

No.10/4/HRG/Policy/DE
Government of India
Ministry of Defence
Dte Gen Defence Estates
West Block-IV R.K.Puram
New Delhi Dated 3rd May 91

To

The Director, DE
Central Command
Lucknow Cantt.

SuB :- HIRING OF ACCOMMODATION UNDER THE PROVISION OF "QUARTERS
& RENTS" & MES REGULATIONS.

Reference DEO Bareilly D.O letter number UP/1264?HRG dated 27 Feb 91 and DO of even number dated 4 Mar 91.

2. The basic question/doubt that has arisen in this case is that whether accommodation can be hired by Station Commanders under Para 4 of "Quarters & Rates" for the purposes specified under its sub paras or hiring of all accommodation has to be regulated as per para (6) and (7) of Govt letter No. 11011/2/77/D (Lands) dated 12 Oct 77 and whether para 9 of the Govt letter is independent of Paras (6) & (7) thereof,

Govt. of India, Min of Defence (MISC Dte) letter No. 10/4/Reqn/ML&C dated 21 Sep 65, Min of Defence letter No. 10/1145/Reqn/MLC/3467-Q/D (Q&C) dated 27 June 72 as amended vide No.10/1143/Reqn/MLC/D (Q&C) dated 11 Nov 76.

3. The case has been examined in detail with reference to various Govt. letters issued on the subject from time to time, warranting special attention to the Govt. letter indicated in the margin. Para 4 of "Quarters & Rents" stipulates hiring of accommodation for all Military Officers (Including RAF Officers and Departmental Officers), office, Messes for units & separated family accommodation. Para 9 of Govt. of India, Min of Defence letter No. A/25577/Q3 (H)/791-S/D (Qtg) dated 13 Dec 62 stipulated that "Buildings or land may also be hired under Para 4 of Quarters & Rents or under para 216 of MES Regulations by the authorities and for the purpose specified in these rules. Govt. of India, Min of Defence letters dated 27 June 72 and 11 Nov 76, as mentioned in the margin, reproduced the same provisions only. Although Govt. of India, Min of Defence letter No. 11011/2/77/d (Lands) dated 12 Oct 77 was issued in suppression of all previous orders on the subject, this however, didn't supercede the statutory provisions of the Quarter & Rents or MES Regulations. Para 9 of Govt letter dated 12 Oct 77, which is in vogue, also stipulates the same provisions as contained in earlier Govt letters issued from time to time and did not put any embargo on hiring of accommodations under the provisions of "Quarters & Rents" and MES Regulations. The intention of the Govt. is very clear in making provisions for hirings of accommodation under Para 4 of "Quarter & Rents" & MES Regulations for cases covered under these rule which was to facilitate and accelerate early procurement of buildings required for Married Accommodation Mess. Office & Separated family accn etc as this is a quicker process in comparison to normal staff channel being followed.

4. In view of the position explained above, we are of the view that accommodation required for Service Officers, separated family, Officers and messes can be hired under the Regulations and Para 4 of "Quarters & Rents" and the Station Commanders are competent to issue Financial sanctions also, as no financial restrictions have been imposed on the Station Commanders for hiring of accommodations for the purposes specified in these rules. Hence, we are of the consideration opinion that para (9) of Govt. letter dated 12 Oct 77 authorising hiring of accommodations for Service officers, separated family accn. Messes and office accommodation under the Quartering Regulations is independent of para (6) 7 (7) of the letter *ibid*.

Director General
Defence Estates

Copy to

All Director, The Command

The DEO Bareilly - w.r.t. his letters cited under reference for information and guidance please.