

No. IITH/40/R/2022/RTI/MS, dt. 10.09.2022

Furnishing of Information under RTI Act.

- 1 Application No. & Date : IITHY/R/E/22/89 dated.18.07.2022
 2 Name of the Applicant :
 3 Date of Receipt of Application : 18.07.2022

4	Information Sought	Information given and details of documents, if any, furnished.
	1. If husband and wife are working in the IIT Telangana , are they both entitled to get HRA? Is there any ceiling applicable to the amount of HRA payable to both spouses? Please provide the details of the rules applicable.	<p>IIT Hyderabad follows the Govt. of India guidelines w.r.t grant of HRA to its employees.</p> <p>Extract from Swamy's compilation of FRSR Part IV has been enclosed as Annexure-I for reference.</p>
	2. If both husband and wife are working in IIT Telangana and one spouse is allotted government accommodation, can one any spouse/both claim HRA? If yes, please provide clarification. If No Please provide the necessary Government of India rules applicable regarding the same.	
	3. If both husband and wife are working in the same IIT Telangana and living in a rented house can both claim HRA? Please provide the necessary Government of India rules applicable.	
	4. If both husband and wife are working in the IIT Telangana institute and living in their own house, can both claim HRA? Please provide the necessary Government of India rules applicable.	
	5. If both husband and wife are working in the IIT Telangana institute and one spouse is provided government accommodation and other spouse is living in a rented house/own house, then can the other spouse claim HRA against the rent paid? Please clarify.	
	6. If both husband and wife are working in the IIT Telangana and living in a rented house but have availed one home loan for a house where they are not staying and have rented the same, can both get HRA? Can they both claim benefit of Income Tax against the interest they are paying for the home loan? Please provide the necessary rules of Government of India.	

If you are not satisfied with the information provided, you may file an appeal with the following authority within 30 days:

The Appeal, if any, should be addressed to:

Cmde M Nambiar, Ph.D. (Retd)
Registrar & First Appellate Authority,
IIT Hyderabad, Kandi, Sangareddy-502284
E-mail: registrar@iith.ac.in ; Tele: 040 2301 6055

Sd/-

(एम बद्दीनाथ)

(M Badrinath)

Joint Registrar & CPIO

Email: jr.cpio@iith.ac.in

Tele: 040 2301 6058

To,

5. In so far as the persons serving in the Indian Audit and Accounts Department are concerned, these orders issue in consultation with the Comptroller and Auditor-General of India.

[G.I., M.F., O.M. No. 2/5/2017-E.II (B), dated the 5th March, 2019.]

(7) Dispensation of conditions of applying for Government Accommodation and furnishing of "No Accommodation Certificate" for admissibility of House Rent Allowance.— In pursuance of Ministry of Finance (Department of Expenditure) O.M. No. 2/5/2017- E. IIB, dated 5-3-2019 and in supersession of this Directorate's O.M. No. 12034/1/2007-Pol.III, dated 14-11-2007, it has been decided that the conditions of applying for Government accommodation and furnishing of 'No Accommodation Certificate (NAC)' by Central Government employees, to become eligible for House Rent Allowance, are dispensed with for all places in the country, in respect of General Pool Residential Accommodation (GPRA) under the control by Directorate of Estates, Ministry of Housing and Urban Affairs. Central Government employees will thus be eligible to draw HRA, if they have not availed the facility of Government accommodation and for this they will not have to produce NAC.

2. These orders shall be effective from 5-3-2019.

[G.I., MHUA, Directorate of Estates O.M. No. File No. 12034/1/2019-Pol. III, dated the 8th April, 2019.]

CONDITIONS FOR DRAWAL OF HOUSE RENT ALLOWANCE

5. (a) ***

(b) ***

(c) A Government servant shall not be entitled to House Rent Allowance, if—

(i) he shares Government accommodation allotted rent-free to another Government servant; or

(ii) he/she resides in accommodation allotted to his / her parents / son / daughter by the Central Government, State Government, an Autonomous Public Undertaking or semi-Government Organization such as a Municipality, Port Trust, Nationalized Banks, Life Insurance Corporation of India, etc.

(iii) his wife / her husband has been allotted accommodation at the same station by the Central Government, State Government, an Autonomous Public Undertaking or semi-Government Organization such as Municipality, Port Trust, etc., whether he/she resides in that accommodation or he/she resides separately in accommodation rented by him/her.

(d) ***

(e) As an exception to sub-paragraphs (a) and (b) above, Government servants other than a Government servant who is living in a house owned by him shall be eligible for House Rent Allowance at the rates specified in Paragraph 1 above even if they share Government accommodation allotted to other Government servants [excluding those mentioned in (c) above] or private accommodation of other Government servants [including those mentioned in (c) (ii) and (c) (iii) above] subject only to the condition that they pay rent or contribute towards rent or house or property tax but without reference to the amount actually paid or contributed. As an exception to Para. 7, the grant of House Rent Allowance to a Government servant living in his/her own house or to a Government servant living in a house owned by a Hindu Undivided Family in which he is a coparcener, will be without reference to the amount of the gross rental value as assessed by the Municipal Authorities. ***

NOTE.— In cases where husband / wife / parents, children, two or more of them being Central Government servants or employees of State Governments, Autonomous Public Undertakings or semi-Government Organizations like Municipality, Port Trust, Nationalized Banks, Life Insurance Corporation of India, etc., share accommodation allotted to another Government servant, House Rent Allowance will be admissible to only one of them, at their choice.

The term "accommodation" includes the accommodation allotted to the employees of State Governments, Autonomous Public Undertakings, semi-Government Organizations such as Municipality, Port Trust, etc.

GOVERNMENT OF INDIA'S ORDERS

(1) Drawal of House Rent Allowance by husband and wife when both of them happen to be Government servants and are living in hired / owned accommodation.— Clarifications were being sought by Ministry of Railways, etc., regarding admissibility of House Rent Allowance to husband and wife when both of them happen to be Government servants. After having the matter considered in consultation with Staff Side of the National Council (JCM), the President is pleased to decide that no restriction should be imposed only on the ground that husband / wife is also a Government servant and is living together in the hired / owned accommodation. In such cases, normal amount of HRA may be granted to them as per their entitlement subject to fulfilment of other conditions for drawal of the allowance.

[G.I., M.F., O.M. No. F. 11015/2/87-E. II (B), dated the 8th November, 1988.]

(2) Clarification of the phrase "Same Station" for grant of HRA.— The phrase, "same station" occurring in Para. 5 (c) (iii) of this Ministry's OM, dated 27-11-1965, includes all places which are treated as contiguous to the qualified city / town in terms of Para. 3 (a) (i) and those dependent on the qualified city / town in terms of Paras. 3 (b) (ii) and 3 (b) (iii) and also those places which are included in the Urban Agglomeration of a qualified city.

[G.I., M.F., O.M. No. 21011/13/89-E. II (B), dated the 20th December, 1989.]