



The Haryana Legislative Assembly (Facilities to Members) Act, 1979

Act 9 of 1979

Keyword(s):

Assembly, Deputy Speaker, Member, Minister, Speaker

Amendments appended: 4 of 2006, 27 of 2006, 16 of 2019

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THE HARYANA LEGISLATIVE ASSEMBLY (FACILITIES
TO MEMBERS) ACT, 1979

(Haryana Act No. 9 of 1979)

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THE HARYANA LEGISLATIVE ASSEMBLY
(FACILITIES TO MEMBERS) ACT, 1979

(Haryana Act No. 9 of 1979)

[Received the assent of the Governor of Haryana on the 4th April, 1979 and was first published in the Haryana Government Gazette (Extraordinary) Legislative Supplement Part I of the 6th April, 1979]

1	2	3	4
Year	No.	Short title	Whether repealed or otherwise affected by legislation
1979	9	The Haryana Legislative Assembly (Facilities to Members) Act, 1979.	Amended by Haryana Act 12 of 1980. ² Amended by Haryana Act 26 of 1980. ¹ Amended by Haryana Act 3 of 1981. ⁴ Amended by Haryana Act 7 of 1984. ⁵ Amended by Haryana Act 11 of 1987. ⁶ Amended by Haryana Act 6 of 1988. ⁷ Amended by Haryana Act 13 of 1990. ⁸ Amended by Haryana Act 1 of 1992. ⁹

1. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 19th March, 1979, page 530.
2. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 19th March, 1980, page 577.
3. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 5th July, 1980, page 1269.
4. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 10th March, 1981, page 398.
5. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 27th March, 1984, page 506.
6. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 7th March, 1987, page 451.
7. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 21st December, 1987, page 2012.
8. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 3rd September, 1990, page 1626.
9. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 17th December, 1991, page 2254.

1	2	3	4
			Amended by Haryana Act 4 of 1993. ¹ Amended by Haryana Act 15 of 1998. ² Amended by Haryana Act 7 of 2001. ³ Amended by Haryana Act 24 of 2002. ⁴ Amended by Haryana Act 13 of 2004. ⁵

AN

ACT

to provide certain facilities to members of the Haryana Legislative Assembly.

BE it enacted by the Legislature of the State of Haryana in the Thirtieth Year of the Republic of India as follows :—

- Short title. 1. This Act may be called the Haryana Legislative Assembly (Facilities to Members) Act, 1979.
- Definitions. 2. In this Act, unless the subject or context otherwise requires,—
- (a) “Assembly” means the Haryana Legislative Assembly;
 - (b) “Deputy Speaker” means the Deputy Speaker of the Assembly;
 - (c) “Member” means a member of the Assembly and includes the Chief Minister, a Minister, a Minister of State, a Deputy Minister, the Chief Parliamentary Secretary and a Parliamentary Secretary;
 - (d) “Minister” means a member of the Council of Ministers, by whatever name called, and includes a Deputy Minister;
 - (e) “prescribed” means prescribed by rules made under this Act; and
 - (f) “Speaker” means the Speaker of the Assembly.

1. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 22nd December, 1992, page 2628.
2. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 25th July, 1998, page 1253.
3. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 15th March, 2001, page 524.
4. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 28th October, 2002, page 2077.
5. For Statement of Objects and Reasons, see Haryana Government Gazette (Extra.), dated the 20th June, 2004, page 1162.

¹[3. Subject to such conditions and limitations as may be prescribed Facilities. there may be paid to each member a sum of money, by way of re-payable advance,—

(a) not exceeding—

(i) ²(twelve lakhs rupees) for purchasing a built house or for building a house ; or

(ii) ³(one lakh rupees) for effecting major repairs, additions or alterations to his house;

⁴[(b) not exceeding ⁵(four lakhs rupees) for purchase of a Motor-car or anticipated price thereof, whichever is less; provided that a member shall be eligible to ⁶[draw second car advance also on the repayment of first Motor-car advance along with interest thereon] in a tenure of the Vidhan Sabha which may be for a period of five years or less:]

⁸[Provided that a member who has drawn repayable advance for purchasing a built house or for building a house for the first time he may draw repayable advance for second time as per entitlement excluding the amount of the sale proceeds of the first house:

Provided further that the total amount of repayable advance under clauses (a) and (b) shall not ⁶(exceed sixteen lakhs rupees.)]

4. (1) [* * * * *]

Application for advance.

(2) An application for the advance shall be made to the State Government in such form, and shall contain such information as may be prescribed.

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1. Substituted by Haryana Act 11 of 1987.
 2. Substituted by Haryana Act 13 of 1990, and further substituted by Haryana Act 1 of 1992, and further substituted by Haryana Act 4 of 1993, and further substituted by Haryana Act 15 of 1998, and further substituted by Haryana Act 7 of 2001, and further Substituted by Haryana Act 24 of 2002.
 3. Substituted by Haryana Act 15 of 1998.
 4. Substituted by Haryana Act 4 of 1993.
 5. Substituted by Haryana Act 15 of 1998.
 6. Substituted by Haryana Act 6 of 1988, and further substituted by Haryana Act 1 of 1992, and further substituted by Haryana Act 4 of 1993, and further substituted by Haryana Act 15 of 1998, and further substituted by Haryana Act 7 of 2001, and further substituted by Haryana Act 24 of 2002.
 7. Omitted by Haryana Act 12 of 1980.
 8. Substituted by Haryana Act 24 of 2002.
 9. Substituted by Haryana Act 13 of 2004.

Security for
repayment.

5. (1) On the acceptance of an application for an advance, the member shall execute a deed in the prescribed form, undertaking to use the advance for the purpose for which, and to fulfil the conditions on which, the advance is sanctioned, rendering himself and such property as may have been specified in the deed as security, including the house built with the aid of the advance :

Provided that no advance for building the house shall be sanctioned unless the plot or land on which the house is to be built, is exclusively owned and possessed by the member applying therefor, and is free from all encumbrances:

¹[Provided further that the advance for any of the purposes specified in clause (a) of section 3 shall be paid in such manner as may be prescribed.]

(2) No transfer, assignment or charge made or created after the execution of the deed under sub-section (1), in relation to the property specified therein or the house built with the aid of the advance, shall be valid against the State Government, unless it has been made or created with its previous consent in writing.

Eligibility for
advance in
certain cases.

²[5A. Notwithstanding anything to the contrary contained in section 5, a member who has been allotted a residential plot by the Haryana Urban Development Authority, the price of which has to be paid in instalments, shall be eligible for the payment of advance for building the house; if the member—

- (i) has made initial payment towards the price of the plot;
- (ii) has been put in possession of the plot; and
- (iii) has been permitted by the Haryana Urban Development Authority to mortgage the plot to the Government.]

Advance how
repayable.

6. The advance, togetherwith interest due thereon, shall be repayable by instalments as may be provided for in the deed executed by the member under section 5 :

³[Provided that interest at the rate of four per cent per annum shall be charged on the repayable advance obtained by the member for the purchase of a motor-car.]

Facilities to
Speaker and
Deputy Speaker.

⁴[7. The Speaker or the Deputy Speaker, as the case may be, shall be deemed to be a member for the purposes of section 3.]

1. Substituted by Haryana Act 26 of 1980.
2. Inserted by Haryana Act 3 of 1981.
3. Added by Haryana Act 6 of 1988.
4. Substituted by Haryana Act 11 of 1987.

8. (1) The State Government may make rules for carrying out the purposes of this Act. Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, the State Government may make rules in respect of the following matters, namely:—

- (a) any matter which is required by this Act to be prescribed;
- (b) the conditions and limitations for payment of advance under section 3;
- (c) the form in which application may be made, and the information to be contained in the application, under section 4;
- (d) the form in which the deed may be executed, ¹[and the manner in which the advance shall be paid] under section 5;
- (e) interest, and penal interest in case of default.

(3) Every rule made under this section shall be laid as soon as may be after it is made before the House of the State Legislature while it is in session for a total period of ten days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session in which it is so laid or the successive sessions aforesaid, the House agrees in making any modification in the rule or the House agrees that the rule should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 13th January, 2006

No. Leg. 4/2006.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 9th January, 2006, and is hereby published for general information :—

HARYANA ACT NO. 4 OF 2006

THE HARYANA LEGISLATIVE ASSEMBLY (FACILITIES TO MEMBERS) AMENDMENT ACT, 2005

AN
ACT

*further to amend the Haryana Legislative Assembly
(Facilities to Members) Act, 1979.*

Be it enacted by the Legislature of the State of Haryana in the Fifty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Facilities to Members) Amendment Act, 2005.

Short title.

2. In section 3 of the Haryana Legislative Assembly (Facilities to Members) Act, 1979,—

Amendment of section 3 of Haryana Act 9 of 1979.

- (1) in clause (a) -
- (i) in sub-clause (i), for the words "twelve lakhs rupees", the words "twenty lakhs rupees" shall be substituted;
 - (ii) in sub-clause (ii), for the words "one lakh rupees", the words "one lakh seventy-five thousand rupees" shall be substituted;
- (11) after clause (b), for the existing provisos, the following provisos shall be substituted namely :

"Provided that a member who had drawn repayable advance for purchasing a built house or for building a house for the first time, he may draw repayable advance for second time after ten years, if he has paid the entire principal and interest on the first advance or agrees to pay the same, if any amount remains outstanding on the completion of ten years :

Provided further that the total amount of repayable advance under clauses (a) and (b) shall not exceed twenty-six lakhs rupees."

G. S. KOTLA,

Joint Secretary to Government, Haryana,
Legislative Department.

PART I
HARYANA GOVERNMENT
LEGISLATIVE DEPARTMENT

Notification

The 25th October, 2006

No. Leg. 31/2006.—The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 13th October, 2006, and is hereby published for general information :—

HARYANA ACT NO. 27 OF 2006

THE HARYANA LEGISLATIVE ASSEMBLY (FACILITIES TO MEMBERS) AMENDMENT ACT, 2006

AN

ACT

*further to amend the Haryana Legislative Assembly
(Facilities to Members) Act, 1979.*

Be it enacted by the Legislature of the State of Haryana in the Fifty-seventh Year of the Republic of India as follows :—

1. This Act may be called the Haryana Legislative Assembly (Facilities to Members) Amendment Act, 2006.

Short title.

2. In section 3 of the Haryana Legislative Assembly (Facilities to Members) Act, 1979,—

Amendment of section 3 of Haryana Act 9 of 1979.

- (i) in clause (a), in sub-clause (i), for the words "twenty lakhs rupees", the words and sign "twenty-five lakhs rupees" shall be substituted ;
- (ii) in clause (b), for the existing provisos, the following provisos shall be substituted namely :—

"Provided that a Member who had drawn repayable advance for purchasing a built up house or for building a house for the first time, he may draw repayable advance for second time immediately after the completion of recovery of principal amount alongwith interest on previous advance :

Provided further that the total amount of repayable advance under clause (a) and (b) shall not exceed thirty one lakhs rupees."

M. S. SULLAR,
Secretary to Government, Haryana,
Legislative Department.

HARYANA GOVERNMENT
LAW AND LEGISLATIVE DEPARTMENT

Notification

The 13th March, 2019

No. Leg.16/2019.— The following Act of the Legislature of the State of Haryana received the assent of the Governor of Haryana on the 8th March, 2019 and is hereby published for general information:-

HARYANA ACT NO. 16 OF 2019

**THE HARYANA LEGISLATIVE ASSEMBLY (FACILITIES TO MEMBERS)
AMENDMENT ACT, 2019**

AN

ACT

further to amend the Haryana Legislative Assembly (Facilities to Members) Act, 1979.

Be it enacted by the Legislature of the State of Haryana in the Seventieth Year of the Republic of India as follows:-

1. This Act may be called the Haryana Legislative Assembly (Facilities to Members) Amendment Act, 2019. Short title.
2. For section 3 of the Haryana Legislative Assembly (Facilities to Members) Act, 1979, the following section shall be substituted, namely:- Substitution of section 3 of Haryana Act 9 of 1979.
 - “3. Facilities.- (a) Subject to such conditions and limitations as may be prescribed, a Member shall be entitled to draw repayable house building advance for purchasing a built up house or flat or for building a house or flat to be constructed by the Co-operative Group Housing Society of which he is a member not exceeding sixty lakh rupees, subject to the condition that the total amount of repayable advances drawn under this clause and clauses (d) and (e), if any, shall not exceed eighty lakh rupees.
 - (b) A Member shall also be entitled to draw repayable house building advance, equal to the amount on the same terms and conditions as prescribed in clause (a) above, for second time immediately after the completion of recovery of principal amount along with interest on the previous advance.
 - (c) On refund of previous house building advance along with interest thereon, a Member below the age of sixty years shall be entitled to draw repayable house building advance, equal to the fifty per cent of the amount on the same terms and conditions as prescribed in clause (a) above, for the third time, subject to the condition that the total amount of repayable advances drawn under this clause and clauses (d) and (e), if any, shall not exceed fifty lakh rupees.
 - (d) A Member shall also be entitled to draw upto a maximum of ten lakh rupees for effecting major repairs, additions or alterations to his house:
Provided that outstanding principal amount towards house building advance is not more than fifty lakh rupees.
 - (e) A Member shall be entitled to draw motor-car advance of an amount not exceeding twenty lakh rupees for purchase of a motor-car or anticipated price thereof, whichever is less:
Provided that a Member shall be eligible to draw second car advance also on the repayment of first motor-car advance along with interest thereon in a tenure of the Haryana Vidhan Sabha which may be for a period of five years or less.

MEENAKSHI I. MEHTA,
Secretary to Government Haryana,
Law and Legislative Department.