

**GOVERNMENT OF RAJASTHAN
FINANCE DEPARTMENT
(RULES DIVISION)**

No. F.6(4)FD/Rules/2017

Jaipur, dated : 11-09-2020

All Officers of Rajasthan Accounts Service.

Sub :-Regarding observations / comments on FAQs with answers about House Rent Allowance Rules.

As directed, FAQs with answers related to House Rent Allowance have been prepared and a draft is enclosed herewith. It is requested to go through these FAQs with answers and submit observations / comments latest by 17-9-2020 (evening), so that these FAQs can be uploaded on FD's website on 22-9-2020.

Encl : As above (FAQs)

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(S.Z. Shahid)
JS-II, FD (Rules)

Copy to Technical Director, Finance Department for uploading this letter alongwith FAQs on FD website.


11/9/2020
JS-II, FD (Rules)

FREQUENTY ASKED QUESTIONS WITH ANSWERS ABOUT HRA

FAQs on HRA (House Rent Rules, 1989) are intended to provide general information and guidance needed for the House Rent to State Government employees. The contents must be read in conjunction with, Circulars and orders as issued from time to time. The contents are not intended to be applicable to specific/exceptional cases and no such claims may be made under it. Whenever any difference in interpretation of meaning and/or content of the facts stated the original rules and orders as issued from time to time will be treated as final and binding.

1. Who comes under the purview of these rules?

- All State Government servants, except staff employed on daily wages or work-charged employees
- These rules shall not apply to Officers employed on contract unless provided in the terms of contract.

Rule 1

2. What is considered as Basic Pay for calculation of HRA?

- Basic Pay means pay as defined in Rule 7 (24)(i) of Rajasthan Service Rules.
- The pay drawn in the prescribed Level in the Pay Matrix as per FD order No. F.6(4)FD/Rules/2017 dated 30-10-2017.

3. Under which circumstance HRA shall not be admissible to State government servant?

1. Who is occupying :-

- Government owned or leased or requisitioned accommodation or on subsidized rates in Government building i.e. Circuit Houses, Dak-bungalows, Hostels owned by Government etc.
- accommodation belonging to Devasthan Department or any other Government Department.
- accommodation belonging to U.I.T./Municipality/ Local Fund Bodies or any other Autonomous body.

2. Who accepts allotment of Government accommodation, from the date of occupation, or from eighth day after the date of allotment of Government accommodation, whichever is earlier.

3. Who shares Government accommodation, allotted rent free to another Government servant or if he/she resides in accommodation allotted to his wife/her husband or to his/her parents/son/daughter by the Government or autonomous public undertakings or bodies or Corporation or semi-Government Organizations such as Municipalities etc.

- If his wife/her husband has been allotted family accommodation at the same station by the Central Government, State Government or Autonomous Public undertakings or Body or Corporation or semi-Government Organization such as Municipalities etc.

Rule 3

4. Under which circumstance HRA shall be admissible to State government servant?

- A Government servant who is living in a rented accommodation shall be entitled to house rent allowance at the rates mentioned in Rule 5, on furnishing a certificate to the effect that he is incurring some expenditure on rent/contributing towards rent. In case, the accommodation hired is sub-let to one or more persons, whether Government servant(s) or not, and the actual rent charged by the Government servant is equal to or exceeds the amount of rent being paid to the land lord, it would be deemed that the Government servant is incurring no expenditure on rent nor contributing towards rent.
- A Government servant living in a house owned by him/her, his wife/her husband, children, father or mother or in a house owned by a Hindu undivided family in which he is a co-parcener shall be entitled to house rent allowance at the rates mentioned in Rule 5, subject to his furnishing certificate that he is paying/contributing towards house or property tax or maintenance of the house.
- A Government servant living in a house purchased on hire purchase basis from the Rajasthan Housing Board shall be deemed to own a house for the purpose of these rules and HRA is admissible to the same.
- In case where husband and wife both are in service of Government at the same station and are living together in the rented/owned accommodation, both of them shall be entitled to House Rent Allowance subject to fulfillment of other conditions for drawl of the allowance i.e. furnishing of certificate that he is paying/contributing towards house or property tax or maintenance of the house as the case may be and making of an application within the prescribed time frame.

Rule 4(1), (2), (3) and (5)

5. What is the maximum time period within which a government employee has to apply for availing HRA?

- The allowance shall be granted to a Government servant from the date of occupation of the rented/owned accommodation, on making an application in accordance with the procedure prescribed under the rules; provided that if the said application is not made within one month of the date of occupation of the accommodation or admissibility, the allowance shall be admissible from the date of application.
- In case of a Probationer employee, the HRA shall be granted if he/she applies within one month of successful completion of their probationer trainee period or within one month of drawal of pay in regular pay scale as per FD Clarification dated 29-1-2020.

Rule 4(4)

6. What are the present prescribed rates of HRA admissible to a government employee?

- The present rates of HRA will be 16% & 8% of the Basic Pay i.e. the pay drawn in the prescribed Levels in the Pay Matrix, for Y-class & Z-class cities respectively.

Rule 5(1)

7. Which cities are classified under Y-class & Z-class?

- Cities with the population of 5 lacs and above will be considered as Y-class cities. Jaipur (MC), Jodhpur (UA), Kota (MC), Bikaner (MC) & Ajmer (UA) comes under the category of Y-class cities.
- Cities with the population below 5 lacs will be considered as Z-class cities. All remaining cities/towns other than Y-class cities come under this category.

Rule 5(2)

8. What will be the rate of HRA if the existing office of an employee has been shifted outside Municipal Corporations/Urban Agglomeration limits?

- In case of such shift in location of office, the existing rates shall be continued to such employees and also to those newly posted in the office located within the aforesaid limits. This shall be effective from 1-6-2018.

Rule 5(2) Exception

9. Will the HRA be admissible to the employee during leave?

- A Government servant shall be entitled to draw house Rent Allowance during all kinds of leaves not exceeding 180 days except extra-ordinary leave, study leave and refused leave/terminal leave whether running concurrently with notice period or not, at the same rate at which he was drawing before proceeding on leave.
- A Government servant suffering from T.B., Cancer, Leprosy or a Mental disease shall be entitled to draw house Rent Allowance during the period of his leave not exceeding 240 days subject to procedure laid down in Rule 6(a) Note (2).

Rule 6(a)(1) and (2)

10. Will the HRA be admissible to the employee on temporary transfer or deputation?

- Yes, subject to the limit of four months, if the temporary duty is subsequently extended beyond four months in all, HRA will remain intact upto the date of the order of extension.

Rule 6(a)(3)

11. Will the HRA be admissible to the employee during joining time?

- Yes, a Government servant shall be entitled to draw house rent allowance during joining time at the same rates at which he was drawing at the station from which he was transferred. However, joining time will be affixed to leave (with maximum period of 180 days of leave)

Rule 6(b)(i)

12. At what rate, HRA will be admissible to the employee who got transferred to a new station?

- A Government servant receiving house rent allowance at his old station and who, on transfer leaves his family behind at the old station because he has not occupied a rented/own house or had not been allotted Government accommodation at the new station, will be eligible for house rent allowance at the rate at which it was drawn by him at the old station for a period of 6 months from the date of his assumption of charge at the new station (irrespective whether the rate of house rent allowance at the new station is lower than the rate at the old station) or till he occupies a rented/own house or allotted Government accommodation at the new station, whichever is the earliest.

Rule 6(b)(ii)

13. Will HRA be admissible to the employee during Awaiting Posting Orders (APO)?

- Government servant shall be entitled to draw house rent allowance during the period of APO treated as duty.

Rule 6(c)

14. Will HRA be admissible to the employee during training within India?

- Government servant who is sent on training in India and whose period of training is treated as duty under rule 7(8)(b)(i) of Rajasthan Service Rules shall be entitled to draw house rent allowance during the entire period of such training at the same rates at which he was drawing at the station from which he proceeded on training subject to the conditions that
 - i. He continues to keep his family at the place from which he proceeded on training
 - ii. if he does not keep his family at the place from which he proceeded on training, but has not been provided accommodation by the Training Institution either free or at the subsidized rates.

Rule 6(d)

15. At what rate, HRA will be admissible to the employee during training abroad?

- A Government servant who is deputed for training abroad by the State Government under various training schemes of Government or operated through non-official channels as a Government sponsored candidate, the house rent allowance shall be admissible during the entire period of training at the same rates at which he would have drawn at the station from which he was deputed for training abroad but for his deputation abroad.

Rule 6(e)

16. Will HRA be admissible to the employee on Re-employment?

- The provision regarding HRA on re-employment has been deleted vide FD order dated 22-9-2014.

17. At what rate, HRA will be admissible to the employee during suspension?

- A Government servant shall be entitled to draw house rent allowance at the rates at which it was paid to him on the date of suspension on the basis of pay which the Government servant was receiving on the date of suspension subject to the fulfillment of conditions as laid down in Note 1 and 2 of Rule 6(g).

Rule 6(g)

18. At what rate, HRA will be admissible to the employee posted outside the State?

- In cases where a Government servant posted outside the State is provided with residential accommodation by the Government in a building taken by the Government on hire or lease basis, he shall be required to pay rent at the rates laid down under Rajasthan Civil Services (Determination and Recovery of Rent of Residential Accommodation) Rules, 1958.
- In case where the accommodation is not provided by the Government for residential purpose, a Government servant shall be entitled to house rent allowance in accordance with house rent allowance rules applicable to Central Government servants or according to the house rent allowance rules of the State concerned, whichever is advantageous to him.

Rule 7

19. Will work charged employees having permanent status allowed for grant of HRA ?

- The employees who are drawing pay under Rajasthan Work Charges Employees (Revised Pay) Rules, 2017 are entitled for house rent allowance from 1-10-2017 as per FD order No. F.6(4)FD/Rules/2017 dated 30-10-2017.

FD order No. F.13(3)FD/Rules/2017 dated 30-10-2017

20. What will be the procedure if there is change in Certificate (Annexure - B) last given for HRA ?

- If there is a change in the provision in the Certificate (Annexure - B) last given resulting in increase or decrease of HRA, a fresh Certificate should be furnished as soon the change occurs.

Rule 8(1)

21. What is the responsibility of DDO w.r.t. HRA payment ?

- DDO shall record a certificate as per rule 8(2) in January and July from every establishment pay bill for not providing Government accommodation.

Rule 8 (2)