding has commenced against an employee before his retirement or during the period of his re-employment, the same shall be continued till final orders are passed and shall not be invalidated on the ground of his retirement or termination of re-employment.</p> <p>(3) A proceeding, if not instituted while the employee is in service, whether before his retirement or during his re-employment,</p> <p>(a) shall not be instituted save with the sanction of the Executive Board;</p> <p>(b) shall not be in respect of any event which took place more than four years before such institution; and</p> <p>(c) shall be conducted by such authority at such place as the Executive Board may direct and in accordance with the procedure set forth in these rules applicable to a proceeding in which an order of dismissal from service could be made.</p>

Chapter - V

Medical Facilities

CGHS Facility	27.	All employees of the Akademi posted at Delhi or at places where CGHS facilities have been extended to Akademi employees will, during their service in the Akademi, be entitled to facilities available to Central Government employees under the Central Government Health Scheme Rules.
Reimbursement of medical expenses and hospitalisation	28.	The Central Services Medical Attendance Rules, 1994, as amended from time to time, will apply to employees of the Akademi other than those referred to in the preceding rule.
Benefits admissible to retired employees	29.	An employee who retires from service under the Akademi shall be entitled to a fixed medical allowance of Rupees One hundred per month or such higher amount as may be allowed to retired Central Government employees.

Chapter - VI

House Building Advance & Recovery Thereof

House Building Advance & recovery thereof	30.	Grant of House building advance to the employees of the Akademi and recovery thereof shall be governed by Rules contained in the Schedule.

Chapter - VII

General Provident Fund

Application of Central Government Rules	31.	In the matter of subscription to the General Provident Fund, withdrawal therefrom and in matters incidental thereto, employees of the Akademi shall be governed by the provision of the General Provident Fund (Central Services) Rules, 1960 as amended from time to time subject to the following modifications: (a) The expression 'Accounts Officer' means the Deputy Secretary (Accounts) of the Akademi. (b) The expression 'Head of Office' means, for employees in Group B, C and D, the Deputy Secretary in charge of Establishment and, for employees in Group A, the Secretary. (c) The expression 'Government' means the Sahitya Akademi.
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		(d) The expression 'sanctioning authority' means the Secretary for employees in Groups A and B and the Deputy Secretary (Establishment) for employees in Groups C and D.
Accounts to be maintained in a nationalized bank	32.	(1) The Deputy Secretary (Accounts) shall maintain particulars of subscription by each employee. The total amount of subscription collected in a month shall be deposited in a separate Savings Bank Account with a nationalized bank. Any amount recovered from employees by way of repayment of advances shall also be deposited in this account. (2) With a view to maximizing interest earned on deposits, the amount at the credit of the Akademi in the Savings Bank Account shall, from time to time, be deposited in a fixed deposit account or invested in government approved securities.
Credit of interest to the account of subscribers	33.	The interest admissible on an employee's deposit in the G.P.F. shall earn interest at the rate fixed by the Government of India. At the end of the year, the interest shall be credited to the employee's account maintained in the Akademi.
Limit on advances	34.	Except for special reasons to be recorded in writing, no advance shall be granted to an employee in excess of the prescribed limit or until the repayment of the last instalment of any previous advance.

Chapter - VIII

Leave

General Rules	35.	All matters relating to leave of the employees of Akademi shall be governed by the Rules applicable to Central Government employees.

Chapter - IX

Miscellaneous

Pension and Gratuity	36.	Every employee of the Akademi shall be entitled to pension and gratuity in accordance with the rules of the Government of India in that behalf.
Holidays	37.	The Akademi shall observe such holidays as

		are observed by the Government of India and such other holidays as may be determined by the Executive Board.
Service Books and Character Rolls	38.	<p>(1) The Akademi shall maintain a Service Book and a character roll of each employee in such form and setting out such particulars as may be prescribed by the Executive Board.</p> <p>(2) The entries in the Service Book of an employee shall be made by the Secretary or such other authority as may be appointed by him in this behalf.</p> <p>(3) The entries in the character roll of an employee shall be made by the authority to whom such employee is immediately subordinate and shall be countersigned by the Controlling Authority who may make such remarks as he deems proper. The rule of practice of the Government of India regarding communication of adverse remarks, receipt of representations against such remarks and disposal of representations shall apply to the Akademi.</p>
Residuary conditions of service	39.	<p>(1) Any matter relating to any condition of service of an employee for which no provision is made in these Bye-laws shall be determined by the Executive Board after considering the recommendation of the Finance Committee in that behalf:</p> <p style="padding-left: 40px;">Provided that nothing in this rule or in any other rule of these Bye-laws shall be deemed to entitle an employee to terms more favourable than those relating to a Central Government employee of similar category.</p> <p>(2) The whole time of an employee shall be at the disposal of the Akademi and he may be employed by the Akademi for the performance of such duties as may be assigned to him.</p> <p>(3) Without prejudice to the generality of clause</p> <p style="padding-left: 40px;">(a) an employee may be required to serve the Akademi at any place and in any post not lower than the post which he substantively holds, and</p> <p style="padding-left: 40px;">(b) an employee may be transferred to foreign service or sent on deputation, whether within or outside India.</p>
Power to relax and removal of doubts	40.	<p>(1) Notwithstanding anything contained in these Bye-laws, the Executive Board may, in the case of any employee, relax any of the provision of these Bye-laws to relieve him of any undue hardship arising from the operation</p>

		of such provisions or in the interest of the Akademi. (2) Where a doubt arises as to the interpretation of any rule of these Bye-laws or the power of any authority of the Akademi, the decision of the Executive Board thereon shall be final.
Delegation of the Executive Board's power	41.	Where a situation arises in which a decision, which the Executive Board is empowered to take, has to be taken urgently, the President may take the decision and such decision shall be placed before the Executive Board at the earliest for such orders as it deems fit.

SCHEDULE

House-Building (Grant & Recovery) Rules

Definitions	1.	In these rules, unless the context indicates otherwise (a) 'Akademi' means the Sahitya Akademi, New Delhi; (b) 'Secretary' means the Secretary or Acting Secretary of the Akademi and in case the Secretary is applicant for loan, the Executive Board may be substituted for 'Secretary' wherever it occurs in these rules; (c) 'Employee' means an employee of the Akademi appointed by or under the authority of the Akademi but does not include a person employed on daily wages; and (d) 'Pay' means the pay admissible on the relevant date and included Personal Pay, Dearness Pay and Officiating Pay (other than that drawn in leave vacancy) but does not include special pay.
Eligibility	2.	House Building Advance may be granted to the following categories of employees of the Akademi: (a) All permanent employees; (b) Employees not falling under category (a) above but who have rendered at least ten years' continuous service: Provided that (i) the Secretary is satisfied about their likely retention in service till the house for which the advance is sanctioned is built and mortgaged to the Akademi; and

		<p>(ii) they do not hold a permanent appointment under any other organization/government;</p> <p>(c) permanent employees who have gone on deputation to other organizations/government and continue to hold lien in the Akademi; and</p> <p>(d) employees under suspension, subject to production of collateral security in the shape of mortgage bond from two permanent employees of the Akademi.</p> <p>Notes : 1. When both the husband and wife are employees of the Akademi, the advance shall be admissible to only one of them.</p> <p>2. In case of an employee referred to in clause (b), surety of a permanent employee of the Akademi should be produced.</p> <p>3. An advance may be permissible if the land/house/flat is owned jointly by his/her wife/husband subject to the condition that both husband and wife are willing to mortgage the house/flat including land in favour of the Akademi as security for repayment and a letter of assurance to this effect from both of them is attached with the application.</p> <p>4. The Secretary may reject or may keep pending any application without assigning reasons.</p> <p>5. Payment of advance/any instalment of advance shall be subject to the availability of funds with the Akademi.</p>
<p>Purposes for which an Advance may be granted</p>	<p>3.</p>	<p>(a) Construction of a new house on the land owned by the employee;</p> <p>(b) enlargement of or additions and alterations to existing house owned by the applicant either in his own name or jointly with the applicant's wife/husband;</p> <p>(c) purchase of ready-built house/flat from registered cooperative societies and Government or semi-Government agencies like the DDA, State Housing Boards, etc; and</p> <p>(d) purchase of house/flat from private parties subject to fulfillment of following conditions:</p> <p>(i) the house/flat to be purchased should be new and un-lived in; and</p>

		(ii) the house/flat is valued by registered valuers and valuation fee paid by the applicant himself; and (e) purchase of land and construction of a new house. Note : The house/flat can be either at the place of duty or at the place where applicant proposes to settle after retirement.	
Conditions to be fulfilled	4.	(1) The applicant should not own any house either in his name, his/her wife's husband's name or in the name of his/her minor child in a town or city, unless the advance is required for enlargement of, or additions and alterations to an existing house. Exceptions may be made by the Secretary in suitable cases such as the following: (i) The house is in a village, town or city and the applicant wants to settle in any other town or city, or (ii) The house is owned jointly and the applicant wants to build a separate house for himself/herself.	
(2) The maximum amount of advance shall be as follows :			
Purpose	Cost	Pay	Maximum
Construction of a house including or excluding plot	100%	50 times	Rs. 7,50,000
Purchase of ready built house or flat/purchase of a ready built house or flat where the land on which it has been built cannot be mortgaged	100%	50 times	Rs. 7,50,000
Construction of a house in a rural area	80%	50 times	Rs. 7,50,000
Enlarging existing living accommodation	100%	50 times	Rs. 7,50,000
Enlarging existing living accommodation in a rural area	80%	50 times	Rs. 1,80,000
		(3) The actual amount of advance will be determined on the basis of data/documents/plans with specifications and estimates to be furnished by the applicant to the satisfaction of the Secretary. (4) In case the house is situated in a rural area, a certificate of area and value from a Revenue Officer not below the rank of a Tehsildar should be furnished. (5) Only one advance shall be admissible during the entire service of the applicant. (6) If the land cannot be mortgaged to the Akademi, a collateral security shall be furnished by the applicant before the advance is	

		<p>sanctioned.</p> <p>(7) The land should have been approved by the competent local authority for use for residential purposes.</p>
Repayment	5.	<p>(1) Notwithstanding anything in rule (4), the admissible amount of loan shall be so determined that it is fully repaid alongwith interest by monthly instalment within a period not exceeding 20 years. Firstly, the recovery of the advance shall be made in not more than 180 monthly instalments and then interest shall be recovered in not more than 60 monthly instalments,</p> <p>(2) While calculating the number of instalments of repayment, the following guide-lines should be followed:</p> <p style="padding-left: 40px;">It should be ensured that the amount of each monthly instalment does not exceed</p> <p style="padding-left: 80px;">(i) in the case of employee retiring after 20 years, 35% of pay;</p> <p style="padding-left: 80px;">(ii) in the case of employee retiring after 10 years but not later than 20 years, 40% of pay (65% of DCR gratuity may also be adjusted), and</p> <p style="padding-left: 80px;">(iii) in case of employee retiring within 10 years, 50% of pay (DCR gratuity up to 75% may be adjusted).</p> <p>(3) Each instalment shall be fixed in whole rupees.</p>
Security for the Advance	6.	<p>(1) (a) The house/flat including land should be mortgaged to the Secretary as security for repayment of the advance.</p> <p style="padding-left: 40px;">(b) The prescribed agreement should be executed.</p> <p style="padding-left: 40px;">(c) The stamp duty and registration charges payable if any will be borne by the employee.</p> <p style="padding-left: 40px;">(d) The land/house/flat should be free from attachment and encumbrances and the applicant should have a clear and marketable title to it.</p> <p style="padding-left: 40px;">(e) In case of purchase of land/flat/house from a Registered Co-operative Society, Government/Semi-Government bodies such as State Housing Board or Development Authority, etc. a copy of resolution passed by the general body or a no-objection certificate by the authorized officer of the society or organization to the effect that the applicant can mortgage the land/house/flat to the Secretary should be produced.</p> <p style="padding-left: 40px;">(f) The applicant should obtain complete</p>

		<p>possession of the land/house/flat which he has to mortgage as security to the Secretary.</p> <p>The Secretary may also sanction an advance for construction if he is satisfied that:</p> <p>(a) the employee has paid full costs of the land to the Society or Government or Semi-Government Organisation;</p> <p>(b) the title to the land in favour of the Society or organization concerned is clear;</p> <p>(c) the terms of the sale of plot to the employee clearly specify the conditions that should be fulfilled before the employee can obtain the title;</p> <p>(d) the Society or organization gives possession of the plot of land to the employee to enable him to construct his house; and</p> <p>(e) the employee shall be in a position to obtain a clear title to the property from the Society or organization within a reasonable period and mortgage it in favour of the Secretary.</p> <p>Note : A letter from the authorized officer of the Society or Organisation specifying the position referred to in (a) to (e) above may also accompany the application.</p>
How to apply for an advance	7. (1)	The application should be addressed to the Secretary in such form as may be prescribed.
	(2)	For ready built house/flat, a letter of allotment should also be attached to the application.
	(3)	For construction of a new house or addition/alteration to an existing one, a detailed estimate from a recognized/competent source with a copy of the plan approved by the Municipal Corporation/authority concerned should be attached to the application.
	(4)	Any other document required under these rules or as required by the Secretary should be furnished.
Interest	8. (1)	An advance granted under these rules shall carry simple interest from the date of advance, the amount of interest being calculated on the balance outstanding on the last day of each month. The rate of interest shall be the same as applicable to Central Government employees.
	(2)	While issuing the sanction for grant of the advance, the rate of interest should be shown as 2.1/2% above the prescribed rate with the stipulation that if conditions attached to the sanction including this recovery of amount are fulfilled completely to the satisfaction of the

		sanctioning authority, a rebate of interest to the extent of 2.1/2% will be allowed.
	(3)	The rate of interest will be ½% less the prescribed rates to such employees who themselves or their spouses undergo voluntary sterilization.
Disbursement of advance	9.	<p>The advance shall be disbursed in the manner set forth below:</p> <p>(a) Purchasing of plot and construction of single-storeyed/double storeyed house in three instalments of</p> <p style="padding-left: 40px;">(i) on executing the agreement in the prescribed form and production of surety bond;</p> <p style="padding-left: 40px;">(ii) on executing the mortgage deed after purchase of plot; and</p> <p style="padding-left: 40px;">(iii) on the construction reaching the plinth level.</p> <p>(b) Construction of single-storeyed/double storeyed house or enlarging of living accommodation in an existing house in two instalments of</p> <p style="padding-left: 40px;">(i) on executing the mortgage deed; and</p> <p style="padding-left: 40px;">(ii) on the construction reaching the plinth level.</p> <p>(c) Enlarging living accommodation in the upper storeys of the house – in two instalments of</p> <p style="padding-left: 40px;">(i) on executing the mortgage deed; and</p> <p style="padding-left: 40px;">(ii) on the construction reaching the roof level.</p> <p>(d) Purchasing a ready built house-in one instalment, payable on executing the agreement in the prescribed form and furnishing the surety.</p> <p>(e) Purchasing/Construction of a new flat- the amount may be disbursed in one or more convenient instalments at the discretion of the Head of Department.</p>
Time limit for utilization of advance	10.	The advance and instalments of the advance drawn should be utilized within two months failing which it should be refunded to the Akademi in full. Extension of time-limit may be granted by the Secretary in deserving cases after obtaining full justification in writing.
Insurance of the house	11.	The house/flat after completion shall be insured against fire, flood, lightning etc. until the advance is fully repaid to the Akademi.
Maintenance	12.	The house/flat should be maintained in good repair by the employee at his own cost. He should also keep it free from all encumbrances. After completion of the house, annual

		inspections may be carried out at the discretion of the Secretary by an authorized officer of the Akademi for ascertaining if the house/flat is maintained in good repair until the advance has been repaid in full. The employee shall afford necessary facilities for these inspections.
Payment of taxes	13.	The employee shall pay all taxes regularly.
Reconveyance	14.	The house shall be reconveyed after the entire advance together with the interest is repaid to the Akademi.
Miscellaneous	15. (1)	In case of failure to repay the advance or interest or to abide by the terms and conditions of the advance, the Secretary may direct the recovery of the advance due in full and may enforce the recovery by sale of house or in any other manner.
	(2)	In matters not provided for in these rules, the rules and orders of the Government of India pertaining to the grant of House Building Advance to their employees and any matter connected therewith shall apply to the employees of the Akademi. Further, till such time as the Akademi has its forms for any matter referred to in these rules, the forms prescribed by the Government of India shall, with suitable changes, be adapted.