

NATIONAL INDUSTRIAL RELATIONS COMMISSION, LAHORE**CASE NO. 4B(257)/2022-L
CMA NO. 24B(148)/2022-L****Adnan Ali S/o Muhammad Sultan****Vs.****Evacuee Trust Property Board through its Chairman & another****Before: Mr. Muhammad Sirajul Islam Khan, Member****Present:** Ch. Waqar Ahmed, advocate for petitioner.
Ms. Shaneela Khalid, advocate for respondents.**ORDER**
25.07.2023

Brief facts giving rise to the present grievance petition are that the petitioner is employee as Key Punch Operator in Evacuee Trust Property Board and he performs manual and clerical duties, and is a workman. That Evacuee Trust Property Board is an industrial and commercial establishment and the respondents fall under the definition of employer under IRA, 2012, that the petitioner has been living in a hired house at Lahore for which the department has sanctioned "House Rent Subsidy/House Requisition Allowance", that the petitioner has been transferred from Lahore to Jhang vide order dated 23.09.2022, that the petitioner has joined the new place of posting, however the family of the petitioner remained living in the hired house that is House No. 5-A, Street No. 17, Ghalib Colony, Samanabad, Lahore on the same terms and conditions as were

applied before his transfer, that the respondents have told the petitioner verbally to discontinue the facility of monthly house rent ceiling allowance/house rent subsidy for the hired house, that the petitioner brought his grievance to the notice of the employer but of no avail, that as per rule 15 sub rule (4)(a) of Accommodation Allocation Rules, 2002, an allottee who is transferred or sent on deputation to an out station, is entitled to retain the accommodation till his posting back to the station provided he does not claim the accommodation or house rent allowance at new place of posting, that the petitioner even on his transfer out of Lahore is entitled to retain/continue the hired house.

2. The learned counsel Ms. Shaneela Khalid, advocate has submitted power of attorney and stated that he does not want to file the written reply and argue the case because the grievance petition is not maintainable.

3. I have heard arguments of both the parties and perused the record.

4. It is admitted fact that the petitioner has joined the new place of posting i.e Jhang. Admittedly, the Government of Pakistan has specified six stations i.e Islamabad, Rawalpindi, Lahore, Karachi, Peshawar and Quetta for hiring of residential accommodation of

Government Officers/Officials. Meaning thereby, the Jhang is not specified station for hiring of residential accommodation, therefore, the petitioner is not entitled to retain the hired residential accommodation at Jhang and payment of the ceiling of the said accommodation, hence, the instant grievance petition is not maintainable and the same is hereby dismissed with no order as to costs. The interim injunction granted earlier is hereby recalled. File be consigned to the record room after due completion.

(Muhammad Sirajul Islam Khan)
Member

Announced in Open Court
25.07.2023