

Goa (Grant Of Housing Advance To Members Of The Legislative Assembly) Rules, 2006

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Goa (Grant Of Housing Advance To Members Of The Legislative Assembly) Rules, 2006

1. Short title and commencement :-

(1) These rules may be called the Goa (Grant of Housing advance to Members of the Legislative Assembly) Rules, 2006.

(2) They shall be deemed to have come into force on the 1st day of July, 2004.

2. Definitions :-

In these rules, unless the context otherwise requires:-

(a) "Act" means the Goa Salary, Allowance and Pension of Members of the Legislative Assembly Act, 2004 (Act 20 of 2004);

(b) "Accounts Officer" means the Director of Accounts;

(c) "Sanctioning Authority" means the Secretary to the Goa Legislative Assembly/ /Goa Legislature Secretariat;

(d) "Speaker" means the Speaker of the Goa Legislative Assembly;

(e) Words and expressions used in these rules but not defined shall; have the same meaning respectively assigned to them in the Act.

3. Application for grant of housing advance :-

(1) An application for grant of housing advance under these rules shall be made in Form-I hereto to the Sanctioning Authority.

(2) The housing advance granted under these rules shall be charged interest at the rate of two percent per annum.

(3) The advance shall be paid by cheque in favour of the Member.

(4) At the time of drawing the housing advance, the Member shall execute an Agreement in Form-II hereto and on completing the construction of house or bungalow or acquisition of a flat, as the case may be, shall execute a mortgage deed in Form-III hereto mortgaging the house or bungalow or flat, as the case may be, in favour of the Government as security for the housing advance and interest thereon.

(5) When a housing advance is drawn, the Sanctioning Authority shall furnish to the Accounts Officer, a certificate that the Agreement in Form-II hereto has been signed by the Member drawing the housing advance and that it has been found to be in order. The Sanctioning Authority shall ensure that the house or bungalow or flat, as the case may be is constructed or acquired, as the case be within 24 months from the date of receipt of the advance by the Member and shall keep every mortgage deed, after examination for record.

(6) The mortgage deed shall be kept in the safe custody of the Sanctioning Authority. When the advance together with interest

thereon and the penal interest, if any, has been fully repaid, the mortgage deed shall be returned to the Member duly cancelled after obtaining a certificate from the Accounts Officer as to the complete repayment of the advance and the interest thereon and the penal interest, if any-

(7) The Sanctioning Authority shall require the Member to furnish additional collateral security, where considered necessary. The collateral security may be in the form of assignment of Life Insurance Policies or title deeds of other properties.

4. Repayment :-

(1) The housing advance granted to a Member under these rules shall be repaid within such period as determined by the Speaker, not exceeding a maximum period of 10 years, by equal monthly installments as fixed by the Speaker.

(2) The recovery of housing advance shall be made by deduction from the salary, allowances and pension admissible to the Member under the Act. The recovery by deduction from the salary and other allowances shall commence from the month following that in which the housing advance is drawn and in order to insure the recovery and accounting thereof, the bills of the Members to whom housing advance has been granted shall be routed through Sanctioning Authority.

(3) If a person ceases to be a Member of the Legislative Assembly for any reason, the amount due towards each monthly installment or towards interest on advance or towards penal interest may be deducted from the pension payable to him or such person may repay such amount by remitting in cash in; any Government Treasury and shall produce Treasury Challan every month for having so remitted the amount unless he repays the entire dues in respect of housing advance in lump sum and produces receipt therefore.

(4) A Member who has repaid the entire principal amount of advance and interest thereon and penal interest if any shall be entitled to have the mortgage deed returned to him duly redeemed.

(5) In the event of death of a Member before the recovery of entire dues towards the housing advance, interest and penal interest if any, the Goa Legislature Secretariat shall be entitled to enforce the mortgage deed and take such other action to effect recovery of the outstanding amount as may be permissible including recovery from pension.

(6) The amount of advance to be recovered by monthly installment shall be fixed in whole rupee except in case of last installment, when the remaining balance including any fraction of rupee shall be recovered.

5. Terms and conditions for the grant of housing advance :-

(1) The necessary estimate of the house or bungalow to be constructed along with a plan duly approved by the concerned authority namely Village Panchayat or Municipality or Municipal corporation as the case may be and/or planning and Development Authority as the case may be and in case of acquisition of flat a valuation certificate from a Government approved valuer, shall be submitted along with the application.

(2) On production of all documents, the Sanctioning Authority shall process the application and submit the same for the approval of the Speaker.

(3) The occupancy certificate shall be produced by the Member availing housing advance to the Legislature Secretariat for necessary record.

6. Penal Interest in case of default :-

In the event of default committed by a Member in the repayment of even a single installment of housing advance granted to a Member under these rules by the due date as fixed by the Sanctioning Authority, the concerned Member, shall be liable to pay penal interest at the rate of one percent per annum on the entire amount of the housing advance sanctioned, from the date of draw of housing advance till the repayment of the full amount of such advance.

7. House/Bungalow/Flat to be insured :-

A Member who has been sanctioned a housing advance under these rules for the purpose of constructing a house/bungalow/acquiring a flat may insure said house/bungalow/flat at his own cost with Life Insurance Corporation of India, for a sum not less than the amount of the advance sanctioned and may keep it so insured against loss or damage by fire, flood and lightning till the advance is fully repaid and deposits the policy of insurance with the Sanctioning Authority.