

The Haryana Legislators Flats, Servant Quarters and Motor Garages Allotment Rules, 1975

HARYANA

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Rule

THE-HARYANA-LEGISLATORS-FLATS-SERVANT-QUARTERS-AND-MOTOR-GARAGES-ALLOTMENT-RULES-1975

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The Haryana Legislators Flats, Servant Quarters and Motor Garages Allotment Rules, 1975 Published vide Notification Haryana Gazette Extraordinary dated 8.4.1975 page 11 In exercise of the powers conferred by clause (f) of sub-section (2) of section 9 of the Haryana Legislative Assembly (Allowances of Members) Act, 1975, the Speaker, Haryana Legislative Assembly, hereby makes the following rules for regulating the allotment of Legislators' flats, servant quarters and motor garages to the members of the Haryana Legislative Assembly, namely :-

1. Short title and commencement.

(1) These rules may be called the Haryana Legislators' Flats, Servant Quarters and Motor Garages Allotment Rules, 1975. (2) They shall come into force at once.

2. Definitions.

- In these rules, unless the context otherwise requires :- (a) "economic rent" means the rent determined by the Chandigarh Administration or the State Government as the case may be, on the basis of the cost of land and construction thereon; (b) "family" means the wife or husband, as the case may be, and children, step children, legally adopted children, parents, widowed daughters, brothers or sisters as ordinarily reside with and are wholly dependent on the Member; (c) "Government" means the State Government of Haryana; (d) "Secretary" means the Secretary of the Haryana Vidhan Sabha.

3. Use of Legislators' Flats, Servants quarters and motor garages.

- The Legislators' flats, servant quarters and motor garages are meant for the exclusive use of Members, their families and no other person shall be entitled to the use of these premises.

4. Allotment of Legislators' flats, servant quarters and Motor garages.

- [(1) The allotment of 75 per cent of Legislators' Flats, Servant quarters and Motor Garages shall be made by the House Committee, by draw of lots and the remaining 25 per cent shall be made by the Speaker at his own discretion.(2)After the General Election or from time to time, the Secretary, with the approval of the House Committee shall invite applications from the Members of the Legislative Assembly, for allotment of Legislators' Flats, servant Quarters and Motor Garages up to a specified date and shall place them before the House Committee. The House Committee will then allot 75 per cent of the Flats, Servant Quarters and Motor Garages, lying vacant on that date, by draw of lots.] [Substituted by Haryana Gazette Extrardinary dated 5.12.1978, P. 18.](3)The Secretary shall maintain a register showing the names of the applicants, dates of receipt of applications, dates of allotment and particulars of Legislators' flats, servant quarters and motor garages so allotted.(4)Unless the Speaker otherwise directs, the Legislators' flats, servant quarters and motor garages shall be allotted to the Members on monthly basis; provided that during session days if any flat is available it shall be allotted on daily basis.(5)During the period the Assembly remains dissolved, the Speaker may allot a vacant Legislators' Flat, servant quarter and motor garage or any of them to a Member of the dissolved Assembly on payment of economic rent on the condition that his allotment shall be deemed to have been cancelled and he shall hand over the vacant possession of the premises in accordance with the procedure laid down in rule 8, fifteen days before the date of election of the Members of the new Assembly. For the period the concerned ex-Member remains in an unauthorised occupation of the said premises, he shall be charged [eighty times] [Substituted by Haryana Notification No. Hostel/40/91/56 dated 11.12.1991.] the economic rent.(6)The Secretary shall inform the Executive Officer, Maintenance Division, the Accounts Officer (Rents), the Sub-Divisional Engineer, Maintenance Sub- Division of Chandigarh Administration and the Sub-Divisional Engineer Kalka, Provincial Sub-Division of the allotment of Legislators' flat, servant quarter, motor garage or any of them made in favour of a member. The Sub- Divisional Engineer, Maintenance Sub-Division, may maintain a register showing the dates of occupation and vacation of Legislators' flats, servant quarters and Motor garages. On allotment of a Legislators' flat, servant quarter and motor garage or any of them to Member, the Sub-Divisional Engineer, Maintenance Sub-Division, shall be requested to hand over to the Members the possession of the premises and obtain his signature on the register, if any, maintained for the purpose.Note. - 1. A motor garage, if available, shall be allotted to a Member only if he has his own conveyance and has been allotted a flat.Note. - 2. A servant quarter, if available, shall be allotted to a Member only if he has been allotted a flat.

5. Conditions for allotment of accommodation.

- Before the occupation of premises allotted to a Member, he shall be required to give an undertaking that he agrees:-(i)to pay all charges in respect of the allotted premises falling due from

time to time by deducting his compensatory, travelling or daily allowances or in cash;(ii)to vacate the allotted premises on the cancellation of their allotment for his failure to make the payment when due;(iii)that he shall not sublet the allotted premises or share them with any other person;(iv)to other terms as to maintenance of sanitation proper preservation of plants, as may be mutually agreed upon between the Speaker and the Member.

6. Cancellation of allotment and vacation of Legislators' flats, servant quarters and motor garages.

- The allotment of Legislators' flat, servant quarter and motor garage shall be deemed to have been cancelled if the Member :(i)does not take over possession thereof within a period of fifteen days from the date of allotment unless the period is extended by the Speaker;(ii)hands over the vacant possession thereof alongwith furniture, etc., if any, to the Sub-Divisional Engineer, Maintenance Sub-Division;(iii)is appointed a Minister, Minister of State, Deputy Minister, Chief Parliamentary Secretary, Parliamentary Secretary, Speaker or Deputy Speaker and, is allotted a house by the Government.He shall vacate the Legislator's flat, servant quarter and motor garage immediately on allotment of a house by the Government. In the event of his failure to do so, rent equivalent to [eighty times] [Substituted by Haryana Notification No. Hostel/40/91/56 dated 11.12.1991.] the economic rent shall be charged from him from the date of occupation by him of a house allotted by the Government till the date of vacation of Legislator's flat, servant quarter and motor garage.

7. Vacation of Legislators' flats, servant quarters and motor garage.

(1)If a Member to whom Legislators' flat, servant quarter and motor garage or any of them has been allotted does not, for any reason, use the allotted premises for his own residence or that of his family, but allows some other person to make use thereof his allotment shall be cancelled and he shall not be entitled to re-allotment for a period of one year from the date of such cancellation. The Member shall be charged rent equivalent to [eighty times] [Substituted by Haryana Notification No. Hostel/40/91/56 dated 11.12.1991.] the economic rent for the allotted premises from the date of cancellation of the allotment till the vacation thereof.(2)If a member to whom a Legislators' flat, servant quarter and motor garage or any of them has been allotted ceases to be a Member, his allotment shall be deemed to have been cancelled after the expiry of a period of fifteen days from the date he ceases to be a Member.(3)In the event of the non-vacation of the allotted premises after the expiry of a period of fifteen days specified in sub-rule (2), the Secretary shall, with the approval of the Speaker, take steps to get the premises vacated.(4)For the period the concerned ex-Member remains in unauthorised occupation of the allotted premises he shall be charged economic rent for the first two weeks following the period of fifteen days referred to in sub-rule (2) and thereafter [eighty times] [Substituted by Haryana Notification No. Hostel/40/91/56 dated 11.12.1991.] the economic rent till the date of actual vacation of the premises;Provided that in the event of the dissolution of the Assembly, a Member who was allotted a Legislatures' flat, servant quarter and motor garage or any of them in his capacity as such, may retain the same, with the prior permission of the Speaker and on payment of economic rent, after the expiry of a period of fifteen days specified in sub-rule (2).(5)The allotment of premises referred to in sub-rule (1) shall be deemed to have been cancelled and the member shall hand over the vacant possession thereof in accordance with the

procedure laid down in rule 8, fifteen days before the date of election of the members for the new Assembly. For the period the concerned ex-member remains in an unauthorised occupation of the premises, he shall be charged [eighty times] [Substituted by Haryana Notification No. Hostel/40/91/56 dated 11.12.1991.] the economic rent.

8. Procedure for handing over possession of accommodation allotted.

(1)When the premises allotted to a Member are to be given up by him, their vacant possession shall be handed over to the Sub-Divisional Engineer, Maintenance Sub-Division and the Sub-Divisional Engineer, Kalka, Provincial Sub-Division and a receipt to that effect shall be obtained by the Member. Till such vacant possession given the Member shall be considered to be in possession of the premises. He shall be personally responsible for any loss or damage to the Government property supplied to him in the flat, if the loss or damage occurs during his de facto or de jure occupation of the premises.(2)The Member shall intimate to the Sub-Divisional Engineer, Maintenance Sub-Division and the Sub-Divisional Engineer, Kalka, Provincial Sub-Division about his intention to vacate the flat, servant quarter or motor garage, as the case may be, sufficiently in advance to enable the maintenance staff to take possession of the premises and to verify each and every article of furniture and electric fittings. Failure to make a report in time will render the Member liable to compensate for any loss or damage to the Government property.

9. Rent chargeable for Legislators' flat, servant quarter and motor garage.

(1)A Member shall be charged rent for the Legislators' flat, servant quarter and motor garage allotted to him in his capacity as such at the rates specified in Schedule III of the Punjab Legislative Assembly Allowance of Members) Rules, 1957.(2)A Member, who has been allotted a Legislators' flat, servant quarter and motor garage shall obtain electricity and water connections direct from the Department concerned and shall be responsible for the payment of electricity and water charges direct.(3)A Member, who has been allotted a Legislators' flat, shall not be entitled to accommodation in the Legislators' hostel on concessional rent. However, subject to availability of accommodation in the Legislators' hostel he will be charged seven rupees per room per day if he occupies room(s) therein.(See Rule 4)Form of application for Members of Haryana Vidhan Sabha applying for Legislators' Flat/servant quarter, motor garage.Name of the Member _____(in Block letters)Whether the Member has a family or single or widow/widower _____If has a family, details of the members of the family :-

| Serial No. | Name | Age | Relationship | Whether entirely dependent on the member | Whether proposed to be kept in Chandigarh |
|------------|------|-----|--------------|--|---|
|------------|------|-----|--------------|--|---|

4. Accommodation required with order of preference and reasons thereof :-

- (i) Flat (a) Ground floor (Preference) Reason
- (b) First floor (Preference)
- (ii) Servant quarter

(iii) Motor garage

5. (i) Member's accommodation, if any, occupied previously

(ii) Whether the accommodation occupied previously was surrendered or is being retained.

6. Period for which accommodation is required.

7. Whether the Member or any member of his family has a house in her/his name within a radius of 5 miles from the Vidhan Bhawan, and if so, the details thereof.

8. Certificates from the Member :-

I certify that -(1)I have read the rules of allotment of accommodation to Members of Vidhan Sabha and agree to abide by them.(2)The residence applied for is required for my personal and my family's use.(3)I will neither sublet the premises to any person nor share the residence with any person other than the member of the Haryana Vidhan Sabha,(4)I agree to pay all Government dues in respect of the accommodation allotted to me by deduction from my C.A. bills or T.A./D.A. bills unless paid in cash and if I fail to make the payment when due, my tenancy will be liable to be cancelled forthwith with consequent eviction.(5)I will abide by any rules or orders in regard to such other terms as to the maintenance of sanitation, proper preservation of plants etc. as may be issued by the Speaker from time to time.(6)The servant quarter is required for the bona fide use of my domestic servant and will not be utilised for any other purpose.(7)The motor garage is required for keeping the car owned by me (Registration No. _____) and will not be utilised for any other purpose. The garage will be surrendered whenever the car is disposed of.Place_____Date _____Signature of the Member.ToThe Secretary,Haryana Vidhan Sabha,Chandigarh.