[1]THE LEADERS OF OPPOSITION IN PARLIAMENT (ALLOWANCES, MEDICAL & OTHER FACILITIES) RULES, 1977

G.S.R. 665 (E) -—In exercise of the powers conferred by section 10 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (33 of 1977) the Central Government hereby makes the following rules, namely :—

1. **Short title** .— (1) These rules may be called the Leaders of Opposition in Parliament (Allowances, Medical and other Facilities) Rules, 1977.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definition**— In these rules unless there is anything repugnant to the subject or context —

(i) "Act" means the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (33,of 1977);

(ii) "actual travelling expenses" means the actual cost of travel of the Leader of the Opposition and his servants and includes the cost of transporting his personal luggage, but does not include the charges for hotels, travellers, bungalows or refreshments or for the carriage of stores or conveyances or for such incidental losses or expenses as the breakage of the crockery, wear and tear of furniture and the employment of additional servants;

(iii) "family" means, except in relation to rule 16, the wife of the Leader of the Opposition residing with him and the legitimate children and step children residing with and wholly dependent on

Explanation 1— Not more than one wife Is included in a family for the purposes of these rules,

Explanation 2— If the Leader of the Opposition is a married woman, "family" will include her husband residing with and wholly dependent on her;

(iv) "first class compartment" means a two-berthed or four-berthed first class compartment or an air conditioned coupe or four-berths in an air-conditioned two-tier sleeper coach;

(v) "Form" means a form appended to these rules;

(vi) "travelling allowance" means an allowance granted to the Leader of the Opposition to cover the expenses which he Incurs in travelling in the discharge of his duties as such Leader as against travelling in personal interest or in the interest of the party to which he may belong or for private purpose, such as journeys for rest or recoupment of health or for attending party meetings or for election campaign.

3. **Size of residence** .—The Leader of the Opposition shall be allotted a residence of which the standard rent, or if the rents have been pooled, the pooled standard rent calculated in accordance with the provisions of the Fundamental Rule 45-A, does not, as far as possible, exceed Rs. 650 per month,

4 **Furniture and electrical appliances** ,— (1) The value of furniture and electrical appliances provided free of rent in a residence allotted under section 4 of the Act shall not exceed thirty-eight thousand and five hundred rupees.

---

[1] Published in the Gazette of India, Extraordinaty, Part II – Section3 - Sub-section (i) dated 1.11.1977

(2) For every article of furniture or electrical appliances provided in such residences, in excess of the limits specified in sub-rule (1), the Leader of the Opposition shall be liable to pay rent at the same rates as are applicable to Government servants, together with the departmental charges.

5. **Rent for residence by family after the death of the Leader of the Opposition** .— Where, after the death of the Leader of the Opposition his family continues to occupy the residence which had been occupied by him immediately prior to his death, in respect of the period specified in clause (b) of sub-section (2) of section 4 of the Act, the family shall be charged rent in accordance with the provisions of Fundamental Rule 45-A, or, if the rents have been pooled, the pooled standard rent under Fundamental Rule 45A,

6. **Rent for period of over-stay**— Where the Leader of the Opposition, on ceasing to be such Leader, occupies a residence beyond the period specified in section 4 of the Act, he shall be liable to pay, for the period of over-stay rent calculated in accordance with the provisions of Fundamental Rule 45-B, together with full departmental charges, or if the rents have been pooled, the pooled standard rent under F.R. 45-A, whichever is higher-

7. **Inventory of furniture and fittings**— An inventory of furniture, fittings and electrical appliances provided in a residence allotted to the Leader of the Opposition snail be prepared and verified periodically in accordance with the instructions issued by the Central Government from time to time,

8. **Travelling Allowance for assuming and relinquishing office** — (1) In respect of the journeys of the Leader of the Opposition under sub-clauses (i) and (ii) of clause (a) of sections of the Act, he shall be entitled to travelling allowance on the scale for the time being admissible to a Central Government servant of the first grade on transfer, subject to the modification that as regards Journeys by rail, the Leader of the Opposition and members of his family may travel by air-conditioned class of accommodation,

(2) in lieu of drawing travelling allowance' under sub-rule (1) the Leader of the Opposition may, at his option, travel by rail on the following terms :—

(a) any accommodation which he will be entitled to reserve by requisition after assuming office will, if practicable be placed at his disposal;

(b) the charge for haulage of the reserved accommodation will be paid by the Government; and

(c) the Leader of the Opposition shall pay to the Government the fare which he would have paid if no accommodation had been reserved and shall, in addition, pay in cash to the Station Master of the station from which the journey commences, the fares for any member of his family accompanying him, whether they share his reserved accommodation or not. All such fares shall be credited to the Government.

9. **Travelling Allowance while on duty**—In respect of tours undertaken by the Leader of the Opposition in the discharge of his duties as such Leader,—

(a) he may, at his option, reserve a first class compartment by requisition, or travel by taking single berth in a first class compartment;

(b) he may travel by air in a regular air service and recover in respect of such travel the air fare paid by him (except when fare is paid by the Government direct to the company);

(c) (i) when travelling by road or steamer, whether in Government transport or otherwise, he may recover his actual travelling expenses appending to his bill a certificate in Form I.

(ii) when travelling by road in his private car, he may, in lieu of the actual travelling expenses admissible under sub-clause (i), draw, at his option, a mileage allowance at the rate of thirty-two paise per kilometer.

10. **Conveyance of other persons and servants**— (1) The Leader of the Opposition when travelling in the discharge of his duties as such Leader, is entitled without payment to,—

(a) take with him in the first class compartment one relative; and

(b) accommodation for two personal servants.

(2) Any person other than the relative mentioned in sub-rule (1) travelling with the Leader of the Opposition in the first class compartment shall pay the usual fares to the railway by purchase of first class ticket ,or, air-condition class ticket, as the case may be, and in every bill for travelling allowance in respect of a journey performed in such first class compartment, the Leader of the Opposition shall specify the number of persons who travelled with him and shall furnish a certificate in Form II.

(3) Whenever the Leader of the Opposition undertakes any journey in the discharge of his duties, he may, at his discretion, take with him at the expense of Government either his Private Secretary or a Personal Assistant;

Provided that the Private Secretary or a Personal Assistant of the Leader of the Opposition may be allowed to undertake Journey by air, whenever this is considered by the Leader of the Opposition to be absolutely urgent and necessary.

IndiaCode

11. **Daily allowance** .— (i) Subject to the provisions of sub-rule (2),the Leader of the Opposition shall be entitled to draw daily allowance in respect of halts made by him at places at the rate [2]"admissible to a Secretary to the Government of India" provided he does not return to his headquarters within 24 hours from the commencement of tour-

***Explanation* 1**— Daily allowance admissible under this sub-rule shall be calculated on the basis of the period of halts which shall begin from the time the forward journey ends at the actual place of halt and shall end at the time the return or further journey commences therefrom. Such calculations shall be made as under :—

(1)	Halt upto six hours	Nil
(2)	Halt exceeding six hours but not exceeding 12 hours	Half daily allowance
(3)	Halt exceeding 12 hours but not exceeding 24 hours	Full daily allowance
(4)	Halt exceeding 24 hours	One daily allowance for every 24 hours halt. For a fraction of 24 hours, at the end of halt, daily allowance shall be calculated in accordance with the entries (1),(2)or (3) above, as the case may be

[2] Substituted by Notification No 14 (1)/96- WS dated 14. 5.1996 G.S.R. 211 (E) published in the Gazette of India Extraordinary, Part II-Section 3 -Sub-section (i) dated 15.5.1996

.***Explanation*** **2**,— If the Leader of the Opposition halts at more than one station during his tour, each continuous ha It shall separately qualify for daily allowance under this sub-rule, provided that, in respect of halts at different stations on the same day, not more than one daily allowance shall be admissible in the aggregate.

(2) For each continuous halt on, tour exceeding ten days, daily allowance will be admissible.—

(i) at the rate specified in sub-rule (1) for the first ten days;

(ii) at three fourths of those rates for the succeeding 20 days; and

(iii) at one-half of those rates thereafter,

Note: — A halt on tour shall be treated as continuous unless terminated by an absence at a distance exceeding 8 kms. from the halting place for a period covering not less than seven consecutive nights.

12. **Allowance when treated as State Guest**.—When the Leader of the Opposition is treated as a State Guest during his stay at a place visited by him in the discharge of his duties as such Leader and is provided with free boarding and lodging at the expense of the State, he shall, if he draws daily allowance, limit It to his actual expenses subject to a maximum of the full allowance admissible under these rules.

13. **Journeys outside India-—** (1) Where the Leader of the Opposition performs a Journey outside India in the discharge of his duties as such Leader, he shall be entitled to the following travelling and other allowances in respect of such journey, namely :—

(a) (i) *Travelling Allowance.*—For that part of the journey which the Leader of the Opposition undertakes in India, travelling allowance will be regulated in accordance with rule 9.

(ii)Passage— For the journey undertaken outside India free return air-cum-rail-cum-sea passage by the shortest route will be provided by the First Class in air and rail Journeys and First Class-C grade passage in Journey by sea or by any lower class by which the Leader of the Opposition actually travels, from the last port of enplanement or embarkation in India to the place visited in the foreign country and back. Rail travel will include sleeping berth during nights.

(iii) *Luggage* .— The Leader of the Opposition can carry with him not exceeding 40 kilograms of luggage including the free allowance allowed by the Air Transport Companies.

(b) *Daily Allowance*—(i) Daily allowance as admissible to a grade! officer of the Central Government will be paid on the basis of nights spent at the place of business in connection with his work in the foreign country in accordance with the rates prescribed by the Ministry of External Affairs, from time to time.

(ii) Two-third of the daily allowance will also be paid during the period of journey by rail provided the cost of food is not included in the rail fare paid.

(iii) The Leader of the Opposition will not be entitled to any daily allowance admissible under any other rules, for the period spent outside India,

(c) *Other Expenses.* — The Leader of the Opposition is entitled to :—

(i) free board and lodging expenses at enforced halts en route where the Air Companies do not provide the same subject to the- maximum daily allowance admissible at the place of halt;

(ii) actual expenses Incurred on passport fees and vaccination and inoculation certificates subject to the production of receipts;

(iii) incidental expenses such as tips, taxi-hire and carfare incurred on duty on production of the necessary vouchers;

Provided that where the receipts or vouchers for actual or incidental expenses incurred are not available the expenditure shall be reimbursable on the basis of the certificate of the Leader of the Opposition that it was actually incurred.

(2) The Leader of the Opposition who claims the actual or incidental expenses under sub-rule (1) (c) shall support his claim by the certificates in form III.

14. **Travelling expenses for journey of family on the death of a Leader of the Opposition**.— On the death of the Leader of the Opposition, the members of his family shall be entitled to travelling expenses in respect of the journey from Delhi to their usual place of residence outside Delhi on the same scale as is admissible for the time being to the family of a Central Government servant of the first grade on his death while in service:

Provided that the journey shall be completed by the family of the Leader of the Opposition within six months from his death.

15. **Advances —** The Leader of the Opposition shall be entitled to :—

(a) an advance of travelling allowance in respect of his journey and the journey of the members of his family and cost of transporting his family's effects —

(i) from his usual place of residence outside Delhi for assuming office; and (ii) from Delhi to his usual place of residence outside Delhi on relinquishing office; and

(b) an advance of travelling and daily allowance in respect of tours undertaken by him in the discharge of his duties as such Leader.

16. **Medical Attendance and Treatment**.— (1),The Leader of the Opposition and members of his family shall be entitled free of charge to medical attendance and treatment on the scale and conditions applicable to members of the All India Services and the members of their families under the All India Services (Medical Attendance) Rules, 1954.

(2)When the Leader of the Opposition proceeds to a country outside India in the discharge of his duties as such Leader, he shall be entitled free of charge to such medical attendance and treatment as may be admissible to the Head of the Indian Mission at that place.

Note.—"Family "for the purposes of this rule shall have the same meaning as is assigned to it in the relevant Medical Attendance Rules-

17. **Telephone Facilities ,—** [3](1) The Leader of the Opposition shall be entitled to the installation and maintenance of a telephone at his office in Parliament House, New Delhi and his residence in New Delhi/Delhi. No charges shall be payable by him in respect of the rental of the telephone or for local trunk calls made by him in the discharge of his duties as the Leader of the Opposition.'

[4](2)(a)Without prejudice to the Provisions of sub-rule (1) the Leader of Opposition shall be entitled to a telephone connection either at his usual place of residence in his constituency or at a place selected by him, being a place situated within the State which he represents or within the State

---

[3] Renumbered by Notification No 14 (2) / 89- WS - G.S.R. 715 (E) published in the Gazette of India Extraordinary, part II Section 3, Subsection (i) dated 17.8.1990- corrigendum G S.R. 779 (E) dated 17.9.1990.

[4] *Inserted by GS.R. 715 (E) ibid*

in which he resides, in his capacity as a Member of Parliament and no charges shall be payable by him in respect of the installation and rental of that telephone.

(b) The Leader of the Opposition shall not be liable to make any payment in respect of the first [5]fifty thousand local calls in a year, made from the telephone installed under clause (a) of sub-rule (2).

(c) The Leader of the Opposition would be allowed to adjust the trunk call bills within the monetary equivalent of [5]fifty thousand' local calls in a year;

Provided that where the telephone is in a flat rate exchange, the Leader of the Opposition would be allowed to adjust the charges for trunk calls made from that telephone to the extent of the value of [5] twenty five thousand ' local calls per year."

18. Secretarial Assistance. -- (I) The Leader of the Opposition shall be entitled to the following secretarial assistance:-

[6]" (a) Private Secretary -1;
(b) Additional Private Secretaries -2;
(c) Assistant Private Secretaries -2;
(d) 1st Personal Assistant -1;
(e) 2nd Personal Assistant -1;
(f) Hindi Steno -1;
(q) Clerk -1;
(h) Jamadar -1;
(i) Peons -4"

(2) The posts mentioned in sub-rule (1) shall carry the same status and scales of pay as are applicable to corresponding posts on the Personal Staff of a Cabinet Minister under the Central Government.

[7]" **18A. Staff Car Driver** -— (I) Where the Leader of Opposition is provided with staff car for the purposes of security or otherwise for any period he shall also be entitled to a staff car driver for such period.

"' The post of staff car driver shall carry the same status and scale of pay as is applicable to the corresponding post on the persona I staff of a Cabinet Minister under the Central Government."

[8]"**18B. Retention of staff after relinquishing office** .— Upon demission of office by the Leader of the Opposition the persons appointed against posts mentioned in sub-rule (1) of rule 18 and rule 18A may continue to hold their posts for a period not exceeding fifteen days- Thereafter, any two out of the above mentioned persons may be allowed to be continued for another 15 days. If required by the outgoing Leader of the Opposition, to wind up his office."

---

[5] Substituted by G.S.R. No. 87 (E) published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) dated 23.2.98 effective retrospectively from 30.8.97

[6] Substituted by GSR 745 (E) ibid

[7] Inserted by notification No. F 14 (2) / 89-WS dated 8.5.1991 - effective from 1.10.1990-G S R 269 (E) published in the Gazette of India Extraordinary. Part II -Section 3 - Sub-section (ii) dated 8.5. 1991. corrigendum G S.R. 346 (E) dated 19.7.1991

[8] *Inserted by Notification No. F. 14 (1!/9!-WS dated 25.10.* 1991-G *SR 656 (E) published in the Gazette of India Extraordinary. Pail II – Section 3- Sub-section (i) dated 31.10.1991 Corrigendum G. S.R. 719 (E) dated 5.12 1991*

19. **Conveyance Allowance** .—The conveyance allowance admissible to the Leader of the Opposition under sub-section (2) of section 8 of the Act shall be paid to him on production of a certificate in Form IV,

20. **Interpretation** .— If any question arises as to the interpretation of these rules, It shall be referred to the Central Government for decision.

IndiaCode

FORM I
(Clause (c) (i) of rule 9)

I Certify that I have actually paid the amount of this bill and that it does not include any charge for the freight of any stores or goods, other than my personal luggage, or any charge for refreshments, hotels or travellers bungalows.

FORM II
[Rule 10(2)]
CERTIFICATE

1. Certified that no person travelled with me in the Reserved Compartment,

2. Certified that Private Secretary/Personal Assistant travelled with me in the reserved accommodation and that he actually purchased a ticket of the class of accommodation to which he is entitled.
3. Certified that a relative of mine travelled with me in the reserved accommodation, without payment of any fare. as authorised.
4. Certified that.....……..... extra person/s travel led with me in the reserved accommodation and that necessary first class/air-conditioned class tickets were purchased by them.

(Note- Please score out the paragraphs which are not applicable.)

IndiaCode

FORM III
(Rule 13)
CERTIFICATE

1. Certified that expenses incurred on passport fees/vaccination and inoculation certificates were in the interest of the work of the Delegation and that rates of taxi-hire etc. are in accordance with the prevailing rates and the expenditure on these Items was reasonable-
2. Certified that the expenditure on account of tips included in the bill is not more than what has been actually incurred.

[9]FORM IV
(Rule 19)
CERTIFICATE

Certified that I have incurred an expenditure of not less than Rupees .....
on conveyance during the month of…… in the discharge of my duties as the Leader of the Opposition and also that I was not provided a staff car on account of security reasons or otherwise during the said period.

[9] Substituted by G S.R 269 (E) dated 8.5.1991.