



GOVERNMENT OF KERALA
(Abstract)

P.W.D. - Private Building taken on rent for Government purposes
Unified and Revised instructions - Orders issued.

PUBLIC WORKS & TRANSPORT (E) DEPARTMENT

G.O.(MS)No.16/95/PW&T.

Dated, Thiruvananthapuram, 9.3.1995.

- Read:-
1. G.O(MS)No.199/73/PW. Dated, 26.9.1973.
 2. Circular No.I-51719/E1/82/PW. Dated, 24.6.1983.
 3. Circular No.II-51719/E1/82/PW. Dated, 2.12.1983.
 4. Circular No.10379/E2/83/PW. Dated, 2.12.1983.
 5. G.O.MS.25/87/PW&T. Dated 27.2.1987.
 6. Circular No.43508/E2/87/PW&T. Dated, 25.9.1987.
 7. Circular No.35067/E2/88/PW&T. Dated, 11.7.1988.
 8. Circular No.22603/E2/90/PW&T. Dated, 21.11.1990.
 9. G.O.(Rt)No.1489/93/PW&T. Dated, 22.10.1993.
 10. Circular No.13547/E2/91/PW&T. Dated 5.7.1994.

ORDER

As-per circulars and Government Orders read above, Government have issued instructions and norms to be followed when private buildings are taken on rent for accommodating Government offices. It has been brought to the notice of the Government that norms and instructions contained in the orders read above are not being strictly followed by many departments. To enable all departments to adhere to common norms and procedure and to ensure strict adherence the above orders are consolidated. Accordingly Government are pleased to order as under: -

- I. Private building should be taken on rent for Government purpose only with the permission of the Government in the concerned Administrative

Department in the Government Secretariat

(a). The Private buildings shall be occupied by any department in advance only in case where the owner has agreed to accept the rent fixed by PWD or that demanded by the owner whichever is less.

Appendix - I

Executive Engineer will arrange to prepare the plan of the building and land and will evaluate the rent to be paid adopting the following principles.

(i) The plinth area will be worked out based on the circulars and orders of Government or Chief Engineer from time to time.

(ii) The plinth area rate and rates of valuation of other items as given in the Technical Circular based on the current schedule of rates will be adopted.

(iii) The Building will be classified with reference to quality of construction, materials, etc. and appropriate depreciation will be applied based on Technical circulars.

(iv) 6% (Six percent) of this depreciated value will be the annual rent component.

(v) The area of land for which the rent is to be calculated is the least out of the following:-

(a) The actual area of the plot.

(b) The area furnished in the land value certificate based on Revenue Records.

(c) The area of land actually made available for exclusive use of the building, which should be given in proforma by the occupying Department.

(d) The area commuted by taking 3 times plinth area of main building and 1 1/2 times plinth area of out houses.

(vi) Value of the land for the least of the area as above will be worked out at the rate specified in the land value certificate and 4% (Four percent) of

this will be taken as annual rent component.

(vii) If the occupying department is in need of the use of the land in excess of the area as per item vi above, then specific request should be given to the Executive Engineer in the proforma to fix rent for this excess land. Cost of such excess area will be worked out at the rate fixed in the land value certificate and 2% (two percent) of this will be allowed as Annual rent component.

(viii) The annual rent of the building will be the total of item iv, vi and vii and monthly rent will be one twelfth of this. The monthly rent will be rounded to the nearest rupee and rent certificate issued by the Executive Engineer.

(ix) The powers of the Executive Engineer to approve rent calculation will be up to Rs.1,000/- p.m. The powers of the Superintending Engineer will be up to Rs.5,000/- p.m. and above that by the Chief Engineer, the Executive engineer will prepare the rent calculation and get the approval of the component authority as above before issue of rent certificate in cases of monthly rent above Rs.1000/-. The rent certificate issued by the Executive Engineer in such cases should contain a mention as "This issue with the approval of the Superintending Engineer, B&LW/Chief Engineer, B&LW."

(x) The rent certificate will be forwarded to the Officer of the occupying department who has requested for the same. Delay at all levels for fixing of rent should be avoided.

Appendix - II

The space required for accommodating various categories of staff while hiring private buildings for accommodating Government Offices are shown below:

- | | | |
|------|---|--------------|
| (i) | Gazetted Officers (below the rank of an Accountant General or Controller) | : 160 sq.ft. |
| (ii) | Non-Gazetted Staff (Clerks & Superintendents) | : 40 sq.ft. |

(iii) Records – 10% of item (ii) above.

Water closet	: 100 x 150 cms.
Males	: 1 for first 40 and 1 for every 100 and part thereof.
Females	: 1 for first 20 and 1 for Every 100 and part thereof.
Urinal (one cell)	: 65 x 75 cms.
Males	: 1 for first 50 and part thereof.
Bathrooms (required in Hospitals & residence)	: 120 x 150 cms.
Dining rooms	: 10 sq.ft. per person for ½ and number of occupants

II. All proposal for sanction and payment of rent should be forwarded to Government only through the Head of the department.

III. **III.** As far as possible all Government departments should hire only cheap functional type buildings located outside posh localities for accommodating their offices.

IV. The buildings wing of the PWD alone will be competent to fix the rent and issue rent and issue rent certificate for all Government departments. The rent fixed by PWD will be in force for a minimum period of 3 years.

V. The Executive Engineer, Buildings Division of the territorial Jurisdiction will act as the estate officer and performs the duties in connection with occupation and rent fixation of private buildings taken on rent for Government purpose.

VI. The private building may be taken on rent and occupied by the department only after satisfying the following conditions.

(1) A consent letter from the owner of the building is obtained to the effect that the owner is agreeable to the rent fixed by PWD/demanded by the owner whichever is less. (in case of special rent, the building owner's request for special rent should be obtained).

(2) A certificate regarding the Non-availability of Government building in the locality is obtained from the building wing of PWD. In the cases where Civil Stations and Mini Civil Stations exist, Building Division of PWD will obtain a certificate from District Collector to the effect that no space is available in the Civil Stations or Mini Civil Station.

(3) A certificate from the Head of the Office/Department to the effect that no other private building at a lesser rate of rent is available in the locality is produced.

VII. The Executive Engineer will arrange to prepare the plan of the building and Land will evaluate the rent to be paid adopting the conditions as shown in appendix -1

VIII. The payment of rent will be responsibility of the occupying departments from their funds. Payment should be made only after executing a lease deed for the period for which the building is required or 3years whichever is less. No revision of rate will be allowed during this period.

IX. The space required for accommodating various categories of staff is prescribed in the appendix -II

X. Excess area:

(a) If the carpet area of the building occupied up to 50 m² or the excess area is within 50% of the area fixed as per norms then the Administrative Department can sanction the rent and make payment without referring to the PWD

or Finance Department in the Secretariat provided the rent to be paid is at PWD rate and up to Rs.5,000/- p. m. Above Rs.5,000/- concurrence of PWD/Finance Department is necessary.

(b) In the case of Krishibhavan the Admissible area will be 125 m².

(c) To avoid payment of excess rent by way of occupying area far in excess, attempts should be made by the Head of the Office/Executive Engineer to accommodate other Government Offices if any in the locality. A Certificate that attempts have been made should be produced for verification by the rent committee.

XI. Special rent:

(a) Special rent can be considered only in exceptional cases and should not be treated as a matter of routine.

(b) For sanctioning special rent, rent certificate from PWD Building Divisions will also be obtained for comparison.

(c) Special rates will be in force for a minimum period of 5 years.

XII. Revision of rent.

a) The owner of the building is eligible for revision of rent only after the expiry of the lease deed or the date of requisition of the owner for revision of rent whichever is later.

b) Case of excess area need not be referred to the rent Committee at the time of revision ,if the same has been approved earlier while fixing the previous rent .

XIII Rent Committee.

(a) The Rent Committee will consists of Secretary (Public Works), secretary (Finance Expenditure)and Chief Engineer ,buildings and Local Works.

(b) This Committee will look into the proposal for admitting special rent and acceptance of excess carpet area more than 50% of the admissible carpet area.

(c) For any matter to be considered by this committee the same has to be referred to by Secretary of the concerned Administrative Department.

(d) In order to ensure that all necessary information and details required by the committee for taking speedy and correct decisions are furnished to the committee. In such cases a proforma has been prescribed in Appendix - III. All department of the Secretariat may be requested to furnish 6 copies of the duly filled proforma, signed by the Secretary of the Administrative Department.

(e) The Extracts of the minutes of the rent committee meeting shall be communicated to the concerned Administrative department after perusal by the Minister, Works. The Administrative Department will forward the case to the Finance Department after circulating the file to the Minister concerned.

XIV. Government directs that the departmental officers should specifically follow the norms and procedure laid down in the matter. Maximum economy should be practiced in taking private buildings on rent for Government purpose. If any officer takes a building violating these norms and instructions he will be held personally responsible and is liable to pay the excess of rent fixed the PWD from his salary.

By Order of the Governor
N.RAMAKRISHNAN
COMMISSIONER & SECRETARY

APPENDIX-1

Executive Engineer will arrange to prepare the plan of the building and land will evaluate the rent to be paid adopting the following principles.

- (I) The plinth will be worked out based on the circulars and orders of Government or Chief Engineer from time to time.
- (II). The plinth area rate and rates of valuation of other items as given in the Technical Circular based on the current schedule of rates will be adopted
- (III). The Building will be classified with reference to quality of construction, materials, etc. and appropriate depreciation will be applied based on Technical circulars.
- (IV). 6% (six percent) of this depreciated value will be the Annual rent component.
- (v). The area of land for which the rent is to be calculated is the least out of the following:-
 - (a) The actual area of the plot.
 - (b) The area furnished in the value certificate based on Revenue records.
 - (c) The area of land actually made for exclusive use of the building , which should be given in proforma by the the occupying Department.
 - (d) The area commuted by taking 3 times plinth area of main building and 1 1/2 times plinth area of out houses.
- (vi). Value of the land for the least of the area as above will be worked out at the rate specified in the land value certificate and 4% (Four Percent) of this will be taken as annual rent component.
- (vii). If the occupying department is in need of the use of the land in excess of the area as per item vi above, then specific request should be given to the Executive Engineer in the proforma to fix rent for this excess land : Cost of such excess area will be worked out at the rate fixed in the land value certificate and 2% (two percent) of this will be allowed as Annual rent component.
- (viii). The annual rent of the building will be the total of item iv , vi and vii and monthly rent will be one twelfth of this. The monthly rent will be rounded to the nearest rupee and rent certificate issued by the Executive Engineer.
- (ix). The powers of the Executive Engineer to approve rent calculation will be up to Rs.1,000/-p.m. The powers of the Superintending Engineer will be up to Rs.5,000/-p.m. And above that by the Chief Engineer, the executive engineer will prepare the rent calculation and get the approval of the component authority as above before issue of rent certificate in cases of monthly rent above

Rs.1,000/-. The rent certificate issued by the Executive Engineer in such cases should contain a mention as "This issue with the approval of the superintending Engineer B&LW/Chief Engineer, B&LW."

(x). The rent certificate will be forwarded to the Office to the occupying department who has requested for the same. Delay at all levels for fixing of rent should be avoided.

APPENDIX-11

The space required for accommodating various categories of staff while hiring private building for accommodating Government offices are shown below:

i	zettered Officers (below the rank of an Accountant General or Controller)	:160sq.ft.
ii	Non-Gazetted Staff (Clerk & Superintendents)	:40sq.ft
iii	Records	:10% of item ((ii) above
	Water closet	:100x150 cms.
	Males	:1 for first 40 and 1 for every 100 and part thereof.
	Females	:1 for first 20 and 1 for every 100 and part thereof.
	Urinal (one cell)	:65x75 cms.
	Males	:1 for first 50and part thereof.
	Bathrooms (required in Hospitals &residence)	:120x150cms.
	Dining rooms	:10sq.ft. Per person for ½ and number occupants

APPENDIX - III

PROFORMA FOR PLACING BEFORE THE RENT COMMITTEE FOR CONSIDERATION

1	Name of Department and Office	
2	Details of staff and their scale of pay & Designation	G.Os N.G.Os-
3	Name and address of the Owner(s) of building and land	
4	Location of the building	
5	Actual plinth area of the building proposed to be taken for rent	m ²
6.	Carpet area required as per norms fixed by Government	m ²
7	Actual carpet area of the building	m ²
8	If the area is in excess of the norms specific reasons for taking this building on rent with larger area	
9	Amount of rent fixed by PWD for this building	Rs. per month
10	Special rate of rent proposed by the Administrative Department:	
11	Whether this is for initial fixation of rent or for revision of rent	
12	If this is for revision of rent furnish details of earlier fixation here:	
13	Rate per sq. metre. of carpet area	m ²
14	Has any negotiation been made with the owner regarding reduction of rate	
15	Has non-availability certificate from DC/EE obtained:	
16	Specific reason for recommending special rent	
17	Any other remarks	