

**THE LEADER OF OPPOSITION IN THE LEGISLATIVE ASSEMBLY OF THE
NATIONAL CAPITAL TERRITORY OF DELHI
(SALARIES & ALLOWANCES) ACT, 2001
(ACT NO. 6 OF 2002)**

[28th March, 2002]

AN

ACT

*to provide for the salary and allowances of the
Leader of Opposition in the Legislative
Assembly of the National capital
Territory of Dlehi.*

Be it enacted by the Legislative Assembly of the National Capital Territory of Delhi in the Fifty-second Year of the Republic of India as follows :—

1. Short title, and commencement.— (1) This Act may be called Leader of Opposition in the Legislative Assembly of the National Capital Territory of Delhi (Salaries and Allowances) Act, 2001.

2. It shall come into force on such date¹ as the Lieutenant Governor may, by notification in the official Gazette, appoint.

2. Definitions.— In this Act, unless the context otherwise requires:—

(a) “Leader of Opposition” in relation to the Legislative Assembly of the National Capital Territory of Delhi means the member of the Legislative Assembly who is, for the time being, the Leader in the House, of the party in opposition to the Government having the greatest numerical strength and recognised as such by the Speaker of the Legislative Assembly;

Explanation:— Where there are two or more parties in opposition to the Government, in the Legislative Assembly, having the same numerical strength, the Speaker shall, having regard to the status of the parties, recognize any one of the Leaders of such parties as the Leader of the Opposition for the purposes of this section and such recognition shall be final and conclusive;

(b) “Speaker” means the speaker of the Legislative Assembly of the National Capital Territory of Delhi.

3. Salary and Allowances of the Leader of Opposition.— (1) The Leader of Opposition shall be entitled to receive a salary, constituency allowance and daily allowance at the same rates as are admissible to a Minister under the Ministers of the Government of National Capital Territory of Delhi (Salaries and Allowances) Act, 1994(Delhi Act 8 of 1995).

(2) The Leader of Opposition shall be entitled to receive sumptuary allowance at the same rate as is admissible to a Minister under the Ministers of the Government of National Capital Territory of Delhi (Salaries and Allowances) Act, 1994 (Delhi Act 8 of 1995).

(3) The Leader of Opposition shall also be paid such conveyance allowances, travelling allowances and daily allowances for tour outside Delhi

¹1st April, 2002, see Notification No. F.1/10/95-98/LAD/306 dated 28th March, 2002, Part IV dated 28th March, 2002.

and shall be entitled to such amenities regarding residence or compensatory allowance in lieu thereof and use of motor car as are admissible to a Minister under the Ministers of the Government of National Capital Territory of Delhi (Salaries and Allowances) Act, 1994 (Delhi Act 8 of 1995):

Provided that the Leader of Opposition shall not be entitled to any travelling allowances in case the journey is performed by him in a free official transport.

4. Medical facilities to Leader of Opposition.— The Leader of Opposition and members of his family shall be entitled to such medical facilities on similar terms as provided to a Minister Under the Ministers of the Government of National Capital Territory of Delhi (Salaries and Allowances) Act, 1994 (Delhi Act 8 of 1995).

5. Telephone facilities to Leader of Opposition.— The Leader of Opposition shall be entitled to such telephone facilities as are admissible to a Minister under the Ministers of the Government of National Capital Territory of Delhi (Salaries and Allowances) Act, 1994 (Delhi Act 8 of 1995).

6. Leader of Opposition not to draw salary or allowances as Member of Legislative Assembly.— The Leader of Opposition shall not be entitled to receive any sum by way of salary or allowances as a member of the Legislative Assembly except what is specifically provided for by and under this Act.

7. Notification respecting the date on which person became or ceased to be Leader of Opposition to be conclusive evidence thereof.— The date on which any person became or ceased to be the Leader of Opposition shall be published in the official Gazette, and any such notification shall be conclusive evidence of the fact that he became, or ceased to be, the Leader of Opposition on that date for all purposes of this Act.

8. Amendment of Delhi Act 6 of 1995.— In the Members of Legislative Assembly of the National Capital Territory of Delhi (Salaries, Allowances, Pension, etc.) Act, 1994.

(a) In Clause (f) of section 2,

(a) In sub-clause (i) the word “and” at end shall be omitted;

(b) Sub-clause (ii) shall be renumbered, as sub-clause (iii) and as so renumbered, the following sub-clause shall be inserted, namely:—

“(ii) The Leader of Opposition as defined in the Leader of the Opposition in the Legislative Assembly of the National Capital Territory of Delhi (Salaries and Allowances) Act, 2001; and”.

(b) In sub-section (4) of section 9, for the words “or both”, the words and figures “or as the Leader of Opposition as defined in the Leader of Opposition in the Legislative Assembly of the National Capital Territory of Delhi (Salaries and Allowances) Act, 2001. Or has served in all or any or such capacities” shall be substituted.

9. Amendment of Delhi Act 6 of 1997.— In the Delhi Members or Legislative Assembly (Removal of Disqualification) Act, 1997, in the

Schedule, after the entry at serial number 2, the following new entry shall be inserted, namely:-

“3. The office of Leader of Opposition in the Legislative Assembly of the National Capital Territory of Delhi.

Explanation.— The expression “Leader of Opposition” shall have the meaning assigned to it in the Leader of Opposition in the Legislative Assembly of the National Capital Territory of Delhi (Salaries and Allowances) Act, 2001.”
