

GOVERNMENT OF HARYANA

LEGISLATIVE DEPARTMENT

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

(Haryana Act No. 9 of 1979)

(As amended upto 31<sup>st</sup> January, 2009)

**THE HARYANA LEGISLATIVE ASSEMBLY**  
**(Facilities to Members) Act, 1979**  
**(Haryana Act No. 9 of 1979)**

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**<sup>1</sup> 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 1 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Year	No.	Short title	Whether repealed or otherwise affected by legislation.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	Amended by Haryana Act 12 of 1980 <sup>2</sup> Amended by Haryana Act 26 of 1980 <sup>3</sup> Amended by Haryana Act 3 of 1981 <sup>4</sup> Amended by Haryana Act 7 of 1984 <sup>5</sup> Amended by Haryana Act 11 of 1987 <sup>6</sup> Amended by Haryana Act 6 of 1988 <sup>7</sup> Amended by Haryana Act 13 of 1990 <sup>8</sup> Amended by Haryana Act 1 of 1992 <sup>9</sup> Amended by Haryana Act 4 of 1993 <sup>10</sup> Amended by Haryana Act 15 of 1998 <sup>11</sup> Amended by Haryana Act 7 of 2001 <sup>12</sup>

1. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 19th March, 1979, page 530.
2. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 19th March, 1980, page 577.
3. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 5th July, 1980, page 1269.
4. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 10th March, 1981, page 398.
5. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 27th March, 1984, page 506.
6. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 7th March, 1987, page 451.
7. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 21st December, 1987, page 2012.
8. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 3rd September, 1990, page 1626.
9. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 17th December, 1991 page 2254.
10. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 22nd December, 1992 page 2628.
11. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated 25th July 1998, page 1253.
12. For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated 15th March 2001, page 524.

Amended by Haryana Act 24 of 2002<sup>1</sup>  
Amended by Haryana Act 26 of 2003<sup>2</sup>  
Amended by Haryana Act 13 of 2004<sup>3</sup>  
Amended by Haryana Act 4 of 2006<sup>4</sup>  
Amended by Haryana Act 27 of 2006<sup>5</sup>  
Amended by Haryana Act 11 of 2008<sup>6</sup>

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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 Minister, 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 Assembly.

Facilities              7[3.    Subject to such conditions and limitations as may be prescribed there may be paid to each member a sum of money, by way of repayable advance,—

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1.    For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 28th October, 2002, page 2077.  
2.    For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 10th September, 2003, page 2073.  
3.    For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 20th June, 2004, page 1162.  
4.    For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 16th December, 2005, page 4797.  
5.    For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 18th September, 2006, page 2959.  
6.    For Statements of Objects and Reasons, see Haryana Government Gazette (Extraordinary), dated the 26th March, 2008, page 1533.  
7.    Substituted by Haryana Act 11 of 1987.

(a) not exceeding—

(i) <sup>1</sup> {forty lakhs rupees} for purchasing a built house or flat or for building a house or flat to be constructed by the Cooperative Group Housing Society of which he is a member;

or;

(ii) <sup>2</sup>{one lakh and seventy five thousand rupees} for effecting major repairs, additions or alterations to his house;

<sup>3</sup>[(b) not exceeding <sup>4</sup>(ten lakhs rupees) for purchase of a Motor-car or anticipated price thereof, whichever is less; provided that a member shall be eligible to <sup>5</sup>(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:]

<sup>6</sup>{Provided that a Member who had drawn repayable advance for purchasing a built up house or for building house for the first time, he may draw repayable advance for second time immediately after the completion of recovery of principal amount along with interest on the previous advance:

Provided further that the total amount of repayable advance under clauses (a) and (b) shall not exceed<sup>7</sup> {fifty lakhs rupees}}].

Application for advance. 4. <sup>8</sup>(1) (\*\*\*\*\*]

(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, 13 of 1990, Haryana Act, 1 of 1992, Haryana Act, 4 of 1993, Haryana Act, 15 of 1998, Haryana Act, 7 of 2001, Haryana Act, 24 of 2002, Haryana Act, 26 of 2003, Haryana Act 4 of 2006, Haryana Act 27 of 2006 and Haryana Act 11 of 2008.
  2. Substituted by Haryana Act 15 of 1998 and Haryana Act 4 of 2006.
  3. Substituted by Haryana Act 4 of 1993.
  4. Haryana Act 15 of 1998, Haryana Act 26 of 2003 and Haryana Act No. 11 of 2008.
  5. Substituted by Haryana Act 13 of 2004
  6. Inserted by Haryana Act 27 of 2006
  7. Substituted by Haryana Act 6 of 1998, Haryana Act, 1 of 1992, Haryana Act, 4 of 1993, Haryana Act 15 of 1998, Haryana Act 7 of 2001, Haryana Act 24 of 2002, Haryana Act 4 of 2006 and Haryana Act 27 of 2006 and further substituted by Haryana Act 11 of 2008.
  8. Omitted by Haryana Act 12 of 1980.

Security for repayment	<p>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 fulfill the conditions on which, the advance is sanctioned, rendering himself and such property as may have been specified in the deed as security, <sup>1</sup>(including the house built or flat) with the aid of the advance:</p> <p>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 therefore, and is free from all encumbrances:</p> <p><sup>2</sup>(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.)</p> <p>(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 <sup>1</sup>(house built or flat) 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.</p>
Eligibility for advance in certain cases	<p><sup>3</sup>(5A. Notwithstanding any thing 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—</p> <p>(i) has made initial payment towards the price of the plot;</p> <p>(ii) has been put in possession of the plot; and</p> <p>(iii) has been permitted by the Haryana Urban Development Authority to mortgage the plot to the Government.)</p>
Advance how repayable.	<p>6. The advance, together with interest due thereon, shall be repayable by instalments as may be provided for in the deed executed by the member under section 5:</p> <p><sup>4</sup>(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.)</p>
Facilities to Speaker and Deputy Speaker	<p><sup>5</sup>[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.]</p>
Power to make rules.	<p>8. (1) The State government may make rules for carrying out the purposes of this Act.</p> <p>(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 :—</p> <p>(a) any matter which is required by this Act to be prescribed;</p> <p>(b) the conditions and limitations for payment of advance under section 3;</p>

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1. Substituted by Haryana Act 26 of 2003.
  2. Substituted by Haryana Act 26 of 1980.
  3. Inserted by Haryana Act 3 of 1981.
  4. Added by Haryana Act 6 of 1988.
  5. Substituted by Haryana Act 11 of 1987.

- (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,<sup>1</sup>(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 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.

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1. Substituted by Haryana Act 26 of 1980.