

Parliamentary Affairs Department

NOTIFICATION

Jaipur, February 16, 1973

G.S.R. 64—In exercise of the powers conferred by clause (e) of sub-section (2) of Section 11 of the Rajasthan Legislative Assembly (Officers and Members Emoluments) Act, 1956 (Act No. 6 of 1957), the State Government hereby makes the following Rules specifying the housing facilities to which the members of the Rajasthan Legislative Assembly shall be entitled, namely :—

The Rajasthan Legislative Assembly (Members Residential Accommodation) Rules, 1973 (Amendment 2019, 2020)

1. Short Title, Extent and Commencement.—

- (1) These rules may be called the Rajasthan Legislative Assembly (Members Residential Accommodation) Rules, 1973 ;
- (2) These rules shall come into force with immediate effect;
- (3) These rules shall apply to the allotment of residential accommodation specified in Appendix 'B' to the members of the Rajasthan Legislative Assembly.

2 Definitions.—In these rules, unless the context otherwise requires,

- (a)* “Alloting Authority” means the House Committee of the Rajasthan Legislative Assembly or any person duly authorised by the House Committee;
- (b) “Class” in relation to a residential accommodation means the class of that residential accommodation specified in Appendix 'B';
- (c) “Day” means a calendar day beginning and ending at midnight;

*substituted vide F.No. 7(11)/sansad/1987 dated 7.07.2020

- (d) “Executive Engineer” means the Executive Engineer, P.W.D. (B & R), City Division I, Jaipur or any other officer authorised by the Government to perform the functions of the Executive Engineer;
- (e) “Family” includes only the wife, children, step-children, parents, brothers, their wives and sisters ordinarily residing with and wholly dependent on the member;
- (f) “Government” means the Government of Rajasthan;
- (g) “House Committee” means the House Committee of the Rajasthan Legislative Assembly;
- (h) “Member” means a member of the Rajasthan Legislative Assembly, but does not include-
 - (i) a minister as defined in the Rajasthan Ministers Salaries Act, 1956 (Rajasthan Act 43 of 1956);
 - (ii) an officer of the Legislative Assembly for the State as defined in the Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) Act, 1956 (Rajasthan Act 6 of 1957); and
 - (iii) a Government Chief Whip or a Deputy Government Chief Whip or a Leader of the Opposition as defined in the enactment referred to in sub-clause (ii);
- (i) “Month” means a calendar month;
- (j) “Penal rent” means the rate or rent that may be equal to five times the House Rent Allowance to which a member is entitled in accordance with the rules;
- (k) “Rent” means the rate of rent as given in column 2 of appendix “D”;
- (l) “Secretary” means the Secretary, Rajasthan Legislative Assembly and includes any other officer of the Rajasthan Legislative Assembly Secretariat for the time being performing the functions of the Secretary;

- (m) “Sub-letting includes” parting with the whole or part of the accommodation by an allotted, with or without payment of rent, but does not include a casual guest.

3 Allotment of residential accommodation.—(1) The Executive Engineer shall intimate to the House Committee the number and class of the vacant residential accommodation as soon as the same falls vacant.

(2) A Member seeking an allotment of residential accommodation shall submit an application in the form given in Appendix ‘A’ addressed to the Secretary.

(3) Applications received shall be entered in a priority Register to be maintained by the Secretary.

(4) Ordinarily the allotment shall be made in accordance with the strength of the various parties and groups in the Rajasthan Legislative Assembly and on the basis of the priority of the receipt of the applications. No allotment of accommodation shall, however, be made under these rules to a member who may be availing of accommodation facility as provided under the Rajasthan Legislative Assembly (Officers and Members Emoluments) (Housing Facilities) Rules, 1956 on annual rent basis.

(5) In case more than one applications are received on the same date, allotment shall be made by drawing lots :

Provided that preference shall be given to applicants desiring to stay with their families over those desiring to stay single.

(6) While making allotment, the House Committee may also, after due consideration, make out of turn allotment on any or all of the following grounds, namely :—

- (i) When a member happens to be the Chairman or a member of one of the Committees formed for the purpose of transacting Assembly business; or
- (ii) Illness or physical disability of the member; or

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- (iii) Other circumstances of the member warranting such allotment on priority basis.

@(6A) While making allotment, the House Committee may, after due consideration make out of turn allotment of appropriate house to the Member who has been,

- (i) Chief-minister of the State of Rajasthan;
- (ii) Union Cabinet Minister;
- (iii) Minister of State, Government of India and at least three times Member;
- (iv) Cabinet Minister of the State and at least tow times Member;
or
- (v) At least two times Member of Lok Sabha/Rajya Sabha."

(7) The Secretary shall communicate the decision of the House Committee to the member concerned requesting him to execute an agreement in duplicate in the form given in Appendix 'C'.

(8) On the execution of such an agreement, the Secretary shall intimate to the Executive Engineer accordingly and request him to handover the vacant possession of the residential accommodation to the member concerned.

(9) The key of the residence shall be made over by the Executive Engineer to the member himself or to any other person duly authorised by him in writing, after the member has himself executed an agreement in the form given at Appendix 'C'.

(10) The Executive Engineer shall intimate the date of occupation of the accommodation to the Executive Engineer, Rajasthan State Electricity Board, Jaipur, Executive Engineer, Water Works, Superintendent, Gardens, Supervisor, Vidhayak Niwas, the Assembly Secretariat and other Government departments concerned.

@F. 7 (2) Sansad/2020 dated 1.8.2020.

(11) If a member fails to accept the allotment of the accommodation within 7 days from the date of receipt of the allotment order or fails to occupy it within 15 days :-

- (a) the allotment order in his name shall stand cancelled and his name shall go down at the bottom of the list of the applicants of his category, maintained in the priority register;
- (b) after cancellation of the allotment order, the accommodation shall be available for re-allotment.

(12) The allotment of residential accommodation shall be effective from the date on which its possession is taken by or on behalf of the applicant and shall stand terminated—

- (a) one month after he ceases to be a member of Rajasthan Legislative Assembly :

Provided that in special circumstances State Government may extend the said period from time to time but in no case such period shall run beyond the date on which next Assembly is constituted.

- (b) from the date it is cancelled or stand cancelled under these rules;
- (c) from the date it is surrendered by the member concerned.

(13) Members having the same class of residential accommodation may, with the prior approval of the allotting authority, exchange them.

(14) A residential accommodation can be surrendered by a member as follows :-

- (i) a member may at any time surrender an allotment made to him under these rules. Fifteen days notice in case of allotments for more than a month shall be necessary. If for any reason a member is unable to give due notice as prescribed above, he shall inform the allotting authority of the circumstances under which due notice could not be given;

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- (ii) a member desirous of vacating the residence shall hand-over vacant possession of the residence along with the key of the residence to the Executive Engineer concerned;
- (iii) a member shall be treated to be in occupation of the residence allotted to him so long as he does not hand over vacant possession of the residence to the Executive Engineer after intimating the time and date of vacation.

#" (14A) The Allotting Authority, if satisfied that any residential accommodation allotted to any Member,-

- (i) has become in dilapidated condition;
- (ii) has become unsafe or unfit for human habitation;
- (iii) is required for renovation or reconstruction; or
- (iv) is required for any other public purposes,

may cancel the allotment of such residential accommodation at any time and pass an order for vacation of such residential accommodation. The order so passed shall be served in writing to the Member concerned to whom residential accommodation was allotted, Upon receipt of order passed under this sub-rule, the Member shall vacate the residential accommodation allotted to him and hand over the possession of such residential accommodation to the Executive Engineer within fifteen days from the date of order or within such time as may be extended by the Speaker."

(15) A residential accommodation may be taken possession of in accordance with the provisions contained in sub-section (3) of section 9 of the Act.

#14A "inserted vide notification No.F.7(11)Sansad/1987 at 7.7.2020

4 House Rent Allowance.—Members [excluding those availing of accommodation facility on annual rent basis under the Rajasthan Legislative Assembly (Officers and Members Emoluments) (Housing Facilities) Rules, 1956 or those living in the allotted Government Accommodation] residing at Jaipur in the accommodation owned or hired by them shall be entitled to draw House Rent Allowance Rs.#50,000/- per month with effect from #1 October, 2020 or from the date of such residential facility, whichever is later on production of a House Rent Receipt or a certificate that the House is personally owned or hired by them.

5 Payment of House Rent Allowance.—Payment of House Rent Allowance to members, who before the commencement of these rules, have been residing in hired accommodation and have also been allowed to draw house rent allowance, shall be continued under these rules.

@**6. Facility and Reimbursement of furniture.**— (1) A member residing at Jaipur in the Government accommodation or in the accommodation owned or hired by him shall be entitled to reimbursement of expenditure on furniture to the extent of eighty thousand rupees with effect from 1st April, 2019 or from the date of occupation of such accommodation, whichever is later, once in each assembly term or till his term as a member. The member shall submit self certified bill of furniture purchased by him to the Secretary for reimbursement.

(2) the facility of reimbursement under sub-rule (1) shall not be made available during the extended period of allotment under clause (a) of sub-rule (12) of rule 3 of these rules."

Notification No. F.22(1)sansad/2010/ part 4 dated 8 Oct. 2020.

@ Notification No. F.(7)(11)Sansad/1987 dated 11.11.2019.

7. Unauthorised occupation.—(1) The allottee shall use the accommodation for his own residence and that of his family members only and under no circumstances shall be sublet to or share the residence with any other person, whether a member or otherwise or allow any person to occupy the same;

(2) A member shall, on unauthorised occupation or on subletting of residence or portion thereof including a garage or servant quarter allotted to him, :-

- (a) be liable to pay penal rent; and
- (b) be debarred from being allotted accommodation for a period of three years.

8 Fixation of rent.—Rent for each class of accommodation shall be fixed by the Government.

9 Recovery of rent.—(1) The member concerned shall deduct the rent from his salary bill every month and deposit the same in the treasury concerned in accordance with the procedure laid down by the Government from time to time.

(2) If a member fails to make payment of rent for three consecutive months, the tenancy shall be liable to be cancelled by the House Committee with consequent eviction.

(3) For the purpose of these rules, the amount of last salary to the member shall be released on production of 'No Dues Certificate' when he/she ceases to be a member.

10 Electricity and water supply.—(1) A member allotted residential accommodation specified in Appendix 'B' shall have electric and water connections direct from the Rajasthan State Electricity Board and Water Works Department, respectively.

*(2) The bills on account of electricity and water supply (during the period of allotment and extended period of allotment if any, under rule 3) shall be paid by the member.

* Notification No. F7 (11) Sansad /87 dated May 8, 2006.

11. Liability for damage to property, etc.—(a) A member shall be personally responsible for any loss or damage to Government property supplied in the residence if the loss or damage occurs during his occupation of the residence.

(b) The member shall be responsible for the maintenance of proper sanitation in the residence, proper preservation of plants, lawn, etc.

12 Possession and supervision of residence and submission of vacant residence report.—The residence shall remain in the possession and supervision of the Executive Engineer who will submit fortnightly report of vacant residence to the Secretary on 1st and 15th of every month.

13 Checking of residence.—The allotting authority may institute or cause to be instituted periodical checks of all residences either through the members of the House Committee or through an officer authorised by the House Committee, in this behalf, to ensure that no residences, garages, servant quarters, etc. are sublet or occupied in an unauthorised manner.

14 Repeal and saving.—The Residential Accommodation (Jaipur) Rules, 1956 shall be repealed, but all action taken heretofore under those rules shall be deemed to have been taken under these Rules.

[No. F. 12(3) Sansad/73]

By Order of the Governor,

K. D. Sharma,

Secretary to the Government.

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Appendix 'A'

Rule 3 (2)

***Form of Application for Government Accommodation
for Residential Purposes***

To,

The Principal Secretary,
Rajasthan Legislative Assembly,
Jaipur

I hereby apply for Government residential accommodation.

1. Name
2. Constituency
3. Pay
4. Allowances, if any
5. Number of adults and children in the family
(Including relationship to the applicant)
6. State whether you have house property in Jaipur.
7. State whether you are a member of any of the Standing
Committee of the Rajasthan Legislative Assembly.

It is certified that I am not availing of accommodation facility as provided in the Rajasthan Legislative Assembly (Members Residential Accommodation) Rules, 1973, any Government Residential accommodation.

Signature.....

M.L.A.

Dated.....

(Division No.....)

Appendix 'B'

Sl. No.	Class of residential accommodation	Number of Bungalows & Flats available	Location
1.	Vidhayak Awas	160	Jyoti Nagar, Jaipur
2.	Flats in Vidhayakpuri	28	Behind All India Radio, Station Road, Jaipur.
3.	Gandhi Nagar M-Type	21	
4.	Gandhi Nagar N-Type	13	
@5.	1/32 Gandhi Nagar	1	Gandhi Nagar, Jaipur
@6.	B-2 Bhagat Singh Marg	1	Bhagat Singh Marg, Jaipur
@7.	13 Civil Lines	1	Civil Lines, Jaipur
#8.	49 Civil Lines	1	Civil Lines, Jaipur
*9.	11 Civil Lines	1	Civil Lines, Jaipur
##10.	385, Civil Lines	1	Civil Lines, Jaipur
##11.	18, Civil lines	1	Civil Lines, Jaipur
##12.	50, Civil Lines	1	Civil Lines, Jaipur

@F7 (2) Sansad/2020 dated 1.8.2020 added quarter no. 1/32, b-2 & 13.

#F.7(2) Sansad/2020 Dated 23.2.22 added quarter No. 49

*F7(2) Sansad/2020 Dated 25.4.22 added quarter 11

##F.7(2) Sansad/2020 Dated 6.6.22 added quarter no. 385, 18 & 50

F.7(2) Sansad/2020 dated 6.9.22 deleted previous sr no. 7,13 & 14

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Appendix 'C'

I hereby agree to the allotment of bungalow/flat
No. subject to the following conditions :—

- (a) that I shall pay to Government dues pertaining to such occupation by deduction from my salary every month and the Treasury Officer may be informed about the deduction;
- (b) that I shall not sublet or share the quarter or any part of it with any person other than the members of my family; and
- (c) that I shall abide by the Rules formulated from time to time in respect of sanitation, maintenance and proper preservation of quarters allotted to me.

Dated.....

Signature.....

M.L.A.

(Division No.....)

Appendix 'D'

Sl. No.	Description of the Building	Rent chargeable per month	Standard Rent
M.L.A. Bungalows			
1.	'B' Type Quarters	Rs. 60/-	Rs. 25/-
2.	'C' Type Quarters	Rs. 45/-	Rs. 13/-
Vidhayakpuri Flats		Rs. 45/-	Rs. 15/-

Rent at the fixed rate would be payable for notice period also if an occupant gives notice of surrendering allotment prematurely and the house remains unoccupied during the period of notice.